

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER, CITY HALL  
MAY 27, 2025  
6:30 P.M.**

Present: Mayor Mitch Colvin;

Council Members Katherine K. Jensen (District 1) (arrived at 8:17 p.m.); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6) (via TEAMS); 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  
Adam Lindsay, Assistant City Manager  
Todd Joyce, Interim Police Chief  
David Richtmeyer, Assistant Fire Chief  
Gerald Newton, Development Services Director  
Shelia Thomas-Ambat, Public Services Director  
Willie Johnson, Chief Information Officer  
Willie Henry, Incoming Chief Information Officer  
Loren Bymer, Marketing and Communications Director  
Albert Baker, Assistant Economic and Community  
Development Director  
Craig Harmon, Planner II  
Joshua Hall, Police Department Attorney  
Erin Swinney, Police Department Attorney  
Brook Redding, Senior Assistant to the City Council  
Jennifer Ayre, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Colvin called the meeting to order at 6:34 p.m.

**2.0 INVOCATION**

The invocation was offered by Pastor Brett Johnson of Galatia Presbyterian Church.

**3.0 PLEDGE OF ALLEGIANCE**

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

**4.0 ANNOUNCEMENTS AND RECOGNITIONS**

Ms. Rylen Mack, Fayetteville-Cumberland Youth Council (FCYC) President, and members of FCYC presented the FCYC Year in Review, a short video was presented, and recognized the outgoing FCYC seniors.

Council Member Greene recognized the Terry Sanford High School Art Club members, Kimani Montgomery, Sandy Jung, Amin-ah Rice, Keesha Holsey, Anna Milewild, and Erica Oliver led by Ms. Tiara Siner, that created the City Hall mural honoring those that have served in the armed forces, and a short video was presented.

Miss Abby Dries presented her platform BRAVE - "Building Respect and Values for Everyone" and Raise your Hand as Ms. North Carolina High School America and stated she is preparing for nationals in Little Rock, Arkansas.

Mayor Colvin presented a proclamation to Ms. Shimaine Holley in honor of National Foster Care Month.

Council Member Greene read a proclamation in honor of ALS Awareness Month.

Mayor Colvin presented the Key to the City to J. Harrison Ghee, in grateful recognition of their devoted interest and untiring commitment to the Community while representing the City on a National and Global level.

Council Member Haire announced the 8th Annual HBCU College Fair Experience will take place on August 16, 2025, at the Crown Expo Center, 1960 Coliseum Drive, from 12:00 p.m. - 5:00 p.m.

Council Member Greene announced on Saturday, May 31, 2025, at Seabrook Park, there will be a park clean-up and a family fun day beginning at 8 a.m. The cookout will begin at 11 a.m.

Mayor Colvin requested everyone keep Kingdom Global Impact Ministries, Apostle Ford, in their thoughts for the recent passing of First Lady Glendora Ford and recognized their impact in the community and the Murchison Road corridor.

## **5.0 CITY MANAGER REPORT**

Dr. Douglas Hewett, City Manager, introduced Mr. Willie Henry, the new Chief Information Officer, and recognized Ms. Willie Johnson, who will be retiring as the Chief Information Officer after many years at the City. Mr. Henry is coming from Gaston County, and the transition will take place over the next 30-days. Ms. Johnson's last day is June 30, 2025.

## **6.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Hondros moved to approve the agenda.  
**SECOND:** Council Member Banks-McLaughlin  
**VOTE:** UNANIMOUS (9-0)

## **7.0A CONSENT AGENDA**

**MOTION:** Council Member Hondros moved to approve the consent agenda  
**SECOND:** Council Member Haire  
**VOTE:** UNANIMOUS (9-0)

### **7.0A1 Approval of Meeting Minutes:**

May 5, 2025 - Work Session  
May 5, 2025 - Special - Public Safety  
May 5, 2025 - Special - Evaluation  
May 12, 2025 - Special - Evaluation  
May 12, 2025 - Discussion of Agenda Items  
May 12, 2025 - Regular  
May 15, 2025 - Budget Work Session

**7.0A2 P25-12: A request to rezone from SF-6 to MR-5 at 2721 & 2717 Ramsey St., & 106 Northwest Ave. (READ# 0438695890000, 0438695780000) owned by Cresfund Investments LLC.**

The City Council approved the rezoning request for .68 acres located at 2721 & 2717 Ramsey Street, & 106 Northwest Avenue from Single Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5). Much of the area surrounding the subject property is already zoned Single Family Residential 6. Because of the size of these properties, the proposed MR-5 zoning district is in keeping with the surrounding area and the Future Land Use Plan.

