

# DRAFT

FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER  
SEPTEMBER 9, 2019  
7:00 P.M.

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Kristoff Bauer, Deputy City Manager  
Telly Whitfield, Assistant City Manager  
Angel Wright-Lanier, Assistant City Manager  
Gerald Newton, Development Services Director  
Todd Joyce, Assistant Police Chief  
Kevin Arata, Corporate Communications Director  
Tracey Broyles, Budget and Evaluation Director  
Taurus Freeman, Planning and Zoning Manager  
Sharon Williams, Senior Planner  
Pamela Megill, City Clerk  
Jennifer Ayre, Deputy City Clerk  
Members of the Press

## 1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 7:00 p.m.

## 2.0 INVOCATION

The invocation was offered by Dr. Gregory Perkins, Associate Pastor for Mt. Pisgah MBC.

## 3.0 PLEDGE OF ALLEGIANCE

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

## 4.0 ANNOUNCEMENTS AND RECOGNITION

Council Member Jensen introduced Zaccary Grierson, Sergeant at Arms, representing the Fayetteville-Cumberland Youth Council.

Mayor Colvin introduced Miss Fayetteville, Abby Britt, and Miss Outstanding Teen, Jayla Locklear.

Council Member Arp announced the playoff Championship games for the Fayetteville Woodpeckers taking place later this week.

Mayor Colvin presented Chef Judy Cage with a Certificate of Excellence in honor of her win on Food Network's Supermarket Stakeout.

## 5.0 APPROVAL OF AGENDA

**MOTION:** Council Member Wright moved to approve the agenda.

**SECOND:** Council Member Waddell

**VOTE:** UNANIMOUS (10-0)

## 6.0 CONSENT AGENDA

**MOTION:** Council Member Haire moved to approve the consent agenda with the exception of Item 6.05; pulled for discussion and separate vote.

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**SECOND: Council Member Arp**  
**VOTE: UNANIMOUS (10-0)**

**6.01 Approval of Meeting Minutes:**

August 12, 2019 - Discussion of Agenda Items  
August 12, 2019 - Regular Meeting  
August 21, 2019 - Agenda Briefing  
August 26, 2019 - Discussion of Agenda Items

**6.02 Adoption of Capital Project Ordinance Amendment 2020-26 to Provide Additional Funding for the Municipal Agreement U-2810C Sidewalk Project on Camden Road**

Capital Project Ordinance Amendment 2020-26 to appropriate \$18,137.00 transferred from the General Fund to provide additional funding for the final project billing for Municipal Agreement U-2810C for sidewalks along Camden Road. The additional costs result from a City request to expand the originally planned length of the sidewalk in order to connect to sidewalks already installed at the Camden Road roundabout.

**6.03 Adoption of Capital Project Ordinances 2020-16, 17 and 18 to Appropriate \$1,569,000.00 for the Purchase of Replacement Radios, Approval for Purchase from Motorola as a Sole Source Provider, and Approval to Initiate Activities to Finance the Purchase**

The City began a three-year project to replace 800 megahertz (MHz) radios in FY 2018. Adoption of three capital project ordinances to appropriate \$1,569,000.00 of proceeds from a planned financing to move forward with the third and final phase of the radio replacements. Approval of the purchase of 588 radio units and accessory equipment through Motorola as a sole source provider for \$1,542,209.43.

