

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
FAST CONFERENCE ROOM
OCTOBER 11, 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) (via zoom); 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
Gina Hawkins, Police Chief
Gerald Newton, Development Services Director
Sheila Thomas-Ambat, Public Services Director
Chris Cauley, Economic and Community Development
Director
Chris Lowery, Strategic Performance Analytics Manager
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 Waddell.

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

Council Member Ingram presented a proclamation to Mr. Antonio Renteria proclaiming September 15 through October 15, 2021, in honor of the celebration of Hispanic Heritage Month.

Mayor Colvin presented a proclamation to Mr. Chris Lowery, member of the Lumbee Tribe, proclaiming October 11, 2021, in honor of Indigenous People Day.

Mayor Pro Tem Jensen stated "Light it Up Pink" is underway for this year in recognition of breast cancer awareness.

Council Member Ingram stated the "Opportunity Knocks" event will be held on October 13, 2021, from 2:00 to 4:00 p.m. at the Smith Recreation Center; a job preparation event will be taking place.

Council Member Ingram stated Fayetteville State University is holding its homecoming week this week. If anyone would like to attend the football game, you must show a COVID vaccine card or recent COVID negative test.

Council Member Wright stated on October 16 and November 6, 2021, there will be COVID testing and vaccines at Heal the Land Outreach Ministries at 414 Hall Street.

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

5.0 CITY MANAGER REPORT

Mr. Douglas Hewett, City Manager, stated currently 100 percent of the ERAP funds have been obligated as of October 7, 2021. On the consent agenda is a request for Council to recharge the program with \$2 million. Staff will also be requesting an extra \$3 million from the federal government for a total of \$10 to \$11 million.

6.0 APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Jensen moved to approve the agenda, with the exception of Item 11.01, Appointment of a PWC Commissioner; table to October 25, 2021.

SECOND: Council Member Wright

VOTE: PASSED by a vote of 6 in favor to 4 in opposition (Council Members Ingram, Waddell, Banks-McLaughlin and Kinston)

7.0 CONSENT AGENDA

MOTION: Council Member Dawkins moved to approve the consent agenda with the exception of Items 7.013, 7.014, and 7.015 for presentation and separate vote.

SECOND: Council Member Waddell

VOTE: UNANIMOUS (10-0)

7.01 Approval of Meeting Minutes:

September 22, 2021 - Agenda Briefing

September 27, 2021 - Discussion of Agenda Items

September 27, 2021 - Regular

7.02 Approval of Municipal Speed Limit Certificates with NCDOT for speed limit revisions on McArthur Road from I-295 southward to existing 35 mph zone

NCDOT conducted a review of the speed limit along McArthur Road (State Road 1600) at the request of the City (Council Member Waddell). During this review, it was determined it would be acceptable to reduce the existing 45 mph speed limit to 35 mph from I-295 southward to the existing 35 mph speed limit near the Crystal Lake Apartment Complex. Based on this, NCDOT is requesting the City Council's concurrence with rescinding the existing 45 mph speed limit along this section of McArthur Road. A municipal certificate is not required for the proposed 35 mph speed limit because a 35 mph speed limit is allowed by NC General Statue inside a municipal limit. NCDOT will schedule to install the appropriate signing to reflect these speed limit changes upon concurrence by City Council.

CERTIFICATION OF MUNICIPAL DECLARATION TO REPEAL SPEED LIMITS AND REQUEST FOR CONCURRENCE. From 0.35 mile north of SR 1603 to 0.48 mile south of SR 2421. ORDINANCE NO. NS2021-031

7.03 Award Contract for Resurface Various Streets 2022-Phase I

Approve contract award and authorize the City Manager to execute a contract for Resurface Various Streets 2022, Phase I, with the lowest responsive and responsible bidder, Barnhill Contracting Company, Fayetteville, NC, in the total amount of \$4,506,749.15.

7.04 Stormwater Control Ordinance Text Amendments for General Updates and Reorganization

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 23 STORMWATER MANAGEMENT, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2021-031

7.05 Resolution Authorizing a Quitclaim Deed of the City's Title to the County in Order to Expedite the Sale of Land located at 7645 Maggie Circle

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. R2021-062

7.06 Adoption of Budget Ordinance Amendment 2022-4 to Appropriate Loan Proceeds to the Solid Waste Fund

Adoption of Budget Ordinance Amendment 2022-4 to appropriate \$897,000.00 of loan proceeds to the Solid Waste Fund for the purchase of 4 knuckle-boom trucks.

