

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
COUNCIL CHAMBER/ZOOM
AUGUST 2, 2021
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2) (via zoom, arrived 5:34 p.m., departed 8:00 p.m.); Tisha S. Waddell (District 3) (via zoom); D. J. Haire (District 4); Johnny Dawkins (District 5); Chris Davis (District 6); Larry O. Wright, Sr. (District 7); Courtney Banks-McLaughlin (District 8); Yvonne Kinston (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Telly Whitfield, Assistant City Manager
Jay Toland, Assistant City Manager
Adam Lindsay, Assistant City Manager
Gina Hawkins, Police Chief
Michael Whyte, Police Attorney
Rebecca Jackson, Chief of Staff
Cliff Isaacs, Construction Management Director
Michael Gibson, Parks, Recreation and Maintenance
Director
Gerald Newton, Development Services Director
Taurus Freeman, Planning and Zoning Manager
Alicia Moore, Senior Planner
Byron Reeves, Stormwater Manager
Jason Miles, Assistant Public Services Director
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 5:02 p.m.

2.0 APPROVAL OF AGENDA

MOTION: Council Member Haire moved to approve the agenda.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 Makerspace Conceptual Design Review

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, stated SFLA Architects were contracted to develop a master plan concept for City-owned property on the corner of Murchison/Rowan/Bragg. The focus of the plan was to analyze the potential of repurposing the former Slow Joe Customs buildings into a makerspace.

Mr. Eric Lindstrom, Consultant, SFLA Architects, presented this item and stated Makerspaces are communal public workshops in which individuals gather to share resources and knowledge, work on projects, network, and build. The Makers Space Study; how to maximize activity at a primary gateway corner around the concept of a Makers Space. Mr. Lindstrom presented the challenges and opportunities, and showed photographs of the present site condition and several examples of how a Makers Space can be utilized. A proposed budget was presented with an all-in cost of \$4,022,455.00, with phase options.

Discussion ensued.

Consensus of Council was to direct staff to continue researching the Makerspace Conceptual Design and to report back to City Council with a more defined project and scope, in six months' time frame (February 2022).

4.02 Stormwater Ordinance and Administrative Manual Review, Revisions, and Recommendations

Mr. Byron Reeves, Stormwater Manager, presented this item and stated in May of 2020, the City contracted with the firm Raftelis Financial Consultants, Inc., to conduct an independent review of the Stormwater Ordinance and its companion document, the Administrative Manual. The subsequent background and analysis in the agenda packet provide details to the approach in identifying inconsistencies between the two documents and outline a number of proposed changes and updates to both the City's Stormwater Control Ordinance and Administrative Manual.

Staff seeks concurrence from City Council on the proposed Ordinance changes broken out into the following four areas of focus:

1. General Updates and Organization
2. Performance Security Amounts
3. Appeals
4. Functional Maintenance responsibilities of future Residential Subdivision stormwater control measures (SCMs), to include establishing a two-year 'sunset' clause for existing permitted residential subdivision SCMs that have yet to be converted due to developer inaction.

It is important to note that no changes to development standards are being recommended for the Ordinance at this time.

Mr. Reeves presented this item with the aid of a PowerPoint presentation.

At the conclusion of the presentation, Mr. Reeves stated staff recommends the following action on each of the four items:

General Updates and Organization

1. Direct staff to draft the proposed text amendments as it relates to general updates and organization.

Sec. 23-41. - Performance guarantee for installation

1. Direct staff to draft a proposed text amendment increasing the required performance guarantee for installation from 75 percent to 125 percent for commercial developments and 100 percent to 125 percent for residential subdivisions.

Sec. 23-45. - Appeals

1. Direct staff to draft a proposed text amendment designating an appointed hearing officer to hear appeals of this article.

Sec. 23-38. - Functional Maintenance Responsibility of Residential SCMs

4. Direct staff to draft a proposed text amendment to remove the option for the City to accept Functional Maintenance for future development; establish a sunset clause for existing permitted subdivision basins to come into compliance; establish a fee surcharge for benefitting rate payers.

Discussion ensued.

Consensus of City Council was to direct staff to take this item back to the Council Stormwater Committee for further discussion and evaluation and to bring this item back to the City Council at the September work session. Council Member Waddell was in opposition to the consensus vote.

4.03 Community Police Advisory Board

Ms. Michael Whyte, Police Attorney, presented this item and stated on February 1, 2021, City Council directed staff to conduct research and bring those findings back to City Council regarding Community Police Advisory Boards (CPAB). These board types were discussed in November and December 2020 with the internal committee established by the Mayor and City Council. On April 12, 2021, at the City Council regular meeting, staff was directed to research and provide recommendations on possible board structure and mission. Staff returned on June 7, 2021, with a recommended charter and process to establish a CPAB to the City Council.

The scope of authority for a board would be advisory only. Under current law, records of criminal investigation and law enforcement agency recordings are not public records. Additionally, City personnel files are not public records and cannot be accessed except in minimal circumstances. The board would only have access to those records deemed a public record as set out in N.C.G.S. § 132.

Ms. Whyte provided an overview of the CPAB Mission Statement, Goals of the CPAB, CPAB Implementation and Application Process, and Membership of 9 members, Residence within Fayetteville, Representative of various demographics/diversity.

Discussion ensued.

Consensus of Council was to direct staff to further review and refine the proposed Community Police Advisory Board Charter, and bring this item back to City Council at the August 23, 2021, regular meeting.

