

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
APRIL 22, 2024
6:30 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7) (via zoom); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager (departed at 6:56 p.m.)
Lachelle Pulliam, City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Chris Cauley, Economic and Community Development Director
Gerald Newton, Development Services Director
Loren Bymer, Marketing & Communications Director
Lisa Harper, Senior Assistant City Attorney
Craig Harmon, Senior Planner
Will Deaton, Planning and Zoning Manager
Heather Eckhardt, Planner II
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 David Woodhouse, Hay Street United Methodist Church.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Mayor Colvin administered the Oath of Office to Ms. Lachelle Pulliam for the position of City Attorney.

Mayor Colvin presented a proclamation to Mr. Christopher Cauley, Economic and Community Development Director, and staff, proclaiming the month of April 2024 as National Community Development Month.

Mayor Colvin presented a certificate of excellence to Ms. Teralyn Harris in recognition of her hard work, dedication, and outstanding performance as a young Gospel singer who graced the stage of the legendary Apollo Theatre in New York City.

Council Member Benavente announced there will be an in-person town hall meeting at E.E. Smith High School, 1800 Seabrook Road, Fayetteville, NC, to discuss the potential of building a new E.E. Smith High School.

5.0 CITY MANAGER REPORT

Mr. Douglas Hewett, City Manager, stated the City Manager newsletter is published weekly and residents can sign up to receive it via the City's website.

Ms. Jodi Phelps, Assistant City Manager, announced the Public Safety Summit will be held April 30, 2024, at 1:00 p.m. at the FSU Student Center. Staff have finalized most of the details and logistics and several dozen attendees that deal in areas of the Office of Community Safety have confirmed their attendance. The goal is to have a robust dialogue to create a landscape analysis to help the Council in their conversations on the path to creating the Office of Community Safety with impact.

Mr. Christopher Cauley, Economic and Community Development Director, provided an overview of the administrative item on the Broadell Community Historic Survey. Mr. Cauley stated the first part of the process was to apply for a Certified Local Government Grant from the North Carolina Department of Historic Preservation. The City was awarded the grant and architects that specialize in African American History were hired to do an architectural survey of the property, community roundtables with elders, reviewed archives at FSU then created a packet for submission to the state. The state then approved Broadell to be on the list of historic places to study. Staff are currently working to apply for a second grant that is to write the nomination to add Broadell to the national register of historic places and is due May 10, 2024. Staff have been extremely involved with the community to help provide information every step of the way.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Haire moved to approve the agenda.
SECOND: Council Member Banks-McLaughlin
VOTE: UNANIMOUS (10-0)

7.0 A CONSENT AGENDA

MOTION: Council Member Benavente moved to approve the consent agenda.
SECOND: Council Member Davis
VOTE: UNANIMOUS (10-0)

7.0 A1 Approval of Meeting Minutes:

March 25, 2024 - Discussion of Agenda Items
March 25, 2024 - Regular

7.0 A2 P24-17. Rezoning from Single-Family Residential 10 (SF-10) to Limited Commercial (LC) located at 458 Lansdowne Road (REID # 0407661937000) totaling .96 acres ± and being the property of Timothy & April Gant.

7.0 A3 P24-18. Rezoning from Light Industrial (LI) to Community Commercial (CC) located at 2326 Owen Drive (REID # 0426419941000) totaling .91 acres ± and being the property of McCauley & McDonald Investments Inc.

7.0 A4 SUP24-01. Order of Approval - Findings of Fact: Special Use Permit to locate one Duplex (two-family dwelling) at 1040 Stamper Road (REID # 0428335880000) totaling .25 acres ± and being the property of Rockfish Run Land and Development LLC.

7.0 A5 SUP24-03. Order of Approval - Findings of Fact: Special Use Permit (SUP) to allow the construction of 111 townhomes (single-family attached units) on property zoned Single-Family 6 Residential (SF-6) located at 6622 and 6658 Old Bunce Road (REID #s 9497843830000, 9497845917000, and 9497856199000) and being the property of King Model Homes Construction Co. Inc.,

**Robert Bunce, and Fayetteville Habitat for Humanity Inc.,
Project owner Ben Stout, Stout Land Development, LLC.,
applicant Scott Brown, 4D Site Solutions, Inc.**

7.0 A6 Adoption of Special Revenue Fund Ordinance Amendment 2024-10

The Special Project Ordinance Amendment (SROA) 2024-10 amends SROA 2024-1, which was approved by the Council on June 26, 2023, to appropriate additional funding for the Commercial Corridor Improvement Project of \$250,000.00. This amendment is to clarify the scope of SROA 2024-1, which inadvertently referred to a Ray Avenue project in the ordinance.

