

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
COUNCIL CHAMBER
SEPTEMBER 6, 2016
5:00 P.M.**

Present: Mayor Nat Robertson

Council Members Katherine K. Jensen (District 1); Kirk deViere (District 2); H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp (District 9)

Others Present: Douglas Hewett, Interim City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Jay Reinstein, Assistant City Manager
James Palenick, Economic and Business Development Director
Rob Stone, Engineering and Infrastructure Director
Kevin Arata, Corporate Communications Director
Michael Gibson, Parks, Recreation and Maintenance Director
Victor Sharpe, Community Development Director
Tracey Broyles, Budget and Evaluation Director
Scott Shuford, Planning and Code Enforcement Director
Kecia Parker, Real Estate Manager
Russ Rogerson, Economic Development Corporation
Rusty Thompson, PE, PTOE, Mott MacDonald
Eric Lindstrom, Trustee, Arts Council
Jerry Allen, The Cultural Planning Group
Martin Cohen, The Cultural Planning Group
Michael Tabb, RedRock Global, LLC
Tyrone Rachal, RedRock Global, LLC
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Robertson called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Wright.

3.0 APPROVAL OF AGENDA

MOTION: Council Member McDougald moved to approve the agenda with splitting the closed session into two segments; one item to be discussed at the beginning of this meeting, the second item to be discussed at the end of this meeting.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

4.0 CLOSED SESSION

MOTION: Council Member Hurst moved to go into closed session for consultation with the attorney regarding economic development matters.

SECOND: Mayor Pro Tem Colvin

VOTE: UNANIMOUS (10-0)

The regular session recessed at 5:07 p.m. The regular session reconvened at 5:33 p.m.

MOTION: Council Member Hurst moved to go into open session.

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

5.0 OTHER ITEMS OF BUSINESS

5.01 Arts and Entertainment District and Public Arts Master Plan Presentation

Mr. Eric Lindstrom, Trustee, Arts Council, introduced this item and stated this initiative to consider an Arts & Entertainment District was an extension of a study requested by the City that was commissioned by the Arts Council of Fayetteville/Cumberland County in 2014 to study the feasibility and examine the concept of a cultural arts facility in Fayetteville. The study intended to examine the potential demand for a theater/performing arts facility and included a preliminary outline of the economics of operating such a facility. A key recommendation of the study was development of an arts and entertainment district (AED) as a precursor to considering a cultural arts center and that would define assets, identify district boundaries, develop marketing strategies and more. Essentially, the recommendation suggested developing a sense of place and creating demand as an important first step, providing a framework to serve as context for a performing arts center. Based on that recommendation, in 2015, the Arts Council contracted The Cultural Planning Group (CPG) to facilitate an AED planning process. CPG concurrently worked on the development of a City-wide Public Art Master Plan. Over the course of the planning process, more than 200 community members participated through the Steering Committee, Taskforces, stakeholder interviews, discussion groups and public engagement sessions. An extensive document review was undertaken of existing cultural assets, prior economic development and regional development plans, and programming in and around the downtown area. The consultant team toured properties and visited key points of interest within the proposed district areas. Individual interviews were conducted with City and County elected officials, aligning District goals with City and County economic development goals. Additionally, this plan intersects with recommendations of the Urban Land Institute and Walkable Communities studies recently completed by the City of Fayetteville. CPG worked in coordination with the Downtown Alliances' Main Street Market Study to further inform the recommendations presented in this plan. The convergence of numerous studies indicates that now is the time to launch a district and position the Central Core as a vibrant hub and catalyst. Through community engagement sessions within the study process, a private philanthropist, who has contributed greatly to the beatification of a large portion of the areas mentioned in the report, offered a challenge grant of \$100,000.00 if the both the City and the County contribute financially as well. The board members of both the Arts Council and the Fayetteville Downtown Alliance have committed to financially supporting this effort with the same conditions.

