

**FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
COUNCIL CHAMBER, CITY HALL  
MARCH 6, 2023  
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Kathy Jensen (District 1); Shakeyla Ingram (District 2); Mario Benavente (District 3); D. J. Haire (District 4) (departed at 6:45 p.m.); Johnny Dawkins (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8) (arrived at 5:08 p.m.); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Adam Lindsay, Assistant City Manager  
Kelly Olivera, Assistant City Manager  
Jeffrey Yates, Assistant City Manager  
Jodi Phelps, Chief of Staff  
Kemberle Braden, Police Chief Select  
Gerald Newton, Development Services Director  
Chris Cauley, Economic and Community Development Director  
Rob Stone, Construction Management Director  
Loren Bymer, Marketing and Communication Director  
Lee Jernigan, Assistant Public Services Director  
Byron Reeves, Assistant Public Services Director  
Lisa Harper, Senior Assistant City Attorney  
Lachelle Pulliam, Assistant City Attorney  
Brook Redding, Special Projects Manager  
Kim Toon, Purchasing Manager  
Pamela Megill, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Colvin called the meeting to order at 5:00 p.m.

**2.0 INVOCATION**

The invocation was offered by Council Member Thompson.

**3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Colvin and City Council.

**4.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Ingram moved to approve the agenda.

**SECOND:** Council Member Hondros

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

**5.0 OTHER ITEMS OF BUSINESS**

**5.01 Murchison Choice Planning Grant - Final Update**

Mr. Chris Cauley, Economic and Community Development Director, presented this item with the aid of a PowerPoint presentation and stated The Murchison Choice Planning Grant is currently finishing the two-year process to create a forward looking Transformation Plan. The People, Housing, and Neighborhood elements of the Transformation Plan are being finalized after review by the community, City Council and the Fayetteville Metropolitan Housing Authority (FMHA) Board. This Plan will be submitted to the Department of Housing and Urban Development (HUD) in a promising effort to secure approximately \$30 to \$35 million of funding for implementation of the plan, which includes

collaborating with public and private partners to guide investment in the Murchison Choice Neighborhood. Grant applications for the Choice Implementation Grant are expected to be open in early 2024.

Discussion ensued.

This item was for information only.

#### **5.02 Update on Catalyst Site 1 (Murchison Road Redevelopment Site)**

Mr. Chris Cauley, Economic and Community Development Director, presented this item and stated City Economic and Community Development (ECD) staff published a Request for Projects on City-Owned Land (RFP) and actively marketed the opportunity to local, state, and national developers. Fayetteville State University (FSU) responded to the RFP and is proposing to build housing and supportive uses on the site.

City Council has taken numerous actions since 2008 to acquire, clean up, and redevelop the Catalyst Site 1 - an approximately 15-acre site at the intersection of Bragg Boulevard, Murchison Road, and Rowan Street. The RFP was developed based on other actions by local governments within the State and was posted in May of 2022. ECD actively marketed this RFP to over two dozen developers and posted on numerous planning, community development, and economic development sites. The RFP requires a two-step process where potential partners submit a Statement of Interest and Qualifications. After vetting by staff and City Council, a partner will be expected to develop a full development proposal including site plans, elevation designs, and a financing plan for City Council's consideration.

Despite the marketing efforts made by City staff and partner agencies, only one Statement of Interest has been received in the approximately six months the RFP has been out. While the City does not have multiple proposals to consider, FSU is a powerful partner in the community and particularly in the City's efforts to revitalize our Murchison Choice Neighborhood. Several studies have called for FSU's connection to Downtown Fayetteville as an economic driver for both the Downtown and the University.

FSU may partner with a private developer to provide a mix of uses on the property. The mix of uses, type of property conveyance, and design of the facilities will come back to City Council for final approval. Staff is recommending a two-year option wherein FSU will have full site control to develop a full development proposal for Council's review. There are sufficient remaining funds in the current project budget of \$2,835,000.00.

Discussion ensued.

Consensus of City Council was to direct staff to prepare a resolution and accompanying legal agreement(s) to be brought back to a future City Council meeting for approval.

