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**FAYETTEVILLE CITY COUNCIL
WORK SESSION MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
JUNE 1, 2026
3:00 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); Brenda McNair (District 7); Shaun McMillan (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Jodi Phelps, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Michael Gibson, Interim Assistant City Manager
Roberto Bryan, Jr., Police Chief
Willie Henry, Chief Information Officer
Tiffany Murray, Chief Financial Officer
Gerald Newton, Development Services Director
Tyffany Neal, Transit Director
Sheila Thomas-Ambat, Public Services Director
Christopher Cauley, Economic & Community Development Director
John Jones, Office of Community Safety Director
Michelle Brooks, Interim Budget & Evaluation Director
David Scott, Communications Manager
Jennifer Baptiste, Ombudsman
Scott Walters, Senior Planner
Craig Harmon, Senior Planner
Derrick McArthur, Economic Development Manager
Andrew Mansell, Senior Assistant to the City Manager
Jennifer Ayre, City Clerk
Robert Van Geons, Fayetteville-Cumberland Economic Development Corporation President and CEO
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 3:00 p.m.

2.0 INVOCATION

The invocation was offered by Council Member Ferguson.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 CITY MANAGER REPORT

Dr. Douglas Hewett, City Manager, stated Mr. Christopher Cauley, Economic and Community Development Director, recently earned the Certified Economic Developer (CEcD) designation from the International Economic Development Council. The CEcD is one of the profession's most respected credentials and requires demonstrated expertise across a broad range of economic development disciplines.

Mr. Derrick McArthur, Economic Development Manager, recently earned the North Carolina Certified Economic Developer designation through the North Carolina Economic Development Association (NCCED). The NCCED requires completion of an advanced professional development program covering topics such as business recruitment, workforce development, entrepreneurship, redevelopment, and economic development strategy.

These achievements reflect both Chris's and Derrick's commitment to professional excellence and continuous learning. We congratulate them on these accomplishments and appreciate the expertise they bring to supporting economic growth and opportunity in Fayetteville.

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Dr. Hewett announced Doug in the District will be taking place this week on Thursday, June 4, 2026, at 6:00 p.m. in District 1 at College Lakes Recreation Center; 4945 Rosehill Road, Fayetteville, NC.

Dr. Hewett announced the Courts at Glenville Lake Ribbon Cutting will be taking place on Wednesday, June 3, 2026, at 10:00 a.m. at 730 Filter Plant Drive, Fayetteville, NC.

Dr. Hewett announced the 5th Annual Juneteenth Jubilee will be held at Festival Park on Friday, June 19, 2026, from 5:00 PM to 11:00 p.m. It will be an evening packed with live music from Misha Fair and headliner Kirby, tasty food trucks, local makers, an Art Walk, and celebration all night long.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Thompson moved to approve the agenda and change Item 6.03 to Item 6.06A.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

6.0 OTHER ITEMS OF BUSINESS

6.01 Proposed Text Amendments to Multiple Sections of the Unified Development Ordinance (UDO) Regarding Fences and Walls, Zoning Districts, Use Table, Zero Lot Line Applicability, and Subdivision Design Standards

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the proposed Unified Development Ordinance (UDO) text amendments were identified by Development Services staff, and residents, for small changes that will make it easier to use.

Fencing for front yards is currently permitted to only be 4 feet high. The recommendation is to increase the permitted height to 8 feet for non-residential uses located within the Light Industrial (LI) and Heavy Industrial (HI) districts.

The Office and Institutional (OI) District proposed changes include changes in dimensional standards including, lowering minimum lot area for some uses, and increasing gross density for certain uses. The Use Table proposed changes remove Single-Family Detached from the OI district.

The Neighborhood Commercial (NC) District proposed changes include changes in dimensional standards including, lowering minimum lot area for some uses, and increasing gross density for certain uses. The Use Table proposed changes remove Single-Family Detached from the NC district.

The Downtown 2 (DT-2) District proposed changes include changes in dimensional standards including, lowering minimum lot area for some uses, and a text correction.

The Mixed Residential 5 (MR-5) District proposed changes include text changes to clarify standards.

Zero lot lines currently requires three steps for approval that includes a Special Use Permit (SUP) and Neighborhood Compatibility Permit. Staff recommends removing the SUP and keeping the Compatibility Permit when development is proposed on a tract smaller than three acres. Setbacks will remain the same.

Subdivision Design Standards currently require an SUP. Staff recommends removing the SUP when development is proposed on a tract smaller than three acres.