**7.0A3 P25-14: A request to rezone 2022 & 2026 Progress Street (REID 0436032534000 & 0436031348000), owned by King Construction & Development Company Inc, from Single Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5).**

The City Council approved the rezoning request for .42 acres located at 2202 and 2026 Progress Street from Single Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5). The rezoning request aligns with the Future Land Use Plan and Neighborhood Improvement designation, specifically encourages higher-density redevelopment.

**7.0A4 P25-15: A request to rezone 211 Rankin Street (REID 0437532039000), owned by 211 Rankin Street, LLC, from Heavy Industrial (HI) to Downtown 2 (DT-2)**

The City Council approved the rezoning request for .24 acres located at 211 Rankin Street from Heavy Industrial (HI) to Downtown 2 (DT-2). The rezoning request aligns with the Future Land Use Plan as the subject property is in an area with diverse zoning, including commercial, industrial, and core business districts, and rezoning to DT-2 would allow for more varied uses.

**7.0A5 P25-19: A request to rezone 439 Moore Street (REID 0437478289000) from Mixed Residential 5 (MR-5) to Office and Institutional (OI), submitted by Lynn Vick and owned by Michael P. Vick, Lynn R. Vick, and Herbert W. Vick Jr.**

The City Council approved the rezoning request for .20 acres located at 439 Moore Street from Mixed Residential (MR-5) to Office and Institutional (OI). The rezoning request aligns with the Future Land Use Plan and promotes infill redevelopment, neighborhood-scaled institutional uses, and community reinvestment without introducing incompatible patterns of development.

**7.0A6 P25-21: A request to rezone 116 Broadfoot Avenue (REID 0427956296000) from Office and Institutional (OI) to Neighborhood Commercial (NC). The property is owned by Stew-Fox, LLC and is represented by George Regan, Jr. of Thorp and Clarke, PA.**

The City Council approved the rezoning request for .35 acres at 116 Broadfoot Avenue from Office and Institutional (OI) to Neighborhood Commercial (NC). The rezoning request aligns with the Future Land Use Plan and promotes orderly development patterns. It supports mixed-use compatibility, aligns with surrounding zoning and land use, and contributes to the revitalization of Haymount as a vibrant urban node.

**7.0A7 P25-22: A request to rezone an unaddressed parcel on Glensford Drive and five unaddressed parcels on Morris Street (0417114319000, 0417111485000, 0417111176000, 0417019333000, 0417019444000, and 0417017428000), owned by John & Helen Sykes, from Single Family Residential 10 (SF-10) to Community Commercial (CC).**

The City Council approved the rezoning request for 6.68 acres at one unaddressed parcel on Glensford Drive and five unaddressed parcels on Morris Street from Single Family Residential 10 (SF-10) to Community Commercial (CC). The rezoning request aligns with the Future Land Use Plan. Given the expansion of the LaFayette Ford site, the presence of medium- to high-intensity uses in the vicinity, and the broader community's need for retail, service, and office spaces, the rezoning would provide an opportunity for growth that is consistent with the City's strategic goals. This change is reasonable and appropriate, supporting both the development of the area and the needs of the community.

**7.0A8 P25-23: A request to rezone 6.7 acres from BP/CZ to BP/CZ for condition changes at Unaddressed Coalition Blvd (REID #0419014924000) owned by DEFENSE ASSET GROUP LLC.**

The City Council approved the rezoning request for 6.7 acres at one unaddressed parcel on Coalition Boulevard from Business Park Conditional Zoning (BP/CZ) to Business Park Conditional Zoning (BP/CZ) for the following specific conditions: Add multi-family dwellings, mixed use development, and grocery store to the permitted uses allowed

within the BP/CZ for the 6.76 acre Lot 51 in the MBP and that current dimensional and development standards that apply for Mixed Residential 5 (RM-5) District as found in Chapter 30-3.d.5 and 30-5.H shall be applicable for the multi-family dwelling development within the MBP BP/CZ. The rezoning request does not directly align with the Future Land Use Plan, however the uses will be of a size and scale that is complementary to the area and the existing business park.

