

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
MAY 26, 2026
6:30 P.M.**

Present: Mayor Mitch Colvin;

Council Members Stephon Ferguson (District 1); Malik Davis (District 2); Antonio Jones (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6) (arrived at 6:34 p.m. departed at 8:10 p.m.); Brenda McNair (District 7); Shaun McMillan (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney (via TEAMS)
Victoria Curtis, Assistant City Attorney
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Michael Gibson, Interim Assistant City Manager
Roberto Bryan, Jr., Police Chief
Kevin Dove, Fire Chief
Tiffany Murray, Chief Financial Officer
Gerald Newton, Development Services Director
Jerry Clipp, Human Resource Development Director
David Scott, Communications Manager
Jennifer Baptiste, Ombudsman
Kimberly Toon, Purchasing Manager
Andrew Mansell, Senior Assistant to the City Manager
Richard King, PWC Chairman
Timothy Bryant, PWC President and CEO
Jennifer Ayre, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 6:30 p.m.

2.0 INVOCATION

The invocation was offered by Rabbi Scott Klein, U.S. Army Chaplain.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Mayor and City Council. The National Anthem was sung by Ms. Nishi Chatatwala.

4.0 ANNOUNCEMENTS

Council Member Jones announced the opening of Roots of Resilience Community Farmers Market at 4616 Murchison Road, Fayetteville, NC. The market is open on the 2nd and 4th Thursdays of the month from 5:30 p.m. – 8:30 p.m.

Council Member Jones announced Heroes of Cumberland County, a performance by select youth of Cumberland County Schools, presented by Greater Life of Fayetteville scheduled for Friday, May 29, 2026, 6:30 p.m. – 8:00 p.m. and Saturday, June 6, 2026, 2:00 p.m. – 4:00 p.m. at Fayetteville Technical Community College, Tony Rand Student Center, 2200 Hull Road, Fayetteville, NC.

Council Member Jones extended birthday wishes to his father in celebration of his 85th birthday.

Council Member Ferguson announced the 4th Annual Picnic in the Park at Lake Rim Park, 2214 Tar Kiln Drive, Fayetteville, NC, on Sunday, June 7, 2026, 3:00 p.m. – 8:00 p.m.

5.0 CITY MANAGER REPORT

Dr. Douglas Hewett, City Manager, announced the next Doug in the District is scheduled for Thursday, May 28, 2026, at 6:00 p.m. at New Life Bible Church, 1420 Hoke Loop Road, Fayetteville, NC.

Dr. Hewett announced the ribbon cutting ceremony for The Courts at Glenville Lake, 730 Filter Plant Drive, Fayetteville, NC, is scheduled for June 3, 2026, at 10:00 a.m.

Dr. Hewett recognized and announced the upcoming retirements of several valued members of the City of Fayetteville. Their years of dedicated service, leadership, and commitment have made a lasting impact on our City and our community.

Mr. Terrance Roberson, Street Maintenance Supervisor, 39 years of service.
Mr. Derrick Bowens, Infrastructure Technology Solutions Officer, 25 years of service.
Mr. Lemuel Ivey, Fire Captain, 40 years of service.
Mr. Anthony Mathis, Equipment Operator, 17 years of service.
Ms. Patricia Johnson, Permit Technician Supervisor, 14 years of service.
Ms. Kisha Deal, 911 Communicator Supervisor, 22 years of service.
Ms. Diana Engel, Forensic Technician, 21 years of service.
Mr. James Roper, Transit Supervisor, 28 years of service.
Mr. Timothy Ake, Fire Lieutenant, 31 years of service.
Ms. Michele Smith-Riordan, Community Engagement Manager, 25 years of service.
Mr. Darryl Smith, Equipment Operator III, 5 years of service.

6.0 APPROVAL OF THE AGENDA

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

7.0A CONSENT AGENDA

MOTION: Council Member McMillan moved to approve the consent agenda with the exception of Items 7.0A2, 7.0A4, and 7.0A12 for an up or down vote.
SECOND: Council Member Ferguson
VOTE: UNANIMOUS (10-0)

7.0A1 Approval of Meeting Minutes:

May 4, 2026 – Work Session
May 11, 2026 - Discussion of Agenda Items
May 11, 2026 - Regular
May 14, 2026 – Budget Work Session

City Council approved the four draft meeting minutes.

7.0A2 PULLED FOR A SEPARATE VOTE

7.0A3 Adopt Resolution Authorizing a Lease for the Central District Office of the Fayetteville Police Department

City Council adopted a resolution to authorize a property lease at 3811 Sycamore Dairy Road for the Central District Office of the Fayetteville Police Department. The current lease will expire on June 30, 2026, and the City would like to continue leasing the building and enter into a new five-year agreement. The new lease also adds a 192 square feet building for storage in addition to the current 7,000.00 square foot building. The rent will be \$9,385.00 monthly with an approximate 1.5 percent (%) increase annually during the term of the lease.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING A LEASE AGREEMENT FRO THE CENTRAL DISTRICT OFFICE OF THE POLICE DEPARTMENT LOCATED AT 3811 SYCAMORE DAIRY ROAD. RESOLUTION NO. R2026-029

7.0A4 PULLED FOR A SEPARATE VOTE

7.0A5 P26-10: A request to rezone the property at 2025 Hope Mill Rd (0416123213000)

consisting of 0.31 acres and owned by Franco, Kimberly from Single Family Residential 10 (SF-10) to Office & Institutional (OI).

