

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
MAY 10, 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) (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
Adam Lindsay, Assistant City Manager
Gina Hawkins, Police Chief
Mike Hill, Fire Chief
Tracey Broyles, Budget and Evaluation Director
Kevin Arata, Corporate Communications Director
Gerald Newton, Development Services Director
Chris Cauley, Interim Economic and Community
Development Director
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 Bishop Phillip Marks, Pleasant Grove Church of Christ.

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

Dr. Lea S. Choi, Fort Bragg, gave a presentation on the top 10 myths surrounding the COVID vaccine.

Council Member Ingram congratulated all citizens that have recently graduated, wished all Mothers a Happy Mother's Day and announced the Woodpeckers Baseball season begins tomorrow, May 11, 2021, at 6:30 p.m., Segra Stadium, downtown Fayetteville.

5.0 CITY MANAGER REPORT

The City Manager did not have a report to present.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Ingram moved to approve the agenda with the exception of Item 10.01, Evidentiary Hearing - Special Use Permit for a proposed addition to M.M. Smith Storage Warehouse; item to be continued to the May 24, 2021, City Council meeting.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

7.0 CONSENT AGENDA

MOTION: Council Member Davis moved to approve the agenda.
SECOND: Mayor Pro Tem Jensen
VOTE: UNANIMOUS (10-0)

7.01 Approval of Meeting Minutes:
April 6, 2021 - Work Session
April 12, 2021 - Discussion of Agenda Items
April 12, 2021 - Regular
April 15, 2021 - Special
April 21, 2021 - Agenda Briefing
April 26, 2021 - Special
April 26, 2021 - Discussion of Agenda Items

7.02 TA21-003: Codification of previously approved Text Amendments for 160D.

This item presents 15 related ordinances for approval to allow the full codification of amendments and additions to Chapter 30 of the City of Fayetteville Code of Ordinances. These ordinances reflect actions of approval by the City Council taken on March 22, 2021. These are not new items. Rather, these are an important administrative detail that demonstrates approval of the ordinances to the already approved City Council actions.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-1, GENERAL PROVISIONS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SECTIONS UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. ORDINANCE NO. S2021-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-2, ADMINISTRATION, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-2, ADMINISTRATION, OF CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-2, ADMINISTRATION, OF CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 30-2.C.6, SUBDIVISION PLAN, OF ARTICLE 30-2, ADMINISTRATION, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF SECTION 30-4.C.2., RESIDENTIAL USES, OF ARTICLE 30-4, USE STANDARDS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 30-6.C.1, PERFORMANCE GUARANTEES, OF ARTICLE 30-6, SUBDIVISIONS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-7, NONCONFORMITIES, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-2, ADMINISTRATION, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SECTIONS OF ARTICLE 30-2, ADMINISTRATION, OF CHAPTER 30, OF THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, AMENDING CHAPTER 30, UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. NO. S2021-022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 30, UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. ORDINANCE NO. S2021-023

7.03 Extension of Loan Terms for Affordable Housing Developments - Haymount Manor

Authorizing extending a \$450,000.00 loan funded by the Department of Housing and Urban Development's HOME Investment Partnership Program. The loan is due to mature in Fiscal Year 2022 and the developer has requested that the City extend its term by ten years to coincide with other financiers to include Cumberland County.

7.04 Adoption of a Resolution to Approve Submission of a Grant Application to the North Carolina Department of Transportation (NCDOT) for Urban Capital Matching Funds

PUBLIC TRANSPORTATION PROGRAM RESOLUTION FY 2022 RESOLUTION Section 5339, 5307 and applicable State funding, or combination thereof. RESOLUTION NO. R2021-031

7.05 Adoption of Cumberland-Hoke Regional Hazard Mitigation Plan

RESOLUTION TO ADOPT THE CUMBERLAND-HOKE REGIONAL HAZARD MITIGATION PLAN. R2021-032

7.06 Adoption of Special Revenue Fund Project Ordinance 2021-17 to Appropriate the FY20 Edward Byrne Justice Assistance Grant.

Adoption of Special Revenue Fund Project Ordinance 2021-17 to appropriate \$129,635.00 of federal funds, awarded by the U.S. Department of Justice (US DOJ), for the FY 20 Edward Byrne Memorial Justice Assistance Grand (JAG) Program. No local match is required.

The grant provides funding for software, computer equipment and related implementation costs.

7.07 Award Contract for the License Plate Reader System.

Approval of the purchase of license plate reader system from Upstate Wholesale Supply Inc. (DBA Brite) in the total amount of \$375,037.08.

7.08 Bid Recommendation - Buckhead Creek Sewer Relocation NCDOT Project U-4405C to T. A. Loving Company, Goldsboro, NC, the recommended lowest responsive, responsible bidder is in the total amount of \$1,139,215.00.

T. A. Loving Company, Goldsboro, NC \$1,139,215.00
State Utility Contractors, Inc., Monroe, NC \$2,215,530.00

7.09 Adoption of a Resolution; Bond Order Compliance for Load Banking and Service Area Agreements.

RESOLUTION APPROVING SERVICE AREA AGREEMENT AND LOAD BANKING AGREEMENT. RESOLUTION NO. R2021-033

8.0 STAFF REPORTS

8.01 Fayetteville Police Department 2021 - 1st Quarter Report

Ms. Gina Hawkins, Police Chief, presented the Police Department 2021 - 1st Quarter Report. Chief Hawkins reported on crime statistics, crime trend analysis, crime fighting strategies, and community engagement.

Discussion ensued.

MOTION: Council Member Ingram moved to receive the Police Department 2021 - 1st Quarter Report.

SECOND: Council Member Banks-McLaughlin

VOTE: UNANIMOUS (10-0)

8.02 Fayetteville Fire Department 2021 - 1st Quarter Report

Mr. Mike Hill, Fire Chief, presented the Fire Department 2021 - 1st Quarter Report. Chief Hill reported on call volume, response times, fires, Clarion Hotel fire, EMS/Rescue, hazardous materials, fire prevention, facility inspections, and highlights.

Discussion ensued.

MOTION: Council Member Ingram moved to receive the Fire Department 2021 - 1st Quarter Report.

SECOND: Council Member Banks-McLaughlin

VOTE: UNANIMOUS (10-0)

9.0 PUBLIC FORUM

Mr. Shawn McMillan, 6024 Golden Rain Drive, Fayetteville, NC, requested Council to implement a Civilian Police Oversight Authority (CPOA).

Ms. Myah Warren, 969 Bassman Lane Apt. 308, Fayetteville, NC, expressed concerns regarding the Police Department.

10.0 EVIDENTIARY HEARINGS

10.01 In accordance with the April 14, 2021, Order issued by Superior Court Judge Michael Stone, the City Council will hold a quasi-judicial hearing to determine the threshold issue of whether a Special Use Permit was required for a proposed addition to M.M.

Smith Storage Warehouse, Inc.'s facility located at 601 Hillsboro Street.

This item was removed from the agenda; to be continued at the May 24, 2021, City Council meeting.

11.0 OTHER ITEMS OF BUSINESS

11.01 Presentation of the Recommended Fiscal Year 2021-2022 Budget and Setting of the Budget Public Hearing

Mr. Douglas Hewett, City Manager, presented the recommended Fiscal Year 2021-2022 Budget with the aid of a PowerPoint presentation and requested Council set the budget public hearing for May 24, 2021.

MOTION: Council Member Ingram moved to set the public hearing to receive comments on the recommended budget for May 24, 2021.

SECOND: Council Member Waddell

VOTE: UANANIMOUS (10-0)

12.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:15 p.m.