

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
COUNCIL CHAMBER, CITY HALL
JUNE 2, 2025
2:00 P.M.**

Present: Mayor Mitch Colvin (arrived at 6:30 p.m. via TEAMS)

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3) (arrived at 2:15 p.m., departed at 4:25 p.m., returned at 5:16 p.m.); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Kelly Strickland, Assistant City Manager
Adam Lindsay, Assistant City Manager
Jeff Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Kevin Dove, Fire Chief
Todd Joyce, Interim Police Chief
Sheila Thomas-Ambat, Public Services Director
Byron Reeves, Assistant Public Services Director
Brian McGill, Assistant Public Services Director
Virginia Smalls, Transportation Planner
John McNeill, Senior Projects Manager
Gerald Newton, Development Services Director
Albert Baker, Assistant Economic and Community Development Director
Demetrios Moutos, Planner I
Joshua Hall, Police Attorney
Lisa Harper, Senior Assistant City Attorney
Loren Bymer, Marketing & Communications Director
Chris Lowery, Strategic Planning and Analytics Manager
Andrew Brayboy, Management Analyst
Jerry Clipp, Human Resources Director
Tiffany Murray, Chief Financial Officer
Willie Johnson, Chief Information Officer
Willie Henry, Incoming Chief Information Officer
Kimberly Toon, Purchasing Manager
Benjamin MacKrell, Pallet Shelter (via TEAMS)
Blair Hinkle, Freese and Nichols, Inc.
Jennifer Ayre, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Pro Tem Jensen called the meeting to order at 2:01 p.m.

2.0 INVOCATION

The invocation was offered by Council Member Thompson.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 CITY MANAGER REPORT

Dr. Douglas Hewett, City Manager, stated last week the Council prioritized the FY2026 budget parking lot and staff provided list of prioritized items for funding to have Council confirm. Mr. Jeffery Yates, Assistant City Manager stated, the budget is balanced with the inclusion of the City Council's parking lot items. There is an

estimated fund balance is \$24.3 million; the fund balance exceeds the 12 percent policy goal by \$34,336.00 with \$7.3 million in fund balance for one-time items and there is a 12.2 percent vacancy assumption. The FY2026 Budget will be an agenda item on the June 9, 2025, Regular Meeting and is recommended for adoption.

Discussion ensued.

5.0 APPROVAL OF AGENDA.

MOTION: Council Member Haire moved to approve the agenda.

SECOND: Council Member Greene

VOTE: UNANIMOUS (9-0)

6.0 OTHER ITEMS OF BUSINESS

6.01 Presentation from Pallet Shelter

Ms. Kelly Strickland, Assistant City Manager, introduced this item and stated the Homelessness and Mental Health Committee received this presentation at their April 3, 2025, meeting and the motion was passed at the April 28, 2025, Regular Meeting to have Mr. Ben Mackrell, Pallet Shelter consultant, present the presentation to full Council.

Mr. MacKrell stated Pallet Shelter is a public benefit corporation that has been around since 2018 that focuses on individuals that experience housing emergencies or are unsheltered.

Mr. MacKrell stated there are 5,200 shelters that have been deployed in over 130 communities within the United States and Canada. The idea is a group of six to thirty shelters in a community setting with supportive systems such as community rooms, laundry rooms, case management offices, and bathrooms. Pallet Shelter manufactures the shelters and relies on local non-profits for services and the municipality for infrastructure. The City would be the site owner and regulator and would set the barriers of entry. The types of shelters the company provides and success and safety metrics of some current villages were provided. Mr. MacKrell stated there is a two-year warranty on each shelter with each shelter lifespan between 15-20 years. The units themselves are designed for hard use and minimal maintenance. Not including the installation and shipping, the single 70 square foot shelter costs \$15,900.00, the small family suite costs \$21,000.00, and the ensuite shelter costs about \$44,000.00.

Discussion ensued regarding zoning requirements. Dr. Douglas Hewett, City Manager, stated if Council is interested, staff will need direction from Council on how to pursue the project and a timeframe to report back. The next steps would include identifying funding, locations, compliance with the State Building Codes, case management options, which types of shelters, and a request for proposals (RFP) to identify local partners. Council Member Hondros stated this is not in our purview but more for the County.

Council Member McNair stated she emailed City Council a list of goals. The goals to support the pallet shelter include five short-term goals: community engagement, awareness, site assessment, land acquisition and partnership; four mid-term goals: design and planning, policy advocacy, sustainability initiatives, programming development, and; five long-term Goals: community integration, evaluation and feedback, scalability, long-term funding and sustainability, and advocacy for broader housing solutions.

There was not consensus to move forward with having staff review the presented goals.

Consensus of Council was to request this item be presented at the next City County Liaison Committee to get buy-in.