City Council approved the rezoning of 0.31 acres at 2025 Hope Mills Road from Single Family 10 (SF-10) to Office and Institutional (OI). The surrounding properties are a mixture of detached-single family homes and various forms of businesses that occupy either OI or Limited Commercial (LC). The Future Land Use Plan 2040 (FLUP) designates the property to be Office and Institutional (OI). On April 14, 2026, the Zoning Commission voted unanimously to recommend City Council approve this conditional rezoning request.

7.0A6 P26-16. Rezoning of seven parcels currently zoned as Downtown 2 (DT-2) (REID numbers 0437249598000, 0437342994000, 0437344946000, 043735419000, 0437345972000, 0437345969000, and 0437355055000), addressed as 227 Fountain Head Lane/150 Robeson Street, 615 Franklin Street, 625 Hay Street, 0 Hay Street, 116 Robeson Street, 0 N/A Drive, and 621 Hay Street; five parcels zoned Community Commercial (CC) (REID numbers 0531814927000, 0531811468000, 051716373000, 0531717651000, and 0531718967000), addressed as 6387 Ramsey Street, 0 Drive, 6369 Rosser Drive, 6387 Rosser Drive, and 0 Driver; two parcels zoned Office and Institutional (REID numbers 0416966493000 and 0416879025000), addressed as 1638 Owen Drive and 3416 Melrose Road; two zoned Limited Commercial (LC) (REID numbers 0426061055000 and 0407980597000), addressed as 3360 Village Drive and 1930 Skibo Road; and one parcel zoned as Downtown 1 (DT-1) (REID number 0437440908000) addressed as 101 Robeson Road to a Medical Arts Campus District (MAC) and removing properties from the Hospital Overlay District, totaling over 50 acres ± and being the properties of the Cumberland County Hospital System, Inc, represented by Macklyn Sellers.

City Council approved the rezoning of over fifty (50) acres on seven parcels to a new zoning district - the Medical Arts Campus Zoning District (MAC) and remove the current Hospital Overlay District. The hospital properties include the Main Campus on Owen Drive, Downtown Campus on Robeson, Skibo Healthplex, and the Ramsey Street/Andrews Road Complex. The Future Land Use Plan (FLUP) designates the subject properties as Office/Institutional (O/I), Downtown (DTMXU), Regional Center (RC), and Community Center (CC). The rezoning to MAC matches the general intent of the Future Land Use Plan and the Unified Development Ordinance. On April 14, 2026, the Zoning Commission voted unanimously to recommend City Council approve this conditional rezoning request.

7.0A7 P26-17. Conditional Rezoning of a parcel addressed as 120 N. Cool Springs Street, REID number 0437738825000 currently zoned as Downtown - 2 (DT-2) to Downtown - 2/Conditional Zoning (DT-2/CZ), consisting of .42 acres ± and being the properties of the J & L REI Holdings, LLC., represented by Jonathan Acevedo.

City Council approved the conditional rezoning of 0.47 acres at 120 North Cool Springs Street from Downtown-2 (DT-2) to Downtown 2/Conditional Zoning (DT-2/CZ). The rezoning was approved with the conditions of increasing the maximum density allowed for the property from four (4) units to ten (10) units as consistent with the Downtown - 1 (DT-1) zoning district. The property is designated as Downtown (DTMXU) development on the City's 2040 Future Land Use Map. Development of this property with a use allowed in the DT - 2 zoning district is consistent with the intent and guiding policies of the Future Land Use Plan. On April 14, 2026, the Zoning Commission voted unanimously to recommend City Council approve this conditional rezoning request.

7.0A8 Adopt Ordinances for Uninhabitable Structures: Demolition Recommendations

**104 Fleishman Street – District 4
419 Hall Street – District 2
429 Chatham Street – District 2
1701 North Street – District 2**

City Council adopted demolition ordinances for four residential structures deemed dangerous.

104 Fleishman Street – District 4

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

RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 104 FLEISHMAN STREET, PIN 0419-20-9979. ORDINANCE NO. NS2026-014

419 Hall Street – District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 419 HALL STREET, PIN 0437-61-2196. ORDINANCE NO. NS2026-015

429 Chatham Street – District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 429 CHATHAM STREET, PIN 0437-56-3989. ORDINANCE NO. NS2026-016

1701 North Street – District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY OF FAYETTEVILLE, NC, 1701 NORTH STREET, PIN 0438-64-2424. ORDINANCE NO. NS2026-017

7.0A9 Adoption of Special Revenue Fund Project Ordinance 2026-13 to Appropriate McKinsey Settlement Funds

City Council adopted Special Revenue Fund Project Ordinance 2026-13 to appropriate \$18,306.00 for the opioid strategies funded by McKinsey Settlement Funds. The City of Fayetteville received the funds from recent litigation concerning the national opioid epidemic.

