

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
COUNCIL CHAMBER, CITY HALL
OCTOBER 3, 2022
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Kathy 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); 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
Michael Gibson, Interim Assistant City Manager/Parks, Recreation and Maintenance Director
Kelly Olivera, Interim Assistant City Manager
Gerald Newton, Development Services Director
Rob Stone, Construction Management Director
Jodi Phelps, Chief of Staff
Chris Cauley, Economic and Community Development Director
Jody Picarella, Chief Financial Officer
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 5:00 p.m.

2.0 INVOCATION

The invocation was offered by Council Member Haire.

3.0 APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Dawkins moved to approve the agenda, with the removal of Items 4.07, 4.08, 4.09 and 4.012.

SECOND: Council Member Benavente

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 Salvation Army - Overview and Updates

Major Tim Grider, Salvation Army, Sandhills Region, provided an overview and updates of the Salvation Army operations in Fayetteville. Major Grider briefed City Council on the following programs: shelter, food services, operations manual, and the areas served. Major Grider discussed the Continuum of Care history and operations, the Coordinated Entry program, inclement weather (white flag) operations, and natural disaster related processes.

Discussion ensued pertaining to mental health and medical needs of the homeless. Major Grider stated his staff is not trained or equipped to provide services to those with mental health challenges; one of our goals is to get these individuals to the right agencies that can assist.

Ms. Debbie Brown, Chair, Continuum of Care, provided an overview of the Coordinated Entry program and stated the interview takes about one hour to complete.

Discussion ensued.

Mayor Colvin thanked Major Grider and Ms. Brown for their updates and information.

4.02 Committee for Fayetteville Forward Update

Ms. Jodi Phelps, Chief of Staff, stated a community-led advocacy group has been established by the Greater Fayetteville Chamber of Commerce in support of the Fayetteville Forward Bond package. The committee chairs and members will provide a brief update on their advocacy work and plans.

Dr. Rodney McCrowre, Co-Chair, stated following the August 8, 2022, decision of Council to adopt the bond orders to be placed on the November ballot, the Chamber of Commerce established an advocacy committee to advocate for the passage of the bonds. The committee is composed of a broad cross-section of residents representing diverse interests, backgrounds, industries and perspectives. These individuals share a common interest in advancing Fayetteville by investing in infrastructure, safety, and housing.

Dr. Mr. Peter Stewart, Co-Chair, stated the committee is working together with the City Council to support a common goal, and we applaud the City for taking such a bold move.

4.03 Pavement Condition Survey Report

Mr. Byron Reeves, Assistant Public Services Director, presented this item and stated the City has recently completed a comprehensive pavement condition assessment and pavement management analysis on the City's roadway network. The objectives of this study were to perform a network-level condition survey of City maintained streets, provide the City with an up-to-date PAVER pavement management system, estimate the rate of deterioration of the City's pavement and estimate the future Maintenance and Rehabilitation requirements for the City's pavement infrastructure.

In addition, several budgeting scenarios, to include a potential influx of funding from a General Obligation Bond, were run to forecast the future network average Pavement Condition Index (PCI). The results of this Pavement Condition Survey outlines the methodology, prioritization, and recommendations for the City's Pavement Preservation Program moving forward.

When looking at the City's street network, an estimated \$560 million financial asset, it is an integral part of everyday life, that can have a significant impact on many aspects of municipal activities. The City's street network totals approximately 756 centerline miles. This is a total of 63 percent of all of the streets within the City limits.

Prior to this current effort, the most recent pavement condition survey conducted by the City was completed in 2016. In this survey, data was collected only through cameras (no automated laser crack detection was utilized). The data was assessed by checking photographs and windshield observations. In 2016 the determined/converted PCI of the City's network was an 81.

