

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER  
OCTOBER 12, 2020  
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2); 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)

Absent: Council Member Tisha S. Waddell (District 3)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Angel Wright-Lanier, Assistant City Manager  
Gina Hawkins, Police Chief  
Kevin Arata, Corporate Communications Director  
Tracey Broyles, Budget and Evaluation Director  
Jay Toland, Chief Financial Officer  
Dwayne Campbell, Chief Information Officer  
Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director  
Sheila Thomas-Ambat, Public Services Director  
Kecia Parker, Real Estate Manager  
Scott Bullard, Emergency Management Coordinator  
Brook Redding, Management Analyst  
Mark Brown, PWC Senior Customer Programs Officer  
Lisa Esterrich, RATIO Architect (via zoom)  
Pamela Megill, City Clerk  
Jennifer Ayre, Deputy 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 Haire.

**3.0 PLEDGE OF ALLEGIANCE**

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

**4.0 ANNOUNCEMENTS AND RECOGNITION**

Mr. Scott Bullard, Emergency Manager Coordinator, provided updates on COVID-19 and Fire Safety.

Council Member Banks-McLaughlin read a proclamation proclaiming October 15, 2020, in honor of Pregnancy and Infant Loss Awareness and Remembrance..

Council Member Ingram read a proclamation proclaiming the month of October 2020 as Light Up Fayetteville in Pink Month to raise awareness of the risk of breast cancer.

Council Member Ingram reminded residents the deadline for the 2020 Census ends October 15, 2020.

Mayor Pro Tem Jensen recognized and thanked Ms. Glades Hill, founder of the Light Up Fayetteville in Pink program, and Mr. Mark Pezzella who assists with lighting.

Council Member Haire reminded residents early voting begins October 15, 2020, and runs through October 31, 2020.

## **5.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Wright moved to approve the agenda.  
**SECOND:** Council Member Ingram  
**VOTE:** UNANIMOUS (9-0)

## **6.0 CONSENT AGENDA**

**MOTION:** Council Member Wright moved to approve the consent agenda, with the exception of Item 6.05; pulled for presentation and separate vote.  
**SECOND:** Council Member Kinston  
**VOTE:** UNANIMOUS (10-0)

### **6.01 Proposed 2021 City Council Meeting Dates Calendar**

**RESOLUTION OF THE CITY COUNCIL, CITY OF FAYETTEVILLE, NORTH CAROLINA TO ADOPT THE 2021 CITY COUNCIL MEETING DATES CALENDAR TO CLARIFY THE TIME AND LOCATION OF THE CITY COUNCIL REGULAR MEETINGS. RESOLUTION NO. R2020-036**

### **6.02 Proposed City Council Policy 120.10 - Attending Closed Sessions**

It shall be the policy of the City Council that when a closed/executive session is called, the participants--Mayor, Council Members, Staff and invited guests--are to attend the meeting in person.

Only when an unforeseen and/or extenuating circumstance occurs, may the Mayor permit an invited attendee to electronically attend the closed/executive session.

### **6.03 Adoption of Special Revenue Fund Project Ordinance 2021-9 to Appropriate a Federal Grant Award for the Fayetteville Police Department's Peer Support Program**

Special Revenue Fund Project Ordinance 2021-9 will appropriate \$125,000.00 for the Fayetteville Police Department's (FPD) Peer Support Project which will provide mental health and wellness services to FPD employees. The project is funded entirely by a federal grant from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), through the Law Enforcement Mental Health and Wellness Act. There is no local match required for this grant.

### **6.04 Resolution Authorizing a Quitclaim Deed of the City's Title to the County in Order to Expedite the Sale of Land located at 5206 Tara Way Drive and Vacant Lot on Ireland Drive**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO DECLARE CITY PROPERTY SURPLUS AND QUITCLAIM CITY'S INTEREST IN JOINTLY HELD PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2020-037**

### **6.05 This item was pulled for presentation and separate vote.**

### **6.06 Phase 5 Annexation Area 20 Resolution Declaring Costs, Ordering Preparation of Preliminary Assessment Roll, and Setting Time and Place for Public Hearing on Preliminary Assessment Roll**

**RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL. RESOLUTION NO. R2020-039**

### **6.05 Adopt a Resolution Authorizing the Conveyance of a Water and Sanitary Sewer Easement for Annexation Project Area 24A off**

**Bovill Court and Hoke Loop Road to the City of Fayetteville by  
and through the Fayetteville Public Works Commission**

Mr. Mark Brown, PWC Senior Customer Programs Officer, presented this item and stated the City acquired 0.94 acres off of Bovill Court as greenspace on December 31, 1998. The Fayetteville Public Works Commission is installing sanitary sewer in Annexation Project Area 24A. For completion of the project they need to acquire one permanent utility easement and two temporary construction easements on the City property described above. The project consists of installation of sanitary sewer to complete the collection system for the neighborhood known as Farmington. The Public Works Commission has asked the City of Fayetteville to grant to the City of Fayetteville, by and through the Fayetteville Public Works Commission, a public authority, a Water and Sanitary Sewer Easement for Annexation Project Area 24A located off of Bovill Court and Hoke Loop Road.