7.0A10 Adopt Resolution to Convey Real Property and Issue Loans for the Affordable Single-Family Housing Development Program

City Council adopted a resolution authorizing the conveyance of sixteen City-owned residential lots and the issuance of related HOME Investment Partnerships Program construction loans under the City's Affordable Single-Family Housing Development Program. The conveyed lots are 203 and 205 B Street, 304, 306, and 308 South Cool Spring Street, 329 Cross Creek Street, 205 Deep Creek Road, 330 and 332 Lincoln Drive, and 208, 215, 216, 217, 220, 224, and 226 Nimocks Avenue.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA TO CONVEY REAL PROPERTY AND ISSUE LOANS FOR THE AFFORDABLE SINGLE-FAMILY HOUSING DEVELOPMENT PROGRAM. RESOLUTION NO. R2026-030

7.0A11 Accept the Juvenile Restitution Program Grant Awarded from North Carolina Department of Public Safety and Adopt Special Revenue Fund Project Ordinance Amendment

City Council accepted the Juvenile Restitution Program Grant Award and adopted Special Revenue Fund Project Ordinance 2026-10 to appropriate \$92,273.00 for personnel and operating costs of the Fayetteville-Cumberland Juvenile Restitution Program. The \$92,273.00 appropriation includes the \$65,795.00 grant award, the City's local match of \$15,951.00 and Cumberland County's local match of \$10,527.00.

7.0A12 PULLED FOR A SEPARATE VOTE

7.0A13 Authorize the City Manager to execute a contract awarding the In-Ground Bus Lift Equipment Purchase and Installation to C&A Equipment Services, Inc. in the amount of \$209,270.00

City Council authorized the City Manager to execute a contract awarding the in-ground bus lift equipment purchase and installation to C&A Equipment Services in the amount of \$209,270.00.

7.0A14 PWC - Approve Bid Recommendation - Coating Repairs to the 1 MG Clinton Road Elevated Water Storage Tank

City Council approved the construction award for the Coating Repairs to the 1 MG Clinton Road Elevated Water Storage Tank to Utility Service Co., Inc, Perry, GA, the lowest responsive, responsible bidder and in the best interests of PWC, in the total amount of \$600,500.00, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0A15 PWC - Approve Bid Recommendation - Materials Contract for Construction Ops and Storms

City Council approved the purchase award recommendation for the Materials Contract for Construction Ops and Storms to Crowder Trucking LLC, Fayetteville, NC, the lowest responsive, responsible bidder and in the best interests of PWC in the total amount of \$264,700.00 and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0A16 PWC - Approve Sole Source Recommendation - Distribution Transformer Purchase

City Council approved the Sole Source Recommendation for PWC's Electrical Engineering and Construction Department to purchase specific equipment pursuant to a sole source exception to the competitive bidding requirements.

The approval authorizes a one (1) year sole source agreement with the option to renew for two (2) additional one (1) year terms for the purchase of Distribution Transformers (Overhead, Single-Phase Padmount, and Three-Phase Padmount) manufactured by Electric Research Manufacturing Company (ERMCO) of Dyersburg, Tennessee for Fiscal Years 2027, 2028, and 2029, and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0A17 PWC - Approve purchase award recommendation for purchase of Water Treatment and Water Reclamation Chemicals Annual Contract Year 2026

City Council approved the purchase award for Water Treatment and Water Reclamation Chemicals Annual Contract Year 2026 and each contract may be extended for an additional one-year period upon the agreement of both parties and authorize the CEO and General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0B ITEMS PULLED FROM CONSENT

7.0B2 Approve Work Session Start Time from 3:00 p.m. to 2:00 p.m.

MOTION: Council Member McMillan moved to send this item to a future Work Session.

SECOND: Council Member Davis

VOTE: UNANIMOUS (10-0)

7.0B4 Revised Charter and Reconstitution of the Community Public Safety Advisory Board (CPSAB)

Council Member McMillan stated many of the changes to the Community Public Safety Advisory Board Charter are positive and recognizes a holistic approach to community safety rather than focusing on police, but requested the requirement to participate in the Police Citizens Academy be removed from the charter.

MOTION: Council Member McMillan moved to adopt revised charter and reconstitution of the Community Public Safety Advisory Board, with the removal of the Police Citizens Academy requirement.

The motion died for lack of a second.

MOTION: Council Member McMillan moved to send this item to a future Work Session

The motion died for lack of a second.

MOTION: Council Member Thompson moved to adopt the revised charter and reconstitution of the Community Public Safety Advisory Board.

SECOND: Council Member Haire

VOTE: PASSED by a vote of 8 in favor to 1 in opposition (Council Member McMillan)

7.0B12 Authorize the City Manager to renew the Memorandum of Agreement with Cumberland County Schools to provide Resource Officer (SRO) and Traffic Control Officer (TCO) – Renewal of memorandum of Agreement with Cumberland County Schools

Council Member McMillan stated the renewal of the School Resource Officers (SROs) is more serious than what should be on the consent agenda and needs further examination.

Dr. Douglas Hewett, City Manager, stated the contract largely remains the same with a few additions. The agreement is for three one-year renewals and the full funding of the SROs and Traffic Control Officers (TCOs) is the responsibility of Cumberland County Schools (CCS). Additionally, it identifies the schools within the City of Fayetteville where SROs will be provided, clarifies the roles of SROs and TCOs and states that, with the support of CCS, the Office of Community Safety (OCS) will work collaboratively with the school system. Discussion ensued.

