

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
FAST CONFERENCE ROOM
SEPTEMBER 13, 2021
7:00 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); D. J. Haire (District 4); 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
Jay Toland, Assistant City Manager
Rebecca Jackson, Chief of Staff
Gina Hawkins, Police Chief
Gerald Newton, Development Services Director
Kenneth Mayor, Interim Corporate Communications Director
Taurus Freeman, Planning and Zoning Manager
Craig Harmon, Senior Planner
Scott Bullard, Emergency Management Coordinator
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

Senator Kirk deViere presented the Order of the Long Leaf Pine to Ms. Tracey Broyles, Budget and Evaluation Director, Retired, for her 30 years of service to the City of Fayetteville, NC.

Mayor Colvin read a proclamation in recognition of the Fayetteville State University "Gear Up" Program proclaiming September 20, 2021, in honor of Gear Up.

Mr. Scott Bullard, Emergency Management Coordinator, provided a COVID-19 update.

Council Member Kinston announced the Fayetteville Beautiful Clean-Up event is taking place on September 18, 2021, beginning at 8:00 a.m. at Segra Stadium.

Mayor Pro Jensen announced the Greek Festival is taking place September 18-19, 2021, at the Greek Orthodox Church. This year will be a grab and go, due to COVID.

Council Member Ingram announced funding is still available for the Rental Assistance Program.

5.0 CITY MANAGER REPORT

Mr. Douglas Hewett, City Manager, presented a ten-year service award to Ms. Pamela Megill, City Clerk, and thanked her for her years of service and great work.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Haire moved to approve the agenda.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

7.0 CONSENT AGENDA

MOTION: Council Member Waddell moved to approve the consent agenda with the exception of Item 7.03, for presentation and separate vote.

SECOND: Council Member Ingram

VOTE: UNANIMOUS (10-0)

7.01 Approval of Meeting Minutes:

August 23, 2021 - Discussion of Agenda Items

August 23, 2021 - Regular

August 30, 2021 - Special

7.02 Capital Project Ordinance Partial Closeout 2022-1; Capital Project Closeout 2022-2 for Various Building Maintenance Projects and Renovations for Americans with Disabilities Act Compliance; Capital Project Ordinance Amendment 2022-32 for Americans with Disabilities Act Compliance; Special Revenue Fund Project Partial Closeouts 2022-1 and 2022-2 for the funding of the FY 2016-2017 and FY 2017-2018 of the Community Development Block Grant Program

Council adopted Capital Project Ordinance Partial Closeout 2022-1, Capital Project Closeout 2022-2, Capital Project Ordinance Amendment 2022-32, and Special Revenue Fund Ordinance Partial Closeouts 2022-1 and 2022-2.

7.03 This item was pulled from the consent agenda for presentation and separate vote.

7.04 Adoption of Capital Project Ordinance Amendment 2022-31 to Appropriate a Federal Aviation Administration Grant (Airport Improvement Program 48) and Customer Facility Charges for Part II Airline Terminal Improvement Project

The Federal Aviation Administration (FAA) has awarded grant 3-37-0021-048-2020 (Airport Improvement Project 48) for the Part II Airline Terminal Improvement project. Capital Project Ordinance Amendment (CPOA) 2022-31 will appropriate \$2,742,407.00 of federal grant funds from the FAA for the Part II Airline Terminal Improvement project. The CPOA will also appropriate \$200,000.00 of Customer Facility Charges (CFC) for non-eligible FAA Airport Improvement Program (AIP) costs.

7.05 Adoption of Special Revenue Fund Project Ordinance Amendment 2022-2 to Appropriate Federal Forfeiture Funds and NC Substance Tax Received to Date as of July 31, 2021

Special Revenue Fund Project Ordinance Amendment 2022-2 will appropriate \$514,352.00 in Federal Forfeiture and NC Substance Tax funds received as of July 31, 2021, to provide additional resources for law enforcement purposes.