**7.0 A7 Adoption of Special Revenue Fund Project Ordinance 2024-13 to
Appropriate the FY22 Eastern District Project Safe
Neighborhood (PSN)**

The City has been awarded grant funding for fiscal year 2023-2024 for the FY22 Eastern District Project Safe Neighborhood Grant (PSN). Council is asked to adopt Special Revenue Fund Project Ordinance 2024-13 to accept the grant funding and appropriate \$38,368.00 needed to increase the operational efficiency of our Gang Unit and Violent Criminal Apprehension Team and to brand equipment for our Operation Ceasefire Program. Funding will also be used as a component of the Summer Youth Empowerment Camp to purchase the Transfer hands-on simulation-based training. The technology will provide our PAL camp attendees with the ability to explore career paths that they may not have ever considered.

**7.0 A8 Adoption of Special Revenue Fund Project Ordinance 2024-14 to
Appropriate the FY21 Eastern District Project Safe
Neighborhood (PSN)**

The City has been awarded grant funding for fiscal year 2023-2024 for the FY21 Eastern District Project Safe Neighborhood Grant (PSN). Council is asked to adopt Special Revenue Fund Project Ordinance 2024-14 to accept the grant funding and appropriate \$35,000.00 needed to assist in mitigating gang violence in Fayetteville. Grant funding will be used for therapy services provided by The Fayetteville Cumberland Reentry Council and will also be used to assist our Police Activity League (PAL) with camp enhancements. Our Grant request is designed to prevent gang activity and violent crime in the City of Fayetteville.

7.0 A9 Aubrey Hills Apartments Affordable Housing Loan Commitment

Aubrey Hills is a proposed 32-unit garden-style apartment community for families located at 148 Horseshoe Road. City Council is asked to authorize a loan commitment letter and subsequent loan documents in the amount of \$2,145,000.00 from Home Investment Partnership Funds (HOME) to construct this new housing development. This commitment will be valid until June 30, 2024, with a six-month extension allowed at the Director's discretion.

7.0 A10 Eutaw Landing Apartments Affordable Housing Loan Commitment

Eutaw Landing is a proposed 60-unit apartment community for 55+ located adjacent to 839 Elm Street. The City Council is asked to authorize a loan commitment letter and subsequent loan documents in the amount of \$800,000.00 from Home Investment Partnership Funds (HOME) to construct this new housing development. This commitment will be valid until June 30, 2024, with a six-month extension allowed at the Director's discretion.

7.0 A11 Adoption of a Resolution of Support for an FTA Grant Application for Battery-Electric Buses (BEBs)

RESOLUTION SUPPORTING THE CITY OF FAYETTEVILLE'S APPLICATION FOR CAPITAL GRANT FUNDING FROM FEDERAL TRANSIT ADMINISTRATION'S LOW OR NO EMISSIONS PROGRAM. RESOLUTION NO. R2024-013

7.0 A12 OSFM Summer Fire Camp Program Grant

This grant opportunity aims to financially support existing summer camp programs offered by fire departments across North Carolina as they develop the next generation of firefighters and enhance community engagement and safety. This grant will develop and implement programs aimed at engaging youth in general life skills, public safety education, and emergency response training, while fostering their interest in firefighting or other public safety careers to help recruit the next generation of first responders.

7.0 A13 PWC - Bid Recommendation - Distribution Transformers Three Phase Pad Mounts

Bids were received for the purchase of Distribution Transformers Three Phase Pad Mounts. The lowest responsive, responsible bidder is Alpha Plotter LLC, Greenville, NC, in the total amount of \$767,188.10.

7.0 A14 PWC - Bid Recommendation Relay Control Houses

Bids were received for the purchase of Relay Control Houses. The lowest, responsible bidder is VFP, Inc., Roanoke, VA, in the total amount of \$605,890.00.