**6.04 Resolution to Approve Submission of a Grant Application to North Carolina Department of Transportation (NCDOT) for Urban Capital Matching Funds**

FY 2021 RESOLUTION AUTHORIZING THE CITY OF FAYETTEVILLE TO APPLY FOR URBAN STATE MATCH PROGRAM FUNDING AND TO ENTER INTO AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION. RESOLUTION NO. R2019-032

**6.05 This item was pulled from the consent agenda.**

**6.06 Resolution Authorizing a Quitclaim Deed of the City's Title to the County in Order to Expedite the Sale of Land**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO DECLARE CITY PROPERTY SURPLUS AND QUITCLAIM CITY'S INTEREST IN JOINTLY HELD PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2019-034

**6.07 Bid Recommendation - Fayetteville Annexation Phase V Project X - Area 23, Section 1, Wells Place Project to Billy Bill Grading Co., Inc., the lowest responsive, responsible bidder in the total amount of \$5,347,107.91.**

Bids were received on July 17, 2019, as follows:

Billy Bill Grading Co., Inc., Fayetteville, NC ... \$5,347,107.91  
T. A. Loving Company, Goldsboro, NC ..... \$5,936,271.10  
BridgePoint Civil, Goldsboro, NC ..... \$7,793,449.00

**6.08 Bid Recommendation - The Fleet Maintenance Expansion and Renovation to Muter Construction, the lowest responsive, responsible bidder in the total amount of \$6,410,000.00.**

Bids were received on August 15, 2019, as follows:

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Muter Construction, Zebulon, NC ..... \$6,410,000.00  
M&E Contracting, Fayetteville, NC ..... \$6,897,541.00

### **6.05 Support for an Application to the North Carolina Department of Environmental Quality for Bus Funding Provided by the NC Volkswagen Mitigation Settlement Program**

This item was pulled for discussion and a separate vote.

Mr. Randy Hume, Transit Director, provided an overview of this item and stated the North Carolina Division of Air Quality (NCDAQ) in the North Carolina Department of Environmental Quality (NCDEQ) is soliciting proposal applications for participation in Phase 1 of the NC Volkswagen (VW) Mitigation Settlement Program. Transit staff desires to submit a proposal under the Diesel Bus and Vehicle Program to replace four diesel buses that are due for replacement with battery-electric buses. The VW funding is eligible to be used as a local match to Federal Transit Administration (FTA) grant funds and would supplement the City and State funding planned for the purchase of replacement diesel buses. Staff is preparing an application for \$511,000.00 in VW Settlement funding to be combined with a \$147,200.00 local match budgeted in FY 20 with a like amount of NCDOT urban capital match to match FTA grant funds of \$3,222,160.00. The total amount needed to purchase four buses, electric charging infrastructure, workforce support and training is estimated to be \$4,027,700.00. The charging infrastructure would allow for overnight charging at the bus garage plus a fast charge location probably at the Transit Center that would allow buses to get a boost or "opportunity" charge during the day to ensure the buses have sufficient range to operate a day-long route. The agenda packet contains the support resolution that will be included in the application to NCDEQ along with support letters from PWC, Sustainable Sandhills, FAMPO and NCDOT.

#### **RESOLUTION SUPPORTING THE CITY OF FAYETTEVILLE'S APPLICATION FOR VOLKSWAGEN SETTLEMENT PROGRAM FUNDING FOR PURCHASE OF ZERO EMISSION BATTERY-ELECTRIC BUSES. RESOLUTION NO. R2019-033**

**MOTION:** Council Member Haire moved to approve Item 6.05.  
**SECOND:** Council Member Wright  
**VOTE:** UNANIMOUS (10-0)

### **7.0 PUBLIC FORUM**

Mr. Shaun McMillan, 6024 Goldenrain Drive, Fayetteville, NC, stated he would like to see the establishment of a Citizen Review Board.

Mr. Richard Cline, 1496 Paradise Court, Fayetteville, NC, promoted a nutrition program business.

Ms. Rosemary Buerger, 76 Anson Lane, Fayetteville, NC, spoke in favor of the City's proposed Stormwater Drainage Assistance Program.

Ms. Megan Gerber, 502 Argyll Road, Fayetteville, NC, spoke in favor of the City's proposed Stormwater Drainage Assistance Program.

Mr. Nero Coleman, 352 Bubble Creek Court, Fayetteville, NC, apologized to the City Council for speaking last month without having all of the information regarding the proposed Civil War History Center.