MOTION: Council Member McMillan moved to send this item to a Work Session.

SECOND: Council Member Greene

VOTE: FAILED by a vote of 2 in favor to 8 in opposition (Mayor Colvin, Council Members Davis, Jones, Haire, Greene, McNair, Thompson and Hondros)

MOTION: Council Member Thompson moved to approve the renewal of the Memorandum of Agreement with Cumberland County Schools to provide School Resource Officer (SRO) and Traffic Control Officer (TCO)

SECOND: Council Member Haire

VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Ferguson and McMillan)

8.0 REPORTS FROM BOARDS AND COMMISSIONS

8.01 Receive the Personnel Review Board Report

Mr. Jerry Clipp, Human Resources Development Director, stated the Personnel Review Board is comprised of six members from the community and meets to hear post termination appeals. The board only meets and convenes when a hearing is requested. The board has only met twice in six years, with the last hearing having been held in November 2025.

MOTION: Council Member Haire moved to receive the Personnel Review Board Report.

SECOND: Council Member Jones

VOTE: UNANIMOUS (10-0)

8.02 Receive the Fayetteville Public Works Annual Report

Mr. Richard King, Fayetteville Public Works Commission (PWC) Chairman, presented the Fayetteville Public Works Annual Report and stated it is a four-member board. PWC is strong, reliable, award-winning, and forward-looking through strong governance, strategic investments and community partnerships. In 2025, PWC celebrated 120 years and in Fiscal Year 2025, PWC provided \$52 million in contributions in support of the City of Fayetteville that reflects PWC's ongoing commitment to strengthen the City's infrastructure, economic growth, and quality of life. Other key investments include \$31.2 million in annexation related infrastructure and debt service, \$11.9 million in payment-in-lieu of taxes, \$4 million in supporting

street lighting, and \$2.3 million in storm drainage improvements. Community assets include FayTV and shared parking infrastructure.

PWC received the American Public Power Association's Reliable Public Power Diamond Level Award for the 7th year, American Public Power Associations' Safety Award of Excellence, North Carolina Partnership for Safe Water 25-year Director's Award, North Carolina One Water Distribution Overall System of the Year Award and Waste Water Collections Large System of the Year Award, and eighth place in the National Association of Fleet Administrator's Top 100 Fleets in America Award.

PWC electric reliability metrics remain one of the best in the industry, experiencing less than one outage on average annually, with an average outage duration of 31 minutes. Continued modernization projects include smart substations, upgrades in automation technology, and an ongoing sub-transmission system improvement. The Butler Warren Generation Plan remains one of the community's greatest assets with a 98 percent (%) availability factor through a power supply agreement with Duke Energy Progress.

PWC continues to deliver drinking water that exceeds national standards and has experienced fewer sewer overflows and watermain breaks than the national average. Key water and wastewater improvement initiatives include investments into advanced treatment systems to help address emerging contaminants such as per- and polyfluoroalkyl substances (PFAS) by securing \$83.5 million in funding. PWC continues to support Phase V annexation expansion, expanding infrastructure for drinking water to Grays Creek and Alderman Road Elementary Schools, and opposed the Fuquay-Varina Interbasin transfer. PWC continues to collaborate with Fayetteville State University and Fayetteville Technical Community College to establish a regional training center supporting green economy jobs.

Discussion ensued regarding PFAS, forever chemicals, and future renewable power delivery opportunities.

MOTION: Council Member Haire moved to receive the Fayetteville Public Works Annual Report.
SECOND: Council Member Davis
VOTE: UNANIMOUS (10-0)

9.0 PUBLIC HEARINGS

9.01 Public Hearing on the Renaming of North Street Baseball Field to Coach Donald Bennett Field

Mr. Michael Gibson, Interim Assistant City Manager, presented this item with the aid of a PowerPoint presentation and stated this is for the renaming of a baseball field at North Street Park for a gentleman who has participated in making Parks and Recreation a better place for kids to participate in and strengthening young men and women. The park will remain named North Street Park, and the name change will only be for the baseball field. The Parks and Recreation Board endorsed the renaming of the baseball field.

Discussion ensued.

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 Davis moved to approve the renaming of the North Street Baseball Field to the Coach Donald Bennett Baseball Field.
SECOND: Council Member Hondros
VOTE: UNANIMOUS (10-0)

9.02 Text Amendments to Article 30 of the Unified Development Ordinance to include Medical Arts Campus Zoning District

Ms. Jennifer Baptiste, Ombudsman, and Mr. Chester Green, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the text amendments would define and create the Medical Arts Campus (MAC) Zoning District, add the MAC to the use table, adopt applicable development standards, and establish definitions for the district. The zoning district will include the zoning district, use standards, buffer types, and exterior lighting

standards. Staff have worked diligently with Cape Fear Valley Hospital staff to create the standards.