Discussion ensued.

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF A WATER AND SANITARY  
SEWER EASEMENT FOR ANNEXATION PROJECT AREA 24A OFF BOVILL COURT  
AND HOKE LOOP ROAD TO THE CITY OF FAYETTEVILLE BY AND THROUGH THE  
FAYETTEVILLE PUBLIC WORKS COMMISSION. RESOLUTION NO. R2020-038**

**MOTION:** Council Member Banks-McLaughlin moved to approve the easements for the completion of the sanitary sewer collection system project in the Farmington neighborhood.

**SECOND:** Council Member Haire

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

**7.0 PUBLIC FORUM**

Mr. Brandon Harrell, 287 Saint Johns Wood, Fayetteville, NC 28303, expressed concerns regarding the homeless people setting up camps to live under the Highway 87 Bridge.

Ms. Carolyn Hamilton, 363 Tucson Drive, Fayetteville, NC 28303, stated her car had been vandalized, and stated the Police are looking for the suspects.

Mr. Shaun McMillian, 6024 Goldenrain Drive, Fayetteville, NC 28314, stated the Police Department needs to establish Crisis and Response Teams and greater transparency.

Ms. Kathy Greggs, 4607 Woodline Drive, Fayetteville, NC 28314, stated the Police Department needs to initiate a Mental Health Crisis Intervention Team.

Mr. Del Crawford, 1439 Pine Valley Loop, Fayetteville, NC 28305, expressed concerns regarding a potential cell tower to be located at 101 Person Street.

**8.0 PUBLIC HEARINGS**

**8.01 Public Hearing for the Parks and Recreation Master Plan**

Mr. Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director, presented this item and stated the City awarded a contract to the McAdams firm of Durham, NC, for the updating of the Parks and Recreation Master Plan. McAdams worked with City staff to develop a plan for gathering both information and input from all necessary shareholders. The consultants met with local government officials, elected officials, and residents in order to determine the strength and weaknesses of current operations and facilities. A statistically valid survey was also completed to gain additional insight. The Master Plan developed for Fayetteville-Cumberland Parks and Recreation (FCPR) includes details regarding areas for future improvement in programming, staffing, and facilities. Included in the development of the Master Plan was asset mapping, level of service recommendations,

park classifications, and equity assessments. Utilizing information received from shareholders as well as current industry trends, the Master Plan developed identifies the path forward to success for FCPR.

Consultants presented the Master Plan to City Council on September 8, 2020. Following review, Council directed the Master Plan be provided for public review, with a public hearing to be scheduled following the review period.

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

Mr. Ted Fujimoto, 712 Roundtree Drive, Fayetteville, NC 28303, appeared in favor of the Parks and Recreation Master Plan.

Mr. Joseph Kananowicz, 605 Glensford Drive, Fayetteville, NC 28303, appeared in favor of the Parks and Recreation Master Plan.

Mr. Phil Harris, 324 Devane Street, Fayetteville, NC 28305, appeared in favor of the Parks and Recreation Master Plan.

Ms. Shannon Ward, appeared in favor of the Parks and Recreation Master Plan.

Ms. Quancidine Henson-Gribble, 6129 Louise Street, Fayetteville, NC 28314, appeared in opposition of the Parks and Recreation Master Plan.

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

Discussion ensued.

**MOTION: Council Member Ingram moved to receive the Parks and Recreation Master Plan.**

**SECOND: Council Member Wright**

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

Mayor Colvin recessed the meeting at 8:43 p.m. and reconvened the meeting at 8:51 p.m.

## **9.0 OTHER ITEMS OF BUSINESS**

### **9.01 Solid Waste Ordinance and Service Levels**

Ms. Sheila Thomas-Ambat, Public Services Director, introduced this item and stated the City of Fayetteville has endured a steady increase of blight, non-compliant code violations, litter, illegal dumping, and other public nuisances regarding blight and trash. Although the COVID-19 crisis had an initial effect on operations, it is not the primary contributing factor to the waste issues previously listed.

There are several lines of effort planned, ongoing, or ready for implementation. Those lines of effort are as follows: Public Education Campaign, Fleet Mind Database Revision, Sustainability Project Coordinator, and Removing and Preventing Illegal Dumping (RAPID) Team.

Mr. Daniel Edwards, Solid Waste Manager, presented a PowerPoint presentation and stated the following issues, discussion, and recommendations are to enhance the pre-stated lines of effort. These revisions and service level adjustments are designed to have a sustainable and lasting impact on the municipal waste collection processes, quality of life, and overall beauty of the City of Fayetteville.

