

**FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
COUNCIL CHAMBER/ZOOM  
FEBRUARY 1, 2021  
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (arrived at 5:11 p.m.); Shakeyla Ingram (District 2); Tisha S. Waddell (District 3) (via zoom); D. J. Haire (District 4); Johnny Dawkins (District 5); Chris Davis (District 6); Larry O. Wright, Sr. (District 7) (via zoom); Courtney Banks-McLaughlin (District 8) (via zoom); Yvonne Kinston (District 9)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Telly Whitfield, Assistant City Manager  
Jay Toland, Interim Assistant City Manager/Chief Financial Officer  
Gina Hawkins, Police Chief  
Mike Hill, Fire Chief  
Sheila Thomas-Ambat, Public Services Director  
Tracey Broyles, Budget and Evaluation Director  
Gerald Newton, Development Services Director  
Dwayne Campbell, Chief Information Officer  
Michael Gibson, Parks, Recreation and Maintenance Director  
Cliff Isaacs, Construction Manager  
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 Waddell.

**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 Ingram moved to approve the agenda, with the addition of a closed session pertaining to economic development and attorney-client privilege.

**SECOND:** Council Member Waddell

**VOTE:** UNANIMOUS (9-0)

**CLOSED SESSION**

**MOTION:** Council Member Haire moved to go into a closed session for economic development and attorney-client privileged matters.

**SECOND:** Council Member Kinston

**VOTE:** UNANIMOUS (9-0)

The regular session recessed at 5:07 p.m. The regular session reconvened at 5:37 p.m.

**MOTION:** Council Member Davis moved to go into open session.

**SECOND:** Council Member Kinston

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

#### **4.0 OTHER ITEMS OF BUSINESS**

##### **4.01 Discussion of proposed Text Amendments TA21-002 to Article 30 of the Unified Development Ordinance to comply with Chapter 160D of the North Carolina General Statutes**

Ms. Alicia Moore, Planner II, presented this item with the aid of a PowerPoint presentation and stated the first major overhaul of development regulations in over a hundred years, Chapter 160D clarifies and modernizes the ways that cities and counties manage local development. The endeavor was initiated in 2013 by the Zoning and Land Use Section of the NC Bar Association, enacted in 2019, and went through revisions (mostly to adjust to the effects of the COVID pandemic) in 2020. The deadline for local governments to conform their ordinances to the new requirements is July 1, 2021. In addition to requiring numerous updates to local ordinances, Chapter 160D authorizes local governments to make certain changes at its own discretion. The City may adopt these permissive changes if such changes would benefit the City by, for example, increasing efficiency and clarity of local procedures. There is no deadline for the adoption of the permissive changes. Unlike the mandatory changes (which must be adopted by July 1, 2021), the permissive changes may be adopted at the City's discretion. If approved, the effects of the proposed amendments will be City-wide and dynamic. The updated ordinances will require adjustments to internal City procedures and will impact the rights and responsibilities between the City and landowners, developers, and residents. By updating the Unified Development Ordinance, the City will be in compliance with North Carolina State law and will benefit by the modernization of local procedures.

The proposed text amendments comprise numerous mandatory changes and one permissive change. The permissive change affects terminology only. The purpose of this change is to simplify common terms, reduce the likelihood of confusion, and alignment with the State and the increasing majority of municipalities. Certain other terminology changes are mandatory.

Included in the agenda packet is a spreadsheet, Analysis of 160D Text Amendments, will list each change, the relevant section(s) of the UDO, and a description of the revision with statutory authority. The spreadsheet is a draft and does not yet reflect all of the proposed changes.

Discussion ensued pertaining to removing the publication requirement for evidentiary hearing notices; G.S. § 160D-102(28).

**Consensus of Council was to direct staff to proceed with the public hearing process of the text amendments in compliance with NC General Statutes Chapter 160D, and to direct staff to report back a couple of meetings ahead, on the various forms of notification sent to property owners that may be affected by a proposed rezoning, development, etc.**

##### **4.02 Federal Action Agenda 2022 Adoption**

Mr. Kevin Arata, Corporate Communications Director, introduced this item and stated two years ago the City of Fayetteville retained the services of Strategics Consulting, LLC, as its Federal lobbyist. In doing so, the City has refocused its commitment to seeking assistance from Federal representatives. Taking this action will help the City find new resources by engaging with the federal government to pursue funding assistance for strategic focus areas identified in the Federal Action Plan. These efforts ensure protection and preservation of essential community assets and resources, allowing all areas of our community to thrive. The Federal Action Plan is the result of input from the Mayor, City Council, and staff members. If adopted, the

document will be shared with Federal representatives during virtual office visits with our Congressmen and Senators.

Ms. Leslie Mazingo, Mr. Ron Hamm, and Ms. Debbie Bryant joined the meeting via zoom and provided an overview of the 2021 (FY 22) Federal Action Plan; the issues of Economic Development, Public Infrastructure, Public Safety, and Quality of Life.

Discussion ensued.

**Consensus of Council was to direct Strategics Consulting, LLC, staff to provide an updated draft action plan, and for staff to coordinate a meeting with the local delegation.**

#### **4.03 Fiscal Year 2022-2026 Recommended Capital and Technology Improvement Plans**

Ms. Tracey Broyles, Budget and Evaluation Director, presented the FY 2022-2026 Recommended Capital Improvement Plan with the aid of a PowerPoint presentation.