**7.0A9 P25-24: A request to rezone 3.63 acres from CC to CC/CZ for an apartment complex at 6256 & 6270 Yadkin Rd (REID #0409311723000 & 0409219874000 ) owned by RS & JB, LLC & KEEFE ENTERPRISES INC.**

The City Council approved the rezoning of 3.63 acres located at 6256 and 6270 Yadkin Road from Community Commercial (CC) to Community Commercial Conditional (CC/CZ). The rezoning request aligns with the Future Land Use Plan and the City Council's designated priority Redevelopment Areas, both of which encourage higher density residential in this area of the City.

**7.0A10 Uninhabitable Structures: Demolition Recommendations**

<b>6438 Applecross Avenue</b>	<b>District 7</b>
<b>3121 Fort Bragg Road</b>	<b>District 9</b>
<b>4907 Schmidt Street</b>	<b>District 9</b>

The demolition ordinances are for one commercial building deemed dangerous, two residential buildings identified as blighted.

**6438 Applecross Avenue      District 7**

**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, 6438 APPECORSS AVENUE, PIN 0406-18-5037. ORDINANCE NO. NS2025-014**

**3121 Fort Bragg Road      District 9**

**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, 3121 FORT BRAGG ROAD, PIN 0428-11-2619. ORDINANCE NO. NS2025-015**

**4907 Schmidt Street      District 9**

**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, 4907 SCHMIDT STREET, PIN 0418-27-9917. ORDINANCE NO. NS2025-016**

**7.0A11 Authorize Settlement and Final Payment to Sfl+a Architects for work completed on the Senior Center East Project**

The City Council authorized the settlement and final payment to Sfl+a Architects for the work completed on the Senior Center East Project. The City owed \$211,079 for work completed. The remaining balance in the project is \$91,477, resulting in a shortfall of \$119,602 needed to close this contract. Capital Project Ordinance Amendment (CPOA) 2025-48 will appropriate the \$119,602 from the Parks & Recreation Bond Fund unassigned fund balance.

#### **7.0A12 Adopt Revised Historic Resources Commission Charter**

The City Council adopted minor changes to the Historic Resources Commission Charter resulting from the recodification of local planning and development statutes into North Carolina General Statutes Chapter 160D. Additionally, the charter will be updated to match the previous change on what constitutes a quorum.

#### **7.0A13 Authorization to Apply for ICMA Economic Mobility and Opportunity Special Assistants (EMO SA) Grant**

The City Council authorized the Economic and Community Development Department to apply for a competitive grant through the International City/County Management Association's (ICMA) Economic Mobility and Opportunity Special Assistants (EMO SA) Program. If awarded, the City would receive up to \$250,000 in salary support over 30 months, as well as up to \$100,000 in supplemental program and engagement resources. The grant would support the creation or reclassification of a senior-level Special Assistant to the City's Executive Leadership Team who will lead, coordinate, and accelerate cross-departmental and cross-sector strategies that advance economic mobility for Fayetteville residents.

#### **7.0A14 PWC - Bid Recommendation - Approve Purchase Award Recommendation for the Annual Contract for Sodium Hypochlorite**

The City Council approved the bid recommendation to award the purchase of the annual contract for Sodium Hypochlorite to Oltrin Solutions, LLC, of Hamlet, NC, the lowest, responsive, responsible bidder and in the best interests of PWC, in the total amount of \$1,433,750.00 and authorize the CEO/General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

#### **7.0A15 PWC - Bid Recommendation - Approve Purchase Award Recommendation for the Annual Contract for Magnesium Hydroxide**

The City Council approved the bid recommendation to award the purchase of the annual contract for Magnesium Hydroxide to Premier Magnesia, LLC, of Waynesville, NC, the lowest responsive, responsible bidder and in the best interests of PWC, in the total amount of \$629,000.00 and authorize the CCEO/General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

#### **7.0B ITEMS PULLED FROM CONSENT**

There were no items pulled from consent.

