

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
JANUARY 13, 2025
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); Courtney Banks-McLaughlin (District 8) (departed at 7:45 p.m.); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Adam Lindsay, Assistant City Manager
Kelly Olivera, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Todd Joyce, Assistant Police Chief
Kevin Dove, Fire Chief
Loren Bymer, Marketing & Communications Director
Sheila Thomas-Ambat, Public Services Director
Byron Reeves, Assistant Public Services Director
Will Deaton, Planning & Zoning Manager
Jerry Clipp, Human Resources Development Director
Kecia Parker, Real Estate Manager
Craig Harmon, Senior Planner
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 Apostle Karen Hale, New Life Ministries.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Council Member Banks-McLaughlin congratulated Delta Sigma Theta Sorority on their 112th Founder's Day.

Mayor Colvin presented the Designation of Master Municipal Clerk Certificate and Pin to Jennifer Ayre in fulfillment of requirements prescribed by the International Institute of Municipal Clerks.

Mayor Colvin presented City Coins to Hurricane Helene First Responders for their aid and assistance in recovery efforts in Western North Carolina.

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.

Mr. Jerry Clipp, Human Resource Development Director to give an update on the recruitment process of the new Police Chief. Developmental Associates were selected to conduct the search.

6.0 APPROVAL OF AGENDA

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

7.0 PUBLIC FORUM

Mr. Chad McKeown, 822 Shannon Drive, Fayetteville, NC, expressed concerns regarding Bragg Boulevard business development.

Mr. Chilleko Hurst, 55 Wayside Drive, Cumberland County, NC, expressed concerns regarding public safety.

Ms. Katreliia Cunningham, 5404 Yadkin Road, Fayetteville, NC, expressed concerns regarding support for seniors in nursing homes.

Mr. Shaun McMillan, 6024 Goldenrain Drive, Fayetteville, NC, expressed concerns regarding Sentinel Event Review.

Mr. Joel Cook, 6816 Torrance Lane, Fayetteville, NC, expressed concerns regarding Sentinel Event Review.

Ms. Lisette Rodriguez, 1701 Cherokee Drive, Fayetteville, NC, expressed concerns regarding Sentinel Event Review.

8.0A CONSENT AGENDA

MOTION: Council Member Hondros moved to approve the consent agenda, with the exception of Item 8.0A4; pulled for discussion and separate vote.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

8.0A1 Approval of Meeting Minutes:

November 25, 2024 - Regular
December 2, 2024 - Work Session
December 9, 2024 - Discussion of Agenda Items
December 9, 2024 - Regular

8.0A2 Adoption of 2025 Federal Action Agenda

The City of Fayetteville engages with the federal legislators and government agencies to support policy and funding opportunities that align with Council's identified priorities and objectives. These efforts ensure the protection and preservation of essential community assets and resources, expansion of critical services and infrastructure supporting residents, and initiatives that allow the City to thrive.

8.0A3 Adoption of 2025 State Action Agenda

The City of Fayetteville engages with state lawmakers and government agencies to support policy and funding opportunities that align with Council's identified priorities and objectives. These efforts ensure the protection and preservation of essential community assets and resources, expansion of critical services and infrastructure supporting residents, and initiatives that allow the City to thrive. The City has prepared, with input from staff and Council, the State Action Plan for consideration and formal adoption. The adopted plan will communicate and coordinate state funding and legislative advocacy agenda priorities.

8.0A4 Pulled for presentation and separate vote.

8.0A5 Proposed Ordinance to Prohibit Blocking or Impeding Street and Sidewalk Access

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 24, STREETS AND SIDEWALKS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. 2025-001

8.0A6 P24-46. Rezoning from Agricultural Residential (AR) to Light Industrial (LI) located at 0 S Reilly Road (9497225630000) totaling 5.21 acres ± and being the property of Preston D Jackson Heirs.

8.0A7 Adoption of Special Revenue Fund Project Ordinance to Appropriate the FY24 National Sexual Assault Kit Initiative (SAKI) Program Award

The City has been awarded grant funding for fiscal year 2024 for the Fayetteville Police Department, through the Bureau of Justice Assistance (BJA) National Sexual Assault Kit Initiative (SAKI) program award in the amount of \$1,000,000.00. Council is asked to adopt Special Revenue Fund Project Ordinance 2025-15 to appropriate these funds for the FY24 SAKI program.

