

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
JUNE 13, 2022
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2) (via zoom); Antonio Jones (District 3) (via zoom, arrived at 8:12 p.m.); D. J. Haire (District 4); Johnny Dawkins (District 5) (via zoom); Chris Davis (District 6); Larry O. Wright, Sr. (District 7); Courtney Banks-McLaughlin (District 8); Yvonne Kinston (District 9)

Others Present: Telly Whitfield, Assistant City Manager
Karen McDonald, City Attorney
Adam Lindsay, Assistant City Manager
Jay Toland, Assistant City Manager
Gina Hawkins, Police Chief
Chris Cauley, Economic and Community Development Director
Sheila Thomas-Ambat, Public Services Director
Lee Jernigan, Assistant Public Services Director
Rob Stone, Construction Management Director
Jodi Phelps, Corporate Communications Director
Rob Stone, Construction Management Director
Robert Van Geons, FCEDC President/CEO
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 Pastor Michael Mathis with Mission Field Ministries.

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

Ms. Ashanti Bennett from the Cool Spring Downtown District provided an overview of the Juneteenth Jubilee taking place this coming weekend.

Mayor Pro Tem Jenson recognized the Fayetteville-Cumberland Youth Council for their achievements. The Fayetteville-Cumberland Youth Council was named the 2022 Most Outstanding Youth Council in the State of North Carolina at the State Youth Council Spring Convention in Raleigh, North Carolina. The following outgoing seniors were also recognized:

Isatou Kah, Cross Creek Early College High School
Mya Colvin, Reid Ross Classical School
Christopher Blackwell, E.E. Smith High School
Janae Blackwell, Cumberland Early College High School
Morgan Wheeler, Cumberland Polytechnic High School
Aniyah Moses, Cumberland Polytechnic High School
CJ Collins, Pine Forest High School
Andrew Ferrand, Pine Forest High School
Kylah McPherson, Westover High School

Mayor Pro Tem Jensen announced the Millennial Commission in partnership with the Fayetteville Woodpeckers will be hosting a Sunday Brunch at the June 26, 2022, Ballgame.

5.0 CITY MANAGER REPORT

No report was provided.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Wright moved to approve the agenda.

SECOND: Council Member Haire

VOTE: UNANIMOUS (9-0)

7.0 CONSENT AGENDA

MOTION: Council Member Haire moved to approve the consent agenda with the exception of Items 7.012, 7.013, and 7.014 pulled for presentation and separate vote.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

7.01 Approval of Meeting Minutes:

April 25, 2022 - Regular

April 28, 2022 - Special

May 2, 2022 - Work Session

May 9, 2022 - Discussion of Agenda Items

May 9, 2022 - Regular

May 18, 2022 - Agenda Briefing

May 23, 2022 - Discussion of Agenda Items

May 23, 2022 - Regular

May 26, 2022 - Budget Work Session

June 2, 2022 - Budget Work Session

7.02 Approval of Proposed Leases for Avis Rent A Car System, LLC, Budget Rent A Car System, LLC, Enterprise Leasing Company Southeast, LLC, Enterprise Leasing Company, Southeast d/b/a National/Alamo, ILM Transportation, Inc. and The Hertz Corporation, and Sierra Nevada Corporation, their Successors or Assigns at the Fayetteville Regional Airport

Avis Rent a Car System, LLC; Budget Rent A Car System, LLC; Enterprise Leasing Company Southeast, LLC; Enterprise Leasing Company; Southeast dba National/Alamo; The Hertz Corporation; and ILM Transportation, Inc., have leased parking spaces and indoor office/counter space from the Fayetteville Regional Airport. The current leases were established in 2016 and are currently being updated. The term of the leases coincides with the new fiscal year (July 1) and will be for an initial five-year term with an option to extend for one additional five-year term.

Sierra Nevada Corporation currently leases all of the former Air Cargo building at 3139 Doc Bennett Road and has leased said premises since June 1, 2005. The new lease term begins July 1, 2022, and will be for an initial two-year term with an option to extend for two additional two-year terms.

7.03 Acceptance of Aviation Career Education (ACE) Academy Grant Offer

Acceptance of the Aviation Career Education (ACE) Academy Grant Offer for the Fayetteville Regional Airport, and to authorize the City Manager to execute the Agreement.

7.04 Approval for City Manager to Execute a Construction Contract with Mohammad Construction, LLC, for Site Work for Mazarick Park Tennis Center

Authorize the City Manager to execute a construction contract with the apparent lowest responsive, responsible bidder Mohammad

Construction, LLC, for the site work for the Mazarick Park Tennis Center.