#### **8.0 PUBLIC HEARINGS**

##### **8.01 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, Planner II stated the applicant requested this item be tabled to the Monday, June 9, 2025, Regular Meeting.

**MOTION:** Council Member Hondros moved to table this item to the June 9, 2025, Regular Meeting  
**SECOND:** Council Member Haire  
**VOTE:** UNANIMOUS (9-0)

##### **8.02 Public Hearing on the Proposed Fiscal Year 2025-2026 Annual Operating Budget and Capital and Technology Improvement Plans**

Mr. Jeffery Yates, Assistant City Manager, presented this item with the aid of a PowerPoint Presentation and stated this is the last legal requirement before Council is allowed to adopt the Fiscal Year 2026 budget.

Mr. Yates provided an overview of the key principles for the budget and City Council priorities. The recommended tax rate is a \$0.13 tax reduction, which is the lowest rate in the last thirty years at .4495. There is more than \$114 million invested in public/community safety, the Stormwater and Solid Waste rates remain the same, a four percent merit increase and one percent 401K increase for non-step employees has been included, while honoring the steps for the others, and \$3.5 million has been invested to address changing community and organizational needs.

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

Pastor Rita McMillian, 1929 Ashridge Drive, Fayetteville, NC, spoke in favor of this item and requested funding be added for a splashpad at the North Street Park.

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

Discussion ensued regarding the next Budget Work Session. Mayor Colvin stated Council may need an additional meeting.

**MOTION: Council Member Benavente moved to direct City staff to select another date for a public hearing on the budget**

**Motion died for lack of a second.**

## **9.0 EVIDENTIARY HEARINGS**

**9.01 SUP25-03: Special Use Permit request to reduce the separation requirement for an Automotive Wrecker Service in a CC Zoning District at 3003, 3005, 3009 MURCHISON RD (REID# 0428597115000, 0428596376000, 0428597350000) owned by Ali Abdo, CITY PROPERTY LLC.**

Mr. Craig Harmon, Planner II stated the applicant requested this item be tabled to the Monday, June 23, 2025, Regular Meeting.

**MOTION: Council Member Hondros moved to table this item to the June 23, 2025, Regular Meeting**

**SECOND: Council Member Haire**

**VOTE: UNANIMOUS (19-0)**

**9.02 SUP25-04 - Special Use Permit (SUP) to allow for the reduction in the separation requirement between public street right-of-way and an Ice House, located at 2726 Raeford Rd (REID # 0427217637000) and being the property, WIN-KAS NC LLC and project owner Davance Locklear Two Cams.**

Mr. Craig Harmon, Planner II presented this item with the aid of PowerPoint presentation and stated this special use permit request is for a separation reduction between an ice house that is in the Harris Teeter Parking lot on Raeford Road beside Hunan Garden and the right-of-way. When the structure was input, the measurement was taken from the ice house to the center of the road instead of the right-of-way. The ice house is 86 feet from the right-of-way therefore, needing a 14-foot reduction. Ice houses must go through the building permit process, but not through the Technical Review Committee. They receive a Certificate of Occupancy just like any building. Because of the section of ordinance the item is in, it does not allow for a setback, just separation.

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

Mr. Bill Allen, 4101 Coventry Road, Fayetteville, NC, spoke in favor of this item.

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

**MOTION:** Council Member Greene moved to approve the Special Use Permit to allow the reduction of the separation requirement between an Ice House and public right-of-way and subject to the submitted site plans and conforming to the current Unified Development Ordinance standards as depicted on the attached site plan, 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 a Community Commercial (CC) zoning district and (2) that this use complies with the findings listed and (3) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area.

