

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
COUNCIL CHAMBER
VIA ZOOM CONFERENCE CALL
AUGUST 5, 2020
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (via zoom); Shakeyla Ingram (District 2); Tisha S. Waddell (District 3) (via zoom); D. J. Haire (District 4) (via zoom); 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
Angel Wright-Lanier, Assistant City Manager
Gina Hawkins, Police Chief
Jay Toland, Chief Financial Officer
Tracey Broyles, Budget and Evaluation Director
Gerald Newton, Development Services Director
Kevin Arata, Corporate Communications Director
Taurus Freeman, Planning and Zoning Manager
Christopher Cauley, Economic and Community
Development Assistant Director
Kecia Parker, Real Estate Manager
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 Davis.

3.0 APPROVAL OF THE AGENDA

MOTION: Council Member Wright moved to approve the agenda with the addition of a closed session at the end of the agenda, and to move Item 4.07, Introduction of Choice Neighborhood Grant Program, to the beginning of the agenda; to be numbered 4.001.
SECOND: Council Member Ingram
VOTE: UNANIMOUS (10-0)

4.0 OTHER ITEMS OF BUSINESS

4.001 Introduction of Choice Neighborhood Grant Program

Mr. Chris Cauley, Economic and Community Development Assistant Director, introduced this item and stated the Choice Neighborhood Program leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public housing through a comprehensive approach to neighborhood transformation. The first step of the program is the development of a comprehensive neighborhood revitalization plan which focuses on directing resources to address three core goals of housing, people and neighborhoods. To achieve these core goals, communities must develop and implement a comprehensive neighborhood revitalization strategy, or Transformation Plan. The Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families. The Choice Neighborhood grant makes up to \$450,000.00

available for the development of the Transformation Plan and an early action project.

Mr. Adam Rosa, Principal Planner, COLLABO, Inc., presented a PowerPoint presentation for community action and empowerment for the Murchison Road corridor, and stated the plan goals are to engage all residents and ensure the Murchison Road Corridor area is a community of opportunity and choice. Implement catalytic neighborhood projects to improve quality of life and to link people to opportunities. Identify and access local, state and federal funding programs. Mr. Rosa presented photographs and maps of the Choice Neighborhoods Initiative (CNI) plan to replace 100 percent of the Murchison Townhouse units within the neighborhood, or in other areas of opportunity as part of new mixed-income developments.

Discussion ensued.

Mr. Cauley stated on August 24, 2020, City Council will be asked to vote on a commitment to partner with the Fayetteville Metropolitan Housing Authority on this grant initiative.

4.01 Request from the Fayetteville Dogwood Festival for Financial Assistance due to Impacts from COVID-19 Pandemic

Dr. Telly Whitfield, Assistant City Manager, presented this item and stated the Fayetteville Dogwood Festival is a City sponsored nonprofit organization that has been in existence for 38 years. The City leases office space, located at 301 Hay Street, to the organization for \$250.00 a month. The Fayetteville Dogwood Festival has grown to encompass multiple events each year, all free to the community, to include a spring festival which has become the largest community gathering in the City. Last year, the Dogwood Festival reported a \$1.3 million financial impact to the economy.

Due to the COVID-19 pandemic, the spring festival was rescheduled from April 23-26, 2020, to October 15-18, 2020. While it is difficult to predict the future given our current pandemic status, plans are underway to hold the event in the fall. Dogwood applied and received a forgivable loan from the federal Paycheck Protection Program to assist in their operations for April through June. The additional funds requested would be used as seed money to allow the organization to remain solvent as it works to recover from the cancellation of the spring event, while continuing to seek support through sponsors and grants.

The four-month deferral of rent payments would also provide additional financial relief until the festival occurs in October, upon which time the organization proposes to resume rent payments and begin the repayment of the deferred months.

The adopted FY 2020 and FY 2021 annual operating budgets include \$15,000.00 and \$12,000.00 of funding for the Fayetteville Dogwood Festival, respectively. Additionally, City revenues for both fiscal years include \$3,000.00 per year of building rent from the Fayetteville Dogwood Festival. If approved, any direct financial assistance would be an appropriation from the General Fund fund balance and an acceptance of revenue deferrals for several months.

Discussion ensued.

Consensus of Council was to approve the release of \$15,000.00 in FY 20 and \$12,000.00 in FY 21 to the Fayetteville Dogwood Festival, and waive the building rent payments for the period of July 2020 through October 2020. Council Member Waddell was opposed to the consensus vote.

