

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER  
APRIL 12, 2021  
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Chris Davis (District 6); Larry O. Wright, Sr. (District 7); Courtney Banks-McLaughlin (District 8) (arrived via zoom at 8:33 p.m.); Yvonne Kinston (District 9)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Telly Whitfield, Assistant City Manager  
Adam Lindsay, Assistant City Manager  
Gina Hawkins, Police Chief  
Mike Hill, Fire Chief  
Sheila Thomas-Ambat, Public Services  
Tracey Broyles, Budget and Evaluation Director  
Kevin Arata, Corporate Communications Director  
Byron Reeves, Stormwater Manager  
Scott Bullard, Emergency Management Director  
Jennifer Ayre, Deputy City Clerk  
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 Davis.

**3.0 PLEDGE OF ALLEGIANCE**

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

**4.0 ANNOUNCEMENTS AND RECOGNITIONS**

Mr. Scott Bullard, Emergency Management Coordinator, provided an update on the COVID-19 pandemic.

Dr. Jennifer Green, Cumberland County Health Department Director, presented an update on COVID-19.

Mayor Colvin presented a City Coin and proclamation to the Cumberland County Health Department proclaiming the week of April 5-11, 2021, to be National Public Health Week; Dr. Green accepted the proclamation and City Coin on behalf of the department staff.

Mayor Pro Tem Jensen read a proclamation proclaiming March 31, 2021, to be Cape Fear Valley Health Recognition Day for the work during the COVID-19 Pandemic by Cape Fear Valley Health staff.

Mayor Colvin presented a proclamation to Police Chief Gina Hawkins proclaiming April 11-17, 2021, as Public Safety Telecommunicators Week and recognized the support telecommunicators provide daily to Police, Fire, and the community. Telecommunicators were present via zoom.

Council Member Ingram announced April 17, 2021, there will be a Community Wide Clean-Up beginning at 8:00 a.m. Clean up items and volunteer check-in will be at Hurley Way.

Mayor Pro Tem Jensen stated this weekend the Fayetteville-Cumberland Youth Council (FCYC) won the following awards at the State Delegation Meeting:

- 2021 State Most Outstanding Youth Council
- Most Impactful Member Ms. Deborah who is the Chair of FCYC
- Best Volunteer Mr. Ernie who is the Vice Chair of FCYC
- Most Creative and Innovative Virtual Project

## **5.0 CITY MANAGER REPORT**

The City Manager did not have a report to present.

## **6.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Davis moved to add Item 11.02, Naming the Senior Center West after former Council Member William Leon Joseph Crisp.

**SECOND:** Council Member Ingram

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

**MOTION:** Council Member Wright moved to approve the agenda with the addition of Item 11.02.

**SECOND:** Council Member Dawkins

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

## **7.0 CONSENT AGENDA**

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

**SECOND:** Council Member Ingram

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

### **7.01 Approval of Meeting Minutes:**

**March 22, 2021 - Discussion of Agenda Items**

**March 22, 2021 - Regular**

**March 31, 2021 - Special**

### **7.02 Adoption of Special Revenue Fund Project Ordinance 2021-15 to Appropriate the 2020 Fayetteville Police Department Block Grant as Funded by an Award from the Governor's Crime Commission of the NC Department of Public Safety**

Special Revenue Fund Project Ordinance 2021-15 to appropriate \$24,000.00 of federal funds passed through the Governor's Crime Commission of the North Carolina Department of Public Safety, for the purchase of ten ballistic shields. There is no local match requirement for this grant.

### **7.03 Adoption of Budget Ordinance Amendment 2021-11 and Capital Project Ordinance Amendment 2021-54 to Appropriate Additional Funding for Final Expenditures for the Downtown Stadium Project**

Budget Ordinance Amendment 2021-11 and Capital Project Ordinance Amendment 2021-54 to appropriate \$591,000.00 from General Fund fund balance for final expenditures for the downtown stadium project.

### **7.04 Adoption of Capital Project Ordinance Amendments 2021-52 and 2021-53 to Re-Appropriate Funding for the Bridge Preservation Program**

Capital Project Ordinance Amendments 2021-52 and 2021-53 to re-appropriate \$316,293.00 of General Fund contributions remaining following the completion of the Ann and Louis Street Bridge Replacements project to provide additional funding for the Bridge Preservation Program.