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

\*For a motion to approve, all six findings below must be met:

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 ice house is 14 feet too close to the right-of-way;
2. The special use will be in harmony with the area in which it is located because the ice house is located in a commercial parking lot and in a retail area;
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 it has been operational in the location for seventeen months;
4. The special use is in general conformity with the City's adopted land use plans and policies because it conforms with the land use plan of commercial property and vending machine as an ice house;
5. The special use will not substantially injure the value of the abutting land, or the special use is a public necessity because the ice house does not injure the value of the surrounding properties; and
6. The special use complies with all other relevant City, State, and Federal laws and regulations because it complies with all ordinances as specified;

**SECOND:** Council Member Haire

**VOTE:** UNANIMOUS (8-0)

**9.03 SUP25-05 - Special Use Permit (SUP) to allow for the reduction in the separation requirement between Animal Care Uses and adjoining property lines, located at 4417 RAMSEYST (REID # 0439598207000) and being the property, RIDDLE PROPERTIES LLC.**

Mr. Craig Harmon, Planner II, presented this item with the aid of a PowerPoint presentation and stated a new business is looking to use the location near Ramsey Street and Francam Drive near the Zaxby's in Ramsey Commons. It is zoned Community Commercial and all surrounding properties are all commercial. The applicant is looking to create an animal daycare with the original drive-through area a fenced in area. According to Unified Development Ordinance a dog run requires a separation of 75 feet from any surrounding property and they are 23 feet from the closest property.

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

Ms. Kristi Bennett, 4417 Ramsey Street, Fayetteville, NC, presented a PowerPoint presentation and spoke in favor of this item.

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

**MOTION:** Council Member Benavente moved to approve the Special Use Permit to allow the reduction of the separation requirement between an Animal Care use and an adjoining lot line subject to the submitted site plans and conforming to the current Unified Development Ordinance standards as depicted on the attached site plan, 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 a Community Commercial (CC) zoning district and (2) that this use complies with the findings listed and (3) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area.

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

**\*For a motion to approve, all six findings below must be met:**

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 it complies with standards because of fencing requirements sufficient square footage per dog that were presented;
2. The special use will be in harmony with the area in which it is located because it is a CC zone and evidence was shared regarding soundproofing and cleanliness standards;
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 it is not adjacent to any residential areas and cleanliness standards were outlined and animals will be monitored while using the outdoor area.
4. The special use is in general conformity with the City's adopted land use plans and policies because of the screened fence is being adhered to;
5. The special use will not substantially injure the value of the abutting land, or the special use is a public necessity because existing components of the building will continue to be utilized; and
6. The special use complies with all other relevant City, State, and Federal laws and regulations because experts were consulted for federal and legal standards.

**SECOND:** Council Member Greene

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

## **10.0 OTHER ITEMS OF BUSINESS**

### **10.01 Approval of Quarterly Report of Downtown Municipal Service District from Cool Spring Downtown District, Inc.**

Ms. Ashanti Bennett, Cool Spring Downtown District (CSDD) Interim President and CEO presented this item with the aid of a PowerPoint presentation and stated they welcomed five new businesses to downtown in the third quarter for a total of seventeen new businesses in the district for the current fiscal year, with two large businesses coming soon. There are two projects underway, the Ammons Infill Project, which is expected to be completed soon, and the County Performing Arts Center, for a total of 263,400 square feet, representing \$183.1 million in investment. Visitation numbers are increasing, but currently 4 percent under pre-covid. CSDD continues the "Clean & Safe" management program, which is a shared waste management program that utilizes trash compactors and recycling, creating less need for individual roll carts. A new compactor was placed on the Otis Jones Parkway that creates containment for an additional 120,000 pounds of waste annually. The Safety and Engagement Ambassadors are working with one full-time and one part-time employee, with the part-time member transitioning to full-time next quarter. Ms. Bennet presented the different publications that the CSDD

advertises in as well as the social media platforms utilized. There is a current executive search happening, and CSDD expects to announce the candidate next week to begin working in July.

Discussion ensued regarding enhancing the ambassador program and clear bag/security measures.

**MOTION: Council Member Benavente moved to funding for Cool Spring Downtown District additional ambassador training and 3 full-time ambassador employees.**

**Motion died for lack of a second.**

**MOTION: Council Member McNair moved to receive the report.**

**SECOND: Council Member Davis**

**VOTE: UNANIMOUS (10-0)**

#### **10.02 Unified Development Ordinance (UDO) Council Committee Biannual Report**

Council Member Hondros presented this item and stated for the last six months the UDO Committee has had presentations on PWC water and sanitary tap fees, Stormwater requirements, received a demonstration on the IDT Portal, reviewed the sign ordinance with a peer city comparison, reviewed standards for duplexes, triplexes, and quadraplexes which led to the adoption of an ordinance in April, reviewed peer city comparisons of high-density zoning classifications, and most recently reviewed developments standards for sidewalks and development incentives based on a peer city comparison.

