

DRAFT

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
DECEMBER 12, 2022
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Mario Benavente (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8) (arrived at 7:42 p.m.); Deno Hondros (District 9)

Absent: Council Member Shakeyla Ingram (District 2)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeff Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Jody Picarella, Chief Financial Officer
Rob Stone, Construction Management Director
Chris Cauley, Economic and Community Development Director
Sheila Thomas-Ambat, Public Services Director
Lee Jernigan, Assistant Public Services Director
Gina Hawkins, Police Chief
Mike Hill, Fire Chief
Jennifer Baptiste, Planning and Zoning Manager
Chester Green, Senior Planner
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order.

2.0 INVOCATION

The invocation was offered by Pastor Giles Blankenship, Snyder Memorial Baptist Church.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Council Member Haire announced this is the last Council meeting for 2022, and wished everyone a safe and happy Christmas.

Council Member Thompson thanked the constituents for their trust in local government and thanked the Police Department, Fire Department, and all employees.

5.0 CITY MANAGER REPORT

Mr. Douglas Hewett, City Manager, announced Assistant Police Chief Braden and Assistant Police Chief Nolette have been selected as the top two finalists for the position of Police Chief. There will be a Community Forum on December 13, 2022, to provide the public an opportunity to ask questions of the two candidates.

Mr. Hewett stated the ShotSpotter Forums were attended by approximately 100 citizens. Staff will be providing quarterly updates on the ShotSpotter technology, once implemented and will track if the

DRAFT

ShotSpotter is assisting with lowering response times, crime reduction strategies and will track complaints.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Thompson moved to approve the agenda.
SECOND: Council Member Hondros
VOTE: UNANIMOUS (8-0)

7.0 CONSENT AGENDA

MOTION: Council Member Haire moved to approve the consent agenda.
SECOND: Mayor Pro Tem Dawkins
VOTE: UNANIMOUS (8-0)

7.01 Approval of Meeting Minutes:

November 14, 2022 - Regular
November 28, 2022 - Discussion of Agenda Items
November 28, 2022 - Regular
November 29, 2022 - Special - Strategic Planning Retreat
November 30, 2022 - Special - Strategic Planning Retreat

7.02 Resolution Declaring the Result of the Bond Referendum Held in the City of Fayetteville, North Carolina, on November 8, 2022, upon the Questions of Approving \$60,000,000 Public Safety Improvement Bonds, \$25,000,000 Streets, Sidewalk, And Connectivity Improvement Bonds, And \$12,000,000 Housing Bonds

RESOLUTION DECLARING THE RESULT OF THE BOND REFERENDUM HELD IN THE CITY OF FAYETTEVILLE, NORTH CAROLINA ON NOVEMBER 8, 2022, UPON THE QUESTIONS OF APPROVING \$60,000,000 PUBLIC SAFETY IMPROVEMENT BONDS, \$25,000,000 STREETS, SIDEWALK, AND CONNECTIVITY IMPROVEMENT BONDS, AND \$12,000,000 HOUSING BONDS. RESOLUTION NO. R2022-043.

7.03 P22-44. Rezoning from Agricultural Residential (AR) to Community Commercial (CC) of 8.68 acres ±, located at 8142 and 8159 Stoney Point Road (REID #s (9485659452000 and 9485655245000), and is the property of Jimmy N. Ray, Judy Epps Click, and Kenny J. Click, and represented by Mark Candler, Candler Development Group LLC.

7.04 Adoption of Budget Ordinance Amendment 2023-8 and Capital Project Ordinance Amendments 2023-15, 2023-16, 2023-17, and 2023-18 to Appropriate Additional Funding for Human Capital Management Module of the Enterprise Resource System Project

Adoption of Budget Ordinance Amendment (BOA) 2023-8 and Capital Project Ordinance Amendments (CPOAs) 2023-15, 2023-16, 2023-17, and 2023-18 to appropriate \$610,000.00 of additional funding for the Human Capital Management Module of the Enterprise Resource System Project. The sources of funding for CPOA 2023-18 (\$610,000.00) are transfers from capital projects that received FY2023 General Fund appropriations and were replaced with ARPA funding: CPOA 2023-15 Parking Lot Maintenance \$55,000.00, CPOA 2023-16 Direct Fiber Connection \$80,000.00, CPOA 2023-17 Internet Domain \$175,000.00, and BOA 2023-8 to re-appropriate Municipal Agreement funding \$300,000.00 due to project schedule change.