**7.05 Bid Recommendation - Heritage Assisted Living Rip Rap (EWP DSR #5038-502) to Paul D. Williams Hauling, the lowest responsive, responsible bidder in the total amount of \$125,400.00**

Paul D Williams Hauling, Dunn, NC .....	\$125,400.00
Crowder Trucking, LLC, Fayetteville, NC .....	\$138,600.00
RES Carolinas, LLC, Mount Airy, NC .....	\$160,743.00
L&E Management Services, LLC, Pembroke, NC .....	\$157,905.00

**7.06 Bid Recommendation - BWGP Battery Energy Storage System (BESS) to Strata Solar, LLC, Durham, NC, the lowest responsive, responsible bidder in the total amount of \$3,201,417.14**

Bids were received on February 23, 2021, as follows:

Award Recommendation: Bid Schedule No. 3 - Base Bid with Extended 10-Year Warranty

Strata Solar, LLC, Durham, NC .....	\$3,201,417.14
Faulconer, Cary, NC .....	\$3,529,000.00
M-W Electric, Inc. Red Springs, NC .....	\$3,676,896.13
Mitsubishi Electric Power, Inc., Warrendale, PA ..	\$4,423,600.00
PowerSecure, Wake Forest, NC .....	NO BID

**7.07 Bid Recommendation - Freedom Town Center Sewer Main Replacement to JSmith Civil, LLC, Goldsboro, NC, the lowest responsive, responsible bidder in the total amount of \$809,847.00**

Bids were received on February 8, 2021, as follows:

Award Recommendation: Base Bid with Alternates 1, 2, & 3  
JSmith Civil, LLC, Goldsboro, NC ..... \$809,847.00 || Sandy's Hauling Backhoe Service, Roseboro, NC .... | \$1,123,975.00 |

**7.08 Assessment Appeal for 2002 Strickland Bridge Road (PIN 9496-70-5769)**

As part of Phase 5 Annexation Project Area 20, property owner Pastor Wayne Street requested a review of their assessment. Upon reviewing the request, the City Attorney determined, based upon information available at the time of review, the property was assessed due to clerical error at the time of the assessment. PWC does not object to the release of the assessment based on this determination.

**7.09 Consideration of Adopting a Resolution in Support of the Hope Mills request to remove the designation of NC Highway 59**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO SUPPORT THE TOWN OF HOPE MILLS REQUEST TO REMOVE THE DESIGNATION OF NC HIGHWAY 59, TO IMPROVE SAFETY. RESOLUTION NO. R2021-024**

**8.0 STAFF REPORTS**

**8.01 Litter and Illegal Dumping - City Cleanup Initiatives**

Mr. Brook Redding, Assistant to the City Manager, presented this item with the aid of a PowerPoint presentation and stated the City of Fayetteville employs several different services to collect waste, remove illegal dumping, prevent litter, and maintain its overall cleanliness. The purpose of this memorandum, report, and presentation to the City Council is to inform and discuss the different types of operations designed to reduce litter, prevent illegal dumping, and increase the City's overall appearance. Each line of effort from City staff also purposefully engages the public to raise social capital, educate residents, and inspire a cleaner cityscape.

In June of 2020, City Council approved several new initiatives to expand the City's environmental operations. Council approved the implementation of the Removing and Preventing Illegal Dumping (RAPID)

Team. Additionally, City Council funded the expansion of the Parks and Recreation Department's litter crews. Finally, in December of 2020, City Council approved a comprehensive public education campaign and funding for several devices to prevent illegal dumping. The presence and perception of litter and trash around the City require active services, programs, with broad public and elected official participation. Understanding what litter and illegal dumping are will increase our curiosity and awareness of the issues.

Litter and illegal dumping are wicked problems that have a mix of social, economic, environmental, infrastructural, political, and cultural factors at a variety of scales. Illegal dumping is the disposal of waste in an unpermitted area. It is also referred to as open dumping, fly dumping, and midnight dumping because materials are often dumped in open areas, from vehicles, along roadsides, and late at night. Illegally dumped wastes are primarily nonhazardous materials left to avoid disposal fees or the time and effort required for proper disposal.

Through FY 21, the City Manager has directed several initiatives to address concerns regarding litter and illegal dumping. City staff subsequently created four lines of effort to meet the City Manager's intent. The first is a comprehensive Public Education Campaign designed to address public behavior regarding litter and illegal dumping. The second and third are programs designed to reduce litter and illegal dumping. The fourth effort was adopting an active approach to create and codify partnerships with our communities, businesses, nonprofits, and government cohorts.