7.06 Adoption of Special Revenue Fund Project Ordinance 2022-5 for the Fayetteville Fire Department's Fiscal Year 2020 Fire Prevention and Safety Grant

The Fayetteville Fire Department (FFD) has been awarded the Fiscal Year 2020 Fire Prevention and Safety Grant from the U.S. Department of Homeland Security, administered by the Federal Emergency Management Agency, to fund the personnel costs for one additional part-time fire inspector, including uniforms and equipment, for one year. Council is asked to adopt Special Revenue Fund Project Ordinance 2022-5 to appropriate \$31,523.00. The funding sources for this project include \$30,021.00 of federal grant funding and a \$1,502.00 required local match.

7.07 Water Main Encasements Under Railroads (Bruner Street, Deep Creek Road, Langdon Street, and Pine Street)

Award the contract for the Water Main Encasements Under Railroads (Bruner Street, Deep Creek Road, Langdon Street, and Pine Street). The recommended lowest responsive, responsible bidder is T.A. Loving Company, Goldsboro, NC, in the total amount of \$2,061,265.00.

7.03 Adoption of Capital Project Ordinance Amendment 2022-33 to Appropriate Bond Premium Proceeds to the Dorothy Gilmore Therapeutic Recreation Center Project and Award the Contract for General Construction to Msquare Construction, Inc.

This item was pulled for presentation and separate vote.

Mayor Pro Tem Jensen stated this item is to adopt Capital Project Ordinance Amendment 2022-33 to appropriate \$475,000.00 of bond premium funding to the Dorothy Gilmore Therapeutic Recreation Center project and to award the contract for the general construction to Msquare Construction, Inc., the lowest responsive, responsible bidder.

MOTION: Mayor Pro Tem Jensen moved to adopt Capital Project Ordinance Amendment 2022-33 as presented and approve the contract award authorizing the City Manager to execute the contract with the lowest responsive, responsible bidder, Msquare Construction, Inc., in the total amount of \$743,416.00.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

8.0 STAFF REPORTS

8.01 Acceptance of the FY 2021 Year-End Strategic Performance Report

Ms. Rebecca Jackson, Chief of Staff, presented this item with the aid of a PowerPoint presentation and stated the Fayetteville City Council has worked very diligently to commit this organization to high performance and to use data and stakeholder input to create a strategic plan for the City that is forward thinking, progressive, relevant and outcome based.

The FY 2021 strategic plan was adopted in June 2020. Following adoption of the FY 2021 strategic plan, the Mayor, City Council, and staff share a duty to ensure that the actions of public officials, employees, contractors, and volunteers of the City are carried out in the most responsible manner possible and that City policy, budgets, goals and objectives are fully implemented.

The strategic plan lays out Targets for Actions (TFA) that are projects or initiatives identified by Council to move the needle toward defined outcomes laid out in the Council's strategic plan. TFAs are defined by a one-year action plan with milestones to focus the work of Council and staff. Under each TFA are Key Performance Indicators (KPI) that set a quantifiable measurement to gauge how well

the City is performing to reach its goals. These measurements help determine the operational achievements of the City to its TFA.

The City Manager's Office has directed the Office of Strategy and Performance Analytics to meet regularly with teams to advance the Council's TFA and to report progress to City Council on a quarterly basis during a City Council meeting. As many of the TFAs for FY 2021 and FY 2022 are tightly related and/or continuing, staff has incorporated the End of Year Strategic Performance Report which also includes FY 2022 action plans moving forward into the next fiscal year.

Commitment to performance management and strategic planning strengthens the operations of the City of Fayetteville, ensuring excellent services and a high quality of life for residents. It allows for long-range planning at the organizational level with alignment to departmental operations and performance expectations. With this system in place, the City is able to allocate resources appropriately and build strategies for continuous improvement.

Discussion ensued.

MOTION: Council Member Ingram moved to accept the report.

SECOND: Council Member Kinston

VOTE: UNANIMOUS (10-0)

9.0 PUBLIC FORUM

Mr. Cornelius Glover, 404 Grouper Drive, Fayetteville, NC, expressed concerns regarding semi-truck parking.