6.02 Fire Station 16 – Project Delivery Approach

Mr. Blair Hinkle of Freese and Nichols presented this item with the aide of a PowerPoint presentation and introduced Mr. Bryan Roof, Owners Advisor for Fire Station 16 from Cumming Group. Mr. Roof provided an overview of the difference between an Owner Advisor and Owner's Project Manager Representative.

Mr. Roof stated Fire Station 16 is making good progress and around thirty percent designed, however, a decision is required on the project delivery method. The project delivery methods are a Construction Manager-at-Risk (CMAR) or Design-Bid-Build. Key drivers in deciding which type of project delivery method to use include design control, cost, schedule, the project team, risk, and other key drivers such as culture, sustainability, internal governance, marketplace participation, and regulatory requirements. The benefits and risks of the design-bid-build and CMAR were reviewed. Design-bid-build creates very clear specifications and focuses the competitive landscape on lowest cost but does not focus on the most qualified general contractor (GC) and subcontractors and the GC is not involved during design or preconstruction phases. The CMAR sets a guaranteed maximum price (GMP), there is early engagement with the GC to participate and provide guidance on design, and there is cost certainty and transparency, however, the GC may try to exercise the use of allowance in lieu of appropriately planning and coordinating work. Dr. Hewett stated that staff recommend that the CMAR be used more often on City construction projects.

Discussion ensued.

Consensus of City Council was to authorize staff to use CMAR in the delivery of the Fire Station 16 project and to proceed with procurement of a CMAR for the project.

6.03 Bicycle Lane Ordinance Clarifications and Recommendations

Council Member Benavente stated this item is from a Council Member Request he made to come back with information due to a neighborhood in his district having issues with people parking in a bike lane and their question on how to enforce no parking in a bike lane. The residents would like to have a means and a method to request no parking down a multi-use lane similar to how neighborhoods can request a speedhump.

Consensus of Council was to have staff bring back a process for residents to request no parking down a multi-use lane in a neighborhood, similar to speed-humps. Council Member Hondros was opposed to the consensus motion.

Mr. John McNeill, Special Projects Manager, presented this item with the aid of a PowerPoint presentation and provided the definitions of a bicycle lane, multi-use lane and multi-use path. Mr. McNeill stated the proposed addition to Section 16-263 is *"Notwithstanding any other ordinance, no person shall drive a vehicle on or across a designated bicycle lane in such manner as to interfere with the safety and passage of people operating bicycles thereon. Pursuant to N.C.G.S. §14-1(b) a violation of this section shall be an infraction with a penalty of not more than fifty dollars (\$50.00)."* and under Sec 16-320 you may not park or obstruct a bicycle lane. The bicycle plan was established in 2020 and has 171 recommended projects and the funding for the projects was presented. Staff anticipates requesting approval from Council for matching funds for a municipal agreement in FY26 for FY27 to update the Bicycle Plan as plans are required to be updated every five years.

Discussion ensued.

Consensus of Council was to approve the code of ordinances amendments to place them on consent agenda for adoption. Council Members Haire and Thompson were opposed to the consensus motion.

6.04 Comprehensive Pedestrian Plan Update

Ms. Virginia Smalls, Transportation Planner, introduced Dr. Zachary Bugg, an Engineer for Kittelson and Associates who presented this item with the aid of a PowerPoint presentation.

Dr. Bugg stated this project has been a collaboration with the North Carolina Department of Transportation's (NCDOT) Integrated Mobility Division. The objective is to expand the pedestrian network and develop projects, programs, and policies to enhance safety while emphasizing projects near schools and universities. This plan presents 144 recommended pedestrian projects throughout Fayetteville, representing both intersection enhancements and corridor wide improvements. The total estimated cost of the plan is \$769.51 million dollars and would construct approximately 146 miles of sidewalk.

The project kicked off in April 2024 and held steering committee meetings which included community leaders, City of Fayetteville staff, NCDOT, the Fayetteville Area Metropolitan Planning Organization, Cumberland County, Cumberland County Schools, Sustainable Sandhills and Fayetteville State University. Two rounds of public engagement took place. The first round focused on community challenges and opportunities and the second round focused on project feedback and prioritization.

The existing conditions analysis consisted of a review of the 2018 plan, a field review, and data collection and mapping for demographics, transportation infrastructure, points of interest, and crash history. The team then removed any project from a recent local and regional multimodal plan that has been completed or already had funding identified for implementation and construction. The project team then analyzed the transportation network to identify any gaps between projects, removing access-controlled routes along the interstate from the analysis. The project team proceeded to assign these projects a score based on a series of evaluation criteria, safety, comfort, equity, connectivity, and land use. Policy and program recommendations include adopting a complete streets policy and traffic calming policy, implementing creative safety awareness campaigns, establishing a transportation-focused City Commission, and prioritizing with CCS.

Consensus of Council was to approve the Comprehensive Pedestrian Plan Update to be placed on a consent agenda for adoption with the addition of having Hoke Loop Road.

