

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE CONFERENCE ROOM
OCTOBER 7, 2019
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2); 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 (District 9) (arrived 5:00 p.m.)

Absent: Council Member Tisha S. Waddell (District 3)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Angel Wright-Lanier, Assistant City Manager
Gina Hawkins, Police Chief
Cynthia Blot, Economic and Community Development Director
Kevin Arata, Corporate Communications Director
Sheila Thomas-Ambat, Public Services Director
Randy Hume, Transit Director
Dwayne Campbell, Chief Information Officer
Lee Jernigan, Traffic Engineer
Jay Toland, Chief Financial Officer
Gerald Newton, Development Services Director
Lisa Harper, Assistant City Attorney
Taurus Freeman, Planning and Zoning Manager
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 Council Member Haire.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Wright moved to approve the agenda with the addition of a closed session for an attorney-client privileged matter.

SECOND: Council Member Haire

VOTE: UNANIMOUS (9-0)

CLOSED SESSION

MOTION: Council Member Haire moved to go into closed session to discuss an attorney-client privileged matter.

SECOND: Council Member Culliton

VOTE: UNANIMOUS (9-0)

The regular session recessed at 5:03 p.m. The regular session reconvened at 5:07 p.m.

MOTION: Council Member Haire moved to go into open session.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

MOTION: Mayor Pro Tem Mohn moved to settle the claims of CSI and Bergmann and Associates regarding the Multi-Modal Transportation Project in the amount of \$396,018.00 and pay Jones Worley Design, a sub-consultant of Bergmann,

\$3,687.50, and authorize the City Manager and City Attorney to execute all documents necessary to effectuate the settlement.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 FY 2020 First Quarter Strategic Performance Report

Ms. Rebecca Jackson, Strategic Performance Analytics Director, presented this item and stated as the City of Fayetteville continues to grow and thrive, the City Council looks to chart a course with a strategic plan which articulates a vision for our community's future that will ensure vitality and sustainability and provides direction for the City's programmatic performance expectations. Commitment to strategic planning and performance management strengthens the City of Fayetteville, ensuring excellent services and a high quality of life for residents. Over the last 12 months, the Fayetteville City Council has worked very diligently to commit this organization to high performance and to use data and stakeholder input to create a strategic plan for the City that is forward thinking, progressive, relevant and outcome based. The Mayor, City Council, and staff share a duty to ensure that the actions of public officials, employees, contractors, and volunteers of the City are carried out in the most responsible manner possible and that City policy, budgets, goals, and objectives are fully implemented. The City Council's Strategic Plan Vision 2030 was adopted in June 2019, in coordination with the annual budget ordinance. The City's Strategic Plan Vision 2030 included nine FY 20 Targets for Action (TFA). TFA are projects or initiatives identified by Council to move the needle toward defined outcomes laid out in the Council's strategic plan. TFA are defined by a one-year action plan with milestones to focus the work of Council and staff. Ms. Jackson presented the following FY 2020 Targets for Action:

1. Redevelopment and business growth of the Murchison Road corridor.
2. Job creation and retention for the local workforce through an internship program.
3. Developing Smart City capacity, specifically through pursuing the installation of broadband across the City.
4. Collaboration and empowerment by developing a Young Adult Engagement Program.
5. Working to develop a quality stormwater program.
6. Managing the City's future growth through a comprehensive land use plan.
7. Improving connectivity by assessing the feasibility of railroad crossing safety at at-grade crossings.
8. Elevating the conversation about how to combat poverty across the City.
9. Advancing community revitalization efforts, to include residential and commercial properties.

The City Manager's Office has directed the Office of Strategy and Performance Analytics to meet regularly with teams to advance the Council's TFA and to report progress to City Council on a quarterly basis during a City Council meeting. The First Quarter Strategic Performance Report provides the status of FY 20 Targets for Action as of September 30, 2019. The report also includes several updates on previous year's TFA focused on results. Commitment to performance management and strategic planning strengthens the operations of the

City of Fayetteville, ensuring excellent services and a high quality of life for residents. It allows for long-range planning at the organizational level with alignment to departmental operations and performance expectations. With this system in place, the City is able to allocate resources appropriately and build strategies for continuous improvement.

Discussion ensued.

Consensus of Council was to accept the FY 2020 First Quarter Strategic Performance Report.

4.02 CDBG-DR Subrecipient Agreement between the NC Department of Public Safety, Office of Recovery and Resiliency, and the City of Fayetteville.