Ms. Baptiste stated anyone seeking to rezone to the new district would require a minimum of five acres. Increased height and reduced setbacks will also be allowed for development. This would allow rear setbacks of three feet, or twenty feet if it is adjacent to residentially zoned property. Mr. Green stated the use table will allow for many of the Office and Institutional (OI) uses but provides the additional uses for a pharmacy with or without a drive-through, blood tissue centers, drug and alcohol treatment facility, and other minor uses. An additional accessory use that is not currently allowed in OI is for food trucks. The development standards for buffering would be the same as the current requirements for the hospital of a Type D when abutting single family residential, a Type A buffer when abutting multifamily residential, or no buffer when abutting commercial. The exterior lighting uses allow for an increase in pole height of 30-foot instead of 20-foot.

There would be no City capital cost or General Fund expenditures with this adoption. The regulation changes only define the district, identifies allowed uses, sets development standards, and identifies uses that require a special use permit. On March 17, 2026, the Planning Commission voted unanimously to recommend approval of the proposed Text Amendment as presented.

Discussion ensued.

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

Mr. Mack Sellers, 1638 Owen Drive, Fayetteville, NC, spoke in favor of this item.

There being no further speakers, the public hearing was closed.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-4, USE STANDARDS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-4, USE STANDARDS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-5, USE STANDARDS,

UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-5, USE STANDARDS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-9, DEFINITIONS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2026-019

MOTION: Council Member Hondros moved to approve the text amendments to Article 30 of the Unified Development Ordinance to include Medical Arts Campus Zoning District.
SECOND: Council Member Ferguson
VOTE: UNANIMOUS (10-0)

9.03 Public Hearing on the Proposed Fiscal Year 2026-2027 Annual Operating Budget and Capital and Technology Improvement Plans

Mr. Jeffrey Yates, Assistant City Manager, presented this item with the aid of a PowerPoint presentation and stated this is the statutorily required public hearing. This allows residents to give feedback on the proposed budget. The City Manager presented the proposed budget two weeks ago and the Capital Improvement Plan (CIP) on April 8, 2026. The proposed budget and CIP are posted online for review, and transparency tools are also online.

The recommended tax rate is 47.95 and is a three-cent tax increase. The overall total budget is down by half a percent from \$325 million last year to \$323 million. Expenditures by department and General Fund investments were presented. Investments of an additional penny for operations has 52 percent (%) in safe and secure community, 22% in diverse and strong economy, 18% in desirable place to live, work, and play, 5% in a financially strong City with high-quality services, and 1% in community and business engagement.

The recommended CIP is for two cents and has about \$97 million in projects recommended for Fiscal Year 2027. Over the life of the CIP including appropriations today there has been over \$670 million in projects. The additional pennies for capital projects include 45% for transit, 31% for public safety, 18% for general government capital projects, and 6% for Parks and Recreation.

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

Mr. Benjamin Hultquist, 801 Rim Road, Fayetteville, NC, spoke in favor of this item.

Mr. Toriano Riddick, 404 Pilot Avenue, Fayetteville, NC, spoke in favor of this item.

Ms. Bobbie Burgess, 2108 Constitution Drive, Fayetteville, NC, spoke in opposition of this item.

Mr. Kurt Ballash, 701 Murray Hill Road, Fayetteville, NC, spoke in opposition of this item.

Ms. Lisette Rodriguez, 1701 Cherokee Drive, Fayetteville, NC, spoke in opposition of this item.

There being no further speakers, the public hearing was closed.

10.0 EVIDENTIARY HEARINGS

10.01 SUP26-01: Special Use Permit to allow Transitional Housing at 707 Murchison Road containing 3.62 acres owned by UNITED GOSPEL FELLOWSHIP COVENANT MINISTRIES.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint Presentation and stated this is in District 3 at 707 Murchison Road by Bishop Jerry Porter to

request transitional housing. The property was an assisted living facility previously and includes offices. The current zoning is a mix of Mixed Residential 5 (MR-5), Office and Institutional (OI), and Limited Commercial (LC). Much of the property is in the 100-year floodplain and the Future Land Use Map calls for the property to be Parks and Open Space. There is also a floodway located on portions of the property. Building is not permitted in the floodway but can be built in the floodplain, however, some of the existing buildings are in the floodway. Photos of the surrounding properties were presented.

The proposed use generally aligns with adopted City objectives related to corridor reinvestment, neighborhood stabilization, community development, and the expansion of community-serving services. The proposed facility is intended to provide workforce support, life-skills development, mentorship, and 40-bed transitional housing services that promote personal stability and self-sufficiency.

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

Bishop Jerry Porter, 707 Murchison Road, Fayetteville, NC, spoke in favor of this item and stated the vision is to provide a structural, transitional environment that restores dignity, stability, accountability, and hope to men in need. The proposed project meets all of the required findings of fact because it complies with the Unified Development Ordinance, it will not disturb the surrounding community through structured mentorship, the program will not endanger public health or safety because clear rules, supervision, and structured programming will be in place, it will support the City's goals related to community development and homelessness, it will not harm the surrounding community value because structured transitional programs help individuals achieve stability, and the applicant commits to comply with all applicable City, State, and Federal laws and regulations.

Mr. John Russell, 5546 Ridgecrest Drive, Hope Mills, NC, spoke in favor of this item.

There being no further speakers, the public hearing was closed.