8.0A8 Adoption of Capital Project Ordinance Amendments to Move Funding from the International Arrivals Facility Project to the General Aviation Hangar Development Project, Award Contract to Daniels & Daniels Construction Company, Inc., and Authorization for the City Manager to Execute the Contract

City Council is asked to adopt Capital Project Ordinance Amendments (CPOA) 2025-40 and 2025-41 to move \$1,235,922.00 of fiscal year 2025 NCDOT Airport Improvement Program funding from the International Arrivals Facility project to the General Aviation Hangar project. Staff are also asking City Council to provide authorization for the City Manager to execute the contract.

8.0A9 Communication from Independent Auditors Regarding FY 2024 Audit

The City's independent audit firm, PBMares LLP, has requested that the letter of communication be presented to Council. On November 4, 2024, the Council approved the Audit report from PBMares LLP the City's independent auditors for the fiscal year ending June 30, 2024. The letter is intended to communicate certain matters related to the change in scope and fee increase due to additional hours needed to review all required City programs for the year ending June 30, 2024. The original fee was \$115,000.00 and the modified fee is \$144,915.00

8.0A10 Bid Recommendation - Rosemary Drive Drainage Improvement Project

Council awarded contract and authorized the City Manager to execute a contract for the Rosemary Drive Drainage Improvements project with the lowest responsive, Pipeline Utilities, Inc., in the total amount of \$733,048.00.

8.0A11 PWC - Fourth Amendment to Lease of Suite 102 of R. C. Williams Building

The Fayetteville Public Works Commission, during their meeting on December 11, 2024, approved the Fourth Amendment to Lease of Suite 102 of the R. C. Williams Building to Softact Solutions, LLC ("Lessee"). The Lease amendment is for two (2) years. Lessee has agreed to an annual rent rate of \$37,584.36 with a 3 percent escalation annually, with a three-year renewal option at a 3 percent escalation annually.

City Council approved the lease with Lessee and authorized the CEO and General Manager to execute for that purpose the contract.

8.0A12 PWC - Adopt Resolution Approving License Agreement with CELLCO Partnership (d/b/a Verizon Wireless) - to Use Space on Telecommunications Tower - 5306 Spruce Drive

RESOLUTION APPROVING LICENSE AGREEMENT WITH CELLCO PARTNERSHIP (d/b/a VERIZON WIRELESS) FOR USE OF SPACE ON TELECOMMUNICATIONS TOWER LOCATED AT 5306 SPRUCE DRIVE AND AUTHORIZING THE ENTRY INTO A CONTRACT FOR THE SAME. RESOLUTION NO. R2025-002

8.0B ITEMS PULLED FROM CONSENT

8.0B4 Adoption of Resolution in Support of Ghost Gun Regulation

Council Member Hondros stated he is unwilling to vote in favor of the Ghost Gun Resolution.

Ms. Lachelle Pulliam, City Attorney stated ghost guns are unserialized and therefore untraceable firearms assembled from components purchased as kits or individual parts. These fully functioning firearms are constructed using unfinished frames or receivers, the core components containing the operating parts of the firing mechanism. While federal law regulates finished frames and receivers, historically, unfinished versions have remained unregulated. This means they can be sold without background checks or serialization, leaving law enforcement unable to trace the origin of such firearms when recovered at crime scenes. These unfinished components can be easily completed and assembled into functioning firearms.

In 2022, a federal rule aimed to curb the spread of ghost guns by requiring serialization, sales through licensed dealers, and background checks for ghost gun kits and certain parts. However, the Supreme Court is currently reviewing *Garland v. VanDerStock*, a case that could overturn the 2022 rule, impacting federal regulation of ghost guns.

In response to the growing concern, over 16 states have proactively passed laws to ban or regulate ghost guns. These measures address ghost gun loopholes by prohibiting the manufacture, assembly, import, purchase, sale, and possession of unserialized frames, receivers, and firearms. Such legislation has the potential to reduce gun violence significantly, protecting cities and communities.

Consistent with the direction of Council through the adoption of the 2025 State Action Agenda, the draft Resolution in Support of Ghost Gun Regulation aims to encourage legislators to adopt comprehensive laws and regulations aimed at restricting the manufacture, sale, and possession of ghost guns including the following actions: Requiring serial numbers on all firearm parts and kits; Expanding background checks to cover parts and kits that can be assembled into firearms; Mandating that ghost guns are subject to the same regulations as traditional firearms; and Increasing penalties for the illegal manufacture, distribution, or possession of ghost guns.

A RESOLUTION IN SUPPORT OF GHOST GUN REGULATIONS. RESOLUTION NO. R2025-001

MOTION: Council Member Banks-McLaughlin moved to adopt the Resolution and direct staff to prepare a formal request for our legislative delegation to consider.