4.02 Discussion of Ordinance Prohibiting Sleeping in Parks Overnight

Ms. Karen McDonald, City Attorney, presented this item and stated the purpose of this agenda item is to present to Council a draft ordinance amending Chapter 18, Section 18-19, to expand the prohibition of sleeping overnight or camping in City parks without a permit to include the Market House and City-owned museums. The current ordinance prohibits sleeping in parks overnight. Council members have expressed an interest in expanding the prohibition of sleeping overnight without a permit. The proposed ordinance amendment would extend the prohibition to the Market House and City-owned museums. There are no known issues but the expansion of the ordinance language seeks to clarify that camping and sleeping overnight at the named subject locations in the ordinance is prohibited without a permit.

Council Member Dawkins stated he would like City Hall and Police Stations included in the ordinance, and asked for a consensus vote to include the additional locations. The consensus vote failed.

Consensus of Council was to accept the proposed ordinance amendment as presented by the City Attorney. Council Member Waddell was in opposition to the consensus vote. Mayor Colvin stated this item will be on the August 10, 2020, City Council meeting agenda for official action.

4.03 Appointment Committee request to consider the number of Boards and Commissions a resident may serve on - City Council Policy No. 110.1

Ms. Pamela Megill, City Clerk, presented this item and stated the Appointment Committee met on June 30, 2020. During the meeting, a consensus vote of the Committee was to direct staff to enter an agenda item for the August 3, 2020, work session to request Council consider increasing the number of boards and commissions a resident may serve on from one appointment to two appointments. City Council Policy No. 110-1, Boards and Commissions - Membership and Removal, Section I.A, Membership, states "It shall be the policy of the City Council to allow an individual to serve on only one board or commission at a time".

Mayor Pro Tem Jensen, Appointment Committee Chair, stated over the past few appointment cycles it has become increasingly difficult to fill all board and commission vacancies with qualified members. It has also been noted that some of the boards and commissions meet on an "as needed" basis, which can be seldom in some cases, such as the Personnel Review Board and Ethics Commission. Residents appointed to such boards and commissions are routinely disappointed if they have not had an opportunity to serve to a greater extent.

Discussion ensued.

MOTION: Mayor Pro Tem Jensen moved to "Suspend the Rules" for voting on this item.
SECOND: Council Member Kinston
VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Haire)

MOTION: Council Member Kinston moved to increase the number of boards and commissions a resident may serve on from one appointment to two appointments.
SECOND: Council Member Dawkins
VOTE: FAILED by a vote of 5 in favor to 5 in opposition (Council Members Davis, Haire, Colvin, and Banks-McLaughlin)

MOTION: Council Member Waddell moved to increase the number of boards and commissions a resident may serve on from one appointment to two appointments, only for boards and commissions that meet on an "as needed" basis.
SECOND: Mayor Pro Tem Jensen

VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Colvin and Wright)

Mayor Colvin recessed the meeting at 6:51 p.m. and reconvened the meeting at 7:01 p.m.

4.04 Discussion of three proposed text amendments to Article 30 of the Unified Development Ordinance.

Mr. Taurus Freeman, Planning and Zoning Manager, presented this item and stated text amendments to the Unified Development Ordinance (UDO) are suggestions for approval by the professional planners of the Development Services Department. A public hearing before the Planning Commission, in accordance with the standards of the Code, shall be held for the Planning Commission's review and recommendation. A public hearing before the City Council, in accordance with the standards of the Code, shall be held for Council to review the Planning Commission's recommendation and other relevant factors prior to rendering a final determination.

The proposed three text amendments include:

- TA20-01: 30-2.C.4.d.8.c., Conditional Zoning - Conditions of Approval
- TA20-002: Table 30-5.D.4, Maximum Fence and Wall Height and Setback
- TA19-003: 30-5.L.7.b.1, Signs Permitted with a Sign Permit (Specific Standards) - Residential & Large Multi-building Developments

Typically, text amendments have a public hearing before the Planning Commission, in accordance with the standards of the Code, for the Planning Commission's review and recommendation. Then, a public hearing before the City Council, in accordance with the standards of the Code, is held for the Council to review the Planning Commission's recommendation and other relevant factors prior to rendering a final determination.

Discussion ensued.

Consensus of Council was to direct staff to move all of the proposed amendments through the process of required public hearings.

4.05 Discussion of text amendments to various sections and underlying policies for establishing a two-tier Downtown District to Article 30 of the Unified Development Ordinance (UDO).