Council Member Hondros asked if the proposed lesser restrictions would be viewed as downzoning and how would they be affected based on recent decisions by the North Carolina General Assembly. Ms. Lachelle Pulliam, City Attorney, stated downzoning is allowable now but would not be allowable with the change.

Discussion ensued.

Mayor Colvin asked how the City ensures the UDO changes with the times, as well as what is looked at when making those changes. Dr. Douglas Hewett, City Manager, stated proposed text amendments come from Council Committees, as well as staff recommendations.

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The item before Council tonight is to make Council aware of work staff has been doing as a preview for the public hearing scheduled for the June 22, 2026, Regular Meeting.

Dr. Hewett stated the UDO project has been put out to bid twice with no submissions, partly due to the complexity of the project by aligning what the City wants internally, as well as what is permissible by state law. The BarryDunn study, which focuses on permitting, inspections, and site plan review, and is expected to be brought back as a report on best practices in September.

Consensus of Council was to approve all the recommended text amendments to a public hearing on June 22, 2026, Regular Meeting with the exception of the text amendment on single-family homes in Office and Institutional and Limited Commercial.

Consensus of Council was to send the removal of single-family homes in the Office and Institutional (OI) and Limited Commercial (LC) to the Business and Economic Development Committee to determine if it is downzoning, repurposing of properties, and dumpster corrals.

6.02 Consideration of Changes to Section 30-5.L. - Signage of the Unified Development Ordinance

Mr. Scott Walters, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this presentation is connected to window and wall signage. It came to staff from the Business and Economic Committee.

Example A would remove the five (5) sign limit for building mounted signs per building or tenant space and leave it regulated by the one (1) square foot per linear foot or 10 percent (%) of the wall area, whichever is greater.

Example B would also remove the limit 5 sign limit for building mounted signs per building or tenant space but increase regulation to 1.5 square foot per linear foot, or 15% of the wall area, whichever is greater.

Example C would remove the Downtown (DT2) District from the limitations of City Code 30-5.L.8.C.1 and allow DT2 to the same regulations as all other non-residential zoning districts.

Example D would remove the limitation on window signage related to walls that have wall signage and allow 50% coverage of the glazed area of every window and door on all sides of the building.

Example E would remove the limitation on window signage related to walls that have wall signage and increase the glazed area of every window and door on all sides of the building coverage to 75%.

Example F would remove the limitation on window signage related to walls that have wall signage and increase the glazed area of every window and door on all sides of the building coverage to 100%.

Example G would remove all limitations on any side of any wall for number and size of sign and would only regulate by requiring a sign permit for any signs placed on the wall.

Council Member Hondros stated the Business and Economic Development Committee members include Haire, McNair, Davis and himself. The Committee recommend Examples B, C, F, and G.

Discussion ensued regarding safety concerns of wrapped windows and look of the community. Dr. Douglas Hewett, City Manager, stated the City has hired consultants to review the sign ordinance. Dr. Gerald Newton, Development Services Director, stated the Committee has spent a considerable amount of time looking at what works best for both now and in the future.

Dr. Hewett stated this is a report of Committee recommendation and is seeking support to send the recommendations to the Planning Commission, and then it will require two public hearings, one at the planning commission and one at the Council.

Discussion ensued.

Consensus of Council was to send Examples B, C, F, and G to the Planning Commission and then Council for public hearings.

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6.03 Review Peer Cities' Picketing/Demonstrations Ordinances

This item was moved to Item 6.06A.

6.04 Discussion of the Fiscal Year 2026-2027 Budget Ordinance, and Attachments for the FY 2026-2027 Fee Schedule, and FY 2026-2027 Capital and Special Project Funding, Amendments, and Close-Outs

Mr. Jeffrey Yates, Assistant City Manager, presented this item with the aid of a PowerPoint presentation. Dr. Douglas Hewett, City Manager, stated that a number of questions from Council have been received and today's presentation includes those questions, and a list of parking lot items was provided. The parking lot/consensus scorecard shows when the item was received, estimated costs, whether it is a one-time or ongoing cost, and any notes connected to the item. Mayor Colvin requested this item be held until Thursday's special meeting.

Consensus of Council was to hear the item today. Mayor Colvin, and Council Members Ferguson, Davis, and Thompson were opposed to the consensus motion.

Mr. Yates presented the additional questions from the budget chronicles that includes Parks and Recreation, projects in design, Downtown Police Department overtime and technology, fund assistance in the housing bond, Blue Street Renovations, and Mental Health Response Teams.

