

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
APRIL 13, 2026
6:30 P.M.**

Present: Mayor Mitch Colvin;

Council Members Stephon Ferguson (District 1); Malik Davis (District 2); Antonio Jones (District 3) (via TEAMS); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Shaun McMillan (District 8); Deno Hondros (District 9)

Absent: Council Member D. J. Haire (District 4)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Roberto Bryan, Jr., Police Chief
Kevin Dove, Fire Chief
Willie Henry, Chief Information Officer
Tiffany Murray, Chief Financial Officer
Gerald Newton, Development Services Director
Craig Harmon, Senior Planner
Demetrios Moutos, Planner II
John Jones, Office of Community Safety Director
David Scott, Communications Manager
Kimberly Toon, Purchasing Manager
Jennifer Ayre, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 6:51 p.m.

2.0 INVOCATION

The invocation was offered by Pastor Larry Wright, Heal the Land Ministries.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS

Council Member Davis announced Fayetteville NEXT will be hosting the 2026 Next Generation Business Summit on Tuesday, April 21, 2026, from 10:00 a.m. to 4:00 p.m. at Fayetteville State University Rudolph Jones Student Center, 692 W.T. Brown Drive, Fayetteville NC.

5.0 CITY MANAGER REPORT

Dr. Douglas Hewett, City Manager, announced the kickoff of the Office of Community Safety's Safe Space Activations this summer, taking place this Friday, April 17, 2026, from 5:00 p.m. to 7:00 p.m. at Massey Hill Recreation Center. Resource tables will include PROOVE, Marius Maximus, the Cumberland County Health Department, Fayetteville Urban Ministry, and additional community partners, with food provided on site. Residents are invited to attend as the City creates safe and engaging spaces for youth and families across our city.

Dr. Hewett stated the next Doug in the District Doug will be taking place this week on Thursday, April 16, from 6:00 to 8:00 p.m. at the Country Club Drive Church of Christ at 651 Country Club Drive, Fayetteville, NC. We encourage everyone to attend, stay engaged, and be part of the conversation.

Mr. Kevin Dove, Fire Chief introduced Griffin and Lucy the Fayetteville Fire Departments mental health support dogs and their handlers. Chief Dove stated the Fire Department is expecting the last dog in the fall so there will be one dog per shift.

6.0 APPROVAL OF THE AGENDA

MOTION: Council Member McMillan moved to approve the agenda
SECOND: Council Member Greene
VOTE: UNANIMOUS (9-0)

7.0A CONSENT AGENDA

MOTION: Council Member Greene moved to approve the consent agenda with the exception of Item 7.0A2 - Approve City Council Policies Review Committee Recommendations to City Council Policies 135.1, 155.2, 115.15 and move to the May Work Session
SECOND: Council Member Hondros
VOTE: UNANIMOUS (9-0)

7.0A1 Approval of Meeting Minutes: March 23, 2026 – Discussion of Agenda Items March 23, 2026 – Regular

City Council approved the two draft meeting minutes.

7.0A2 Approve City Council Policies Review Committee Recommendations to City Council Policies 135.1, 155.2, 115.15

This item was moved to the May Work Session.

7.0A3 Accept and Appropriate Federal Transit Administration Grant NC-2026-016 and Adopt Capital Project Ordinance 2026-38 to Appropriate Federal and Local Funds

City Council accepted the grant award from the U.S. Department of Transportation through the Federal Transit Administration (FTA) in the amount of \$370,785.00. The funds will be used to supplement funding for a replacement hybrid bus.

To appropriate these funds, along with the required local match, City Council adopted Capital Project Ordinance (CPO) 2026-38 authorizing the appropriation of a total of \$463,481.00, which includes \$370,785.00 in federal grant funding and \$92,696.00 in required local matching funds. The \$92,696.00 local match will be provided from the Transit Operating Fund.