Chapter 22, Municipal Solid Waste, has not been updated in several (over five) years. The ordinance lacks the definition of clearly defined processes, and procedures used by the division.

Additionally, the ordinance does not clearly describe customer type, services, and code enforcement. The Public Services Department has developed and drafted several additions, omissions, and recommended changes to the ordinance. These changes will assist in clarity, compliance, and the public's understanding of the standards. The recommendation is to Revise Chapter 22 of the municipal ordinance and present to Council for discussion and approval.

Household waste, recycling, bulky item pickup, yard waste, and specialized limb pickup have increasingly become non-compliant when placed in the right-of-way across the City. As a result, most waste items are placed on the curb, without notification, often in excess, which significantly degrades the Solid Waste Division's operational capability. There are a significant number of residences in the City that place bulky items, large limb piles, and excessive "set outs" in the right-of-way. Additionally, residents put items at the curb that are not authorized for collection by the Division. These items range from broken glass to construction debris. The operational capacity and capability of the Solid Waste Division cannot anticipate the demand and dispatch collection services. The requirement to call in all bulky and large limb requests has not been enforced, and as a result, the City is now experiencing high volumes of bulky items and large limb piles that sit at the curb for long periods. Staff recommends returning bulky, large limb and specialty collections to the previous requirements and standard. Residents would be required to call in and schedule the collection of their bulky, large limb piles, and other specialized collections services.

The City Ordinance does not clearly define the customer base and the City's responsibilities regarding collections. The ordinance lacks specified descriptions for variances regarding parcels with one or more residential units. Staff recommends revising Chapter 22 of the municipal code to describe and depict the current service levels and customers.

The COVID-19 crisis, coupled with the issues listed above, have contributed to the public's misunderstanding of solid waste collection procedures. Staff recommends the Solid Waste Division will plan, design, rollout, control, and monitor a public education program that is sustainable and designed to correct litter and illegal dumping behavior. The program will also focus on compliance with the waste collection standards, new ordinance revisions, and updated fee schedule.

The code enforcement issue is that there are no staff entities deputized to enforce the municipal code in the right-of-way. The Public Services Department, in collaboration with the Development Services Department and several other staff entities, are implementing the Removing and Preventing Illegal Dumping (RAPID) Team. This team was approved and funded by the City Council on the FY 21 budget. The RAPID Team serve several purposes, with code enforcement of the right-of-way as a primary task.

The Solid Waste Division plans to use a consultant to revise and restructure Chapter 22 of the municipal code. Once recommendations have been solidified, the new process will assist in leveling the operations and lowering the fiscal impact of the current state of trash in the City. The recommended definitions and customer base will not have a negative impact on the solid waste enterprise fund. The Solid Waste Division plans to use a consultant to establish a comprehensive public education campaign.

Mr. Brook Redding, Management Analyst, stated Council funded two positions in the FY 21 budget for the Removing and Preventing Illegal Dumping Team (RAPID). These new positions will execute Community Engagement practices while conducting right-of-way code enforcement duties. The team will also focus their efforts on illegal dumping prevention and litter abatement. This program is anticipated to improve public education, social capital, and the overall appearance

of the municipality. The increase in enforcement activities may create a staff expansion need in the future. During the implementation period of these lines of effort, staff anticipate an increase in customer calls to the Fayetteville Call Center. The City Manager's Office in collaboration with the Call Center and the Public Services Department will analyze the call volumes. The increase in calls may create a staff expansion need in the Call Center.

Discussion ensued.

**Consensus of Council was to direct staff to bring this item back to a work session for further discussion.**

## **9.02 North Carolina Veterans Park - Phase II Schematic Design Approval**

Mr. Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director, introduced this item and stated City Council is asked to approve the Schematic Design for North Carolina Veterans Park - Phase II. The architect, RATIO Architects of Raleigh, will provide a schematic design option of Phase I of development for Council's consideration.

Ms. Lisa Esterrich, RATIO Architect, presented further information via zoom with the aid of a PowerPoint presentation and stated North Carolina Veterans Park - Phase II Schematic Design includes all aspects of architectural design required to deliver a functional and aesthetically pleasing park. The design includes walkways, community lawns, plazas, walking trails, fountains, lighting and more. Phase II of the project will extend the current footprint of North Carolina Veterans Park north, encompassing the land previously occupied by the Rowan Street bridge and on-ramp. A Council approved CIP project is in place for this project and funds have been appropriated in the amount of \$1.1 million.

Discussion ensued.

**MOTION: Council Member Ingram moved to approve the schematic design as presented by RATIO Architects of Raleigh and direct staff to move forward with the bidding process.**

**SECOND: Council Member Banks-McLaughlin**

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

## **10.0 ADMINISTRATIVE REPORTS**

### **10.01 Council Member Agenda Item Questions and Staff Response**

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

## **11.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 9:56 p.m.

Respectfully submitted,

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PAMELA J. MEGILL  
City Clerk

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MITCH COLVIN  
Mayor