7.0 A15 PWC - Bid Recommendation - Cumberland Rd. Substation Structure and Equipment

Bids were received for the purchase of Structure and Equipment needed for the rebuild of Cumberland Road 69 to 15 x 25 kV Substation. The lowest, responsible bidder is Substation Enterprises, Inc., Alabaster, Alabama, in the total amount of \$426,010.00.

7.0 A16 PWC - Bid Recommendation - PO Hoffer Substation Structure and Equipment

Bids were received for the purchase of Structure and Equipment for the rebuild of the PO Hoffer 69 to 15 X 25 kV Substation. The lowest lead time, responsive, responsible bidder is Substation Enterprise, Inc., Alabaster, AL, in the total amount of \$448,418.00.

7.0 A17 PWC - Bid Recommendation - Vacuum Circuit Breakers

Bids were received for the purchase of four (4) Vacuum Circuit Breakers. The lowest responsive, responsible bidder and in the best interest of PWC is Meiden America, Gray Court, SC, in the total amount of \$431,400.00.

7.0 B ITEMS PULLED FROM CONSENT - None.

8.0 PUBLIC HEARINGS (Public & Legislative Hearings)

8.01 Adoption of 2024-2025 Housing and Urban Development Annual Action Plan for Community Development Block Grant, HOME Investment Partnerships Program, and Housing Opportunities for People with HIV/AIDS and 2023-2024 Substantial Amendment

Mr. Chris Cauley, Economic and Community Development Director, presented this item and stated Council is asked to conduct a public hearing and approve the proposed Housing and Urban Development (HUD) Annual Action Plan (AAP) to implement the Community Development Block Grant (CDBG), the Home Investment Partnership Program (HOME), and Housing Opportunities for People with HIV/AIDS (HOPWA). The AAP

provides a concise summary of the actions, activities, and the specific federal resources that will be used each year to address the priority needs and specific goals identified by the Five-Year Consolidated Plan. The AAP is developed by staff and recommended by the Fayetteville Redevelopment Commission (FRC). Council was presented this plan at the April 1, 2024, Council work session.

The current Five-Year Consolidated Plan was adopted by City Council for the program year period from 2020 to 2024. The Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from CDBG, HOME, and HOPWA.

The Annual Action Plan describes projects and activities that implement the Consolidated Plan. It sets forth a description of activities for the use of funds that are expected to become available in the upcoming fiscal year. The 2024-2025 AAP is based on priorities, goals, and objectives of the 2020-2024 Consolidated Plan. The plan contains goals, objectives, and implementation strategies for each of the activities to be funded or implemented.

To provide an opportunity for community feedback, four in-person meetings were held throughout the months of February and March. A press release, social media campaign, and public notices were used to promote awareness. A draft copy of the plan was made available online and in various locations throughout the City for review and comments for 30 days from February 12 through March 15, 2024.

Discussion ensued.

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 Haire moved to approve the proposed Housing and Urban Development Annual Action Plan and Substantial Amendment.

SECOND: Council Member Hondros

VOTE: UNANIMOUS (10-0)

9.0 OTHER ITEMS OF BUSINESS

9.01 Authorization to Apply for North Carolina Department of Commerce Rural Economic Development Grant for Phillip's Towing Services, Inc.

Mr. Chris Cauley, Economic and Community Development Director, introduced this item and stated the item should have been listed under the consent section of the agenda.

RESOLUTION AUTHORIZING THE CITY MANAGER AND MAYOR OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA TO APPLY FOR FUNDING THROUGH THE NORTH CAROLINA DEPARTMENT OF COMMERCE BUILDING REUSE PROGRAM FOR PHILIP'S LEASING SYSTEMS, LLC BUILDING REUSE PROJECT. RESOLUTION NO. R2024-012

MOTION: Council Member Hondros moved to adopt the Resolution and authorize the Mayor and City Manager to sign the grant application for Phillip's Towing Services, Inc.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

10.0 ADMINISTRATIVE REPORTS

10.01 Administrative Report - Update on Broadell Community Historic Survey

This item was for information only and not presented.

10.02 Administrative Report for a Potential Text Amendment to Chapter 30 Regarding Tobacco and Hemp Retail

MOTION: Council Member Haire moved to move this item to a work session agenda.

SECOND: Council Member Thompson

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Benavente)

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:12 p.m.