Mr. Kristoff Bauer, Deputy City Manager, and Ms. Angel Wright-Lanier, Assistant City Manager, presented this item. Mr. Bauer stated on October 8-9, 2016, Hurricane Matthew hit central and eastern North Carolina, including the City of Fayetteville, with record-breaking rainfall that created 1,000-year flood events that devastated the people, infrastructure, businesses, and schools of entire communities. Certain buildings, facilities, personal items, and equipment owned or rented by residents in the City were damaged by floodwaters associated with Hurricane Matthew. On October 9, 2016, an expedited major disaster declaration from the President of the United States was requested and was granted on October 10, 2016, as FEMA-4285-DR-NC, allowing North Carolina to receive federal aid in the form of individual and public assistance for citizens and local governments. The U.S. Department of Housing and Urban Development ("HUD") has allocated Community Development Block Grant--Disaster Recovery funds ("CDBG-DR") to NCORR under the Further Continuing and Security Assistance Appropriations Act of 2017 (Public Law 114-254) and the Consolidated Appropriations Act of 2017 (Public Law 115-31) for the purpose of assisting recovery in the most impacted and distressed areas declared a major disaster due to Hurricane Matthew. Pursuant to 82 Fed. Reg. 5591 (Jan. 18, 2017) and 82 Fed. Reg. 36812 (Aug. 7, 2017), the State has received an allocation of CDBG-DR funds from HUD in the amount of \$236,529,000. On November 20, 2017, the North Carolina Department of Public Safety, Division of Emergency Management ("NCEM"), and North Carolina Department of Commerce ("DOC") finalized an award and grant agreement with the Subrecipient to implement the State's Community Development Block Grant for Disaster Recovery ("CDBG-DR") Action Plan that was approved by HUD on August 7, 2017. That agreement included an allocation for a CDBG-DR-funded housing program and infrastructure program that would be administered by the Subrecipient. The Subrecipient now has agreed to allow the State to administer that housing program allocation. On January 2, 2019, NCORR assumed from NCEM the duty of managing the State's CDBG-DR program. On July 1, 2019, NCORR was officially named grantee for the State's CDBG -DR program. NCORR is executing this Agreement with the Subrecipient to implement the infrastructure program within Subrecipient's City according to the State's CDBG-DR Action Plan that was approved by HUD.

Ms. Wright-Lanier, Assistant City Manager, stated the City is looking at peer cities with successful models.

Discussion ensued.

Consensus of Council was to move this item to the consent agenda for October 14, 2019, and for the City Manager to provide regular updates on this item.

4.03 Proposed revisions to the City's Residential Traffic Management Program (RTMP)

Mr. Lee Jernigan, Traffic Engineer, presented this item with the aid of a PowerPoint presentation and stated City Council created a

subcommittee to review the City's existing Residential Traffic Management Program (RTMP). The subcommittee was composed of Council Members Haire (Chairman), Mohn, and Dawkins. Deputy City Manager Kristoff Bauer and staff from the Public Services Department attended the subcommittee meetings and provided information at the direction of the subcommittee members. The subcommittee met on August 23, 2019, to review the nationally accepted standards for the installation of traffic control devices provided in the Manual of Uniform Traffic Control Devices (MUTCD) of which is adopted in the City's Code of Ordinances. The subcommittee also discussed the current guidelines for the installation of multi-way stop signs and their desire to reduce spacing from another stop sign, the duration of the volume/speed studies, and the percentage of adjacent residents required to sign a petition. Staff was directed to draft these revisions in preparation for a follow-up meeting prior to bringing the revisions to the full Council for their consideration at the October 7, 2019, Council work session. Following this meeting, staff provided revised multi-way stop guidelines to the subcommittee for review prior to the follow-up meeting scheduled for September 16, 2019. In addition to the proposed changes in the multi-way stop guidelines, Council Member Dawkins also requested changes to the speed criteria in the speed hump guidelines that consisted of lowering the 85 percentile speed requirement from 9 miles/hour above the posted speed limit to 7 miles/hour above the posted speed limit. The subcommittee also discussed lengthening the study period for traffic volume and speed counts. After discussion of a seven-day period, including weekends, the subcommittee agreed for the study period to be Monday-Friday, excluding holidays. The petition process was discussed and it was recommended that the requirement be reduced from 100 percent of adjacent property owners to 75 percent; with no acceptance being required for owners of unoccupied or undeveloped adjacent properties. It was recommended these revisions be proposed to the full City Council at the October 7, 2019, council work session for discussion. Recommended changes to the RTMP are as follows:

RTMP - Speed Humps

- Reduce the 85 percentile speed criteria from 9 miles/hour above the posted speed limit to 7 miles/hour above the posted speed limit.