The change order of \$610,850.00 reflects mutually agreed upon adjustments to numerous Rollout 1 HCM project schedules, dates, assumptions, and arrangement for the payment of services.

7.05 Addition of Certain Streets to the City of Fayetteville System

The Fayetteville street system includes 749.39 center line miles and is one of the City's largest assets impacting every citizen, employee, emergency service personnel, commuter, and visitor. As new development progresses, new streets are built in accordance with the City's standards and can be designated for private or public ownership

DRAFT

and maintenance. When streets are constructed to City standards, it requires a Council action to add the streets to the City's system. Streets added to our system qualify for Powell Bill Program allocations, which is a North Carolina funding program for the building and maintenance of major city streets.

Staff has identified six recently constructed streets for subdivisions throughout the City that are now acceptable for addition to the City of Fayetteville system of streets. These streets and drainage systems within the street rights-of-way have been inspected by staff and are now acceptable for addition to the City of Fayetteville system of streets. The 1.11-mile addition will bring the City's street system total to 750.50 miles

7.06 Approval of an Agreement to be used with Transportation Network Companies

Approval of an agreement to be used with various transportation network companies. The agreement shall be used for Uber, Lyft, and all other transportation network companies that may desire to provide pick-ups or drop-offs at the Fayetteville Regional Airport. The term of the agreements with transportation network companies shall be for three years.

8.0 PUBLIC FORUM

Mr. Tommy Harding, 6848 Fern Creek Place, Fayetteville, NC, expressed interest in youth mentoring.

Mr. Samuel Allen, 445 Rollingwood Circle, Fayetteville, NC, expressed concerns regarding local water contamination.

Ms. Angela Tatum Malloy, 404 Pilot Avenue, Fayetteville, NC, expressed concerns regarding the ShotSpotter program.

Mr. Jose Cardona, 233 Addison Street, Fayetteville, NC, expressed concerns regarding the ShotSpotter program.

Mr. Shaun McMillian, 6024 Golden Rain Drive, Fayetteville, NC, spoke regarding a need for the office of community safety.

Mr. Lee Sadler, Sr., 845 Wigwam Drive, Fayetteville, NC, expressed concerns regarding the ShotSpotter program.

Ms. Cynthia Leeks, 715 Topeka Street, Fayetteville, NC, expressed concerns regarding the ShotSpotter program.

Ms. Johnette Henderson, 2072 Seneca Drive, Fayetteville, NC, expressed concerns regarding the ShotSpotter program.

9.0 PUBLIC HEARINGS (Public & Legislative Hearings)

9.01 Public Hearing on the City of Fayetteville Support for Economic Equity Venture Capital Fund with American Rescue Plan Funds

Mr. Robert Van Geons, FCEDC CEO, presented this item and stated during the 2021 Session of the North Carolina General Assembly, the Community Development Foundation (CDF), a local 501c3 nonprofit, was awarded up to \$2.5 million in State funding to develop an Economic Equity Venture Capital Fund. The funding is contingent on the CDF raising matching funds. Mr. Robert Van Geons is the Executive Officer of the CDF as well as the Chief Executive Officer and President of the Fayetteville-Cumberland Economic Development Corporation. Council is requested to hold an Economic Development public hearing and authorize the City Manager to execute a contract with the CDF to support the Economic Equity Venture Capital Fund in the amount of \$1.25 million. City Economic Development and Legal staff will ensure program compliance by reviewing and approving all investments undertaken by the CDF.

DRAFT

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.

Discussion ensued.

MOTION: Council Member Hondros moved to authorize the City Manager to execute a contract with the CDF to support the Economic Equity Venture Capital Fund in the amount of \$1.25 million, and direct staff to work with the City Attorney to ensure the contract is compliant with State law.
SECOND: Council Member Thompson
VOTE: UNANIMOUS (9-0)

9.02 Public Hearing on SN22-002. Consideration of Renaming Providence Street to JP Swinson Street

Mr. Chester Green, Senior Planner, presented this item and stated the Cumberland County staff received a request from Vardry Aiken to rename Providence Street to JP Swinson Street. The reason for this street name change request is to honor the legacy of an extraordinary man that contributed so much to his community.

County staff contacted the owners of the parcels that abutted Providence Street. Twenty-eight property owners were contacted, the majority agreed. The County has evaluated the petition and has not found any conflicts or duplications with the proposed name and recommends approval of the name change.

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

Ms. Beverly Smith-Lusane, 5116 Perfection Lane, Hope Mills, NC 28348, appeared in opposition.