Ms. Alicia Moore, Planner II, presented this item and stated On February 24, 2020, the Fayetteville City Council adopted the Fayetteville Downtown Urban Design Plan (DUDP). The Plan provided implementation strategies to enhance these segments of the City as a result of a planning process, which combined extensive citizen input with principles of good urban design, to become a guide for improving Downtown Fayetteville in the next five to ten years. This process encouraged the rezoning of several parcels in and around the downtown area from their current zoning district to either the Downtown (DT) or (DT2) zoning district. The Downtown Plan revolves around implementation action items meant to achieve its design recommendations. One of these action items is an update to the zoning and development standards in the downtown by creating a two-tiered zoning district. The core of the downtown will be rezoned as "DT Tier 1", and the surrounding encircling parcels will be rezoned as "DT Tier 2". The purpose is to extend the qualities embodied in the core of the downtown to the broader area. As this strategy requires changes to permitted uses as well as the creation of a new zoning district, it

requires modifications to the Use Table (Table 30.4.A.2) in the Unified Development Ordinance (UDO).

Typically, text amendments have a public hearing before the Planning Commission, in accordance with the standards of the Code, for the Planning Commission's review and recommendation. Then, a public hearing before the City Council, in accordance with the standards of the Code, is held for the Council to review the Planning Commission's recommendation and other relevant factors prior to rendering a final determination.

Discussion ensued.

Consensus of Council was to direct staff to move all of the proposed amendments through the process of required public hearings.

4.06 Discussion of proposed rezoning and establishment of a two-tier Downtown District and a Colleges and Universities District

Mr. Joseph Hadley, Planner II, presented this item and stated on February 24, 2020, the Fayetteville City Council adopted the Fayetteville Downtown Urban Design Plan (DUDP). The Plan is a result of a planning process, which combined extensive citizen input with principles of good urban design, to become a guide for improving Downtown Fayetteville in the next five to ten years. There are two parts that can occur as administrative rezonings. One deals with the downtown and the second addresses having inconsistent zoning for our local universities. Both items can be addressed through a series of meetings and eventually action by the City Council. The adopted plan strongly encourages the rezoning of several parcels in and around the downtown area from their current zoning district to either the Downtown (DT) or (DT2) zoning district. We propose to do this over the next five months.

The second rezoning segment would be to encompass key educational institutions and their surrounding properties for Fayetteville State University (FSU), Methodist University (MU), and Fayetteville Technical Community College (FTCC) from their current zoning districts to a proposed College & University (CU) zoning district. We propose to do this in direct coordination with the college and universities.

Discussion ensued.

Consensus of Council was to direct staff to move all of the proposed administrative rezoning through the process of required public hearings.

4.07 Introduction of Choice Neighborhood Grant Program

This item was moved to the beginning of the agenda and renumbered to Item 4.001.

4.08 City Council Member Agenda Item Request - Meeting Streaming and Audio Upload - Council Member Waddell

Council Member Waddell presented this item and stated she is seeking Council approval to have all recordings (audio and video) of open Council meetings, work sessions, and Council Committee meetings uploaded/posted to the City Website and social media pages. Additionally seeking Council approval to have all open Council meetings streamed from Zoom or FayTV onto the City's social media pages.

The May 4, 2020, work session gained 6.1 thousand views on Facebook, while YouTube views range from 70 to 300 per video. Uploading meetings to social media gives citizens an opportunity to stay up to date with our meetings and be informed.

Discussion ensued.

Council Member Waddell called for a consensus vote to have all recordings (audio and video) of open Council meetings, work sessions, and Council Committee meetings uploaded/posted to the City Website and social media pages. And to have all open Council meetings streamed from Zoom or FayTV onto the City's social media pages. The consensus vote FAILED by a vote of 4 in favor to 6 in opposition (Council Members Colvin, Jensen, Haire, Dawkins, Davis, and Wright)

4.09 City Council Agenda Item Request - Bias Workshop - Council Member Kinston

Council Member Kinston presented this item and stated with the conversations of equity and diversity, racial discussion, implicit bias and community concerns, I would like for our Council to support the efforts to participate in a workshop on these subjects that would later be rolled out to the community. Fayetteville can be in the front of the discussions jointly with our community and take a lead in the right steps to move forward. During recent community events we have had the opportunity to hear, see and read the outpouring of concerns. This will allow the Council to complete a collaboration effort to build trust, listen and respond to the community, while giving the community the opportunity to have dialogue discussions.

Discussion ensued.

Consensus of Council was to direct staff to coordinate a "Bias" work/training session for City Council.

Mayor Colvin announced the closed session that had been added to this agenda is no longer needed.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:57 p.m.