

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
COUNCIL CHAMBER
JANUARY 4, 2021
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2) (via zoom); Tisha S. Waddell (District 3) (via zoom); Johnny Dawkins (District 5); Chris Davis (District 6); Larry O. Wright, Sr. (District 7) (via zoom); Courtney Banks-McLaughlin (District 8); Yvonne Kinston (District 9)

Absent: Council Member D. J. Haire (District 4)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Telly Whitfield, Assistant City Manager
Jay Toland, Interim Assistant City Manager
Rebecca Jackson, Chief of Staff
Toney Coleman, Airport Director
Sheila Thomas-Ambat, Public Services Director
Tracey Broyles, Budget and Evaluation Director
Jerry Clipp, Human Resources Director
Daniel Edwards, Assistant Public Services Director
Dwayne Campbell, Chief Information Officer
Anthony Wade, Human Relations Director (via zoom)
Brook Redding, Assistant to the City Manager
Robert Van Geons, FCEDC President/CEO
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.

PLEDGE OF ALLEGIENCE

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

3.0 APPROVAL OF AGENDA

MOTION: Council Member Kinston moved to approve the agenda.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 State Action Plan FY 21 Discussion

Dr. Telly Whitfield, Assistant City Manager, presented this item with the aid of a PowerPoint presentation and stated the State Action Plan is the result of input from the Mayor, City Council, and staff members. The draft of the State Action Plan was presented to Council during a regular meeting on October 26, 2020. Council expressed a desire to bring this item to a work session to discuss it before adopting it in a future meeting.

City Council met in small groups with the lobbyists from Kilpatrick Townsend during the first week of December to give them feedback on the State Action Plan. The PowerPoint included in the agenda packet is the most up to date iteration of the plan.

The plan includes the following: Economic Development, Transit, Water and Sewer, Street Maintenance, Broadband, Emergency Planning, Quality of Life, and Public Safety.

Discussion ensued.

Consensus of Council was to work with the delegation.

4.02 Airport - FCEDC Brief on FAY Airport Business Development Strategy

Mr. Robert Van Geons, FCEDC President and CEO, presented this item with the aid of a PowerPoint presentation and stated the Fayetteville-Cumberland County Economic Development Corporation (FCEDC) is working with the Fayetteville Regional Airport (FAY) to design a series of economic development initiatives in conjunction with the Airport's Master Plan. This will require a collaboration of multiple partners sharing knowledge, experience, and vision to form a comprehensive strategy for the airport and surrounding areas.

Mr. Van Geon's presentation included items on the following: Airport Business Corridor Strategy, Site Development Opportunities, Goals, Executive Summary, Internal Marketing to Existing Businesses, External Marketing, Physical Development and Redevelopment, Investing in Infrastructure and Site Acquisition, and Leverage of Community Support.

Discussion ensued.

Mr. Douglas Hewett, City Manager, stated this will be a budget priority item in the upcoming FY 21-22 budget planning process.

This item was for information only, there was no consensus.

4.03 Solid Waste Report on Proposed Options to Transition to Biweekly Recycling Collection

Mr. Daniel Edwards, Assistant Public Services Director, presented this item with the aid of a PowerPoint presentation and stated the City of Fayetteville's recycling program consists of a weekly curbside single-stream residential collection for recyclables placed in 35-gallon or 96-gallon carts. The program is serviced through a collection contract with Waste Management. This contract has been in place since July 2008, when the curbside program initially began. The program also provides for the collection of recyclables from all City-owned buildings and athletic facilities. Waste Management delivers the collected recyclable material to Pratt Industries for processing at Pratt's Materials Recovery Facility. The City is currently receiving a rebate per ton from Waste Management for all City recyclable tons delivered to Pratt. The City's recycling program through the services of the Solid Waste staff also manages the scheduling and logistics of cart repairs and cart delivery for residents. Residents can upgrade to a 96-gallon cart by returning their 35-gallon cart and paying a one-time charge, currently \$20.00. In 2020 Council requested staff investigate biweekly recycling collection. Staff asked Waste Management for preliminary options on pricing for every other week collection, in return for an extension of the existing contract (ends June 2022), and discuss their operations regarding a biweekly schedule. Other options considered by Solid Waste staff were to research the cost of City staff collecting biweekly recycling curbside, and the option for an RFP in spring 2021, to secure an outside vendor to implement biweekly recycling collections beginning July 2022.

The City's recycling program is not consistent with the industry's best practices based on residents having a small 35-gallon cart for weekly collections. The typical industry standard for municipal recycling collections is for residents to be provided with a 96-gallon cart collected biweekly.

