

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
FEBRUARY 10, 2025
6:30 P.M.**

Present: Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7) (Departed at 6:27 p.m.); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Absent: Mayor Mitch Colvin

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Kemberle Braden, Police Chief
Kevin Dove, Fire Chief
Lisa Harper, Senior Assistant City Attorney
Sonye' Randolph, Assistant City Attorney
Will Deaton, Planning and Zoning Division Manager
Loren Bymer, Market and Communications Director
Dereke Planter, Code Enforcement Supervisor
Craig Harmon, Senior Planner
Kim Toon, Purchasing Manager
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Pro Tem Jensen called the meeting to order.

2.0 INVOCATION

The invocation was offered by Pastor Maliik Jefferson, Mount Hebrew A.M.E. Zion Church.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Ms. Andrea Tebbe, Notary Public administered the Oath of Office to Ms. Jennifer Ayre for the position of City Clerk.

Council Member Hondros announced February as Heart Health Month.

Mayor Pro Tem Jensen presented the top ten Solid Waste Mascot contestants and announced Ms. Iris Niang as the winner with her creation of "Spiffy".

Council Member Haire presented a Certificate of Appreciation and the Cit Coin to Ms. Ruby Billos in honor of her retirement as a federal service employee.

Mayor Pro Tem Jensen presented a proclamation to members of the Public Services Department, Engineering Division, in honor of National Engineers Week.

Mayor Pro Tem Jensen and Council Members McNair, Thompson, and Banks-McLaughlin presented a proclamation to Vice Principal Green and the Football Coach of the 71st High School Falcons Football Team in recognition of the 3A East Regional Championship.

Mayor Pro Tem Jensen announced February is also Black History Month.

5.0 CITY MANAGER REPORT

Mr. Douglas Hewett, City Manager, stated tomorrow, Council will be meeting at the Gilmore Recreation Center for two days for the Council Strategic Planning Retreat beginning at 9 a.m.

Ms. Jodi Phelps, Assistant City Manager, introduced two new Office of Community Safety staff members, Mr. Orlando Smith, Community Impact Supervisor, and Ms. Nuchelle Gaines, Community Safety Manager.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Benavente moved to approve the agenda.

SECOND: Council Member Thompson_

VOTE: UNANIMOUS (9-0)

7.0 PUBLIC FORUM

Ms. Calista Cuevas, 5316 Bluewater Dr., Fayetteville, NC, expressed concerns regarding Cool Spring Downtown District exclusion of groups based on political and religious.

Mr. Shaun McMillan, 6024 Goldenrain Dr., Fayetteville, NC, expressed concerns regarding racial disparities in Fayetteville.

Mr. Jose Cardona, 233 Addison St., Fayetteville, NC, expressed concerns regarding patient experiences at Cape Fear Valley Hospital.

Mr. Eric Nelson, 1935 Culpepper Ln., Fayetteville, NC, expressed concerns regarding Siple Avenue.

7.0A CONSENT AGENDA

MOTION: Council Member Haire moved to approve the consent agenda with the exception of Item 8.02A; pulled for discussion and separate vote.

SECOND: Council Member Davis

VOTE: UNANIMOUS (9-0)

8.0A CONSENT AGENDA

8.0A1 Approval of Meeting Minutes:

Discussion of Agenda Items - January 27, 2025

Regular - January 27, 2025

8.0A2 Pulled for discussion and separate vote.

8.0A3 Acceptance of Grant Award, and Adoption of Capital Project Ordinance and Capital Project Ordinance Amendment to Appropriate funding for Person & Russell Street Flood Mitigation Project

The City of Fayetteville has been awarded for fiscal year 2025 the FEMA Building Resilient Infrastructure and Communities (BRIC) grant funding for the Person and Russell Street flood mitigation project in the amount of \$3,986,220.00 for phase 1. This includes a federal share of \$2,657,480.00, sub-recipient management costs of \$189,820.00, and a local match of \$1,138,920.00.

8.0A4 Safe Streets and Roadways for All Grant Agreement Amendment - Revising Schedule

The Safe Streets and Roadways for All (SS4A) grant agreement amendment revises the project deadline from February 19, 2025, to January 31, 2026, and updates the period of performance to end on July 19, 2028.