Council Member Haire requested clarification on what can be done in a floodway and floodplain. Mr. Harmon stated the current structures can be utilized on the property, but there could be issues if there is a flood and nothing new is permitted to be built in the floodway.

MOTION: Council Member Davis moved to approve the Special Use Permit to allow Transitional Housing on residentially zoned property conforming to the current Unified Development Ordinance standards using the existing structure, as presented by staff, based on the standards of the City's development code and the evidence presented during this hearing. And that the application is consistent with applicable plans because: (1) the development is located in an Office and Institutional (OI) zoning district and (2) that this use complies with the findings listed below and (3) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area.

This Special Use Permit shall become effective with the approval of the Order of Findings by the City Council. The Special Use Permit shall expire one year from its effective date if a building permit is not issued within that time.

1. The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards because the site will house no more than 40 residents;
2. The special use will be in harmony with the area in which it is located because the property will be professionally managed and maintained contributing to the overall appearance and stability of the corridor;
3. The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved because the facility will comply with all applicable building, fire, and life-safety codes, including occupancy limits, emergency egress, and required inspections prior to operation;
4. The special use is in general conformity with the City's adopted land use plans and policies because the public benefit and quality of life supports self-sufficiently, reduces negative social outcomes, and enhances the quality of life for residents within the community;

5. The special use will not substantially injure the value of the abutting land, or the special use is a public necessity because the use will not introduce conditions typically associated with negative impacts on property value such as excessive noise, uncontrolled traffic or congestion, outdoor storage or industrial activity, and unsupervised or disorderly gatherings; and
6. The special use complies with all other relevant City, State, and Federal laws and regulations because the structure will meet all applicable North Carolina Building Code and Fire Code requirements, including occupancy limits, life-safety measures, emergency egress, and fire inspections.

SECOND: Council Member Jones

VOTE: UNANIMOUS (9-0)

10.02 SUP26-02 Evidentiary Hearing for a Special Use Permit to allow for Salvage or Junkyard at 610 E Russell Street (0437915580000) owned by Russell Street, LLC.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint Presentation and stated the property is owned by Russell Street, LLC, who is requesting a special use permit (SUP) for a salvage/junkyard for 10.91 acres at 610 East Russell Street in District 2. The property is located on East Russell Street and Highway 301. The property is currently zoned Industrial and borders Mixed Residential 5 (MR-5) and other industrial properties are located across the road. The Future Land Use Map calls for the property to be Industrial Employment Center (OI/EC). Photos of the subject and surrounding properties were presented.

Ms. Victoria Curtis, Assistant City Attorney, stated the City consents to striking the previously submitted City Staff report. Staff's presentation should be factually only and should not include any recommendations. Council's decision should be based only on the evidence presented during the hearing.

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

Ms. Robin Tatum, Attorney, stated she is an attorney with Smith Anderson in Raleigh and is representing the applicant. Ms. Tatum presented a PowerPoint presentation regarding the property, including the zoning, the request for a salvage/junkyard special use permit, surrounding property uses, and case law on recycling centers and salvage/junkyards. Ms. Tatum stated she would call three expert witnesses and Mr. Dan Walls, the owner of the property, will be available to answer any additional questions if needed.

Ms. Tatum stated the applicant purchased the property in 2023 with the original plan to rent it to an industrial user or clean it up. The property has had a lot of vandalism and trespassing that make it difficult to repair the property unless someone is on site daily. The request is to allow for a salvage/junk yard that will accept discarded materials, such as scrap metal, paper, and wood, to be sorted and made smaller and then taken by truck to Sanford, North Carolina. No selling will take place on the property.

Ms. Tatum stated through expert witnesses she plans to prove each finding of fact. The special use complies with all applicable standards, conditions, and specifications in this Ordinance, including in Section 30-4.C, Use-Specific Standards because the concept plan will show layout, setbacks, and landscaping in compliance with other Unified Development Ordinance (UDO) standards, and the applicant is offering a condition that the development shall be in compliance with all applicable standards, conditions, and specifications of the UDO. Property owner will install a 6-foot screening berm with trees planted on top and will visually protect and buffer the Russell Street side and turn the existing fence into a solid opaque fence. The special use will be in harmony with the area in which it is located because the surrounding uses include other industrial and commercial uses. The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved because it will comply with the UDO, Technical Review Committee (TRC) requirements, state and federal regulation, and traffic safety issues. The special use is in general conformity with the City's adopted land use plans and policies because the evidence is the area is deemed commercial and industrial, which is what is being proposed. The property is not in the Central Campbellton Neighborhood Plan, Cape Fear River Plan, or the Downtown Urban Design Plan. Additionally, inconsistency with the comprehensive land plan cannot support the denial of a special use permit based on North Carolina General Statute 160D-501(c) and *American Towers, Inc v. Town of Morrisville*. The special use will not substantially injure the value of the abutting land, or the special use is a public necessity because an expert witness will

present an impact report that shows the special use will not substantially injure the value of the abutting land. The special use complies with all other relevant City, state, and federal laws and regulations because Russell Street has offered a condition of approval that the development shall be in compliance with all standards, conditions, and specifications of the UDO and state and federal law at the time of development.