SECOND: Council Member Davis

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

9.0 REPORTS FROM BOARDS AND COMMISSIONS

9.01 Linear Park - Reports from Boards and Commissions

Captain Brian Delrosario, Linear Park, Vice President presented the Linear Park Annual Report and stated the members consist of the following: Dr. Wayne Riggins, President, Cpt. Brian Delrosario, Vice President, Ms. Joy Potts, Ms. Tonette Johnson, Mr. Latham Hodges, and Mr. Jeffrey Yates, City of Fayetteville, Assistant City Manager.

The Linear Park Corporation has assisted the City of Fayetteville with improvement of the Linear Park Trail throughout 2024.

Here is a summary of key developments and actions undertaken by the committee during the year.

Key Accomplishments in 2024:

1. Repair and Reopening of Trail Steps

Following a fire in late 2023, the steps along the Linear Park Trail were repaired and reopened for public use in 2024. This timely restoration ensured the continued accessibility and safety of the trail for the community.

2. Trail Updates and Dedication

The Committee implemented updates to the Linear Park Trail entryway, which included the addition of a commemorative trailhead dedicated to the memory of Harry Shaw, acknowledging his significant contributions as the originator of the trail. Landscaping enhancements at the trail entry were also completed to improve the aesthetics and usability of the trail. Additionally, a millstone and signage will be installed before the spring of 2025.

3. Upcoming Dedication Ceremony

The Committee plans to hold a ceremony in the spring of 2025 to dedicate the trailhead in the memory of Harry Shaw. The event will invite the community to celebrate his invaluable contributions to the Linear Park Trail.

Future Plans

1. Refocusing Committee Tasks

The Committee has discussed realigning its focus to address tasks related to the development of the City Parks and Trails project. This shift aims to expand the Committee's impact and address broader community needs. The Committee plans to present its updated goals and strategies to City Council in early 2025 for review and approval.

The Linear Park Committee remains committed to trail improvements and fostering community engagement through its projects. Complete maintenance and proposed expansion of focus represent continued efforts to improve the city's trail system.

MOTION: Council Member Haire moved to accept the Linear Park Committee Annual Report

SECOND: Council Member Benavente

VOTE: UNANIMOUS (10-0)

10.0 STAFF REPORTS

10.01 Discussion and Update of Office of Community Safety Activities

Mr. Jeffrey Yates, Assistant City Manager, presented this item with the aid of a PowerPoint presentation and stated the City Council prioritized and funded the establishment of the Office of Community

Safety (OCS) in the Fiscal Year 2025 operating budget. Staff have been working on building out the activities and priority areas. While not highly visible, these activities are building the foundation for long-term success. There is progress in all four pillars of the OCS.

The Office of Community Safety is focused on four specific pillars. The four pillars are mental health response and diversion, violence prevention and interruption, homelessness risk reduction, and youth opportunities. With the adoption of the FY 2025 operating budget, the City Council appropriated \$2.3 million for these activities and work.

Mental Health Response and Diversion

The City Council identified this area as a priority during the budget process. The current effort is focused on prevention, call-diversion, and co-response. Staff are working with Cape Fear Valley Health to structure a dedicated response through the Community Paramedic Program. Cape Fear Valley Health has seen significant success using a healthcare system-based approach to mental health response. As part of the mental health response, Cape Fear Valley Health is working on unique approaches, using delayed-release, anti-psychotic medications delivered through the EMS program. This approach is proactive. Tied into the mental health work, Cape Fear Valley Health is seeing significant drug-related calls within the City. The dedicated response discussion includes this aspect of mental health. In addition to the prevention efforts, the Community Paramedic Program has seen success in the co-response space. Providing an alternative to law enforcement interactions, during a mental health crisis. This process continues to be refined and is part of the work in structuring the partnership. Beyond the Community Paramedic Program, the staff are meeting with Durham HEARTS staff to explore options for partnerships and the co-response model.

Violence Prevention and Intervention

Expanding the discussion beyond the Police Department, the City has engaged the UNC-Charlotte Urban Institute to provide quantitative and qualitative research concerning the cost and impacts of gun violence in the City. In addition, the study looks at the three ShotSpotter areas to evaluate the community's qualitative needs. The first community meetings to gather this feedback were held the week of December 16th. The results of this analysis, including recommendations for violence reduction, will help to provide a data-driven basis for moving forward with programming recommendations.