Discussion ensued.

Mr. Yates reviewed the list of City Council parking lot items. Dr. Hewett, stated in addition to the parking lot items, the budget book includes a list of requested but unfunded initiatives and new initiatives that were not recommended and not funded for each department. Mr. Yates stated the budget was built around maintaining current services.

6.05 HOME Program HUD Findings and Voluntary Grant Reduction Option

Mr. Christopher Cauley, Economic and Community Development Director, presented this item with the aid of a PowerPoint presentation and stated some of the activities presented tonight are from 2017 and 2019, and there are current challenges that need to be addressed.

Mr. Cauley stated under the HOME Investment Partnership Program (HOME) that is used to build affordable housing, the U.S. Department of Housing and Urban Development (HUD) identified two findings requiring corrective action. The City spent eligible money on eligible projects and helped low-income residents get into stable housing. HUD determined the City did not use the appropriate HUD agreement tools for \$321,000.00. There are two options to address the finding either through voluntary reimbursement from future grant allocations or direct repayment from the General Fund. HOME requires a written agreement before funds are disbursed and both findings are related to the written agreements not being in place.

Finding 1 is for \$198,009.14 in HOME Rehabilitation Activities. Funds were secured with a promissory note and deed of trust. HUD determined those documents did not satisfy the HOME written agreement. Finding 2 is for \$123,437.07 in HOME Community Housing Development Organization (CHDO) Activities. The written agreements did not match the actual HOME funding activity due to funds being shifted or expenditures exceeding the agreement amounts without the required written agreement amendments.

Internal corrective action included no longer doing rehabilitation projects with HOME Funds and instead use Community Development Block Grant funds. The Economic and Community Development Department has added additional compliance controls based on expert recommendations and the creation of a compliance manual, that includes HOME written agreements, commitment procedures, drawdown controls, CHDO tools, and underwriting procedures. Additionally, there is additional compliance and reporting responsibilities centralized under dedicated staff and staff must complete HUD training and an annual review of the policies and procedures.

Mr. Cauley stated he called HUD for a technical assistance review, where they reviewed current HOME procedures, written agreements, financial processes and project files. They found the updated HOME commitment policy is consistent with program regulations and noted drawdown procedures helped ensure HOME funds are not drawn before a valid written agreement is executed. The CDBG/HOME consultant also reviewed CDBG/HOME policies,

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procedures, agreements and underwriting tools, who found the current documents and administrative structures aligned with applicable HUD requirements.

The final item needed to address the issue is to repay the \$321,000.00, either through voluntary reimbursement from future grants or direct repayment from the general fund. Direct repayment would be immediate but preserves future HOME capacity. Voluntary reimbursement would be a draft reduction of the HOME Grant in Fiscal Year (FY) 2028 by \$121,446.21 and in FY29 and FY30 by \$100,000.00 per year. The potential impact of the proposed reduction would mean fewer homebuyer assistance awards, less single-family production support, less flexibility for CHDO projects, and less HOME gap financing capacity. A reduction in the HOME Grant would require HUD's approval.

Discussion ensued.

Consensus of Council was to request voluntary grant reduction of the HOME Grant in Fiscal Year (FY)2028 by \$121,446.21 and in FY29 and FY30 by \$100,000.00 per year. Council Member McMillan was opposed to the consensus motion.

6.06 Opportunity Zone 2.0 Nomination Priorities

Mr. Christopher Cauley, Economic and Community Development Director, presented this item with the aid of a PowerPoint presentation and stated the federal government has identified eligible tracts for opportunity zones and the State is accepting local input. There is a form to fill out for recommendations and then the Governor's Office will make a decision on what to send to the federal government.

Mr. Cauley stated Opportunity Zones are federal tax incentives for private investment in eligible census tracts and are not direct funding to the City. The announcement came out at the end of April and staff have been working on options in preparation of the June 7, 2026, submission deadline. There are 31 eligible census tracts in Cumberland County, with 25 either whole or partially in the Fayetteville city limits, with only four (4) allowed nomination slots. The City currently has nine (9) eligible census tracts.

Mr. Robert Van Geon, Fayetteville-Cumberland Economic Development Corporation President and CEO stated the City must be incredibly strategic because we will not get all of the tracts we want. Where does the City want to see strategic investment, areas available for development or redevelopment, job creation, and pathways to increased housing supply in high-need areas. Mr. Cauley stated staff is asking Council for recommendations, but any resident is allowed to submit a recommendation on the North Carolina Department of Commerce website.