For the current survey, an automated pavement condition survey system fitted with 3D laser crack measurement system (LCMS) was deployed for distress detection. 4K HD digital cameras were used to capture surface pictures for forward, side, rear and right-of-way views. All distresses, including patches/potholes, settlements, alligator and edge cracks, were assessed in accordance with ASTM D6433. This methodology is used to determine the PCI for each segment of the road. PCI scores range from 0, indicating a completely failed pavement, to 100, indicating a pavement in excellent condition.

The current PCI for the City pavement network is 72, falling in the lower range of Satisfactory. Individual street PCI ratings can be found in the *City of Fayetteville Pavement Management Report 2022*.

In addition to the PCI data for each street, the City is now also implementing PAVER as its new pavement management system. Developed by the US Army Corps of Engineers, PAVER is the most widely used pavement management system in the world. It is state of the art technology in pavement management, using PCI criteria as ASTM standard. It is promoted by the American Public Works Association (APWA) and supported by the Department of Defense, US Air Force, US Army, US Navy, Federal Aviation Administration, and Federal Highway Administration.

To eliminate the City's current backlog, a budget scenario was run to determine the cost associated with reducing the backlog to \$0. This cost would be approximately \$33.5 million per year and will result in a PCI of 86. To maintain the City's current PCI would cost approximately \$10.2 million per year and will result in a PCI of 71. To operate under the City's Powell Bill allotment of \$4.7 million per year would will result in a network average PCI score of 68 and a backlog of \$172 million. For comparison, if the City elected to "Do Nothing", after 5 years, this scenario results in a network average PCI drop from a 72 to a 64 and an increase in backlog to nearly \$192 million.

As apparent from the funding scenarios, utilizing the City's Powell Bill as the only funding source for pavement preservation will result in a continual decline of the City's overall network. In addition to the Powell Bill, funding in excess of \$5.5 million is needed on an annual basis just to maintain the current network condition.

Current condition is such that approximately 318 miles (43 percent) are recommended for traditional resurfacing, 280 miles (37 percent) are recommended for preventive maintenance, and 151 miles (20 percent) are satisfactory to good and require no essential maintenance at this time.

If the City were to elect to neglect the 280 miles in need of preventive maintenance and focused solely on resurfacing, in a five-year span, only 75 miles would be resurfaced. This would result in the condition of the 280 miles worsening, adding more miles to the "Poor" category needing expensive maintenance and contributing to a growing backlog. With this in mind, staff continues to recommend a funding scenario of devoting 70 percent of the Powell Bill funds received to resurfacing and 30 percent of funds to preventative surface treatments.

With respect to the general obligation bond referendum in November, approximately \$14.7 million of the \$25 million Infrastructure GO Bond has been identified to be utilized for street improvements. Staff's recommendation, should the bond pass, would be to utilize this funding for traditional resurfacing of City streets. Realistically, the funding could be expended in a period of three years, adding approximately \$4.9 million per year (for 3 years) of additional budget on resurfacing projects. Utilizing the funding from the potential bond, staff estimates the Overall PCI of the City's network after a five-year period to be a 70. Contrast that to the projected PCI of 67.5 achieved by utilizing solely Powell Bill funding.

However, unless additional funding (outside of Powell Bill) is provided on an annual basis, the overall street condition for the City will continue to deteriorate.

Discussion ensued.

4.04 Development Services - Permitting & Inspections Customer Journey

Mr. Chris Lowery, Strategic & Performance Analytics Manager, introduced this item and stated the City of Fayetteville desires to be a premier customer-focused development-friendly community that sustains quality growth through an atmosphere of excellent customer service. The Development Services Department, Permitting and Inspections Division, is continually improving its services to make its processes more effective, transparent, personal, and efficient. This includes the interactions with and perceptions of our customers.