Ms. Kathy Greggs, 4607 Woodline Drive, Fayetteville, NC, expressed concerns regarding the Rental Assistance Program.

Mr. K'ljjah Mitchell, 6125 Independence Place Drive, Apt 633, Fayetteville, NC, expressed concerns regarding the needs of the deaf community in Fayetteville.

Ms. Patricia Nebbans, 5451 Hubble Drive, Apt F, Fayetteville, NC, expressed concerns regarding the apartment management company, United Management Two.

Mr. Joseph Wheeler, 804 Tamarack Drive, Fayetteville, NC, expressed concerns regarding the Eviction Moratorium and the programs in place to help renters and how they are not working.

Mr. Imam Eronomy Mohommad Smith, 2800 Murchison Road, Fayetteville, NC, addressed the Council on the state of the community.

Ms. JoAnn Adams, 210 Central Drive, Fayetteville, requested an Historical Marker Program be created in Fayetteville.

Mayor Colvin recessed the meeting at 8:38 p.m., and reconvened the meeting at 8:47 p.m.

10.0 LEGISLATIVE HEARINGS

10.01 TA21-009 through -015: Seven (7) Proposed Text Amendments to the Unified Development Ordinance (Seasonal Text Amendments)

MOTION: Council Member Davis moved to move this item to the October 4, 2021, City Council work session agenda.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

11.0 OTHER ITEMS OF BUSINESS

11.01 Presentation of Appointments Committee Recommendations for Boards and Commissions Appointments

Mayor Pro Tem Jensen presented this item and stated the Appointment Committee met on August 26, 2021, to review applications for appointments to Boards and Commissions. It is from that meeting the Appointment Committee presents the recommendation for appointments to the City of Fayetteville Boards and Commissions.

Council Member Dawkins read the list of recommended appointments as follows:

The Appointment Committee approved the following appointments:

<u>Joint City and County Appearance Commission</u>	
Clyde Foster	October 1, 2021-September 30, 2023
Willie Dorman	October 1, 2021-September 30, 2023

<u>Board of Appeals</u>	
Aaron Calloway	October 1, 2021-September 30, 2024
Willie Dorman	October 1, 2021-September 30, 2024

<u>Board of Advisors for the Woodpeckers Capital Reserve Account</u>	
Honorable George Breece	October 1, 2021-September 30, 2023
Jordan Jones	October 1, 2021-September 30, 2023
Dr. Dennis Corbin	October 1, 2021-September 30, 2023
COL (R) Peter Aubrey	October 1, 2021-September 30, 2023
Will advertise for additional position	
Will advertise for additional position	
Will advertise for additional position	
Will advertise for additional position	

<u>Fayetteville-Cumberland Economic Development Board</u>	
Will advertise for additional position	
December 1, 2021-November 3, 2024	

<u>Ethics Commission</u>	
Thomas Donnelly	October 1, 2021-September 30, 2024

<u>Fayetteville Advisory Committee on Transit (FACT)</u>	
Will advertise for additional position	
October 1, 2021-September 30, 2023	

Will advertise for additional position	
October 1, 2021-September 30, 2023	

Will advertise for additional position	
October 1, 2021-September 30, 2023	

<u>Linear Park</u>	
Dr. Jimmie Riggins	October 1, 2021-September 30, 2024

<u>Human Relations Commission</u>	
Franco Webb	October 1, 2021-September 30, 2023
Semone Pemberton	October 1, 2021-September 30, 2023
Eileen Hatch	October 1, 2021-September 30, 2023

<u>Millennial Advisory Commission</u>	
Kayla Fernandez	October 1, 2021-September 30, 2023
Chester Hampton	October 1, 2021-September 30, 2023
Kathryn Kelly	October 1, 2021-September 30, 2023
Aaliyah Lane	October 1, 2021-September 30, 2023
Tre'Vone McNeil	October 1, 2021-September 30, 2023
Ieshia West	October 1, 2021-September 30, 2023