Waste Management presently provides weekly recycling services at the current rate of \$3.39 per pickup location. The recycling contract for FY 21 is \$2,510,187.00. The total projected annual impact over the next five years is below:

| | FY 22 | FY 23 | FY 24 | FY 25 | FY 26 |
|---|----------------|----------------|----------------|----------------|----------------|
| Waste Management Weekly Contracted Collection – Total Projected Annual Impact | \$2,553,521.52 | \$2,605,182.36 | \$2,656,843.20 | \$2,708,504.04 | \$2,760,164.88 |

The initial term of the current contract is 60 months from July 2017 to June 2022. After the initial term, the agreement may be extended for up to two additional two-year terms upon mutual agreement. Waste Management has proposed to move from weekly recycling to every other week (biweekly), curbside collection, with new 96-gallon carts at the cost of \$2.35 per pickup location. That is a reduction in the fee cost of \$1.04 per pickup location. The calculated contract cost for biweekly recycling cost is below:

| | FY 22 | FY 23 | FY 24 | FY 25 | FY 26 |
|--|----------------|----------------|----------------|----------------|----------------|
| Waste Management Biweekly Proposed Contract Collection | \$1,734,328.20 | \$1,771,228.80 | \$1,808,129.40 | \$1,845,030.00 | \$1,881,930.60 |

In addition to the contracted collection cost, the biweekly projection in fiscal years 22 to 25 includes financing costs for the purchase of 64,000 96-gallon carts. The delivery of the 96-gallon carts to each service point and the collection of the 35-gallon carts is included in the total financing costs of \$3.3 million. The fifth year (FY 26) of the biweekly scenario does not include cart financing costs, and is \$878,234.28 less than the projected weekly collection cost, as indicated in the table below.

| | FY 22 | FY 23 | FY 24 | FY 25 | FY 26 |
|---|----------------|----------------|----------------|----------------|----------------|
| Waste Management Weekly Contracted Collection – Total Projected Annual Impact | \$2,553,521.52 | \$2,605,182.36 | \$2,656,843.20 | \$2,708,504.04 | \$2,760,164.88 |
| Waste Management Biweekly Contracted Collection – Total Project Annual Impact | \$2,601,536.70 | \$2,638,437.30 | \$2,675,337.90 | \$2,712,238.50 | \$1,881,930.60 |

The initial term of Waste Management’s proposed contract will be for a minimum of two years, with a recommendation for a four-year minimum extension for recycling services. Solid Waste also calculated the cost of biweekly recycling collections utilizing in-house Solid Waste staff. For this option, Solid Waste would have to increase staff members (10 drivers, 1 collector and 2 supervisors), purchase 12 vehicles, and incur annual operating expenses (fuel, maintenance, uniforms, equipment and data plans, etc.), as well as the additional cost for the larger carts. The total projected annual impact for Solid Waste staff collection of biweekly recycling is below:

| | FY 22 | FY 23 | FY 24 | FY 25 | FY 26 |
|--|----------------|----------------|----------------|----------------|----------------|
| Biweekly City Staff Collection – Total Projected Annual Impact | \$3,193,234.15 | \$3,231,466.70 | \$3,270,707.17 | \$3,310,983.01 | \$1,665,281.51 |

For the City Staff Collection model, the replacement costs of 12 vehicles in year 8 would need to be considered. Using a 7-year useful life for the vehicles, the annual depreciation cost would be \$448,000.00 per year, offsetting the projected \$216,000.00 savings in year 5 between the contracted and in-house collection models. Pratt could impose a tipping fee for processing recyclables when their contract with Waste Management ends on June 30, 2022 (which is the same time the Waste Management’s contract ends with City). Staff does not foresee Waste Management extending our current contract at the current cost due to the fact that tipping fees of approximately \$60.00 per ton could be imposed by Pratt beginning July 1, 2022. At this time, neither Waste Management nor Solid Waste are paying tipping fees for recycling; instead the City receives an annual rebate of approximately \$27,000.00. This rebate will be eliminated when the