As directed by the City Council, the City has engaged the Wilson Center for Science and Justice at Duke Law School to provide analysis and findings to evaluate and understand the efficacy of the ShotSpotter project. The study will be similar to the Durham analysis.

Homelessness and Risk Reduction

The City is continuing its efforts to clear high-risk encampments and working with community partners to provide emergency sheltering and services through the Day Resource Center.

Youth Opportunities

While not originally envisioned as part of this effort, the opportunity to provide School Resource Officers was presented to the City. While continuing other programs, staff are leaning toward shaping a comprehensive approach to school safety and partnering with the stakeholders and community to build a program that addresses school security and looks at support services to reduce youth violence in our community. Staff has engaged the Science Policy Action Network

to provide qualitative and quantitative research. The proposed scope and contract with the schools will be modeled after the Wake County agreement.

Staffing

The City has been unsuccessful in hiring a Director. To move the program along, the City has shifted gears to hiring program managers to manage the various contracts and work on building out the pillars. The City has hired both a program manager and program coordinator. In conjunction with existing staff, the new staffing will be boots on the ground to expedite the buildout and development of the various programs and coordinate efforts in these areas. In addition, a new search will be started in the next few weeks to fill the Director's position.

In addition to these activities, staff have operationalized OCS as a division within the City Manager's office. While not a visible move, it paves the way for the rest of the activities and establishes the organizational infrastructure needed to move forward.

Discussion ensued.

MOTION: Council Member Benavente moved to accept the report
SECOND: Council Member Davis
VOTE: UNANIMOUS (10-0)

11.0 PUBLIC HEARINGS (Public & Legislative Hearings)

11.01 Public Hearing to Consider Closing a Portion of Ottis F. Jones Parkway

Ms. Kecia Parker, Real Estate Manager, presented this item and stated NCGS §160A-299 gives authority and procedures for the City to close a city street or alley. The City received a petition to close approximately 1,873.87 square feet of the street known as Ottis F. Jones Parkway to enhance the development of the Crown Event Center. On November 25, 2024, City Council approved scheduling the public hearing for January 13, 2025, to consider the request. All statutory procedures for notifications have been followed.

The City received a petition requesting the partial closure of a street known as Ottis F. Jones Parkway. Closing the portion of the street will not deny access to any property. The first step in the process dictated by NCGS § 160A-299 requires that a resolution be signed granting the public hearing to consider the street closing. At its November 25, 2024, meeting, Council voted to set the public hearing for January 13, 2025. Staff have followed all the statutory procedures to include posting the property and mailing out certified notice letters to adjacent property owners. Notice of the hearing has also been posted on both ends of the property of the proposed closure; and notice of the hearing was published for four consecutive weeks in the local newspaper. Staff also consulted with the public utility companies to ensure that any needed easements would be reserved. The Traffic Engineer researched the property and determined no traffic analysis study of the area was needed since the proposed closure is a portion of the current parking lot; therefore, closing of the street will have no significant impact on traffic flow. Fire and the Emergency Medical Service were also contacted and relayed that the closing will not impact their response times. The closing of this portion of Ottis F. Jones Parkway will enhance the development of the Crown Event Center.

There is no significant impact on the budget as a result of the proposed closing. Staff recommends adopting the Resolution and order the closing of the portion of Ottis F. Jones Highway for the development of the Crown Event Center.

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

**A RESOLUTION AND ORDER CLOSING A PORTION OF OTTIS F. JONES
PARKWAY. RESOLUTION NO. R2025-003**

MOTION: Council Member Davis moved to adopt the Resolution and
Order

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

**11.02 Phase 5 Annexation Utility Improvement Project Area 32 East
Section I Public Hearing on the Preliminary Assessment Roll**

Ms. Janell Rockett, Marketing Manager, Fayetteville Public Works
Commission presented this item with the aid of a PowerPoint
presentation and stated the Phase 5 Annexation went into effect in
2005, in 18 years, 25 projects have been completed and 5,926
connections have been made available.

This is the advertised public hearing set for this date and time,
the public hearing was opened.

Mr. Michael Morgan, 6920, Tayberry Court, Fayetteville, NC.,
appeared in opposition.

There being no one further to speak, the public hearing was
closed.

This item required no action.

**12.01 Historic District Design Standards update and Text Amendments to
comply with Chapter 160D of the North Carolina General Statutes**

This item was for information only and was not presented.

13.0 ADJOURNMENT

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

Respectfully submitted,

PAMELA J. MEGILL
City Clerk
011325

MITCH COLVIN
Mayor