7.0A4 PWC – Approve Bid Recommendation – Phase V Annexation Project XV Construction Area 32 East Sections I

City Council approved the award recommendation for construction of Phase V Annexation Project XV Construction Area 32 East Sections II to Vortex Civil Infrastructure, LLC, Durham, NC, the lowest responsive, responsible bidder and in the best interests of PWC in the total amount of \$7,205,686.00 and authorize the CEO/General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its construction.

7.0A5 PWC – Approve Bid Recommendation – 69K Breakers

City Council approved the award recommendation for purchase of 69KV Breakers to Meiden America Switchgear Inc., Gray Court, SC, the lowest responsive, responsible bidder and in the best interests of PWC in the total amount of \$1,157,216.00 and authorize the CEO/General Manager of the Fayetteville Public Works Commission to execute for that purpose the contract for its purchase.

7.0A6 PWC - Adopt Resolution for the Tentative Award of Bid Contract for P.O. Hoffer and Glenville Lake Water Treatment Facility Post-Filter GAC Adsorption Facilities Contract No.67 (PWC2425049)

City Council adopted the resolution authorizing the tentative award of bid contract to Harper General Contractors, Inc., Greenville, SC in the total amount of \$133,653.00, the lowest responsive, responsible bidder and in the best interests of PWC.

A RESOLUTION TO AUTHORIZE THE TENTATIVE AWARD OF A BID CONTRACT BY AND THROUGH FAYETTEVILLE PUBLIC WORKS COMMISSION. RESOLUTION NO. R2026-017

7.0A7 PWC - Adopt Phase 5 Annexation Area 26 Preliminary Assessment Resolution and Call for a Public Hearing

City Council adopted the resolution declaring cost and ordering preparation of the Preliminary assessment Roll and set the public hearing on the preliminary assessment roll for May 11, 2026.

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL. RESOLUTION NO. R2026-018

7.0A8 PWC - Resolution Directing Construction of Area 29 of the Phase 5 Annexation Utility Improvement Project be Undertaken

City Council adopted the resolution directing the construction of Area 29 of the Phase 5 Annexation Utility Improvement Project to be undertaken.

RESOLUTION DIRECTING CONSTRUCTION OF AREA 29 OF THE PHASE 5 ANNEXATION UTILITY IMPROVEMENT PROJECT BE UNDERTAKEN. RESOLUTION NO. R2026-019

7.0A9 PWC - Resolution Directing Construction of Area 30 of the Phase 5 Annexation Utility Improvement Project be Undertaken

City Council adopted the resolution directing the construction of Area 30 of the Phase 5 Annexation Utility Improvement Project to be undertaken.

RESOLUTION DIRECTING CONSTRUCTION OF AREA 30 OF THE PHASE 5 ANNEXATION UTILITY IMPROVEMENT PROJECT BE UNDERTAKEN. RESOLUTION NO. R2026-020

7.0A10 PWC - Resolution Directing Construction of Area 31 of the Phase 5 Annexation Utility Improvement Project be Undertaken

City Council adopted the resolution directing the construction of Area 31 of the Phase 5 Annexation Utility Improvement Project to be undertaken.

RESOLUTION DIRECTING CONSTRUCTION OF AREA 31 OF THE PHASE 5 ANNEXATION UTILITY IMPROVEMENT PROJECT BE UNDERTAKEN. RESOLUTION NO. R2026-021

7.0B ITEMS PULLED FROM CONSENT

There were no items pulled from the Consent Agenda.