The Office of Strategy and Performance Analytics (SPA) vetted many consultants to help with the review of multiple profiles on the customer's journey in permitting and inspections. These activities included process improvements, a review of the division's customer service, and communication with stakeholders. In November 2021, the City chose Zelos, a small, woman-owned business, to design and facilitate two (2) days of events. The consultant's intent was to learn more about how the customers of the Permitting and Inspections Division feel about their staff interactions and experience. The journey took customers from the process of plan submittal to the issuance of a certificate of occupancy on the large scale and simple homeowner permits on the lesser scale. In collaboration with Zelos, the City offered in-person and virtual customer focus groups. We also facilitated a "customer journey" session with all staff to help uncover process inefficiencies and highlight customer pain points. It was well received and helped employees understand that the customer journey is unique to all and created an opportunity to focus on helping others (being a responsibility of everyone).

In early 2022, the City Manager's Office requested additional facilitated sessions to explore and make decisions about the next steps. Through several facilitated meetings, City leadership and staff in the relevant departments discussed and identified new ideas to pursue within the Permitting and Inspections Division. Included in this was a review of activities that existed and were already underway to improve customer service. This is a continuous improvement approach that is consistent within the department.

In July 2022, Zelos and SPA offered four scheduled facilitated Virtual sessions--offered at various times of the day and days of the week. These sessions were designed to share, request feedback, and allow City leadership the opportunity to answer questions and speak about the work the City consistently accomplishes. SPA sorted and communicated with many customers to inform and invite their participation in the Virtual sessions which were facilitated by the consultant. The consultant will be providing the final review at this October City Council work session to close and complete this initiative.

Ms. Stacia Aylward, CEO, Zelos, presented the findings of the study, with the aid of a PowerPoint presentation and provided an overview of the people involved, the environment, and the process, which was to gather information, plan and improve, and share back. Ms. Aylward discussed facilitating internal conversations to define premier customer service, sharing back with customers and providing additional opportunity for input.

Discussion ensued.

4.05 Water Supply Watershed Management and Protection Proposed Text Amendments

Mr. Byron Reeves, Assistant Public Services Director, presented this item and stated staff seeks concurrence from City Council and request City Council to set a public hearing for comments on proposed text amendments for Chapter 29 of the City's Code of Ordinances, Water Supply Watershed Management and Protection.

Proposed amendments are presented in conjunction with the Fayetteville Public Works Commission's request to update the ordinance to improve clarity, mirror the State's model Water Supply Watershed Management Ordinance, and increase runoff control requirements in the identified WS-IV Critical Area (WS-IV-AC).

The N.C. Environmental Management Commission and the Department of Environmental Quality have administered a Water Supply Protection Program since 1986. Initially, the program was administered voluntarily by counties and municipalities pursuing measures to protect their water supplies. The measures included limitations on the number and type of wastewater discharges allowed in the water supply watersheds. These limits were administered by the then Division of Water Quality, and in turn, local governments would adopt and enforce land use control ordinances to protect surface waters from stormwater runoff.

Division staff worked with local governments in determining the location of all surface water intakes and existing land use within the water supply watersheds. This information, in conjunction with information on the types and location of wastewater discharges, was used to determine the appropriate classification for the 208 surface water supplies in the state. Twelve public hearings were held on the reclassifications during August 1991 to receive public comments. The commission also decided to bring the adopted Water Supply Watershed Protection Rules with proposed modifications back to public hearings. More than 2,400 people attended the public hearings, with more than 400 providing oral comments. Over 3,000 written comments were received. The final version of the Water Supply Watershed Protection Rules was effective February 13, 1992. The Environmental Management Commission reclassified all of the surface water supplies on May 14, 1992, and the classifications became effective in August 1992.

The Water Supply Watershed Protection Rules adopted in 1992 required that all local governments having land use jurisdiction within water supply watersheds adopt and implement water supply watershed protection ordinances, maps, and management plans. The rules required all municipalities with a population greater than 5,000 to submit their adopted ordinances to the commission by July 1, 1993. To assist local governments, a model ordinance was approved by the commission on July 9, 1992.