Mayor Colvin recessed the meeting at 7:08 p.m., and reconvened the meeting at 7:19 p.m.

4.04 Violent Crime Strategies for the City of Fayetteville

Ms. Gina Hawkins, Police Chief, presented this item and stated due to the increase in homicides and increase of crimes against persons, not only in our City but the nation, I have developed Violent Crime Strategies for the City of Fayetteville. The impact of homicides across the nation and in our City is the reason we are here. Overall the crime rate is down by 12 percent year-to-date. Violent Crime Strategies will cover immediate strategies we have deployed, intermediate strategies in process of being implemented, and long-term strategies will propose and need support from all members of the community. Chief Hawkins provided a handout that detailed the Police-Led, and Community-Led, Violent Crime Initiatives.

Discussion ensued.

Consensus of Council was to receive the report.

4.05 TA21-009 thru -015: Seven Proposed Text Amendments to the Unified Development Ordinance and one to the Code of Ordinances

Ms. Alicia Moore, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated seven of the eight text amendments represent suggested updates to the Unified Development Ordinance (UDO), as proposed by the professional staff of the Development Services Department. The text amendments include language to address several items that City Council previously discussed such

as eliminating landscaping requirements for many interior renovations and smaller lot redevelopments. Upon City Council direction, these items will proceed to the Planning Commission for a legislative hearing and recommendation. Following the Planning Commission's review and recommendation, the proposed text amendments will be presented to the City Council for a legislative hearing, review, and decision.

Development Services staff proposes the following seven text amendments:

1. TA21-009: Self-storage (mini-warehouse) standards
2. TA21-010: Open-Space Dedication (bonus and incentives)
3. TA21-011: Accessory Uses on Large Residential Lots
4. TA21-012: Residential density in MR-5, CC, and LC zoning districts
5. TA21-013: Special Use Permits in the Use Table
6. TA21-014: Nonconformities
7. TA21-015: Political Signs

The following text amendment is from the Public Services Department for Stormwater Management. This item will proceed to the City Council for a decision in August.

1. Sec. 23-24 Stormwater Development: Exemptions from Requirements

Approximately every six months, staff of the Development Services Department proposes a batch of seasonal text amendments to update the UDO. Upon City Council's direction, this batch of seasonal text amendments will be presented for a legislative hearing before the Planning Commission at its next regular meeting. After the Planning Commission's review, a legislative hearing will be held before the City Council to review the Commission's recommendation and other relevant factors prior to rendering a decision on the proposed amendments.

Text amendments within the Code of Ordinances only have to be approved by the City Council. No legislative hearing is required, and the text amendments can be approved by consent of the City Council.

Discussion ensued.

Consensus of Council was to direct Development Services staff to draft the proposed text amendments for a legislative hearing before the Planning Commission for review and recommendation.

Consensus of Council was to direct Public Services staff draft the proposed text amendments for consent approval at the next City Council regular meeting; August 9, 2021.

4.06 Parks and Recreation - Park Bond Report Card

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, presented this item and stated the major projects currently in progress include the Bill Crisp Senior Center, Senior Center East, McArthur Road Sports Complex, Jordan Soccer Complex, the Tennis Center, and D. Gilmore Therapeutic Center. From time to time, these projects will come before the Council for guidance related to project concept approval, contracts, project updates, bid awards, public bid results, and approval of Memorandums of Understandings (MOU) or Agreements (MOA), and lease agreements with partnering entities. Improvements to Mable C. Smith Park include a community center and paving of the existing trail all shown within the Park Bond Report

Card Presentation. The Mable C. Smith Park improvements will mark the seventh significant Parks and Recreation Project currently underway.

Discussion ensued.

Consensus of Council was to direct staff to accept this Park and Bond report and authorize staff to add Mable C. Smith Park improvements to the list of significant Park and Bond projects and the \$750,000.00 unallocated funds to go to the Walker Spivey park.

4.07 City Council Agenda Item Request - Off the Right-of-Way Projects, Stormwater Drainage - Council Member Haire

Council Member Haire presented this item and stated over 400 citizens had applied for funding from the Stormwater Assistance Program and only 30 citizens qualified for assistance. Council Member Haire stated he wants to see more citizens serviced, and to review the assistance program.

Discussion ensued.

Consensus of Council was for the Council Stormwater Committee to review the Stormwater Drainage Assistance Program at their next meeting and for Council Member Haire to attend that meeting.

4.08 City Council Agenda Item Request - Juneteenth - Mayor Colvin

Mayor Colvin stated he would like for the City to host some type of celebration of Juneteenth, which is now a federal holiday.

Consensus of Council was to direct staff to research and report back to Council with options to consider for celebrating Juneteenth.

4.09 City Council Agenda Item Request - 4th of July Celebration - Mayor Colvin

Mayor Colvin stated the 4th of July Celebration has traditionally been left to Fort Bragg to coordinate, however many of our citizens are not military affiliated and Fayetteville is the sixth largest City in the State of North Carolina, and we should host our own 4th of July celebration event. We can host an event including other community partners.

Consensus of Council was to direct staff to research and report back to Council with options to consider for celebrating the 4th of July.

4.010 City Council Agenda Item Request- Electric Vehicle Charging Stations- Council Member Kinston

Council Member Kinston presented this item and stated there is a growing demand for service for electric cars. Ms. Kinston asked for a review of the need for electric charging stations, and to work with PWC to review the rate and cost for implementation.

Consensus of Council was to direct staff to research this request and report back with findings.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:55 p.m.