Ms. Kathy Gregg, 4607 Woodland Drive, Fayetteville, NC, expressed concerns regarding police accountability, and the establishment of a Citizen Review Board.

Ms. Barbara Sledge-Yancy, 4415 Garnet Drive, Fayetteville, NC, expressed concerns regarding the shopping cart blight and trash in her neighborhood.

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Ms. Gaye Lamar, 610 School Street, Fayetteville, NC, spoke in opposition of the proposed Civil War History Museum.

Mr. Imam Eronomy Muhammad Smith, 2700 Murchison Road, Fayetteville, NC, expressed concerns regarding the State of the Community.

Ms. Veronica Jones, 1517 Grandview Drive, Fayetteville, NC, announced this is "Suicide Awareness Month" and expressed concerns regarding mental illness awareness.

Ms. Valencia Applewhite, 5813 Mondavi Place, Fayetteville, NC, spoke in opposition of the proposed Civil War History Center.

Ms. Channing Perdue, 1531 Cedar Creek Road, Fayetteville, NC, expressed concerns regarding Locks Creek and hurricane flooding.

## 8.0 OTHER ITEMS OF BUSINESS

### 8.01 Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

The Appointment Committee unanimously approved the following appointments:

#### Public Works Commission

Ms. Evelyn O. Shaw October 1, 2019- September 30, 2023

#### Board of Appeals

Mrs. Stella Mullen October 1, 2019- September 30, 2022

Ms. Ashley G. Dunkle October 1, 2019- September 30, 2022

#### Human Relations Commission

Mr. Franco Webb October 1, 2019 - September 30, 2021

Ms. Semone Pemberton October 1, 2019 - September 30, 2021

Ms. Eileen W. Hatch October 1, 2019 - September 30, 2021

Mr. Theodore P. Trainor, III October 1, 2019 - September 30, 2021

Mr. Dwight E. Palmer, Jr. October 1, 2019 - September 30, 2020

#### Joint City & County Appearance Commission

Ms. Keshonna R. Newton October 1, 2019 - September 30, 2021

Ms. Helen A. Haynes October 1, 2019 - September 30, 2021

Mr. Clyde Foster October 1, 2019 - September 30, 2021

Mr. Gregory R. Foxx October 1, 2019 - September 30, 2021

#### Parks and Recreation Advisory Commission

Ms. Brooke Johnson October 1, 2019 - September 30, 2022

Ms. Emily K. Schaefer October 1, 2019 - September 30, 2022

#### Planning Commission

Mr. Christopher G. Davis October 1, 2019 - September 30, 2021

Ms. Marsha Bryant October 1, 2019 - September 30, 2021

Ms. Alicia Moore October 1, 2019 - September 30, 2021

Dr. LaKeshia D. Payton October 1, 2019 - September 30, 2021

Mr. Michael King October 1, 2019 - September 30, 2021

Mr. Raymond J. Makar (Alternate) October 1, 2019 - September 30, 2021

#### Public Arts Commission

Mr. Johnathan Chestnut October 1, 2019 - September 30, 2021

#### Zoning Commission

Mr. David Baran October 1, 2019 - September 30, 2021

Mr. Roger Shah October 1, 2019 - September 30, 2021

Mr. Willie P. Dorman, Jr. October 1, 2019 - September 30, 2021

**MOTION:** Council Member Crisp moved to approve the Appointment Committee recommendations for Boards and Commissions appointments as presented.

**SECOND:** Council Member Culliton

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VOTE: UNANIMOUS (10-0)

## 9.0 ADMINISTRATIVE REPORTS

### 9.01 Administrative Report - Availability of Electronic Cigarettes and Other Devices near Schools

This item was for information only, and was not presented or discussed.

### 9.02 Administrative Report - Comprehensive Plan (Future Land Use Map & Plan-Draft)

This item was for information only, and was not presented or discussed.

## 10.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:08 p.m.