Discussion ensued.

Mr. Cauley presented the recommended evaluation criteria, that included business and job creation potential, strategic local revitalization alignment, housing supply potential, and project or site readiness. Staff is requesting Council's direction that staff will then use for evaluation and then will be sent to the State.

Consensus of Council was to add this item to the Thursday, June 4, 2026, Special Meeting agenda.

Mayor Colvin recessed the meeting at 5:44 p.m. The meeting reconvened at 6:03 p.m. to hear Item 7.0 Announcements and Recognitions and 8.0 Public Forum, then go back to the agenda items beginning with Item 6.06A.

7.0 ANNOUNCEMENTS AND RECOGNITIONS

Council Member Haire recognized Dr. Kathy Waddell on becoming Mrs. Fayetteville State University Alumni and presented her with a City coin.

Council Member Ferguson recognized Mr. Samuel Drake Washington, Mr. Jaxton Couch, and Mr. Jay Whitman with Certificates of Excellence for earning the rank of Eagle Scout, the highest rank in Scouting America.

Mayor Colvin presented the Key to the City upon her retirement to Ms. Michele Smith-Riordan in grateful recognition of her devoted interest and untiring commitment to the residents of Fayetteville, September 2000 – July 2026.

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Mayor Colvin presented Mrs. Pearlie Mack Lytch a proclamation in honor and celebration of her 100th birthday.

Council Member Hondros wished his son a happy 15th birthday and congratulated his wife, LizaMarie, on opening her new photography studio.

Council Member Thompson reminded residents that today marks the beginning of hurricane season through October and urged residents to be prepared.

8.0 PUBLIC FORUM

Ms. Valerie Bemis, Fayetteville, NC, expressed a need for laws that govern homeowner's associations.

Ms. Melissa Williams, Fayetteville, NC, expressed concerns regarding the budget.

Ms. Paulette Weaver, Fayetteville, NC, expressed concerns regarding speeding through school zones.

Ms. Geisha Sloan, Fayetteville, NC, expressed concerns regarding speeding through school zones.

Mr. William Lee, Fayetteville, NC, expressed concerns regarding speeding through school zones.

Ms. Mylove Burke, Fayetteville, NC, expressed concerns regarding lack of placement options for disabled adults in care transitions.

Mr. Richard Van Wyn, Fayetteville, NC, expressed concerns regarding data centers.

Ms. Theresa Burns, Fayetteville, NC, expressed concerns regarding data centers.

Ms. Sherri Middleton, Fayetteville, NC, expressed concerns regarding speeding through school zones.

Ms. Sharon Harley, Fayetteville, NC, expressed the need for supporting vulnerable communities.

Ms. Arleen Fields, Fayetteville, NC, expressed concerns regarding surveillance privacy.

Ms. Bobbie Burgess, Fayetteville, NC, expressed concerns regarding data centers.

Ms. Angela Tatum, Fayetteville, NC, expressed concerns regarding data centers.

Ms. Jonelle Kimbrough, Fayetteville, NC, expressed concerns regarding water quality and data centers.

Mr. Fern Davis, Fayetteville, NC, expressed concerns regarding data centers.

Mr. Wade Fowler, Fayetteville, NC, expressed concerns regarding the clay courts at the tennis center.

Ms. Micaela Brice, Fayetteville, NC, expressed concerns regarding data centers.

Mr. Isaac Lacap, Fayetteville, NC, expressed concerns regarding data centers.

Ms. Kristen Starks, Fayetteville, NC, expressed concerns regarding data centers.

Ms. Janet Menzak, Fayetteville, NC, expressed concerns regarding data centers and budget.

Mr. Michael Austin Jr., Fayetteville, NC, expressed concerns regarding job opportunities.

Ms. Lorena Murray, Fayetteville, NC, expressed concerns regarding data centers and protest ordinance.

MOTION: Council Member McMillan moved to extend the public forum for all speakers to be heard.

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SECOND: Council Member Greene

Council Member Davis requested a friendly amendment to allow all City residents an opportunity to speak.

Council Member McMillan did not accept the friendly amendment.

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

MOTION: Council Member Davis moved to hear all City residents.

SECOND: Council Member Jones

VOTE: UNANIMOUS (10-0)

Mr. Elijah Wittmeyer-Balthazar, Fayetteville, NC, expressed concerns regarding data centers.