8.0A5 Auction of 16 Decommissioned City of Fayetteville Assets

The City of Fayetteville will auction via GovDeals 16 decommissioned vehicles due to being at the end of their useful lifespan.

8.0A6 PWC - Phase 5 Annexation Area 32 East Section I - Resolution Confirming Assessment Roll and Levying Assessments

**RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS.
RESOLUTION NO. 2025-004**

8.0A7 PWC - Adopt Resolution of the Fayetteville Public Works Commission to Accept a State Loan Offer Under the Safe Drinking Water Act Amendments of 1996

RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA TO ACCEPT A STATE LOAN OFFER UNDER THE SAFE DRINKING WATER ACT AMENDMENT OF 1996. RESOLUTION NO. 2025-005

8.0B ITEMS PULLED FROM CONSENT

8.0B2 Construction Update and Adoption of Capital Project Ordinance Amendment to Appropriate Additional Funding for the Tennis Center

Mr. Jeffery Yates, Assistant City Manager, stated the additional funding would come from leftover funds of other Parks and Recreation Bond Projects, bond premium funding, and interest earnings.

Mr. Adam Lindsay, Assistant City Manager, stated funding has been appropriated. The contract has been awarded to M&E, and they are underway. The ask tonight is to add additional funds to complete the work that was started by the previous general contractor. Any delay is simply a time impact.

MOTION: Council Member Greene moved to table Item 8.0B2 until the February 24, 2025, Regular Meeting

SECOND: Council Member Benavente

VOTE: FAILED by a vote of 3 in favor to 6 in opposition (Council Members Jensen, Davis, Haire, Thompson, McNair, and Banks-McLaughlin)

MOTION: Council Member Davis moved to Adopt Capital Project Ordinance Amendment 2025-43 to appropriate the \$1,900,000 needed to allow staff to execute the change order with M&E Contracting, Inc.

SECOND: Council Member Thompson

FRIENDLY AMENDMENT: Council Member Hondros made a friendly amendment to have all the information pertaining to the project brought back to Council and added to the CCAM.

Council Members Davis and Thompson accepted the amendment.

VOTE: PASSED by a vote of 6 in favor to 3 in opposition (Council Members Benavente, Greene, and Hondros)

9.0 REPORTS FROM BOARDS AND COMMISSIONS

9.01 Annual Report: Fayetteville-Cumberland Parks and Recreation Commission

Mr. Harold Smelcer, Fayetteville-Cumberland Parks and Recreation Commission Chair, presented the Fayetteville-Cumberland Parks and Recreation Commission Annual Report and provided a handout of their accomplishments throughout 2024, including additional capital improvements of a playground at Honeycutt Park, new outdoor basketball courts at Spivey Recreation Center, lighting at JD Pone Recreation Center fields, pickle ball courts at Liden Little River Park, and

paved walking trails at Massey Hill and Smith Recreation Centers. Mr. Smelcer stated the Commission has also submitted a letter to the Fayetteville City Council, Cumberland County Commissioners, Cumberland County Board of Education, and DistiNCTly Fayetteville Board of Directors highlighting the need for an Aquatic Center in the community.

MOTION: Council Member Greene moved to accept the Fayetteville-Cumberland Parks and Recreation Commission Annual Report

SECOND: Council Member Davis

VOTE: UNANIMOUS (9-0)

9.02 Firefighter's Local Relief Fund

Battalion Chief Jason Davis presented the N.C. Firefighter's Relief Fund Board Annual Report.

The N.C. Firefighter's Relief Fund was started by legislative action in 1907 to ensure that firefighters who were injured would not become destitute. Funds for the Firefighter's Relief Fund come from a tax levied on insurance policies in the State; each County receives a portion, which is then divided between the eligible departments. The fund is managed by five members: two seats elected by the Fire Department, one appointed by the State Fire Marshall, and two appointed by City Council.

Currently, the Board oversees a supplemental retirement plan that provides a yearly stipend to retirees. Any firefighter who retires in good standing with at least 20 years of service is eligible to receive the stipend. The Board also receives occasional requests from active personnel who need financial assistance for various reasons. Most requests can be automatically approved by the Board, but others that meet certain criteria must be approved by designated personnel with the State Firefighter's Association.