contract ends on June 30, 2022. Rebates for recyclables have gone away since the market changed. Right now the City of Fayetteville is the only City receiving a rebate through Pratt and is one of the few receiving a rebate nationally. All City's recyclables are taken to the Pratt processing facility. Pratt's facility in Fayetteville is the closest facility within Cumberland County. The next closest options are in Raleigh about 80 miles away (Waste Management Recycle America or Sonoco). Most municipal processing contracts for recycling in the Raleigh area are based on a vendor receiving the market share for materials minus an average processing fee of \$105.00 per ton. Greensboro's facility is about 95 miles away (Republic ReCommunity) with the same comparable rates as the Raleigh facility. Starting July 1, 2022, Solid Waste could incur a tipping fee for recycling materials delivered to Pratt. That cost, if imposed, would cancel the savings of moving to biweekly recycling. Pratt's potential fees would apply to any recycling collection model; weekly, biweekly, or City staff biweekly collections. Along with a tipping fee, Pratt could impose a recycling contamination fee. Solid Waste staff estimates that as much as 25 percent of the tonnage collected would be subject to the fee, which could result in an additional expense of approximately \$162,000.00 per year. Recycling contamination costs can be reduced by an aggressive recycling education program and enforcement.

Mr. Edwards stated staff recommends that Council give consensus to Solid Waste to finance the \$3.3 million for the purchase of 64,000 96-gallon carts. Accept Waste Management's proposal for biweekly recycling collection. Start biweekly recycling and new rate July 1, 2021. Pratt tipping and contamination cost may apply starting July 1, 2022. Includes finance charges for carts. Start a vigorous recycling education program to combat recycling contamination.

Discussion ensued.

Consensus of Council was to move this item forward. Ms. Tracey Broyles, Budget and Evaluation Director, stated there will need to be an appropriation of financing proceeds in order to order the carts and the Public Services Department will bring the contract amendment for approval before Council.

Mayor Colvin recessed the meeting at 6:30 p.m., and reconvened the meeting at 6:42 p.m.

4.04 Introduction to Our Employer of Choice Framework

Mr. Jerry Clipp, Human Resources Development Director, presented this item with the aid of a PowerPoint presentation and stated this presentation serves as an introduction to the Employer of Choice framework. Moving forward, all considerations of Human Resource Development policies and processes will derive from this document. City Council has expressed an interest in becoming an Employer of Choice. This presentation helps us consider and define what the concept means as well as describes the supporting pillars and attributes that staff plans to focus on to achieve that status. Becoming the Employer of Choice is a vast initiative. It is staff's intention that this graphic will depict our collective ideas and become the foundation for human resource development efforts in the City moving forward. Staff will utilize this document in the coming years to help us prioritize the needs of the City and its employees. This document is also flexible. Staff will refine it with guidance from the City Manager and City Council to continue the goal of attracting and retaining a skilled and diverse workforce capable of providing quality and sustainable public services for our community. Some items listed under the pillars may have budgetary impact. It is important for the City Council to understand that this will be a multi-year effort and any investments in resources can be prioritized for specific items in a given year.

Mr. Clipp's presentation covered the following items: What is an Employer of Choice? Top Five Drivers of Happiness at Work? What is

Important to Most Employees? and What is an Employee Value Proposition?

Discussion ensued.

Consensus of Council was to move this item forward.

4.05 Diversity, Equity, and Inclusion Internal and External Committees Update

Dr. Telly Whitfield, Assistant City Manager, presented this item with the aid of a PowerPoint presentation and stated the City's effort to address diversity, equity, and inclusion (DEI) began in August 2020 when both committees started their tasks. Mayor Colvin and Mayor Pro Tem Jensen served as co-chairs on both committees.

The Internal Committee focused on organizational capacity issues within City government based on an understanding that institutional and structural barriers to opportunity may exist. This committee examines the City's organizational policies and practices to determine whether structural inequities have been created and/or sustained within the workforce or impacted interactions with the community.

Their given scope of work focused on a better understanding of the following three areas:

1. Current workforce demographics (including trends) and Human Resource policies in place to mitigate unfair treatment;
2. Government procurement efforts to provide small, local businesses an equal opportunity to grow and be successful by participating in all aspects of City contracting of construction projects, professional services and the purchase of goods; and
3. Police Department policies related to recruitment, citizen interaction, and department standards.

Council Member Davis serves as chair and Council Members Haire, Kinston, and Waddell were assigned to the Internal Committee.

The External Committee was established to help create safe spaces to foster dialogue that expands our community's understanding of the importance of DEI issues. The given scope of work focused on a better understanding of the following three areas:

1. Police and community relations such as traffic stop data and community policing efforts;
2. The future of the historic Market House in Downtown Fayetteville; and
3. The impact of national attitudes on race relations and growing social unrest here locally.

Council Member Wright serves as chair and Council Members Dawkins, Ingram, and Banks-McLaughlin were assigned to that Committee.

The committees each met nine times between August and December 2020. An update of the work to date was provided at City Council's November 9, 2020 regular meeting and the interim recommendations from each committee were accepted. Since then, the two committees followed up on the following five items to prepare for further discussion with the entire Council.