7.07 Resolution Regarding Cape Fear Regional Theatre Sponsorship

RESOLUTION APPROVING SPONSORSHIP. RESOLUTION NO. R2021-063

7.08 Phase 5 Annexation Area 23 Section 1 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. R2021-064

7.09 Adoption of Capital Project Ordinance Amendments 2022-34, 2022-35 and 2022-36 to Appropriate North Carolina Department of Transportation Grant Funds

Adoption of Capital Project Ordinance Amendments 2022-34, 2022-35, and 2022-36 to appropriate \$290,720.00 of NCDOT grant proceeds and reduce the City's local match by a corresponding amount.

7.010 Adoption of Special Revenue Fund Project Ordinance 2022-7 to Appropriate Federal Transit Administration Grant NC-2021-054-00 for Enhanced Mobility for Seniors and Individuals with Disabilities Programs

As the designated recipient for Federal Transit Administration (FTA) grants for the Fayetteville urbanized area, the City has been awarded grant NC-2021-054-00 by the FTA for mobility projects within the urbanized area that benefit seniors and individuals with disabilities. Special Revenue Fund Project Ordinance 2022-7 will appropriate \$296,400.00 of federal funds from the FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities Program. The majority of the FTA funds will be passed through to Mid-Carolina Council of Governments for Cumberland County's Community Transportation Program (\$200,000.00), and to Hoke County for the construction of bus stops and installation of bus shelters (\$81,400.00). The City will receive \$15,000.00 of the FTA funds for administration and oversight of the grant.

7.011 Adoption of Resolution of Support for an Application to the Federal Transit Administration for a Grant under the American Rescue Plan Act's Additional Assistance Funding

RESOLUTION SUPPORTING THE CITY OF FAYETTEVILLE'S APPLICATION FOR FEDERAL TRANSIT ADMINISTRATION GRANT FUNDING FROM THE AMERICAN RESCUE PLAN ACT ADDITIONAL ASSISTANCE PROGRAM. RESOLUTION NO. R2021-065

7.012 Adoption of Resolution of Support for an Application for an FTA Bus and Bus Facilities Grant for Four Buses

RESOLUTION SUPPORTING THE CITY OF FAYETTEVILLE'S APPLICATION FOR CAPITAL GRANT FUNDING FROM FEDERAL TRANSIT ADMINISTRATION'S BUS AND BUS FACILITIES PROGRAM. RESOLUTION NO. R2021-066

7.013 Pulled for presentation and separate vote.

7.014 Pulled for presentation and separate vote.

7.015 Pulled for presentation and separate vote.

7.013 Adoption of Special Revenue Fund Project Ordinance 2022-6 to Appropriate the FPD-Educating Kids About Gang & Gun Violence Grant Awarded by the Governor's Crime Commission of the NC Department of Public Safety

Ms. Gina Hawkins, Police Chief, presented this item and stated the Fayetteville Police Department (FPD) applied for and was awarded the FPD-Educating Kids about Gang & Gun Violence grant as part of the Office of Juvenile Justice and Delinquency Prevention FY 18 Title II Formula Grants program. The Formula Grants Program is authorized under the Juvenile Justice and Delinquency Prevention Act. The purpose of this program is to support state and local delinquency prevention and intervention efforts and juvenile justice system improvements.

The Governor's Crime Commission (GCC) serves as the State Administering Agency designated to apply for federal criminal justice funding from the US Department of Justice on behalf of the State. The GCC distributes these federal funds to state and local criminal justice agencies through a grant application process annually.

State and local justice agencies may apply for funding for compliance monitoring; disproportionate minority contact; prevention of substance abuse by juveniles; prevention of serious and violent crimes by juveniles; prevention of juvenile gang involvement and illegal youth gang activities; prevention of delinquent acts and identification of youth at risk of delinquency; and improvement of juvenile justice system operations, policies, and procedures.

The FPD has consistently administered the EKG program in the Cumberland County School System and focuses on the prevention of juvenile involvement in violent crime and gang activity. However, the program has been on hiatus due to the COVID-19 pandemic. This grant will supplement the resurgence of the EKG program.

Discussion ensued.

MOTION: Council Member Dawkins moved to adopt Special Revenue Fund Project Ordinance 2022-6.

SECOND: Council Member Ingram

VOTE: UNANIMOUS (10-0)

7.014 Budget Ordinance Amendment 2022-3 to Appropriate \$65,000.00 for the New Year's Eve Celebration

Mr. Douglas Hewett, City Manager, stated the fiscal year 2021-2022 Annual Operating Budget adopted by City Council on June 14, 2021, included \$100,000.00 for a New Year's Eve Celebration.