<u>Fayetteville-Cumberland Parks and Recreation Advisory Commission</u>	
Cindy McCormic	October 1, 2021-September 30, 2024

Planning Commission

Laurie Linder	October 1, 2021-September 30, 2023
Raymond Makar	October 1, 2021-September 30, 2023
Alternates	
Aaron Calloway	October 1, 2021-September 30, 2023
Murray Odom Duggins Jr.	October 1, 2021-September 30, 2023

Public Arts Commission

Ella Wren	October 1, 2021-September 30, 2023
-----------	------------------------------------

Fayetteville Public Works Commission

COL (R) Donald Porter	October 1, 2021-September 30, 2025
-----------------------	------------------------------------

Fayetteville Redevelopment Commission

Quontica Conley-Jackson	October 1, 2021-September 30, 2026
-------------------------	------------------------------------

Joint Fayetteville-Cumberland County Senior Citizens Advisory Commission

Carey Berg	October 1, 2021-September 20, 2023
Morris Bowden	October 1, 2021-September 20, 2023
Dana Kolbfleisch	October 1, 2021-September 20, 2023
Gertrude Thompson	October 1, 2021-September 20, 2023
Jeffrey Wren	October 1, 2021-September 20, 2023
Patricia Archie-Jackson	October 1, 2021-September 20, 2023
Kareka Chavis	October 1, 2021-September 20, 2023

Stormwater Advisory Board

Roderick Gooden	October 1, 2021-September 20, 2023
Benjamin Stout	October 1, 2021-September 20, 2023
Josef Hallatschek	October 1, 2021-September 20, 2023
Will advertise for vacant position	
October 1, 2021-September 20, 2023	

Zoning Commission

Roger Shah	October 1, 2021-September 20, 2023
Pavan Patel	October 1, 2021-September 20, 2023
Stephen McCorquodale	October 1, 2021-September 20, 2023

MOTION: Council Member Kinston moved to hold an independent vote for each Board and Commission.

SECOND: Council Member Banks-McLaughlin

VOTE: FAILED by a vote of 5 in favor to 5 in opposition (Council Members Colvin, Haire, Dawkins, Davis, and Wright)

MOTION: Council Member Kinston moved to hold an independent vote for the Public Works Commission.

SECOND: Council Member Banks-McLaughlin

VOTE: FAILED by a vote of 5 in favor to 5 in opposition (Council Members Colvin, Haire, Dawkins, Davis, and Wright)

MOTION: Council Member Dawkins moved to accept the Appointment Committee recommendations as read.

SECOND: Council Member Davis

VOTE: FAILED by a vote of 5 in favor to 5 in opposition (Council Members Jensen, Ingram, Waddell, Banks-McLaughlin, and Kinston)

MOTION: Council Member Waddell moved to accept the Appointment Committee recommendations as read; with the exception of the Public Works Commission.

SECOND: Council Member Ingram

VOTE: FAILED by a vote of 5 in favor to 5 in opposition (Council Members Colvin, Haire, Dawkins, Davis, and Wright)

MOTION: Council Member Davis moved to return this item to the Appointment Committee.

The motion died, for lack of a second.

MOTION: Mayor Pro Tem Jensen moved to accept the Appointment Committee recommendations as read; with the exception of the Public Works Commission, and the Appointment Committee to provide five recommendations for those applicants to meet with the City Council.

SECOND: Council Member Banks-McLaughlin

VOTE: FAILED by a vote of 5 in favor to 5 in opposition (Council Members Colvin, Haire, Dawkins, Davis, and Wright)

MOTION: Council Member Davis move to table this item to the September 27, 2021, regular City Council meeting agenda.

SECOND: Council Member Banks-McLaughlin

VOTE: PASSED by a vote of 7 in favor to 3 in opposition (Council Members Ingram, Waddell, and Kinston)

12.0 ADMINISTRATIVE REPORTS

12.01 City Managers Update - City Council Agenda Item Request

This item was for information only, and was not presented.

13.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:17 p.m.