Mr. Roland Norris, 400 38th Avenue North, Myrtle Beach, SC, spoke in favor of this item as owner of ELM Site Solutions and testified as an expert witness. ELM Site Solutions is a civil and environmental engineering consulting firm. Mr. Norris is a licensed civil engineer on the site plan. Mr. Norris provided an overview of the preliminary sketch plan. Mr. Norris stated based upon the above facts, his training, research, and experience, it is his professional opinion that the proposed salvage yard will be in compliance with applicable standards, conditions, and specifications of the UDO, as well as state and federal law requirements at the time of development. Additionally, the special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. The affidavit of Roland B. Norris II, that includes Mr. Norris's qualifications, and a site sketch plan was admitted as evidence as Exhibit 1.

Ms. Morgan Cook, 421 Fayetteville Street, Raleigh, NC, spoke in favor of this item as a traffic engineer for Kimley-Horn and testified as an expert witness. Ms. Cook stated a traffic assessment on the proposed site was completed on existing daily traffic volumes and future growth expectations to see the impact of the site to ensure it is within North Carolina Department of Transportation (NCDOT) level of service standards. Additionally, a safety analysis was completed on the site to determine what safety incidents were found through NCDOT Traffic Engineering Accident Analysis Program. It was determined the incident rate is below NCDOT thresholds. Ms. Cook stated based on a review of existing traffic conditions and current traffic and safety data, the land use associated with the proposed SUP is expected to have minimal impact on traffic conditions on the surrounding street network. Likewise, existing roadways in the site vicinity operate at traffic volumes well below their capacities, and a review of traffic incidents indicates no safety concerns in the site vicinity that would warrant further investigation or mitigation. Ms. Cook stated based upon the facts, and upon her training, research, and experience, it is her professional opinion that the proposed salvage yard will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. The affidavit of Morgan A.R. Cook, that includes Ms. Cook's qualifications and a traffic assessment of the site, was admitted as evidence as Exhibit 2.

Mr. Richard Ryan Shively, 2508 Brandt Forest Court, Greensboro, NC, spoke in favor of this item as principal with Sutton Shively Appraisals. Mr. Shively is a state certified general appraiser, as a residential appraiser since 2006 and commercial appraiser since 2016. Mr. Shively stated the impact analysis report is an analysis of the impact of the proposed use on nearby uses. The method used for an impact analysis is a compared sales analysis by reviewing matched pairs of properties that are impacted by external things and then compare them to similar properties that are not impacted in the same way to determine if there is an impact on property value. Mr. Shively stated he reviewed, analyzed, and signed the report for the proposed Russell Street project. The impact analysis relies on acceptable appraisal methodology including the match pair analyses as well as reasoning for the conclusions. Market impacts of plus or minus 5 percent (%) are within the typical market imperfection and do not support any impact at all. The data supports no impact on adjacent properties or land, particularly given the highest and best uses as industrial and higher density residential in nature. The report offers good support for compatibility for the proposed use and the existing nearby uses, including residential uses, which are set back and buffered from the nearest proposed building by a range of 190-445 feet distance, including vegetation, landscaping, and elevation changes. It will not substantially injure the value of abutting land, and the property will be in harmony with the area in which it is located. The affidavit of Ryan Shively, that includes Mr. Shively's qualifications and impact report, was admitted as evidence as Exhibit 3.

The May 13, 2026, Technical Review Committee Meeting transcript was admitted as evidence as Exhibit 5.

Mr. Dennis Chisum, 3305 Amber Drive, Wilmington, NC, spoke in opposition of this item and stated he and Mr. William Troutman are the owners of All-Climate Control Storage, which abuts the property. Mr. Chisum stated he is not opposed to a salvage junk yard, but the proposed location is not a good location. The proposed junk yard is not in harmony with the clean and secure storage business. It could impact visual blight, noise due to outdoor dismantling, dust, debris, increase theft concerns, could be a fire hazard, and devalue their property.

Mr. William Troutman, 6247 Glynmoor Lakes Drive, Charlotte, NC, spoke in opposition of this item and stated the salvage yard will diminish the downtown area, as well as the improvements they have input into their business. Mr. Troutman shared concerns with potential oil leakage and other environmental contamination concerns.

Cross-examination and discussion ensued.

There being no further speakers, the public hearing was closed.

MOTION: Council Member Davis moved to table this item to the June 8, 2026, Council Meeting.
SECOND: Council Member Hondros
VOTE: PASSED by a vote of 8 in favor to 1 in opposition (Council Member Haire)

Mayor Colvin recessed the meeting at 9:45 p.m. Mayor Colvin reconvened the meeting at 10:01 p.m.

11.0 STAFF REPORTS

11.01 Fayetteville Fire Department 2026 1st Quarter Report

Mr. Kevin Dove, Fire Chief, presented this item with the aid of a PowerPoint presentation and reminded Council that due to federal and state reporting requirements, the Fire Department reports on the calendar year, not the fiscal year. First quarter highlights include welcoming their second crisis response dog "Lucy", completing the annual physicals and cancer screenings, updated the City Emergency Operations Plan, and participating in Fayetteville Beautiful.