#### **5.03 Fayetteville Forward Bonds - Public Safety Project Roadmap**

Mr. Rob Stone, Construction Management Director, presented this item with the aid of a PowerPoint presentation and stated The City Council placed a ballot measure seeking authorization for the issuance of up to \$60 million in General Obligation Bonds to support Public Safety on the November 8, 2022, ballot. Voters subsequently approved the bond authorization measure with the highest priority Public Safety items to be addressed by the bond proposed as E911 Dispatch Facility, Fire Station 16, Fire Station 9, and Fire Station 2.

Programming, design, and construction for the E911 Center are expected to take 48 to 60 months to complete, with a key decision point being whether to co-locate with the county. Programming, design, and construction for the fire stations are expected to take 30 to 42

months to complete, with a key decision point for Stations 16 and 2 will be finding an appropriate site.

Discussion ensued.

Consensus of Council was to accept the initial timetable and project approach for the proposed Public Safety Projects from staff.

#### **5.04 Fayetteville Forward Bonds - Public Infrastructure**

Ms. Sheila Thomas-Ambat, Public Services Director, introduced this item and stated the City Council placed a ballot measure seeking authorization of the issuance of up to \$25 million in General Obligation Bonds to support capital investments in public infrastructure on the November 8, 2022, ballot. The bond authorization measure was subsequently approved by voters.

Public Services staff now seek consensus from Council on the proposed locations for public infrastructure improvements, to include selected streets for resurfacing, locations for sidewalk construction, and bike lanes.

Discussion ensued pertaining to sidewalks around all schools and lower speed limits close to intersections.

Mr. Douglas Hewett, City Manager, stated staff will research installing sidewalks around schools and will report back.

#### **5.05 Fayetteville Forward Bonds - Housing Opportunity**

Mr. Chris Cauley, Economic and Community Development Director, presented this item with the aid of a PowerPoint presentation and stated City Council authorized an Affordable Housing Study in Fiscal Year 2021 that identified a significant portion of the community that is currently cost burdened related to the cost of housing. Cost burdened means that more than 30 percent of total household income is spent on rent and utilities. There are 14 strategies recommended by the study to improve metrics related to economic mobility and housing opportunity.

The \$12 million Housing Opportunity Bond is the culmination of several years of policy and legislative efforts related to the housing needs of the community. City staff is recommending four activities with the following estimated funding allocations: (1) Development of New Affordable Housing (Rental and Homeownership) - \$8.9 million, (2) Rehabilitation of Owner-Occupied Homes - \$1 million, (3) Down Payment Assistance - \$1 million, and (4) Land Banking Opportunity Plan \$100,000.00.

Discussion ensued.

Consensus of Council was to accept all three Bond proposals, and to include increased efforts/funding towards home ownership.

#### **5.06 Dangerous Building Case Process**

Mr. James Rutherford, Code Enforcement Division Manager, and Mr. Dereke Planter, Code Enforcement Supervisor, presented this item and stated dangerous building cases are typically initiated after some type of casualty to the structure. A fire, car strike, falling tree or storm damage are all common causes of a dangerous condition. Dangerous buildings also arise from owner neglect, lack of or deferred maintenance, insect damage, water damage, defective materials and construction and vandalism. Rarely are two cases the same and no two have identical circumstances or challenges to the ownership. Expectations are to quickly resolve the dangerous conditions through repairs or demolition of the structure. Code enforcement is looking for direction and policy from the City Council such that the dangerous building enforcement process may be more predictable and as evenly

applied as possible. Since 2015, Code Enforcement has managed 978 dangerous/blighted building cases. An average of 23 properties are brought to City Council each year for a demolition ordinance. An average of 15 buildings per year are demolished by the City using those ordinances (balance are repaired or demolished by owner prior to City action).

Several peer cities were asked questions regarding dangerous buildings and demolitions. Peer city feedback was received from Charlotte, Durham, Wilmington and Raleigh.

The current dangerous building case process includes 47 steps (50 plus if an appeal of the Hearing Order is made). Of those steps, many take place outside of the control of the Code Enforcement Division. Examples of those external steps include title searches, asbestos testing bidding, bid tabulation, contracting, contract routing, creation of purchase orders, permit authorizations from required vendors/organizations, and site work at the demolition location. Some steps completions or durations depend on the day of the month, month of the year and/or City Council meeting schedules.

Discussion ensued.

This item was for information only.