RTMP - Multi-Way Stops

- Reduce the Through Street - Minimum length from 1/2 mile to 1/3 mile.
- Increase the Study Duration from 48 hours (unspecified days) to Monday-Friday.
- Reduce the Distance from another stop condition from 800' to 600'.
- Reduce the Petition Acceptance and Support requirement from 100 percent of adjacent property owners to 75 percent adjacent property owners.
- Include a provision - Signatures from undeveloped or unoccupied properties are not required.

During the review of the existing Residential Traffic Management Program (RTMP), staff reviewed criteria for similar programs from other peer cities in North Carolina. Included in the agenda packet is a matrix describing guidelines from these cities. The comparative cities/towns included Hickory, Asheville, Rocky Mount, High Point, Chapel Hill, Greenville, Cary, and Winston-Salem. Staff also reviewed guidance outlined in the current City's Code of Ordinances and the nationally accepted Manual of Uniform Traffic Control Devices (MUTCD).

City Council's FY 20 approved budget appropriated \$25,000.00 in operating funds for the installation of traffic control devices within the City. Approximate costs for the installation of speed humps is \$3,000.00 to \$5,000.00, and vary based on factors that include roadway width and material prices. Installation of multi-way stop signs are lower in cost ranging from \$100.00 to \$150.00 per stop sign installation. A reduction of the criteria in the RTMP for these treatments could result in an additional amount of treatments being eligible for installation. Additional funding may be needed to satisfy an increase in qualifying requests. If Council concurs with the recommended reduction of the criteria, the subcommittee recommended staff review the amount of requests that qualified for these treatments over a year-long period to determine how many additional locations would qualify.

Discussion ensued.

Consensus of Council was to accept the subcommittee's recommended changes to the RTMP and direct staff to place an item for approval on Council's October 14, 2019 regular meeting

4.04 Discussion of Historic Resources Commission Requests

Mr. Taurus Freeman, Planning and Zoning Division Manager, presented this item with the aid of a PowerPoint presentation and stated over the past several months, the Historic Resources Commission (HRC) has requested the initiation of the following items:

- A map amendment for Local Landmarks to be included into the Historic/Landmark Overlay (HLO). This action will allow the HRC governance of Local Landmarks as a Certificate of Appropriateness (COA); or
- A text amendment to expand the duties of HRC to govern Local Landmarks.
- Designation of the 135 South Blount Street, E.E. Smith site, as a Local Landmark.

In addition, the *Design Guidelines for Fayetteville's Historic Districts and Local Landmarks*, adopted in 2000, states that once a property is designated as being in a historic district or an individual property as a Local Landmark, the property must receive a Certificate of Appropriateness to demolish, move, or alter the exterior features. The HRC is requesting to either receive the ability to govern Local Landmarks by way of the Map Amendment process currently identified in the UDO, or by way of a Text Amendment to two sections of the UDO. Specifically, the text amendment would be to Sections 30-2.A.7.a, Historic Resources Commission - Powers and Duties and 30-2.C.8.c., Certificate of Appropriateness - Purpose. Also, the HRC requests that the E.E. Smith site, 135 South Blount Street, be designated as a Local Landmark. The historic Local Landmark designation applies to individual properties, which may be either buildings, sites, structures or objects.

Discussion ensued.

Consensus of Council was to direct staff to take no action on this item.

4.05 Shopping Cart Policy and Programs

Mr. Brook Redding, ICMA Fellow, presented this item with the aid of a PowerPoint presentation and stated the purpose of this item is to inform the Council on the research method, analysis, findings, and the staff recommendations to reduce errant shopping carts across City of Fayetteville. To conduct the research and identify errant cart frequency and locations, the following steps were followed:

1. 123Survey built to consolidate errant cart observations.
2. 123Survey was issued to the Mayor and City Council and FAST and Parks and Recreation departments.
3. Coordination with the Fayetteville Fire Department to obtain a list of all establishments that are inspected for fire code safety.
4. A research route was established through the City and driven daily during the research period.
5. All data collected was layered into ArcGIS. Vendors, Observations of errant carts, research route, and corridors.
6. All data was evaluated for duplicates, investigation in photos to identify cart vendors when not listed, location confirmation, and number of reports in identified corridors.