Mr. John Hart, 2705 Providence Street, Fayetteville, NC, appeared in opposition.

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

Discussion ensued.

MOTION: Council Member Benavente moved to deny the request to rename Providence Street.
SECOND: Council Member Haire
VOTE: PASSED by a vote of 6 in favor to 3 in opposition (Council Members Dawkins, Hondros, and Banks-McLaughlin)

9.03 Public Hearing on Authorization of the Issuance of Private Activity Bonds not to Exceed \$114,000,000 by the Public Finance Authority Relating to Two Mixed Income Housing Developments Located at 1701 Owen Drive and 1944 Cedar Creek Road

Mr. Chris Cauley, Economic and Community Development Director, presented this item and stated GoodHomes, Inc., acting as the developer, has partnered with the Community Finance Corporation, a non-profit developer and is requesting the City hold a public hearing and adopt a resolution authorizing the issuance of not more than \$114,000,000.00 in Private Activity Bonds issued by the Public Finance Authority (PFA). The project involves redevelopment of properties located at 1701 Owen Drive and 1944 Cedar Creek Road. Additional details of each development are attached. The issuance of bonds is a transaction between the PFA and the Community Finance Corporation and does not expose the City to any financial risk. City Council is asked to hold a public hearing and adopt the resolutions authorizing the issuance of not more than \$114,000,000.00 in Private Activity Bonds issued by the PFA.

DRAFT

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 APPROVING THE ISSUANCE OF ESSENTIAL HOUSING REVENUE BONDS FOR COMMUNITY FINANCE CORPORATION. RESOLUTION NO. R2022-044

MOTION: Mayor Pro Tem Dawkins moved to adopt the authorizing Resolution.
SECOND: Council Member Hondros
VOTE: UNANIMOUS (9-0)

10.0 OTHER ITEMS OF BUSINESS

10.01 Night Circus: A District NYE Spectacular

Ms. Ashanti Bennett and Lauren Falls, Cool Spring Downtown District, presented this item with the aid of a PowerPoint presentation and stated for the second consecutive year, the Cool Spring Downtown District (CSDD) is working to present the City's New Years Eve Celebration.

The Night Circus: A District NYE Spectacular returns for its second year in Festival Park. As with the inaugural event, the Night Circus will be filled with a variety of carnival attractions including stilt walkers, fire dancers, roving magicians, lights and color, popular food trucks, a beer garden, live music, and more.

The night will kick off with the NYE District Vibe stage featuring local vocal talent from our community. There is currently an open call for vocalist submissions that closes on December 5, 2022. After those performances warm the stage, a local DJ will continue to build the party on the ones and twos with a lively set of dance music. The dance party will lead right into this year's headliners taking the stage, R & B group Tony! Toni! Tone!

New this year: We have engaged the artistry of a talented light artist to create an immersive projection project that will be set in the center of the event. Along with this immersive experience, we will have bounce houses and a cigar bar in the beer garden.

Production for the event has been secured with local agency, Draughon Brothers, Inc. Private security for build-out and day-of event has been engaged with Staff-1. Fireworks will be managed through Hale Artificier. Staff continue to secure remaining vendors for the event.

MOTION: Council Member Jensen moved to accept the report.
SECOND: Council Member Haire
VOTE: UNANIMOUS (9-0)

10.02 Fayetteville Forward Bonds - Next Steps

Mr. Adam Lindsay, Assistant City Manager, introduced this item and stated the City Council placed a ballot measure seeking authorization of the issuance of up to \$97 million in General Obligation Bonds to support capital investments in public safety, infrastructure, and affordable housing on the November 8, 2022, ballot. Each bond authorization measure was approved by voters at the following percentages.

- Affordable Housing Bond - 59 percent
- Infrastructure Bond - 67 percent
- Public Safety Bond - 62 percent

The Mayor and City Council can now provide initial direction to staff regarding the desired implementation plan.

DRAFT

The City Manager's Office established three City-staff led working groups to develop a plan to implement the prioritized projects approved by City Council. Each bond working group is tasked to develop the scope, schedule, and cost of the projects funded by the Affordable Housing, Infrastructure, and Public Safety Bonds. The following breakdown provides funding concepts within the individual bonds, as well as a high-level roadmap of the timing and touchpoints with the City Council. Once Council has confirmed the funding structure and priorities, City staff will initiate project planning and follow the high-level roadmap in the attachment.

This item was for information only; no action was taken.

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:48 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
121222

MITCH COLVIN
Mayor