The Public Education Campaign is scoped to focus on behavior and the impacts of litter and illegal dumping on the community. Two separate consortiums have been established to plan and implement an Illegal Dumping Prevention Program and a Litter Abatement Program. Each program has a diverse set of stakeholders who collectively mass their services and capabilities to make responsive and efficient impacts in the community.

Discussion ensued.

Mr. Dougals Hewett, City Manager, stated staff will bring a Street Sweeping and Accident Recovery item to a work session.

Mayor Colvin stated he is interested to learn of the costs for additional street sweeping.

**MOTION: Council Member Ingram moved to receive the report.**  
**SECOND: Council Member Wright**  
**VOTE: UNANIMOUS (10-0)**

## **9.0 PUBLIC FORUM**

Ms. Myahtaeyarra "Mya" Warren, 969 Bassman Lane, Apt. 308, Fayetteville, NC, expressed concerns regarding traffic safety in the Cliffdale Road area.

Ms. Anne Schrader, 223 Stedman Street, Fayetteville, NC, expressed concerns regarding the environment and climate.

Mr. Jerel McGeachy, Jr., 4044 William Bell Luther Drive, Hope Mills, NC, thanked Mayor Colvin for a proclamation Mayor Colvin had presented to him at a school event.

## **10.0 PUBLIC HEARINGS**

### **10.01 Stormwater Buffer Variance Request - 1005 Dunn Road**

Mr. Byron Reeves, Stormwater Manager, presented this item with the aid of a PowerPoint presentation and stated Middle Road Properties LLC is proposing to lease/develop a portion of their existing

industrial property located at 1005 Dunn Road. The City's Stormwater Ordinance requires that built upon area shall be at a minimum of 75 feet landward of all perennial or intermittent surface waters that drain greater than 1 square mile. A portion of Lock's Creek abuts the western property line of the proposed development. This portion of Lock's Creek drains approximate 35 square miles at the point of the subject property.

The development is proposing to increase the amount of existing buffer encroachments from 0.28 acre to 0.98 acre within the 75-foot setback. To offset the encroachment, the proposed development will rehab the existing stormwater basin on site that is currently not being maintained, bringing it into accordance with NCDEQ and City requirements. The development is proposing to detain the 100-year storm event. This proposed additional detention is well above the ten-year storm event required by the Stormwater Ordinance.

The variance petition has been submitted to request that the proposed development be allowed to encroach into the 75-foot buffer zone. The portion of the development encroaching would be a portion of the proposed parking lot that is critical to the day-to-day operations of the proposed development.

This is the advertised public hearing set for this date and time. The public hearing was opened.

Mr. Robert Van Geons, FCEDC President/CEO, appeared in favor and requested Council approve the Stormwater Buffer Variance request.

Ms. Maggie Houston, 200 South Tryon Street, Charlotte, NC, appeared in favor and stated she is the Engineer for the Developer of this project and requested Council approve the Stormwater Buffer Variance request.

There being no one further to speak, the public hearing was closed.

Discussion ensued.

**MOTION: Council Member Ingram moved to approve the Stormwater Buffer Variance request.**

**SECOND: Mayor Pro Tem Jensen**

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

#### **11.0 OTHER ITEMS OF BUSINESS**

##### **11.01 Appointment of one (1) applicant to the Public Works Commission**

Mayor Colvin introduced this item and stated it was his intent to call each of the ten applicant's names and hold a separate vote for each applicant.

Council Member Ingram questioned that method of making an appointment.

Discussion ensued.

**MOTION: Council Member Banks-McLaughlin moved to appoint Ms. Ronna Garrett to the Public Works Commission.**

**SECOND: Council Member Ingram**

**VOTE: PASSED by a vote of 6 in favor to 4 in opposition (Council Members Colvin, Haire, Wright, and Davis)**

##### **11.02 Naming Senior Center West after former Council Member William Leon Joseph Crisp**

Council Member Davis stated this item was brought to Council at the April 6, 2021, work session, and Council had given consensus to

make an exception to Council Policy No. 155.4, Naming of City Properties in Honor of Individuals.

**MOTION:** Council Member Davis moved to name Senior Center West after former Council Member William Leon Joseph Crisp.

**SECOND:** Council Member Ingram

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

## **12.0 ADMINISTRATIVE REPORTS**

### **12.01 PWC Resolution # PWC2021.09 - Authorizing the Condemnation of Easements and Delegation of Real Estate Acquisition Authority to the General Manager**

This item was for information only and was not presented.

### **12.02 Audit Committee Annual Report to City Council**

This item was for information only and was not presented.

## **13.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 9:34 p.m.