

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
SEPTEMBER 25, 2023
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Absent: Council Member Derrick Thompson (District 6)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, Interim City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jodi Phelps, Chief of Staff
Kemberle Braden, Police Chief
Gerald Newton, Development Services Director
Toney Coleman, Airport Director
Sheila Thomas-Ambat, Public Services Director
Loren Bymer, Marketing & Communications Director
Kimberly Leonard, Budget and Evaluation Director
Paul Allen, Assistant City Attorney
Will Deaton, Planning and Zoning Manager
Craig Harmon, Senior Planner II
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 7:02 p.m.

2.0 INVOCATION

The invocation was offered by Ms. Marie Catlett, Activities Director, 4th Ward, The Church of Jesus Christ of Latter-Day Saints.

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

Mayor Pro Tem Dawkins announced the City of Fayetteville has been presented with the 2023 Southeast Regional Dam Safety Award for its work on Mirror Lake Dam.

Council Member Ingram announced the Police Activity League (PAL) held their third annual cup for youth amateur boxing and it was an amazing turnout.

Council Member Benavente wished everyone a happy Yom Kippur.

Council Member Haire presented a proclamation to family members proclaiming a Celebration of Life on September 29, 2023, for former Council Member Curtis Worthy, who passed away on September 20, 2023..

Council Member McNair presented a proclamation to Mr. Jonathan Martin proclaiming September 25, 2023, in honor of Jonathan Martin in recognition of his work and dedication on the Mountain Bike Trail.

Mayor Colvin presented a proclamation to Ms. Claudia Zomora, El Centro Hispano Community Coordinator, proclaiming September 15-October 15, 2023, in honor of Hispanic Heritage Month.

Mayor Colvin presented the Key to the City and City Coin to Monsieur Rene Steiner, Saint Avold Mayor; Madame Raymonde Schwitzer, Deputy Mayor; and Monsieur Pascal Flaus, Historian, in honor of the City of Saint Avold and in celebration of the 30-year anniversary of Fayetteville and Saint Avold being Sister Cities.

5.0 CITY MANAGER REPORT

Mr. Douglas Hewett, City Manager, stated his weekly update to City Council is published and posted online.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Ingram moved to approve the agenda with the addition of Item 7.015, Receive Corrected Information and Uphold the Adoption of Budget Ordinance Amendment 2024-1, previously adopted on September 11, 2023, and to move Items 9.01, 9.02, and 9.03 to a work session.

SECOND: Council Member Hondros

VOTE: UNANIMOUS (9-0)

7.0 CONSENT AGENDA

MOTION: Council Member Hondros moved to approve the consent agenda.

SECOND: Council Member Haire

VOTE: UNANIMOUS (9-0)

7.01 Watershed Master Plan Solutions for Blounts Creek

Approval of the 100 proposed solutions from the Blounts Watershed Study to enable staff to program them into the annual CIP prioritization process and pursue grants as applicable.

7.02 Watershed Master Plan Overview and Final Deliverables

The acceptance of the final deliverables for the following watershed studies: Little Cross Creek, Little Cross Creek Pilot, Beaver Creek 3, Cape Fear 2, and Rockfish Creek.

7.03 Cross Creek Watershed Study Downtown Area Update

Approve staff to pursue funding sources to further develop advanced conceptual design for the Channel Improvement Option, and approve staff to pursue funding sources to continue to evaluate Roses Lake as a dry detention option for potential flooding mitigation.

7.04 Fayetteville Forward Infrastructure Bonds - Proposed Sidewalk Project Locations

Council consensus on Sidewalk Option 1; to proceed with the projects identified from 2018 Pedestrian Plan and CIP as well as provide consensus on the Reallocation for Grant Matches Option 1; to reallocate \$500,000.00 of the proposed \$15 million Resurfacing GO Bond funds to use as grant matches to leverage additional funding to support eligible public infrastructure projects.

7.05 Adoption of Capital Project Ordinance Amendment 2024-3 and Special Revenue Fund Project Ordinance 2024-5 to Appropriate the Safe Streets for All Grant

Adopt the Special Revenue Ordinance 2024-5 to appropriate \$506,083.00 to develop a Roadway Safety Action Plan. The funding source for this appropriation will come from a Federal Grant from the U.S. Department of Transportation and the Federal Highway Administration in the amount of \$404,867.00 with a local match being

transferred from the Capital Project Ordinance Amendment 2024-3 for the GO bonds public infrastructure projects in the amount of \$101,216.00.

7.06 Adoption of Capital Project Ordinance 2024-4 to Appropriate Federal Transit Administration (FTA) Grant NC-2023-063-00 and Local Funding for the Purchase of Replacement Scheduling Software for Paratransit

Adopt Capital Project Ordinance 2024-4 to appropriate \$251,869.00 for the purchase of replacement scheduling software for the Paratransit (FASTTrac!) service. The funding sources for this appropriation are \$181,869.00 of federal grant funding and \$70,000.00 of local funding provided by the Transit Operating Fund.

7.07 Adoption of Capital Project Ordinance 2024-5 to Appropriate Federal Transit Administration (FTA) Grant NC-2023-051-00 and Local Funding for the Purchase of a Replacement Diesel Bus

Adopt Capital Project Ordinance 2024-5 to appropriate \$315,000.00 for the purchase of one diesel replacement bus. The funding sources for this appropriation include \$100,215.00 of federal grant funding and \$214,785.00 of local funding provided by the Transit Operating Fund.