There were 102 reported observations of errant carts along the major corridors of the City. From the 102 reported observations, there were 143 total carts documented. Cart observations varied throughout the week ranging from 2 to 14 carts reported. The average was 5.1 observations per day reported for the 20-day research period. The research demonstrates that there are a large number of errant carts along the Ramsey Street, Bragg Boulevard, and Skibo Road corridors. Several of the observations contain pictures of carts near City bus stops, citizens pushing carts away from vendor premises, carts displaced in open public areas, and carts thrown onto open private property.

Discussion ensued.

Consensus of Council was to authorize staff to move forward in collaboration with the North Carolina Retail Merchant Association, Greater Fayetteville Chamber of Commerce, and vendor leadership to generate discussion to establish a Memorandum of Understanding.

4.06 City Council Member Agenda Item Request - Review Wine Garden Policy - Mayor Colvin

Mayor Colvin presented this item and stated for special downtown events when the streets are closed, he is seeking consensus from Council to direct the City Attorney to review Code of Ordinance Chapter 5, Alcoholic Beverages, Section 5-5.c. which states it shall be unlawful to possess alcoholic beverages on public streets, alleys, or parking lots within the City which are temporarily closed to regular traffic for special events as permitted in section; to allow for beer and wine consumption at such events.

Discussion ensued.

Consensus of Council was to direct the City Attorney to review Chapter 5 - Alcoholic Beverages, Section 5-5.c.

4.07 City Council Member Agenda Item Request - Homeless Workforce Partnership - Mayor Colvin

Mayor Colvin presented this item and stated he has spoken with the Salvation Army representatives and reviewed similar programs in other municipalities, and is seeking consensus to move this item forward and continue research on this initiative.

Consensus of Council was to move this item forward and to continue research on this initiative.

4.08 City Council Member Agenda Item Request - Tiny House Village - Mayor Colvin

Mayor Colvin presented this item and stated this type of housing program has seen some success in Atlanta, GA, and stated he would like consensus to move this item forward and see if we can arrange some type of partnership and look into this item a little further. Council Member Arp stated he knows of a company that has an interest in this initiative.

Discussion ensued.

Consensus of Council was to move this item forward and look at a potential pilot program.

4.09 City Council Member Agenda Item Request - Resurfacing Public and Private Streets - Council Members Crisp and Waddell

Council Member Crisp introduced this item and stated following the big annexation, the UDO was crafted in a manner to eliminate certain neighborhood streets and roads. Those streets not accepted because of City standards will never be overlayed unless the City undertakes the tasks. The City needs to assume this responsibility, some of these streets are very dangerous for emergency vehicles to drive on. Some of these streets are dirt streets.

Council Member Waddell stated the street maintenance/repair/resurfacing 42-year wait list is too long. We would like to ask staff to provide a printout of the street resurfacing schedule and determine if we can accelerate the program.

Council Member Arp stated there have been complaints from residents regarding the quality of the resurfacing.

Consensus of Council was to direct staff to provide statistics on the resurfacing program at a future meeting.

4.10 City Council Member Agenda Item Request - Community Collaboration - Council Member Waddell

Council Member Waddell stated just over a year ago a Community Social event was held that was very successful, and she would like to plan for a similar event to be held on an annual basis at a central location; an informal setting for citizens to access information regarding community, City and County services, while interacting with municipal, state, and other elected officials.

Discussion ensued.

Consensus of Council was to move this item forward.

4.11 City Manager Updates

Mr. Douglas Hewett, City Manager, provided an update on the potential New Year's Eve Celebration and stated late last month an electronic survey was sent to Council regarding interest in this event.

Discussion ensued.

Consensus of Council was to move forward with this item.

Mr. Hewett stated he has provided Council with a letter from the Fayetteville-Cumberland Reentry Council requesting the City become the intermediary agency for this community effort. In the requested role we would serve as the fiscal agent and be responsible for applying for a \$150,000.00 grant with an October 21, 2019, deadline. Currently Action Pathways serves in this capacity.

Discussion ensued.

Consensus of Council was to direct the City Manager to see if he can identify a partner for the City to have with this program.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:26 p.m.