7.05 Adoption of Special Revenue Fund Project Ordinance 2022-14 for a North Carolina Department of Commerce Rural Economic Development Grant for ChenMed, LLC

The City has been awarded a \$300,000.00 Rural Economic Development Grant from the North Carolina Department of Commerce for a Building Reuse grant for ChenMed, LLC. The Fayetteville-Cumberland Economic Development Corporation, in partnership with the Economic and Community Development Department, is assisting ChenMed, LLC, with funding for the substantial rehabilitation of an existing commercial facility. The company will undertake substantial renovations of its property at 4101 Raeford Road, and in turn, guarantee the creation of 30 full-time jobs.

The grant requires that the City provide a 5 percent or \$15,000.00 cash match for the project. Special Revenue Fund Project Ordinance 2022-14 will appropriate \$300,000.00 of grant proceeds and the City's \$15,000.00 match for the project.

7.06 Authorize the City Manager to Execute a Subrecipient Agreement with the North Carolina Office of Recovery and Resiliency (NCORR), Adopt Capital Project Ordinance Amendment 2022-64 to Appropriate \$1 Million of Funding From NCORR, and Authorize the City Manager to Execute a Contract with Muter Construction for Construction of the Homeless Day Resource Center

Authorize the City Manager to execute a subrecipient agreement with NCORR, adopt Capital Project Ordinance Amendment (CPOA) 2022-64 to appropriate \$1 million of additional funding from NCORR, and authorize the City Manager to execute a contract with Muter Construction, who is the lowest responsive responsible bidder at \$4,961,500.00, for the construction of the Homeless Day Resource Center.

7.07 Adoption of Capital Project Ordinance Amendment 2022-63 to Appropriate \$150,000.00 from PCH Development Co. for the Purchase of an Elevator for the Hay Street Parking Deck

Capital Project Ordinance Amendment 2022-63 to appropriate a \$150,000.00 payment from the PCH Development Co., LLC. The payment is for the purchase of an elevator for the Hay Street Parking Deck. This appropriation does not include any funding from the City.

7.08 Adoption of Special Revenue Fund Project Ordinance 2022-12 to Appropriate FTA Grant NC-2022-025 FTA for Section 5307 - American Rescue Plan Act Funding

The City has been awarded grant NC-2022-025 by the Federal Transit Administration (FTA) for transit operating assistance from urban formula funding made available by the American Rescue Plan Act (ARPA). Special Revenue Fund Project Ordinance 2022-12 will appropriate \$247,421.00 of federal transit funding to pass through to Harnett County and Hoke County. As grant subrecipients to the City, Harnett will receive \$71,397.00 while Hoke County will receive \$176,024.00 in 100 percent FTA funding for operating assistance in FY 2023. A portion of FTA urban formula funds are allocated each year to other transit systems that provide service within the Fayetteville urbanized area. The FTA grant also provides \$4,163,122.00 to the City for FAST operations. These funds were appropriated the City's fiscal year (FY) 2022 operating budget.

It is also requested that City Council authorize the City Manager to execute any related grant subrecipient agreements related to the pass-through of FTA funds.

7.09 Adoption of Special Revenue Fund Project Ordinance 2022-13 to Appropriate Grant NC-2022-026 for FTA Section 5310 Fayetteville Urban Area Elderly and Disabled Program

The Federal Transit Administration (FTA) has awarded \$318,000.00 of grant funding to the City under its Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program. The FTA funding provides \$300,000.00 to the Mid-Carolina Council of Governments as a subrecipient to the City. This funding which will be passed through to the Cumberland County's Community Transportation Program. The City also receives \$18,000.00 in grant funding to reimburse The City/FAST for its subrecipient oversight efforts.

Special Revenue Fund Project Ordinance 2022-13 will appropriate \$318,000.00 of federal funding. The FTA funding covers 100 percent of the project cost so no local matching funds are required from either Cumberland County or the City.

7.010 Approval of the FY 2022 Audit Contract and Annual Communications from the Independent Auditors Regarding the FY 2022 Audit

The City and PWC are required by North Carolina state statutes and granting agencies to have an annual audit and the Local Government Commission requires annual contracts.

7.011 Addition of Certain Streets to the City of Fayetteville System

The Fayetteville street system includes 748.26 center line miles and is one of the City's largest assets impacting every citizen, employee, emergency service personnel, commuter, and visitor. As new development progresses, new streets are built in accordance with the City's standards and can be designated for private or public ownership and maintenance. When streets are constructed to City standards, it requires a Council action to add the streets to the City's system. Streets added to our system qualify for Powell Bill Program allocations, which is a North Carolina funding program for the building and maintenance of major city streets.

Staff has identified eight recently constructed streets for subdivisions throughout the City that are now acceptable for addition to the City of Fayetteville system of streets. These streets and drainage systems within the street rights-of-way have been inspected by staff and are now acceptable for addition to the City of Fayetteville system of streets. The 1.33-mile addition will bring the City's street system total to 749.59 miles.

