

**FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
LAFAYETTE CONFERENCE ROOM, CITY HALL  
JUNE 5, 2023  
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Kathy Jensen (District 1) (arrived at 5:23 p.m.); Shakeyla Ingram (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Deno Hondros (District 9)

Absent: Council Member Courtney Banks-McLaughlin (District 8)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Adam Lindsay, Assistant City Manager  
Jeffrey Yates, Assistant City Manager  
Jodi Phelps, Chief of Staff  
Kemberle Braden, Police Chief  
Todd Joyce, Police Major  
Gerald Newton, Development Services Director  
Kimberly Leonard, Budget and Evaluation Director  
Taurus Freeman, Assistant Economic and Community Development Director  
Chris Cauley, Economic and Community Development Director  
Jody Picarella, Chief Financial Officer  
Loren Bymer, Marketing and Communication Director  
Lachelle Pulliam, Assistant City Attorney  
Lisa Harper, Senior Assistant City Attorney  
Michael Whyte, Police Attorney  
Chester Green, Senior Planner  
James Rutherford, Housing and Code Enforcement Manager  
Pamela Megill, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Colvin called the meeting to order at 5:00 p.m.

**2.0 INVOCATION**

The invocation was offered by Council Member McNair.

**3.0 PLEDGE OF ALLEGIANCE**

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

**3.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Ingram moved to approve the agenda.

**SECOND:** Council Member Benavente

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

**4.0 OTHER ITEMS OF BUSINESS**

**4.01 Fayetteville's Downtown Social District Progress Report**

Mr. Taurus Freeman, Assistant Economic and Community Development Director, introduced this item and stated on November 14, 2022, at a regular meeting, the City Council approved the creation of a temporary Downtown Social District for 12 months to operate Monday through Saturday from 12:00 to 10:00 p.m. and Sunday from 10:00 a.m. to 10:00 p.m. The District was effective on December 1, 2022.

Mr. Josh Choi, Cool Springs Downtown District Chair, presented information on the Social District Timeline, Social District Basics, District Boundaries, and District Participants. Mr. Choi stated since the Social District launched with 27 businesses participating, we have added three additional selling locations and few more "allowing" consumption within stores. Today, the district has a total of 34 participating businesses, distributed 15,000 free cups to businesses that sell into the district, recruited a Corporate partner to purchase 10,000 cups (Smith, Dickey, Dempster, PA), and been awarded a grant for 12 new waste bins downtown (bins have been purchased, arrived, and will be disbursed in the near future).

Discussion ensued.

Consensus of Council was to allow for the continuation of the Social District pilot program to December 31, 2023. Council Member Haire was opposed to the consensus vote.

#### **4.02 TA23-019: Boarded Structures - Proposed Text Amendment to Chapter 14 of the City Code of Ordinances (City Council Request)**

Mr. Chester Green, Senior Planner, and Mr. James Rutherford, Housing and Code Enforcement Manager, presented this item with the aid of a PowerPoint presentation and stated this amendment was requested by the City Council at their work session on February 6, 2023. While the Planning staff was presenting its list of Seasonal Text Amendments, members of the Council brought up their concerns regarding the boarding of commercial buildings in Fayetteville. At their request, staff has put together a proposed code amendment to handle the boarding of commercial buildings in the same manner as residential structures.

The current City Code addresses only residential buildings. Since 2015, Code Enforcement has managed 535 Boarded Building cases of which 39 remain open. Code Enforcement has identified 32 boarded commercial buildings in the City at this time.

Peer cities and Cumberland County were asked for information regarding registration of boarded buildings. Of the 11 peers, only 2 require registration of residential buildings and those 2 only permit the boarding to be in place for six months. A third peer city requires Code Administrator approval prior to boarding any building.

The proposed code amendment of TA23-019, Boarding of Commercial Buildings, is to amend Chapter 14, Article VI, by adding regulations governing the registration of residential and commercial boarded-up structures in order to prevent their detrimental effects in the City's neighborhoods.

The code is proposed to be amended by changing the term "Residential Structure" to "Structure" throughout this section of the code, as well as amending the definition of Residential Structure to Structure in Article VI of Chapter 14. The new ordinance would regulate all structures as defined below:

Structure - anything constructed or erected, the use of which requires location on the land, or attachment to or something having a permanent location on the land. The term "structure" shall be construed as if followed by the words, "or part thereof".

The proposed ordinance gives the recommended specific language changes.

Discussion ensued.

**Consensus of Council was to direct staff to further research and report back the findings for steps to be taken at the end of the**

**three-year boarded up period, and possible incentives to property owners to make the necessary repairs/renovations. Council Members Benavente and Hondros were opposed to the consensus vote.**

#### **4.03 Discussion on the Recommended Fiscal Year 2023-24 Annual Operating Budget**

Mr. Jeffrey Yates, Assistant City Manager, presented this item and stated staff are available to meet with individual Council members or in small groups to review and answer budget related questions. The open questions will be answered and posted to the City's website and provided to the entire Council. Mr. Yates reviewed the ten current questions.

Discussion ensued.

Mr. Yates reviewed the calendar for future budget meetings, and stated staff are hoping the budget can be adopted at the June 26, 2023, regular City Council meeting.

#### **4.04 City Council Agenda Item Request - Staff to Research and Provide a Proposed Policy Regarding Unaccompanied Minors in City Facilities - Council Members Jensen, Haire, and Thompson**

Council Member Jensen presented this item and stated this a safety concern for children being dropped off at City facilities. Council Member Thompson stated children 12 years old and above are allowed to ride the City buses unaccompanied by an adult.

Discussion ensued.

**Consensus of Council was to move this item forward; staff to research and provide a proposed policy regarding unaccompanied minors in City facilities.**

#### **4.05 City Council Agenda Item Request - Request for Consideration of Legal Representation - Council Member Jensen**

Council Member Jensen presented this item and stated the Council has not taken an official vote on whether to authorize legal representation for the two police officers involved in the Jada Johnson case.

Discussion ensued.

**Consensus of Council was not to move this item forward. Council Members Jensen, Dawkins, Thompson and Hondros were opposed to not taking official action.**

#### **4.06 City Council Agenda Item Request - Homeless Impact Reduction Program Review - Council Member Benavente**

Council Member Benavente presented this item and stated he is seeking Council support to direct staff to provide an after-action report and incorporate our peer organizations into the clearing before we move ahead with the next scheduled clearing of an encampment.

Mr. Douglas Hewett, City Manager, stated staff will be happy to present a full report at the August 2023 work session.

**Consensus of Council was not to move this item forward. Council Member Benavente was opposed to the consensus vote.**

#### **4.07 City Council Agenda Item Request - Phoenix Center Support for Domestic Violence Victims - Council Member Benavente**

Council Member Benavente presented this item and stated he is seeking Council support to appropriate funding for emergency shelter vouchers and provide a victim advocate to the Phoenix Center.

Mr. Douglas Hewett, City Manager, stated this is an item that could be placed in the budget "parking lot".

**Consensus of Council was to direct staff to provide additional information and options, and to place this item in the FY 2023-24 Budget "parking lot".**

**4.08 City Council Agenda Item Request - City- and State-Owned Properties to be Returned to the Tax Roll - Mayor Colvin**

Mayor Colvin presented this item and stated he is seeking Council approval to request staff research properties located in the City of Fayetteville and NC State properties located in the City of Fayetteville for consideration to return them to the tax roll.

Discussion ensued.

**Consensus of Council was to move this item forward; identify the properties and return to the tax roll.**

**5.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 7:27 p.m.