#### **5.07 Consideration of Cumberland County's Proposed Sales Tax Distribution Interlocal Agreement**

**MOTION:** Council Member Ingram moved to suspend the rules for this item; to allow for an official vote.

**SECOND:** Council Member Hondros

**VOTE:** UNANIMOUS (10-0)

**MOTION:** Mayor Pro Tem Dawkins moved to accept the proposed 2024/2025 Sales Tax Distribution Interlocal Agreement.

**SECOND:** Council Member McNair

**VOTE:** UNANIMOUS (10-0)

#### **5.08 Council Member Agenda Item Request - Council Election Cycle - Council Member Thompson**

Council Member Thompson presented this item and stated he is seeking Council support to move to four-year staggered terms of office for City Council members; the Mayoral seat to remain on the ballot every two years.

Discussion ensued.

Consensus of Council was to direct the City Attorney to provide a Resolution of Intent for scheduling a public hearing on the item. Council Members Jensen and Benavente were opposed to the consensus vote.

#### **5.09 Council Member Agenda Item Request - Litter Challenges - Council Member Jensen**

The Corridor Revitalization Committee met on February 6, 2023, and requested staff work on a definition of Fayetteville's litter problem and identify and develop strategies that address the litter challenges facing Fayetteville.

Discussion ensued.

Consensus of Council was to direct staff to work with the Corridor Revitalization Committee; defining the litter problem. Council Member Ingram was opposed to the consensus vote.

**5.010 Council Member Agenda Item Request - Proposal for Ordinance to Prohibit Unsecured Firearms in Automobiles - Council Member McNair**

Council Member McNair presented this item and stated the largest source of stolen guns is from car thefts. In cities that report crime data to the FBI, including Fayetteville, on average, at least one gun is stolen from a car every 15 minutes. Cars parked at residences (driveways, outside homes, etc.) are the most common source of stolen guns, demonstrating the importance of securely storing guns at all times and locations. Law enforcement officials speculate that a combination of unlocked cars and increasing numbers of young people engaging in this particular type of crime may be relevant. Cities located in states with particularly weak gun laws, like North Carolina, are associated with greater rates of gun thefts from cars.

Employing a vehicle gun storage ordinance will help ensure that fewer legally-possessed firearms end up being used unintentionally to harm children or to be stolen and used in future violent crimes.

Fayetteville's ordinance for the public health and welfare, requiring unattended firearms in motor vehicles to be stored in a locked condition; requiring stolen guns to be reported to the Fayetteville Police Department, to establish that a rebuttable presumption exists that a firearm in a vehicle is the property of the driver of said vehicle; and containing a savings clause, a severability clause, and an emergency clause.

Fayetteville's municipal code would require that it is unlawful for a person to leave a handgun in an unattended vehicle within the City of Fayetteville in a public right-of-way or public place unless the handgun is stored in accordance with the safe storage provisions of this Chapter, "This law repeats the same language for long guns (rifles, shotguns) and ammunition. A lock box must be locked in the trunk of a vehicle or inside a vehicle in a place where the lock box cannot be seen from the outside or the lock box must be placed in a container that is permanently attached to the inside of the vehicle. The key or other disabling device to the lock box is not left in the unattended vehicle."

Federal law allows many adults to own firearms. It is the responsibility of gun owners to ensure that guns in cars are always stored inaccessible to children or other unauthorized persons. Safe storage is employing precautions and multiple safeguards that provide an additional barrier against unauthorized use.

Discussion ensued.

Consensus of Council was to direct staff to research the feasibility of this request.

**5.011 Council Member Agenda Item Request - Resource Support for 3-Mile Shotspotter Radius - Council Member Benavente**

Council Member Benavente presented this item and stated the 3-mile radius set to be identified as the location of Shotspotter microphones needs to be supported with additional community resources.

This request is to direct City staff to assess the unique needs of the neighborhoods within the 3-mile radius, and report back to full Council the exact type of support needed to improve conditions in that area. Whether it is with rental assistance, job security, child care needs, infrastructure improvements. There are root issues that make this area particularly ripe for gun violence. Hence, the reason to place shotspotter microphones there, we must take a holistic approach to improving safety in the 3-mile radius through preventive measures.

Discussion ensued.

Consensus of Council was to move this item forward.

## **6.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 8:09 p.m.