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**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
JANUARY 22, 2024
7:00 P.M.**

Present: Mayor Mitch Colvin

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) (via zoom); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Chief of Staff
Kemberle Braden, Police Chief
Gerald Newton, Development Services Director
Loren Bymer, Marketing & Communications Director
Chris Cauley, Economic and Community Development Director
Sheila, Thomas-Ambat, Public Services Director
Byron Reeves, Assistant Public Services Director
Lisa Harper, Senior Assistant City Attorney
Craig Harmon, Senior Planner
Leslie Mazingo, Lobbyist
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 George Coney, House of Prayer.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Senator Val Applewhite presented the Order of the Long Leaf Pine award to Dr. Toney Coleman, retired Airport Director, for his more than 30 years of service.

Mayor Colvin extended an invitation to faith leaders and community partners to dialogue about the youth and other community concerns.

5.0 CITY MANAGER REPORT

Mr. Hewett thanked the Council members who attended the service awards for 104 employees who contributed 1,385 hours of service. Ms. Selena Washington, Athletic Program Coordination, Parks and Recreation, celebrated 40 years of service.

The City Council Annual Retreat is scheduled for January 29-30, 2024, at the Dorothy Gilmore Recreation Center.

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Mr. Hewett stated the City Manager newsletter is published weekly and residents can sign up to receive it via the City's website.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Thompson moved to approve the agenda.
SECOND: Mayor Pro Tem Jensen
VOTE: UNANIMOUS (10-0)

7.0 CONSENT AGENDA

MOTION: Council Member Thompson moved to approve the consent agenda.
SECOND: Mayor Pro Tem Jensen
VOTE: UNANIMOUS (10-0)

7.01 Approval of Meeting Minutes:

January 2, 2024 - Work Session
January 8, 2024 - Discussion of Agenda Items
January 8, 2024 - Regular

7.02 P23-52. Rezoning from Single-Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5) located at 1319 Camden Road (REID # 0436163935000) totaling .54 acres ± and being the property of Darren and LaAdah Demus represented by Lori Epler of Larry King & Associates.

7.03 P23-55. Conditional rezoning from Community Commercial (CC) to Light Industrial Conditional Zoning (LI/CZ) located at 716 Whitfield Street (REID # 0436183799000) totaling 2.43 acres ± and being the property of Food Properties LLC.

7.04 P24-06. Rezoning from Single-Family Residential 6 (SF-6) to Mixed Residential 5 (MR-5) located at 201 Rosemary Drive (REID # 0428489415000) totaling 9.66 acres ± and being the property of Fayetteville Metropolitan Housing Authority, represented by Fred Ford of Stogner Architecture, PA.

7.05 Adoption of Capital Project Ordinance Amendments 2024-10 and 2024-11 for the Neville Street Drainage Improvements Project

Capital Project Ordinance Amendments (CPOA) 2024-11 to appropriate funding from the Stormwater Capital Fund in the amount of \$476,179.00 to cover the local match of \$326,927.00 and additional funding of \$149,252.00 needed in CPOA 2024-10 for the Neville Street Drainage Improvement Program.

CPOA 2024-10 to appropriate the funds that were transferred from CPOA 2024-11. CPOA 2024-10 appropriates the \$476,179.00 from CPOA 2024-11 and the \$966,524.00 PWC funds provided for the related utility improvements, as outlined in the attached reimbursable agreement. CPOA 2024-10 also reduces the FEMA grant funds by \$326,927.00 to represent the funding received by the FEMA grant.

7.06 Approval of Extension to Award Letter Expiration for Cliffmore Park Apartments

Approval of the six-month extension of the previous award letter for funding in the amount of \$683,968.00 for Cliffmore Park Apartments from the City's Rental Housing Development Program and allow the Director of Economic and Community Development to grant similar extensions for this project in the future.

7.07 Resolution Authorizing Condemnation of Permanent and Temporary Easements on the Property Needed for the Yadkin Road Phase III Sidewalk Project Located at 5030 Yadkin Road

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION OF PERMANENT AND

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TEMPORARY EASEMENTS ON REMAINING PARCEL LOCATED AT 5030 YADKIN ROAD FOR THE YADKIN ROAD PHASE III SIDEWALK PROJECT. RESOLUTION NO. R2024-004

7.08 Approve the Addition of Builder's Risk Insurance to Terminal Renovations Phase III Construction Contract with Daniels & Daniels Construction Company, Inc.,

Approval of the addition of builder's risk insurance to the contract with Daniels & Daniels Construction Company, Inc., for the Terminal Renovations Phase III project. The cost of the insurance is \$5,600.00.