7.08 Accept Federal Aviation Administration (FAA) Grant (Airport Improvement Program 55), Authorize the City Manager to Execute the Agreement with the FAA, and Adopt Capital Project Ordinance 2024-3 and Budget Ordinance Amendment 2024-3 to Appropriate Grant and Local Match Funds for Passenger Boarding Bridge Replacement

Accept the Federal Aviation Administration (FAA) Grant 3-37-0021-055-2023 (Airport Improvement Plan 55) for the replacement of the Gate 4 Passenger Boarding Bridge, and to authorize the City Manager to execute the Agreement.

Adopt Budget Ordinance Amendment (BOA) 2024-3 and Capital Project Ordinance (CPO) 2024-3 to provide the budget for this project. The CPO will appropriate \$1,650,000.00 for the replacement of the Gate 4 passenger boarding bridge. The funding sources for this project are federal grant funds from the FAA (\$1,500,000.00), and a required local match from Airport Operating Fund net assets (\$150,000.00), which will be provided by the BOA appropriation.

7.09 Removal of Inadvertent Inclusion of the Prohibited Sign Removal from Right of Way Fee in the Fiscal Year 2023-2024 Fee Schedule

On June 21, 2023, Council adopted the Fiscal Year 2023-2024 Fee Schedule. The description of the Prohibited Sign Removal from the Right-of-Way fee was inadvertently included in the schedule. Council's approval of the removal of this fee is requested.

There is no impact to the General Fund.

Council accepts the administrative correction of the Fiscal Year 2023-2024 Fee Schedule previously adopted on June 21, 2023.

7.010 Uninhabitable Structures: Demolition Recommendations

306 Currie Street - District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2023-017

527 Orange Street - District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2023-018

533 Orange Street - District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2023-019

833 Deep Creek Road - District 2

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2023-020

4900 Schmidt Street - District 9

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2023-021

7.011 Resolution - Tentative Award of Bid Contract for Big Rockfish Outfall

A RESOLUTION TO AUTHORIZE THE TENTATIVE AWARD OF A BID CONTRACT BY AND THROUGH FAYETTEVILLE PUBLIC WORKS COMMISSION. RESOLUTION NO. R2023-036

7.012 Resolution Approving PWC Series 2023 Bond Order

BOND ORDER AUTHORIZING AND APPROVING THE SALE AND ISSUANCE UNDER THE PROVISIONS OF THE STATE AND LOCAL GOVERNMENT REVENUE BOND ACT, AS AMENDED, OF NOT TO EXCEED \$295,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, PUBLIC WORKS COMMISSION REVENUE BONDS, SERIES 2023 TO PROVIDE FUNDS FOR THE FINANCING AND REFINANCING OF VARIOUS ELECTRIC, WATER, AND SANITARY SEWER CAPITAL IMPROVEMENTS AND DIRECTING THE AUTHENTICATION AND DELIVERY OF THE SERIES 2023 BONDS. RESOLUTION NO. R2023-037

7.013 Bid Recommendation - Switch, 69KV, 1200A, Vertical Break

Approval of the bid recommendation to award the purchase of one Switch, 69KV, 1200A, Vertical Break, 1-Way, Unitized, 7 FT Spacing to WESCO Distribution, Clayton, NC, the lowest responsive, responsible bidder in the total amount of \$430,235.00.

7.014 Lease of Suite 303 of RC Williams Building

The PWC CEO/General Manager has approved the Commercial Lease Agreement to Lease Suite 303 of the R.C. Williams Building to US LBM Holdings, LLC ("Lessee"). The Lease agreement is for one year. Lessee has agreed to an annual rent rate of \$27,759.96. Council approved the lease with Lessee.

7.015 Receive Corrected Information and Uphold the Adoption of Budget Ordinance Amendment 2024-1 Previously Adopted by Council on September 11, 2023

Received the revised information and uphold the adoption of Budget Ordinance Amendment 2024-1.

8.0 OTHER ITEMS OF BUSINESS

8.01 Appointment of a Public Works Commissioner

Mayor Colvin presented this item and stated the four applicants for the PWC 2023 Fall appointment are William Gothard, Josef Hallatschek, Richard King, and Michael Larson.

Mayor Colvin asked for a show of hands for each applicant:

Name	Round 1	Round 2
William Gothard	-----	-----
Josef Hallatschek	Jensen, Ingram, Benavente, Banks-McLaughlin, Hondros	Jensen, Ingram, Benavente, Banks-McLaughlin
Richard King	Colvin, Haire, Dawkins, McNair	Colvin, Haire, Dawkins, McNair, Hondros
Michael Larson	-----	-----

Council were in consensus to appoint Mr. Richard King as Public Works Commissioner.

9.0 ADMINISTRATIVE REPORTS

9.01 Administrative Report - Unaccompanied Minors in City Facilities

This item was for information only and was not presented. This item to be moved to a work session agenda.

9.02 Administrative Report - Reducing Compliance Times - Code Enforcement Actions and Dangerous Building Demolition Strategies

This item was for information only and was not presented. This item to be moved to a work session agenda.

9.03 Administrative Report - Traffic Calming Measures

This item was for information only and was not presented. This item to be moved to a work session agenda.

10.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:44 p.m.