At the September 7, 2021, work session, Cool Springs Downtown District, Inc., presented details for a New Year's Eve event in Downtown Fayetteville to the Council. Council provided consensus for staff to move forward with the proposed New Year's Eve Celebration and request an additional \$65,000.00 of funding for the event. The additional funds requested for the project will be funded by General Fund fund balance.

Discussion ensued.

MOTION: Council Member Dawkins moved to table this item to October 25, 2021; allowing staff additional time to find alternative funding solutions, to solicit for donations, and to research if Municipal Service District (MSD) funds can be appropriated for this event.

SECOND: Council Member Haire

VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Colvin and Jensen)

7.015 Adoption of Special Revenue Fund Project Ordinance 2022-8 to Appropriate the Second Phase of Emergency Rental Assistance Program Funding and Amend the Contract with Innovative Emergency Management, Inc.

Mr. Chris Cauley, Economic and Community Development Director, presented this item and stated Council is asked to adopt Special Revenue Fund Project Ordinance 2022-8 to appropriate a \$2,020,501.00 grant from the U.S. Department of the Treasury to provide funding for the second phase of the Emergency Rental Assistance Program. Council is also asked to approve a contract amendment which will allow Innovative Emergency Management, Inc., to hire at least eight additional staff to speed up the process, to support better communications with applicants as well as improve the efficiency in the intake process and dispersing of funds to landlords.

Discussion ensued.

MOTION: Council Member Kinston moved to adopt Special Revenue Fund Project Ordinance 2022-8.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

8.0 STAFF REPORTS

8.01 Acceptance of the FY 2022 1st Quarter Strategic Performance Report

Mr. Chris Lowry, Strategic Performance Analytics Manager, presented this item and stated the 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 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.

In February 2021, the City Council met virtually in a two-day annual retreat to refine the City's strategic plan, prioritizing Targets for Action (TFA) for FY 2022. The City Council adopted the FY 2022 strategic plan in the June 2021 City Council meeting. TFA are projects or initiatives identified by Council to move the needle toward defined outcomes laid out in the Council's strategic plan. TFA are defined by a one-year action plan with milestones to focus the work of Council and staff. 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 TFA from FY 2021 and FY 2022 are tightly related and/or continuing, staff has incorporated the 4th Quarter FY 2021 Strategic Performance Report into the City Council briefing for October 11, 2021, providing the status of FY 2022 Targets for Action as of September 30, 2021, for Council consideration 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.

Mr. Lowery presented the FY 2022 1st Quarter Strategic Performance Report with the aid of a PowerPoint presentation.

Discussion ensued.

MOTION: Council Member Waddell moved to accept the report.

SECOND: Council Member Ingram

VOTE: UNANIMOUS (10-0)

9.0 PUBLIC FORUM

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

Ms. Teresa Hargrove, 1918 Corrinna Street, Fayetteville, NC, expressed concerns regarding the Rental Assistance Program and violence in the City.

Imam Eronomy Mohammad Smith, 2800 Murchison Road, Fayetteville, NC, stated concerns regarding the state of the community.

Ms. Angelina Smith, 2554 Sourwood Drive, Fayetteville, NC, expressed concerns regarding tenant housing.

Ms. JoAnn Adams, 210 Central Drive, Fayetteville, NC, announced steps to take regarding a historical marker program and a Civil Rights Trail Marker.

Ms. Mary Bovain, 5420 S. Sumac Circle, Fayetteville, NC, expressed concerns regarding disabled homeowners.

Ms. Kim McLain Bunyan, 5421 S. Sumac Circle, Fayetteville, NC, expressed concerns regarding the Rental Assistance Program and violent crimes in the City.

Mr. Joseph Wheeler, 804 Tamarack Drive, Fayetteville, NC, expressed concerns regarding the Rental Assistance Program and homelessness in the City.

Mr. Shaun McMillian, 6024 Goldenrain Drive, Fayetteville, NC, expressed interests regarding establishing independent oversight of the Fayetteville Police Department.

10.0 PUBLIC HEARINGS

10.01 Public Hearing on Proposed Redistricting Plans

Ms. Karen McDonald, City Attorney, stated the recent 2020 census necessitated that the Council districts be withdrawn. On August 30, 2021, the Council established guiding principles for drawing the maps. On September 27, 2021, the consultants, based on the guiding principles, presented three proposed redistricting plan options for Council's consideration. Council received the proposed plans and called for a public hearing to be held on October 11, 2021, for public input, which by law must be held prior to adopting the revised districts.

This is the advertised public hearing set forth for this date and time. There being no one present to speak, the public hearing was opened and closed.

11.0 OTHER ITEMS OF BUSINESS

11.01 Appointment of a Public Works Commissioner

This item was tabled to the October 25, 2021, regular City Council meeting agenda.

12.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:57 p.m.