7.09 Catalyst Site 1 Memorandum of Understanding with Fayetteville State University - Six-Month Update

Fayetteville State University (FSU) has submitted their required six-month update on the three-year Memorandum of Understanding (MOU) for the Catalyst Site. City Council received the report.

7.010 Rose Lake Temporary Detention FEMA BRIC Grant Submittal

In FY 2019, City Council authorized a fee increase and directed staff to accelerate its watershed study program and related capital project program to help control stormwater runoff, reduce localized minor flooding, and improve our resiliency to major flooding. At the September 5, 2023, Council work session, staff presented an update on the Cross Creek Watershed Master Plan. This update focused on analysis of Cross Creek flooding through downtown Fayetteville and potential improvement concepts. Staff recommended Council provide approval to pursue funding sources for both the Channel Improvement and Rose Lake options, which Council approved.

Staff are now bringing an update on the Rose Lake temporary detention concept. Additional analyses have demonstrated that the temporary detention concept will reduce downstream structure flooding and reduce the depth and duration of Cross Creek overtopping downstream roadways. Further evaluation of the concept has also identified considerations related to property acquisition and long-term maintenance associated with the temporary detention concept. Council approval to submit a FEMA BRIC grant application to fund the detailed design and construction of the Rose Lake temporary detention concept.

7.011 PWC - Lease of Suite 301 of R.C. Williams Building

The Fayetteville Public Works Commission (PWC) negotiated a new lease with Movement Mortgage, LLC., for Suite 301 of the R.C. Williams Building for an annual rent of \$49,588.00 with an escalation of 3 percent yearly. Council approval of the lease with Lessee.

8.0 STAFF REPORTS

8.01 Federal Action Plan 2024

Ms. Jodi Phelps, Chief of Staff, introduced this item and stated the City of Fayetteville engages with the federal legislators and government agencies to support policy and funding opportunities that align with Council's identified priorities and objectives. These efforts ensure the protection and preservation of essential community assets and resources, expansion of critical services and infrastructure supporting residents, and initiatives that allow the City to thrive.

Ms. Leslie Mazingo, the City's federal lobbyist, briefed the City Council regarding the draft Federal Action Plan, to include the following: Economic Development, Military/Department of Defense, Public Infrastructure and Transportation, Public Safety, and Quality of Life.

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Discussion ensued.

MOTION: Council Member Thompson moved to formally adopt the Federal Action Plan 2024.
SECOND: Council Member Benavente
VOTE: UNANIMOUS (10-0)

9.0 PUBLIC HEARINGS (Public & Legislative Hearings)

9.01 P23-49. Conditional Rezoning of 1.42 acres ± from Mixed Residential 5 (MR-5) to Heavy Industrial (HI/CZ), located at 1009, 1015, and 0 North Street (REID #s 0438700243000, 0438700340000, and 0438609391000), and being the property of DRA LLC, represented by Thomas Lloyd of Franklin Johnson Commercial Real Estate.

MOTION: Council Member Davis moved to table this item to the February 12, 2024, City Council meeting agenda, as requested by the applicant.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

9.02 P23-53. Rezoning from Single-Family Residential 10 (SF-10) to Single-Family Residential 6 (SF-6) located at 1040 Stamper Road (REID # 0428335880000) totaling .25 acres ± and being the property of Rockfish Run Land and Development LLC.

MOTION: Council Member Davis moved to table this item to the February 26, 2024, City Council meeting agenda, as requested by the applicant.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

10.0 EVIDENTIARY HEARINGS

10.01 P24-01. Special Use Permit to locate a Duplex (two- to four-family dwelling) at 1040 Stamper Road (REID # 0428335880000) totaling .25 acres ± and being the property of Rockfish Run Land and Development LLC.

MOTION: Council Member Davis moved to table this item to the February 26, 2024, City Council meeting agenda, as requested by the applicant.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

11.0 OTHER ITEMS OF BUSINESS

11.01 Murchison Choice Implementation Grant Application - Partnership Certification and Leverage

MOTION: Council Member Haire moved to table this item to the January 31, 2024, special meeting.
SECOND: Council Member Hondros
VOTE: UNANIMOUS (10-0)

12.0 ADMINISTRATIVE REPORTS

12.01 FY 2024 2nd Qtr. City Council Scorecard

This item was for information only and was not presented.

12.02 Demolition Update for 901 Person Street and 4903 Murchison Road

This item was for information only and was not presented.

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13.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:38 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
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MITCH COLVIN
Mayor