8.0 STAFF REPORTS

8.01 Receive the Year to Date Financial Update

Ms. Tiffany Murray, Chief Financial Officer, presented this item with the aid of a PowerPoint presentation and stated this presentation reflects the City's financial performance through the first three quarters of the fiscal year (FY)-from July 1, 2025, through February 28, 2026. Ms. Murray stated the City is in a strong financial position and operating as expected. The fund balance is \$102 million and the unassigned fund balance is \$27 million. The current policy is a minimum unassigned balance of 10 percent (%), with a goal of 12%. The cash flow is high this year due to seasonal property tax collections. The General Fund by revenues and expenditures were presented. The City's current employee vacancy rate is 10.7%, which represents 192 unfilled positions. Ms. Murray asked Council to consider a compensation study for the non-public safety departments, as the last one was done five years ago. The bond issuance sale was on March 24, 2026, for \$40 million and closing is on April 14, 2026. Planning and preparation for the end of the fiscal year is currently taking place, to include new requirements for financial statements. The City continues to monitor spending within departments. There is a possible stormwater revenue bond sale in the late fall and will work to ensure the City is in the most favorable position when going to market.

Discussion ensued regarding employee salaries, compensation studies, General Fund revenues, and sales tax.

MOTION: Council Member Davis moved to receive the year-to-date financial update.
SECOND: Council Member McNair
VOTE: UNANIMOUS (9-0)

9.0 OTHER ITEMS OF BUSINESS

9.01 TA26-01: Proposed Amendments to the Unified Development Ordinance (UDO) Regarding Telecommunications and Data Storage Facilities (Data Centers)

Dr. Gerald Newton, Development Services Director, stated staff was asked to share the information shared at the February 17, 2026, Planning Commission meeting. The executive summary from the April 6, 2026, Work Session discussed specific types and that there is currently nothing in place within the Unified Development Ordinance (UDO).

Mr. Demetrios Moutos, Planner II, presented this item with the aid of a PowerPoint presentation and stated Text Amendment (TA) 26-01 is a set of five ordinances that address a gap in the UDO by establishing a clear and enforceable land-use category for data centers. Because of this, the City could end up in an interpretation analysis, instead of an enforcement action, if text amendments are not created. Currently, the absence of a specific definition in the UDO requires staff to classify data centers on a case-by-case basis, resulting in inconsistent reviews, applicant uncertainty, and diminished long-term enforcement. The proposed amendment resolves these issues by defining the use, providing a clear approval process, setting measurable standards for off-site impacts likely to affect surrounding properties, add parking standards, and address the airport overlay review. The text amendments cannot set utility rates or regulate water usage. Mr. Moutos provided an explanation of how the text amendments are connected to the City Council's strategic plan. The biggest conflicts that zoning can address are issues at transitional areas of use between residential and potential data centers.

Each draft ordinance was presented. The first draft ordinance clarified definitions. The second draft ordinance added telecommunications and data storage facilities to the Use Table. The third draft ordinance created use-specific enforceable standards. The fourth draft ordinance added dedicated parking and loading standards for telecommunications and data storage facilities. The fifth draft ordinance would enforce all airport overlay (APO) safety standards apply to all new development within the overlay.

There is no direct City capital cost or General Fund expenditure and is only regulatory. The primary short-term impact is staff time for special use permit processing, acoustical review and compliance, and utility coordination documentation.

Mr. Moutos stated there are three options. The first is to accept the text amendments, as there is currently nothing in place, second is to allow for an interpretation that will go to the City Manager, and the third is to direct further research through a moratorium.

Council Member Greene asked how long it would take to update the Use Table. Dr. Newton stated it will take proper definition first before updating the Use standards and table and proper notification, which can take up sixty days or more.

Dr. Newton stated if a request for a data center came in tomorrow, it would be interpreted by the City Manager based on all available and provided information.

Discussion ensued.

Council Member Hondros recommended hearing a presentation on a moratorium, as well as approve the text amendments to ensure there are some protections in place.

MOTION: Council Member McMillan moved to direct staff to organize a presentation and discussion on a moratorium.
SECOND: Council Member Ferguson
VOTE: PASSED (5-4) Opposed: Mayor Colvin, Council Member Thompson, McNair, and Hondros

10.0 ADMINISTRATIVE REPORTS

10.01 Public Notice Visibility Improvements

Consensus of City Council was to move the Public Notices Visibility Improvements to the Work Session.

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:45 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk
041326

MITCH COLVIN
Mayor