7.012 Pulled for presentation and separate vote.

7.013 Pulled for presentation and separate vote

7.014 Pulled for presentation and separate vote

7.015 Bid Recommendation - Re-Roofing Cross Creek Transfer Thickening Bldgs., & Water Resources and Electric Vehicle Sheds to Owens Roofing, Inc., Smithfield, NC, the lowest responsive, responsible bidder, in the total amount of \$541,950.00

Owens Roofing, Inc., Smithfield, NC	\$541,950.00
DLT Roofing, Inc., Kenly, NC	\$617,914.00
Curtis Construction Company, Inc., Kinston, NC	\$724,800.00
Industrial Contract Service Corporation, Leland, NC	\$752,774.00

7.016 Resolution Authorizing a Quitclaim Deed of the City's Title to the County in Order to Expedite the Sale of Land located at 521 Martin Road

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. R2022-023

- 7.017 Bid Recommendation - U-5528FA Rosehill Road Sidewalk (Country Club Drive to Shaw Mills Road) award and authorize the City Manager to execute the contract to the lowest responsive, responsible bidder, Mohammad Construction, LLC in the total amount of \$1,201,892.76**

Lanier Construction Company \$1,955,827.50
Mohammad Construction, LLC \$1,201,892.76

- 7.018 Adoption of Capital Project Ordinance Amendment 2022-65 for Parks and Recreation, 2nd Tranche, General Obligation Bond Issuance Cost**

Capital Project Ordinance Amendment 2022-65 to appropriate \$335,006.00 for bond issuance costs associated with the sale of the second tranche of General Obligation bonds. The funding source for this appropriation is bond premium received from the sale of the previously referenced bonds.

- 7.012 Approval of Municipal Certificates with NCDOT for speed limit reduction to 45 mph on Cliffdale Road between Raeford Road and Reilly Road**

Mr. Lee Jernigan, Public Services Assistant Director, provided an overview of this item.

CERTIFICATION OF MUNICIPAL DECLARATION TO REPEAL SPEED LIMITS AND REQUEST FOR CONCURRENCE. From 401 Raeford Road to SR 1403. ORDINANCE NO. NS2022-017

CERTIFICATION OF MUNICIPAL DECLARATION TO ENACT SPEED LIMITS AND REQUEST FOR CONCURRENCE. From 401 Raeford Road to SR 1403. ORDINANCE NO. NS2011-018

MOTION: Council Member Kinston moved to approve.
SECOND: Council Member Banks-McLaughlin
VOTE: UNANIMOUS (9-0)

- 7.013 Approval of Municipal Certificates with NCDOT for speed limit reduction to 45 mph on Pamalee Drive/Country Club Drive between Bragg Boulevard and Ramsey Street**

Mr. Lee Jernigan, Public Services Assistant Director, provided an overview of this item.

CERTIFICATION OF MUNICIPAL DECLARATION TO REPEAL SPEED LIMITS AND REQUEST FOR CONCURRENCE. From 0.14 mile north of NC 24 to 0.39 mile south of SR 1726. ORDINANCE NO. NS2022-019

CERTIFICATION OF MUNICIPAL DECLARATION TO ENACT SPEED LIMITS AND REQUEST FOR CONCURRENCE. Between 0.14 miles north of NC24 and US 401 BUS (Ramsey Street). ORDINANCE NO. NS2022-020

MOTION: Council Member Haire moved to approve.
SECOND: Council Member Wright
VOTE: UNANIMOUS (9-0)

- 7.014 Approval of Municipal Certificates with NCDOT for speed limit reduction to 45 mph on Stoney Point Road between Dundle Road and the Hoke County line**

Mr. Lee Jernigan, Public Services Assistant Director, provided an overview of this item.

CERTIFICATION OF MUNICIPAL DECLARATION TO REPEAL SPEED LIMITS AND REQUEST FOR CONCURRENCE. From 0.15 mile west of SR 1109 to the Hoke County Line. ORDINANCE NO. NS2022-021

CERTIFICATION OF MUNICIPAL DECLARATION TO ENACT SPEED LIMITS AND REQUEST FOR CONCURRENCE. Between 0.15 miles west of SR 1109 (Dundle Road) and Hoke County Line. ORDINANCE NO. NS2022-022

MOTION: Council Member Davis moved to approve.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

9.0 PUBLIC FORUM

Ms. Savona Aekins, 604 Duggins Way, Apt C, Fayetteville, NC, expressed concerns regarding community unity.

Ms. Kathy Gregg, 4607 Woodline Drive, Fayetteville, NC, expressed concerns regarding the need for a longevity resolution against gun violence.

Mr. William Roberts, 447 Harlow Drive, Fayetteville, NC, expressed concerns regarding dogs barking and foul odors from his neighbor's dog kennels.

Reverend Dr. Floyd Wicker, 1410 Haversham Drive, Fayetteville, NC, expressed concerns regarding gun violence.