1. The Internal Committee initiated a mandatory inherent or unconscious bias training for City Council and all, or a portion of, the workforce. The first of two bias training sessions for City Council was held in December with the

second scheduled for January. Incorporating a mandatory inherent training for a portion of the workforce is expected to be delivered in the future. This project is funded through the General Fund and will be initiated over the next calendar year by Human Resource Development.

2. The Internal Committee requested information on our peer jurisdictions' efforts to increase local and minority business participation in the public procurement process given our early success in reaching Council's aspirational goal of 40 percent of total spend. This information will be presented as part of the FY 21 2nd Quarter LSBE report in January. At the same time, the Committee emphasized the need to be patient regarding the Disparity Study (FY 21 TFA) results which will take roughly two years for a complete outline of the consultant's recommendations.
3. The Internal Committee discussed the City Council's interest in establishing a citizen police board. Council asked staff to provide research on peer municipalities and their adoptions of citizen police boards. In December, the City Attorney's Office staff informed the Committee about the current legal standing for a Citizen Advisory and/or Citizen Review Board across the state. Staff was also asked to craft a framework for a taskforce to help identify a process for addressing the calls for some form of a citizen police board.
4. The External Committee requested staff pursue a contract with national social research firm ETC Institute of Olathe, Kansas, to conduct a survey to serve as a baseline for community discussions related to race relations and the Market House. In late December, ETC notified the City that they are no longer interested in the work.
5. The External Committee tasked the Human Relations Commission with facilitating a series of town halls to discuss the survey results or other opportunities to engage with residents on DEI issues.

There are two outstanding items for discussion. First, Council will need to approve the framework provided for a taskforce to help identify a process for addressing the calls for some form of a citizen police board. Secondly, Council will need to discuss how they would like to move forward in facilitating a community discussion regarding the Market House over the next 60 days via phone calls, online survey instruments, mailings or public hearings.

Discussion ensued pertaining to the framework for a taskforce to frame a form of a citizen police board.

Council Member Dawkins called for consensus to hold this item until Council can meet with the State Delegation; take no action at this meeting. The majority of Council was in agreement with the consensus, Council Members Ingram and Waddell opposed the consensus.

Discussion ensued pertaining to facilitating a community discussion regarding the Market House.

Consensus of Council was to return this item to staff; staff to bring back a well-rounded number of options on how to repurpose the Market House; define ideas of what the Market House could be. Council Members Ingram, Waddell, Banks-McLaughlin, and Kinston were opposed to the consensus.

4.06 American with Disabilities Act - Self-Evaluation, Transition Plan, and Public Involvement Plan

Mr. Brook Redding, Assistant to the City Manager, presented this item with the aid of a PowerPoint presentation and stated in 2020, the

City drafted its ADA Transition Plan, Public Involvement Plan, and conducted a self-evaluation to guide the planning and implementation of the necessary program and facility modifications over the next several years. The City of Fayetteville conducted a preliminary self-evaluation of its current City's programs and identified suggested improvements of building and public right-of-way facilities to ensure accessibility in high-density areas or high-use priority areas.

The ADA Self-Evaluation, Transition Plan, and Public Involvement Plan are significant in establishing the City's ongoing commitment to the development and maintenance of policies, programs, and facilities that include all its citizens. The Self-Evaluation was conducted from January through December 2020. In this phase of the project, the City staff built several tools and applications using ArcGIS to measure and assess accessibility using the prescribed surveys from Title II of the Americans with Disabilities Act.

The City of Fayetteville self-evaluation reviewed three fundamental areas for ADA compliance:

1. Communications, information, and facility signage;
2. Public buildings and spaces; and
3. Pedestrian facilities and public rights-of-way.

Improvements for each of these three areas will be addressed by an Action Plan, which contains short- and long-term implementation actions. Short-term improvements generally require a minimal amount of planning, design, and financial investment. As such, these improvements will be evaluated and scheduled to begin before the end of FY 2022. Long-term improvements require higher levels of planning, design, and financial investment. We will continue to work with the North Carolina Department of Transportation (NCDOT) to align projects with ADA compliance needs.

ADA self-evaluation, transition planning, and implementation will be a continuous effort for the City of Fayetteville. The City is committed to updating the ADA Transition Plan annually with oversight of the City Manager and every five years with required action by the City Council. The involvement of other community leaders and support organizations will continue to be a critical part of the ADA transition process, which is dictated through the Public Involvement Plan.

Discussion ensued.

Consensus of Council was to move this item forward.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:34 p.m.