6.05 The Supplemental Fayetteville Comprehensive Pedestrian Plan Study

Dr. Zachary Bugg, an Engineer for Kittelson and Associates presented this item with the aid of a PowerPoint presentation and stated the supplemental pedestrian plan specifically focused on the Cumberland County School network and identifying the major roadways that create barriers between schools and the communities they service. After examining and analyzing the infrastructure surrounding 64 K-12 public schools serving the City, key priority locations for pedestrian transportation safety investment were identified. The analysis identified pedestrian safety improvement projects to expand the walkable areas around public schools. The study developed 26 cut sheets for pedestrian improvement projects near schools, and 12 cost estimates and more detailed recommendations for the highest-prioritized schools.

School prioritization was based on school population, safety, infrastructure, and demographics. The total cost of the projects at the 12 schools is approximately \$27.9 million.

Discussion ensued.

Consensus of Council was to approve the supplemental Fayetteville pedestrian plan study and place it on consent for adoption and allow the schools that did not respond to have time to get back to staff for further discussion.

6.06 Peer City Comparison of Development Incentives

Dr. Gerald Newton, Development Services Director, introduced Mr. Demetrios Moutos, Planner I, who presented this item with the aid of a PowerPoint presentation. Mr. Moutos presented six common development incentives categories: affordable housing, sustainability, open space and conservation, transit orientation and mixed-use development, historic preservation and adaptive reuse, and zoning flexibility and legal tools. Eight municipalities were used for comparison: Durham, Winston-Salem, High Point, Cary, Greensboro, Concord, Wilmington, and Raleigh. Dr. Newton stated there is more than can be done in each category and staff will continue to create opportunities throughout the City.

Discussion ensued.

Consensus of City Council was to receive the presentation.

6.07 Temporary Use Standards for Special Events & Proposed Nuisance Party Ordinance

Mr. David Steinmetz, Assistant Development Services Director, presented this item with the aid of a PowerPoint presentation and stated temporary use permits are required for special events on private property within the City limits. The permit requires the event to be of limited duration and cannot involve the construction or alteration of a permanent structure or building. Currently, Development Services staff reviews, approves, and issues the permits which can take about two days for approval. Additional standards for special events requesting a permit include no unreasonable risk of significant impediments to pedestrians or vehicular travel, injury to persons, public or private disturbances, burden to police or fire, or adverse effect on public health and safety. Five conditions must be met to receive the permit which includes providing parking and vehicular ingress and egress, control of nuisance factors, provide sanitary and medical facilities, provide solid waste collection and disposal, and provide security and safety measures.

Staff recommended options to amend the Temporary Use Permit process to require review and approval by Police and Fire Departments, add provisions such as limiting bags to only clear bags and no unaccompanied minors, and amend the code to increase compliance time for failure to obtain a permit.

Mr. Joshua Hall, Police Attorney presented the proposed nuisance party ordinance with the aid of a PowerPoint presentation and stated there is currently a gap in State statute and how parties can be enforced, and the proposed ordinance could help close the gap so the City can address nuisance parties. There is no way to shut down parties for already illegal activities, but the proposed ordinance would allow for the City to shut down a party. There are three proposed penalties, civil, injunctive or other equitable relief, and criminal.

Discussion ensued.

Council Member Davis asked if the ordinance would apply to commercial properties or nuisance homes. Ms. Lachelle Pulliam, City Attorney, stated there is not an ordinance, but it could be addressed by civil action provided through General Statute.

Consensus of Council was to adopt the recommendations as presented and add to the next agenda for adoption and implementation. Council Member Benavente was opposed to the consensus motion.

6.08 City Council Agenda Item Request - Downtown Fire District Update - Mayor Colvin

Mayor Colvin stated municipalities already have a fire code, but in Fayetteville there is a secondary downtown fire district started after the 1834 fire that affects what can be done in the district. The secondary fire district needs to be reanalyzed as it impedes investment and development in an area we are trying to improve.

Consensus of City Council was to have staff bring back information and updated recommendations for the downtown fire district.

6.09 City Council Agenda Item Request - Reconsider the Historic District Location - Mayor Colvin

Mayor Colvin stated one of the reasons the City says they have the Historic District is for the economic benefit, however, only two historic tax credits have been used in the last few years. The agreement has the Department of Interior give the federal tax credits which are based on the structure and the State gives fifteen percent tax credits only in three areas of the State. Mayor Colvin asked if the economic benefit for what we are causing and how we are stifling the downtown development with the Historic District location worth it. Mayor Colvin stated he would like to request a review of the application and if the location is the most economically valid or if the location should only be residential.

Consensus of City Council was to have staff bring back information and updated recommendations for the Historic District location. Council Member Benavente was in opposition to the consensus motion.

7.0 ADJOURNMENT

There being no further business, the meeting was adjourned at 7:21 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk
060225

MITCH COLVIN
Mayor