Council Member Hondros presented two recommendations, the first is to received the staff presentation on development incentives at the June 2, 2025, Work Session and the second recommendation is to send text amendments for development standards for sidewalks to the Planning Commission for public hearing for June 17, 2025, and if approved by the Planning Commission it be added to the June 23, 2025 City Council Regular Agenda for a public hearing.

Discussion ensued regarding how the IDT portal works and staff members are available to assist in walking through the system as well as answer questions.

**MOTION: Council Member Hondros moved to receive the report and approve recommendations of the Committee as presented.**

**SECOND: Council Member Jensen**

**VOTE: UNANIMOUS (10-0)**

#### **10.03 Adopt Youth Protection Safety Ordinance**

Mayor Colvin stated this item is on the agenda tonight because State Statute does not allow an ordinance with a criminal component to be adopted on the date of introduction. Council moved to draft an ordinance based on the Charlotte ordinance during the Special Meeting on May 5, 2025. Then at the May 12, 2025, Regular Meeting, the proposed ordinance was introduced.

Ms. Erin Swinney, Police Attorney, presented this item with the aid of a PowerPoint presentation and provided a brief overview of the Youth Protection Safety Ordinance and definitions found within the ordinance. The ordinance will be in City Code 17-23, create a curfew of 11 p.m.-6 a.m. for juveniles 16 years of age and under. It will create five criminal offenses: When a juvenile is in a public space without a legal basis during restricted hours; when a parent or guardian knowingly permits or allows a juvenile to remain in a public place during the restricted hours without a legal basis; when an owner/operator/employer of an establishment knowingly permits a juvenile to remain on the premises during the restricted hours; when someone 17 years of age or older aids and abets a juvenile to be out in a public space without a

legal basis during the restricted hours; or when a parent or guardian refuses to take custody of the juvenile during the restricted hours.

Discussion ensued regarding exemptions to the ordinance such as when a juvenile with a parent or guardian; accompanied by an adult 21 or older with permission of the parent; running an errand of the parent if they are on a direct route until 11:30 p.m.; in a motor vehicle with parental consent traveling through the city; traveling in a motor vehicle with an adult 21 years of age or older with parental consent for a designated period of time and purpose within a specified area; engaged in lawful employment or getting to and from work using a direct route; reacting to an emergency; attending or traveling along a direct route to and from an official school, religious, or recreational activity supervised by adults and sponsored by either a school, city, other governmental agency, or civil organization; exercising their First Amendment Rights; married or emancipated; received permission from the Chief of Police through a written permit, or the Chief of Police temporarily authorizes extending the curfew for no longer than an hour after the activity that needed the extension is over.

Discussion ensued regarding how officers would enforce the ordinance. If there is a legal basis for the juvenile to be out during the restricted hours, no action will be taken; however, if a juvenile is in violation they are subject to being adjudicated as a delinquent, and any other person is subject to a class three misdemeanor and a fine not to exceed \$500.00.

Discussion ensued.

**MOTION:** Council Member McNair moved to adopt the Youth Protection Safety Ordinance, approve additional funding for youth programs and activities, increase marketing for awareness and education campaign, and provide free transportation to and from the activities.

**SECOND:** Council Member Haire

Council Member McNair withdrew her motion.

Mr. Brook Redding, Senior Assistant to the City Manager, presented a brief on what staff will present at the June 9, 2025, Council meeting.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 17, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE CODE OF ORDINANCES FOR THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2025-011**

**MOTION:** Council Member Thompson moved to adopt the Youth Protection Safety Ordinance

**SECOND:** Council Member Banks-McLaughlin

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

## **11.0 ADMINISTRATIVE REPORTS**

### **11.01 Temporary Use Standards for Special Events (30-4.E.7)**

Consensus of Council was to have this item presented at a future work session.

## 12.0 ADJOURNMENT

There being no further business, the meeting adjourned at 10:00 p.m.