The Board must submit financial reports annually, each October, to the N.C. Firefighter's Association to maintain eligibility. This adds an additional layer of oversight that protects the Board and provides accountability to an outside party. Currently, the funds are held in accounts at Truist Bank via interest-generating annuity investments. There are currently \$206,121.79 in the Truist Bank accounts and \$1,459,273.23 in annuities. This is the time of year that disbursements are completed to retirees and required membership dues are paid. Once they have been paid, the Truist Bank account will have about \$13,000.00 available.

Discussion ensued.

MOTION: Council Member Hondros moved to accept the Firefighter's Local Relief Fund Annual Report

SECOND: Council Member Banks-McLaughlin

VOTE: UNANIMOUS (9-0)

10.0 PUBLIC HEARINGS

10.01 Public Hearing on Authorization of the Issuance of Private Activity Bonds not to Exceed \$175,000,000 by the Public Finance Authority Relating to the Acquisition of an Educational Training Facility Located at 3725 Ramsey Street

Mr. Christopher Cauley, Economic and Community Development Director, presented this item and stated that this is an Internal Revenue Service (IRS) requirement for a nonprofit educational institution to purchase property in Fayetteville. Bonds are issued that do not affect the City's finances. Part of the IRS requirement is for the jurisdiction that is in charge of the area to approve of the project in the community.

This is the advertised public hearing set for this date and time. There being no one to speak, the public hearing was opened and closed.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA APPROVING FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF NOT TO EXCEED \$175,000,000 AGGREGATE PRINCIPAL AMOUNT OF ITS EDUCATIONAL FACILITIES REVENUE BONDS (LINDENWOOD EDUCATION SYSTEM), SERIES 2025A. RESOLUTION NO. 2025-006

MOTION: Council Member Benavente moved to approve the resolution authorizing the issuance of private activity bonds not to exceed \$175,000,000 by the Public Finance Authority relating to the acquisition of an educational training facility Located at 3725 Ramsey Street

SECOND: Council Member Davis

VOTE: UNANIMOUS (9-0)

11.0 OTHER ITEMS OF BUSINESS

11.01 Fort Liberty and City of Fayetteville Intergovernmental Service Agreement for Solid Waste

Ms. Jodi Phelps, Assistant City Manager, and Mr. Brook Redding, Special Projects Manager, presented this item with the aid of a PowerPoint presentation. Ms. Phelps stated an intergovernmental Service Agreement (IGSA) is a win-win for the military and the partner. The direct benefits to the City are reinvestment in City operations and services, builds staff capacity, builds and strengthens military affairs and intergovernmental programs for the City, and provides additional revenue growth, and the opportunity for expansion of the IGSA program to other services. Ms. Phelps also provided the history of the Solid Waste IGSA.

Mr. Redding stated this agreement ensures a sustainable partnership by balancing cost-predictability and flexibility to adjust our service needs. The IGSA is a 10-year renewable agreement with a \$6 million annual cost with up to a 5 percent increase per year that allows adjustment of service costs, tipping/disposal fees, and direct and administrative management costs for the City. The IGSA reduces the overall cost of the installation while increasing the City's capacity. The IGSA is expected to create about 20 local jobs, and the contractor is committed to hiring locally as well as the acquisition of locally sourced goods and services.

Discussion ensued.

MOTION: Council Member Davis moved to approve the IGSA transaction document with FLNC to initiate the management of solid waste services on the installation and direct staff to bring the service provider contract for approval

SECOND: Council Member McNair

VOTE: UNANIMOUS (9-0)

12.0 ADMINISTRATIVE REPORTS

MOTION: Council Member Benavente moved Items 12.01, 12.02, and 12.03 to the March Work Session.

SECOND: Council Member Banks-McLaughlin

VOTE: UNANIMOUS (9-0)

12.01 FY2025 Q2 - Quarterly Report of Downtown Municipal Service District from Cool Spring Downtown District, Inc.

12.02 City Manager's Update - City Council Agenda Item Requests

12.03 Day Resource Center FY25 Second Quarter Administrative Report

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:22 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk
021025

MITCH COLVIN
Mayor