The most recent text amendment to the City's current ordinance was dated January 28, 2008, however the Environmental Management Commission recently updated their model Ordinance 2021. The proposed text amendments reconcile the City's Ordinance to conform with the updated NCDEQ model ordinance. These revisions include definitions that are added or changed to improve clarity, minor changes to Authority and General Regulations to improve clarity, minor changes to Subdivision Regulations to improve clarity, and the addition of an Allowed/Not Allowed Use table and Density Average section. In addition to conforming with the model ordinance, updated verbiage is also proposed (i.e. Publics Works Commission to Watershed Review Board, and Inspections Director to City Manager or Designee).

The Fayetteville Public Works Commission also requests that proposed runoff control requirements in the identified WS-IV Critical Area (WS-IV-AC) be increased from 1 inch to 1.5 inches.

A red-lined version of the proposed text amendments are included in the agenda packet.

With respect to the increased runoff control requirements in the identified WS-IV Critical Area (WS-IV-AC), the current Ordinance allows for the Fayetteville Public Works Commission to designate additional permit conditions and requirements to ensure that development will be harmonious with the area in which it is proposed to be located and with the spirit of this Ordinance. This amendment, increasing runoff control, codifies the additional requirement. The

Fayetteville Public Works Commission's goal in increasing the runoff control requirements is to mitigate turbidity, runoff, and pollutant impacts at the Glenville Water Treatment Facility and Hoffer Water Treatment Facility.

Consensus of Council was to direct staff to draft the proposed text amendments as it relates to the Water Supply Watershed Management and Protection Ordinance and schedule a public hearing for October 24, 2022.

4.06 Proposed 2023 City Council Meeting Dates Calendar

Ms. Pamela Megill, City Clerk, presented this item and stated this was basically an annual housekeeping item. Staff has provided a proposed 2023 City Council Meeting Dates Calendar. The calendar also identifies Council retreats, budget work sessions, and conferences for elected officials. To ensure that citizens are aware of all public meetings and events and that the City adheres to the NC Open Meetings Act.

Ms. Megill noted there is a conflict on March 27, 2023; the regular City Council meeting conflicts with the National League of Cities conference in Washington, D.C. The second regular meeting in March could be held four days early on March 23, 2023.

Discussion ensued.

Consensus of Council was to move the second regular meeting in March 2023 from March 26 to March 23, 2023. The monthly zoom agenda briefing meeting to remain with a 5:00 p.m. call to order. This item to be moved forward to a regular meeting agenda for official action to adopt the Council Meeting Dates Calendar Resolution.

4.07 City Council Member Agenda Item Request - Civil War Emancipation and Reconstruction History Center - Mayor Pro Tem Dawkins

This item was withdrawn by Mayor Pro Tem Dawkins .

4.08 City Council Member Agenda Item Request - Request for Formal Agreement for the History Center - Mayor Colvin

This item was withdrawn by Mayor Colvin.

4.09 City Council Member Agenda Item Request - No Funding to be Allocated to the NC Civil War and Emancipation History Center - Council Member Banks-McLaughlin

This item was withdrawn by Council Member Banks-McLaughlin.

4.010 City Council Member Agenda Item Request - Fund a Homeless Shelter - Council Member Banks-McLaughlin

Council Member Banks-McLaughlin stated she is seeking consensus from Council to direct staff to engage in conversations with the County to offer assistance to expedite the process of building the proposed Homeless Shelter.

Discussion ensued.

No consensus was given to move this Council request forward.

4.011 City Council Member Agenda Item Request - Street Name Change from Filter Plant Road to Bronco Village Way - Mayor Colvin

Mayor Colvin stated he had received a letter from Dr. Darrell Allison, Chancellor, Fayetteville State University, requesting the City Council consider changing the name of Filter Plant Drive to Bronco Village Way.

Council Member Haire stated there are about 40 properties that would be affected by the proposed name change. Mayor Pro Tem Dawkins stated changing street names is a County function.

Consensus of Council was to direct staff to research the road name change process and report back for Council consideration.

4.012 City Council Member Agenda Item Request - Shot Spotter - Mayor Colvin

This item was withdrawn by Mayor Colvin.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:58 p.m.