Mr. Austin Wiley, Fayetteville, NC, expressed concerns regarding picketing ordinances.

Ms. Olivia Taylor Garcia, Fayetteville, NC, expressed concerns regarding data centers.

Mr. Dion Frances, Fayetteville, NC, expressed concerns regarding data centers.

Mayor Colvin recessed the meeting at 7:58 p.m. The meeting reconvened at 8:22 p.m.

6.06A Review Peer Cities' Picketing/Demonstrations Ordinances

Consensus of Council was to table Item 6.06A to the August Work Session. Council Member McMillan was opposed to the consensus motion.

Mayor Colvin reviewed the policy regarding Council Member agenda item requests. Ms. Lachelle Pulliam, City Attorney, stated Council Policy prohibits Council Members from bringing up items that Council has taken action on within six months, unless there is a supermajority vote.

6.07 Council Member Agenda Item Request - Direction to Staff to Draft Data Center Moratorium Ordinance - Council Member McMillan

Council Member McMillan stated over the past several months, North Carolina cities and counties have made decisive actions on data center moratoriums. Data centers consume between 24 and 100 times the baseline electricity consumption for a site and a large data center can consume between 10,000,000-30,000,000 gallons of water per day. The Cape Fear River Basin is already under stress and Fayetteville should protect itself. There is a need to understand water quality, environmental impact, and infrastructure upgrade costs.

This request is to suspend the rules in order to take a formal vote on data centers. The motion would not be specifically for a moratorium but allow for staff to create a draft moratorium ordinance on development applications consistent with North Carolina General Statute 160D-107 and return the draft to Council for consideration at a future meeting.

MOTION: Council Member McMillan moved to suspend the rules.

Motion failed for lack of a second.

6.08 Council Member Agenda Item Request - Robust Notification System - Council Member Ferguson

Consensus of Council was to table this item to the August Work Session.

6.09 Council Member Agenda Item Request - Technology Governance Framework Development - Council Member McMillan

Council Member McMillan stated the City of Fayetteville deploys Artificial Intelligence (AI) and automated surveillance technologies such as Clearview AI, Flock, ShotSpotter, and license plate readers without any City Council governance framework. There are budget approvals for individual tools, but no overarching policy that controls their use, data retention, accuracy, standards, or community oversight and alignment. This gap could be seen as a result of technology moving faster than regulation but many of the tools did not exist ten years ago. To

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allow this to continue violates principles of democratic governance. Council has a choice on how technology is used. Surveillance should have intentional decisions and City Council has a responsibility to decide how the technologies are used before they are deployed. The motion will direct staff to conduct research and return with recommendations on four critical areas: complete a technology inventory, policy gap analysis using the International Association of Chiefs of Police nine pillar framework, civil rights and accuracy assessment, and community transparency and oversight. The deliverable should include a staff report with recommended ordinance language and policy options for Council to consider. The request builds on briefings from National League of Cities, Georgetown University, and the International Association of Chiefs of Police Association. The organizations have documented serious risks, biases in facial recognition technology, and possible discriminatory impacts on communities of color.

Discussion ensued.

There was no consensus to move this item forward.

6.010 Council Member Agenda Item Request - Public Hearing - Proposed Amendments to the UDO Regarding Telecommunications & Data Storage Facilities (Item 9.01 TA26-01 from 4/13/2026 Regular Council Meeting) - Council Member Hondros

Council Member Hondros stated this is regarding the proposed revisions from Planning staff that the Planning Commission heard and had a public hearing on. Council received the presentation on April 13th, but there was no public hearing. Typically, once the Planning Commission has heard proposed text amendments, it comes to Council for a public hearing the next month. The Council did take action to receive the report; and the request tonight is to call for a public hearing. Resident concerns include electric rates and water usage, noise buffers and setbacks and the Unified Development Ordinance (UDO) text amendments can provide protections and restrictions that are not currently in place. The only environmental protections that the State of North Carolina authorizes local governments to install is stormwater through the National Pollution Discharge Elimination System (NPDES).

Discussion ensued regarding whether the pause was for a data center moratorium and not changes to the UDO.

Consensus of Council was to hold a public hearing on June 22, 2026, on telecommunications and data storage facilities. Council Members Jones, Greene, and McMillan were opposed to the consensus motion.

9.0 ADJOURNMENT

There being no further business, the meeting was adjourned at 9:06 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk
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MITCH COLVIN
Mayor