Mr. Dwayne Campbell, Chief Information Officer, presented the FY 2022-2026 Recommended Technology Improvement Plan with the aid of a PowerPoint presentation.

Discussion ensued regarding the Martin Luther King Jr. park.

Further discussion ensued regarding items listed on the Fiscal Year 2022-2026 Capital and Technology Improvement Plans.

There was no consensus from Council on this item.

#### **4.04 Parks and Recreation - Park Bond Report Card**

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, presented this item with the aid of a PowerPoint presentation and stated in March 2016, Fayetteville voters passed a \$35 million bond referendum for parks and recreation. To date, seven substantial projects have been completed totaling over \$3 million. The completed projects include several splash pads, renovations to several parks, and the Rowan Street Skateboard Park. The major projects currently in progress include Senior Center West, Senior Center East, McArthur Road Sports Complex, Jordan Soccer Complex, the Tennis Center, and D. Gilmore T. Center. Of these six projects, only Senior Center West is slightly behind schedule, but all others are on schedule and within budget following the reallocation of funds for Senior Center West. Four of the remaining projects, Senior Center East, McArthur Road Sports Complex, Jordan Soccer Complex, and the Tennis Center, involve partnerships with other entities.

Discussion ensued.

**Consensus of Council was to direct staff to provide project recommendations to be located east of the Cape Fear River; utilizing the \$1.5 million allocation. Council Member Dawkins was opposed to the consensus vote.**

#### **4.05 Public Safety and Infrastructure Projects - Potential Referendum**

Mr. Jay Toland, Interim Assistant City Manager/Chief Financial Officer, presented this item with the aid of a PowerPoint presentation and stated staff is seeking guidance and timing on a potential November 2021 General Obligation Bond Referendum, which would include two separate questions on the ballot--Public Safety and Infrastructure. The following figures were presented:

\$67M - Public Safety  
\$22M - Infrastructure  
\$500K - Issuance Cost

Total - \$89.5M

Proposed all projects start by FYE 2027

This item is covered in two current Targets for Action:

TFA 1.1.1 Develop plan for a potential Public Safety Bond process in Fiscal Year 2022

TFA 3.1.1 Develop plan for a potential Infrastructure Bond (sidewalks, streets)

This item continues the conversation started last year regarding significant pressure on the Capital Improvement Plan for various needs across the City. Issuing debt along with an enhancement in revenue would relieve a large amount of this pressure. The question becomes is the timing correct for a debt issuance for public safety and infrastructure. When issuing debt, it is important to consider what is allowed under state statute, the interest rate, asset to be pledged, and approvals needed. The General Obligation Bond requires a voter referendum - one question per purpose, any available revenues can be used for re-payments, it does not require collateral, and has the lowest interest rate. Other Options (still need revenue for debt service payments) are installment financing, Limited Obligation Bonds (LOBs) and/or cash fund.

To compile the list of projects several Council approved plans were considered: Public safety, Sidewalks, Bicycle, Pedestrian, Street resurfacing. The next steps would be direction to move forward and bring Resolutions for approval at the March 8, 2021 Council meeting and set the purpose(s)/number of questions. The ceiling per purpose amount may be lowered or removed but may not be raised or added respectively.

Discussion ensued pertaining to the potential tax increase.

**Consensus to provide staff direction to move forward with a General Obligation Bond Referendum in November 2021 failed by a vote of 4 in favor (Council Members Ingram, Waddell, Banks-McLaughlin and Kinston) to 6 in opposition (Council Members Colvin, Jensen, Haire, Dawkins, Davis, and Wright).**

#### **4.06 Council Agenda Item Request - Development Incentives - Mayor Colvin**

Mayor Colvin presented this item and stated he has been in conversations with relators, builders and developers to discuss how we can encourage development in certain areas of the City, and asked for Council consideration to ask staff to research and bring back recommendations of what the City can do to encourage development in certain areas of the City.

**Consensus of Council was to direct staff to look at programs that were offered in the 1990s and offer recommendations of what the City can do to encourage development in certain areas of the City.**

#### **4.07 Council Member Agenda Item Request - Renaming of Cross Creek Park - Mayor Pro Tem Jensen**

Mayor Pro Tem Jensen presented this item and stated she is requesting the City rename Cross Creek Park in honor of the late Mayor Beth Dail Finch. Mayor Finch was the first female Mayor of the City and served from 1975 until 1981. Mayor Pro Tem Jensen requested the renaming take place to coincide with Women's History Month which takes place in March. This request would need to be vetted through the Parks and Recreation Advisory Board.

**Consensus of Council was to move this item forward to the Parks and Recreation Advisory Board for review. Council Members Waddell, Kinston and Banks-McLaughlin were opposed to the consensus vote.**

#### **4.08 Council Member Agenda Item Request - The Building Makes Me Feel Project - Council Member Ingram**

Council Member Ingram presented this item and stated we are living in a time where self-expression is a priority. In addition to the planned meetings surrounding the Market House for citizen engagement, I would like for us to offer an opportunity for citizens to feel more involved with expressing themselves. I would like to propose "This Building Makes Me Feel" and "This Space Could Become" pop-up chalk mural walls where citizens can express themselves in their own way; creating a non-judgmental zone.

Discussion ensued.

**Consensus of Council was to authorize the program. Council Member Kinston was in opposition of the consensus vote.**

#### **5.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 9:42 p.m.