Ms. Carol Olinger, 5338 Harding Drive, Hope Mills, NC, expressed concerns regarding gun violence.

Ms. Demetria Murphy, 632 Old Wilmington Road, Fayetteville, NC, announced details for the Heal the Ville event, taking place on September 10, 2022.

Mr. Shaun McMillian, 6024 Goldenrain Drive, Fayetteville, NC, expressed concerns regarding the need for a Civilian Police Oversight Board.

Mr. Chilleko Hurst, 1984 Wayside Drive, Fayetteville, NC, expressed concerns regarding gun violence.

Mr. Paul Taylor, 4417 Cameo Court, Fayetteville, NC, expressed concerns regarding community safety.

9.0 PUBLIC HEARINGS

9.01 Public Hearing & Consideration of Economic Development Incentives for Project Dogwood

Mr. Robert Van Geons, FCEDC President/CEO, presented this item and stated the City Council is required by North Carolina General Statue 158-7.1(c) to set a public hearing to consider incentives for Project Dogwood. The company behind Project Dogwood is one of the nation's leading homebuilders. They are looking to establish a building component manufacturing facility to service operations. The proposed project entails the construction of an approximately 130,000-square-foot industrial facility that will be used to manufacture trusses, wall panel systems, and other essential homebuilding components. The company is considering locations in South Carolina, Georgia, and other areas of North Carolina. City Council is asked to consider up to \$317,000.00 in economic development incentive grants paid out over five years for Project Dogwood.

This project is in the City of Fayetteville's Municipal Influence Area (MIA). North Carolina law allows a property owner to submit a petition to the City requesting annexation. The property owners have requested Voluntary Annexation.

Project Dogwood will allow for more Fayetteville and Cumberland County residents to secure higher paying jobs, resulting in an improved quality of life. Project Dogwood would create 189 jobs by 2027, paying an average wage of \$45,079.00 per year. This project would inject more than \$8.5 million of annual payroll into our community, paying wages 10 percent above our private sector average. The positive impact this company would have on our local economy cannot be understated.

Project Dogwood is in talks with Realty Link, owners of the former Soffe Building on Dunn Road where Amazon and Fed Ex have opened operations, to build a new 129,600-square-foot building across the street. This project would be the cornerstone for a medium-sized industrial park.

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

MOTION: Council Member Davis moved to approve up to \$317,000.00 in economic development incentive grants paid out over five years for Project Dogwood, subject to the aforementioned performance standards.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

9.02 Public Hearing on the Proposed Fiscal Year 2022-2023 Annual Operating Budget

Mr. Douglas Hewett, City Manager, presented this item and stated this public hearing has been set to receive comments from the residents regarding the annual operating budget proposed for the City for fiscal year 2022-2023. The notice advertising the public hearing was published in The Fayetteville Observer on June 2, 2022.

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

10.0 OTHER ITEMS OF BUSINESS

10.01 Adoption of the Fiscal Year 2022-2023 Budget Ordinance and Fee Schedule, the Fiscal Year 2022-2023 Strategic Plan, the Fiscal Years 2023-2027 Capital and Technology Improvement Plans, Capital Project Ordinances 2023-1 through 2023-7 and Capital Project Ordinance Amendments 2023-1 through 2023-10

Mr. Douglas Hewett, City Manager, presented this item and stated Council is asked to consider adoption of the Fiscal Year 2022-2023 Budget Ordinance and Fee Schedule. In addition to setting the ad valorem tax rate at 49.95 cents and the Central Business Tax District rate at 10 cents, the ordinance also levies the stormwater fee at \$6.00 per month and the residential solid waste fee at \$225.00 per year, and adopts the fee schedule presented.

Council is asked to approve the Fiscal Year 2022-2023 Strategic Plan and the Fiscal Year 2023-2027 Capital and Technology Improvement Plans (CIP and TIP), and to adopt related capital project ordinances and capital project ordinance amendments to establish project budgets as planned.

Discussion ensued.

MOTION: Council Member Kinston moved to adopt the proposed Fiscal Year 2022-2023 Budget Ordinance and Fee Schedule, the Fiscal Years 2023-2027 Capital and Technology Improvement Plans, Capital Project Ordinances 2023-1 through 2023-7 and Capital Project Ordinance Amendments 2023-1 through 2023-10.

SECOND: Council Member Dawkins
VOTE: UNANIMOUS (10-0)

11.0 ADMINISTRATIVE REPORTS

11.01 Revenue and Expenditure Reports for the Annual Funds for the Nine-Month Period Ended March 31, 2022 with Comparative Information for the Nine-Month Period ended March 31, 2022, and Revenue and Expenditure Reports for the Multi-Year Funds from Inception and for the Nine-Month Period ended March 31, 2022

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

12.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:38 p.m.