Call volumes increased to a total of 6,892, with March being the busiest month. Emergency medical services and rescue continue to be the highest incident responses at 4,316 and 33 fire responses. Fire calls and medical responses by district was presented. The total response time improved to 7 minutes and 19 seconds and in the 90th percentile. There was a total of 91 structure fires, with many starting in the kitchen and 8 of them being intentionally set, 1 civilian fatality, 10 civilian injuries, and 6 firefighter injuries. The top three losses were 3715 Ramsey Street commercial storage at \$998,101.00, 1014 Windward Cove apartment at \$250,000.00, and 1111 Cagle Court residential structure at \$169,100.00. There was a slight decrease in overall medical responses, but a moderate increase in overdose responses. Total hazardous materials responses increased by one from last year to 66, with 50 being natural gas responses, 3 carbon monoxide responses, and 10 hydrocarbon spill responses.

32 firefighters were recognized for cardiac arrest saves at the Cape Fear Valley Heartfelt banquet that connects the responders and the patient together. There were 2 vacancies at the end of the first quarter in the Fire Marshal's Office, but at this time are fully staffed. The allotted over hires worked as intended to cover resignations and retirements. There are a handful of retirements upcoming and are preparing to seat the 26.2 academy in late summer. The breakdown of employees by demographics were presented. 12 firefighters have been hired from Academy Class 26.1, and the department has completed 32,303 hours of training. The Fire Marshal's Office showed increased fire code violations at 6,537, reviewed 621 new plans, conducted 3,678 fire inspections, distributed 1,086 educational flyers, and issued 162 new certificates of occupancy. Top fire code violations include electrical equipment and wiring at 1,269. Community Risk Reduction engaged over 7,000 residents, installed 311 smoke alarms, 73 Carbon Monoxide alarms, checked and installed 171 child safety seats, and taught 61 hands-only Cardiopulmonary Resuscitation (CPR). Smoke Alarms Save Lives flyers are now posted inside buses. The Fire Department will give and install fire alarms for free.

Discussion ensued.

MOTION: Council Member Jones moved to receive the Fire Department 2026 1st Quarter Report
SECOND: Council Member Haire
VOTE: UNANIMOUS (9-0)

11.02 Fayetteville Police Department 2026 1st Quarter Review

Mr. Roberto Bryan, Jr., Police Chief, presented this item with the aid of a PowerPoint presentation and stated there has been an increase of 3 percent (%) in total crime. However, there has been a significant decrease from last year to this year related to homicides by 46%, rape by 46%, and aggravated assault by 8%. There have been 7 homicides, 10 overdoses, and 6 suicides this year. Domestic aggravated assault has increased for misdemeanors by 18% but

decreased by 41% in felonies. This is due to targeted efforts and collaboration with the Phoenix Center. From 35 Soundthinking alerts, 1 gun was recovered and 1 resulted in an arrest. In property crimes, motor vehicle theft decreased by 48%, robbery has decreased by 10%, however, there has been an increase in burglaries by 6% and larceny by 5%.

There has been a significant increase of 86% in field contacts with juveniles but a decrease in incident charges and reports. Incidents include weapons, assaults, drugs, breaking and entering, robbery, shoplifting, motor vehicle theft, and vandalism. However, not all field contacts are negative. The Youth Curfew has seen 13 field contacts and 5 incident reports. The School Resource Officer (SRO) program presents data from August 2025 - March 2026 and has had 334 incident reports and 1,091 calls for service.

Federal and state task force results include 11 individuals federally sentenced, 1 federally indicted, \$284,313.71 seized, and 43 illegal firearms seized. The narcotics seizures included 3.96 kilos of cocaine, 16.16 kilos of methamphetamine, 4.14 kilos of fentanyl/heroin, 402.84 pounds of marijuana, and 12 firearms seized.

There were over 90,000 calls processed by 911 telecommunications and over 50,000 calls dispatched for service. There have been 6 fatal crashes, that included 1 pedestrian, 1 drugs/alcohol related, 2 motorcycles, and 1 speeding related. Traffic stops have increased slightly from last year to 13,907. The demographics of traffic stops between 2025 and 2026 were presented. The search percentages among demographic groups remain similar. Operation Speed Kills 2026 will begin soon, and PD is stepping up enforcement. There were 527 citations with 483 for speeding.

Internal Affairs has addressed 19 use of force, 25 departmental investigations, 7 resident complaints, 8 compliments, 8 vehicle pursuits, 17 crashes, and the resulting dispositions of those investigations were presented. Departmental staffing as of March 31, 2026, included 45 vacant officers, 6 professional staff, 17 911-telecommunicators, 16 part-time positions, for a total of 84 vacancies. The total does not include the 38 frozen police officer positions. Photos from community events were presented that included FascinateU, senior living facilities, school career days, and Basic Law Enforcement Training Graduation.

Discussion ensued.

MOTION: Council Member Davis moved to receive the Police Department 2026 1st Quarter Report.
SECOND: Council Member Haire
VOTE: UNANIMOUS (9-0)

12.0 ADMINISTRATIVE REPORTS

12.01 Fayetteville Cares Day Resource Center FY26 Third Quarter Update

This item was for informational purposes only and not presented.

13.0 ADJOURNMENT

There being no further business, the meeting adjourned at 10:41 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk
052626

MITCH COLVIN
Mayor