Mr. Eric Lindstrom introduced Mr. Jerry Allen, Partner, The Cultural Planning Group and Mr. Martin Cohen, Partner, The Cultural Planning Group. Mr. Martin Cohen presented this item with the aid of a PowerPoint presentation and stated at a time when numerous planning efforts are aligning, the City of Fayetteville has an opportunity to fundamentally change the day-to-day experience for residents and visitors, by creating one or more arts and entertainment districts. In its Central Core, there is a strong concentration of arts and cultural entities, small creative enterprises, excellent independent restaurants and shops, and numerous festivals and special events. It has a corps of creative and committed individuals--civic leaders, municipal leaders, elected officials, business owners, artists and arts leaders--who understand the benefits of an arts and entertainment district. This includes artistic advancement, economic and community development, residential development and attraction of young creative professionals. In addition, numerous civic development plans are underway that have the potential to significantly alter the critical mass of activity in the Central Core. Private investment in the downtown area continues to create a wonderful mix of retail,

restaurants, galleries, cultural facilities, residential units, office space and in the near future, a hotel. Redevelopment plans range from repurposing of the Prince Charles Hotel for housing and retail, to preliminary plans and studies for a minor league baseball stadium. Fayetteville residents recently passed a bond referendum to invest in its parks and recreation facilities. This will greatly benefit areas adjacent to the Central Core, in particular development of the Cape Fear River District. This is the time to launch a district and position the Central Core as a vibrant hub and catalyst. Through this planning process Fayetteville begins creating and launching an Arts and Entertainment District in the Central Core. This place-making strategy is the intersection between community development, economic development, and cultural development so cities develop arts and entertainment districts for many reasons including:

- Supporting the revitalization of downtown or some area of a City.
- Creating greater evening and weekend activity.
- Creating an identity around an existing concentration of cultural, dining, and shopping resources.
- Establishing tourist destinations.
- Strengthening local arts and cultural organizations.
- Developing economic vitality.

For Fayetteville, creating an arts and entertainment district provides a cohesive place-making strategy linking the numerous current civic development efforts and ultimately creating an opportunity for increased economic development through the identity of a district. There is the perception that the City of Fayetteville has not kept pace with other urban areas within the state of North Carolina. Fayetteville was late in recognizing that the role of place-making is key to creating the kind of vibrant urban life that will attract and retain the creative workforce which, in turn, will attract and retain the creative businesses that are the foundations of the modern economy. Cities are in competition with one another for this workforce and these businesses. The development of the arts and entertainment district will be a significant step in elevating Fayetteville's competitive status.

Discussion ensued.

Consensus of Council was to accept the report and direct staff to communicate with Cumberland County staff and to bring this item back for further discussion (date was not specified).

5.02 Development of an Economic and Business Development Strategic Action Plan.

Mr. James Palenick, Economic and Business Development Director introduced this item and stated City Council directed that an Economic and Business Development Strategic Action Plan be developed in order to serve as a roadmap in directing both effort and resources in the furtherance of a targeted Economic and Business development vision for the future. Such a plan, if properly crafted, will provide clear, identifiable goals, objectives and performance targets that are both realistic and measurable. Further, the plan will serve to identify and recommend a series of action steps that will be targeted to revitalize one or more under-performing corridors or areas within the City. To develop this plan, the City first issued a Request for Professional Consulting Services in August 2015. From ten initial respondents, the City selected RedRock Global, LLC, to develop the plan, contracting for and budgeting \$110,000.00 in FY 2016. The contract was executed on February 1, 2016, and representatives of

RedRock Global, LLC, were introduced at the work session of City Council that evening. The contract has tasked RedRock Global, LLC, to use a three-phase approach to creation of the plan such that they have now (1) conducted significant research and analysis, including identifying workforce gaps, SWOT analysis, and leakage studies; (2) pursued and completed a comprehensive public engagement process including one-on-one interviews, group meetings, open houses, social media, and electronic surveys; and (3) created the proposed recommended Strategic Action Plan based on the information gathered and assimilated in Phases 1 and 2.

Mr. Palenick introduced Mr. Michael Tabb, Managing Principal of RedRock Global, and Mr. Tyrone Rachal, President of RedRock Global Capital Partners. Mr. Tabb presented this item with the aid of a PowerPoint presentation and provided Council with a hard copy of the 62 page report. Mr. Rachal stated based upon our research, we recommend a path forward that adopts four pathways that are specific to the circumstances that are present in Fayetteville:

- Quality Education and Schools
- Large Scale, High Quality Active Recreational Spaces
- Drive More People Downtown
- Focus Development, Marketing and Spending on City's strengths

Mr. Tabb stated utilizing the four pathways, RedRock Global has identified four focus areas for redevelopment planning: Upper Murchison Road, lower Murchison Road, Center City Action Park, and the Massey Hill Area. While the near-term opportunities surrounding these four focus areas are not mutually exclusive opportunities, it is recommended that the City work with its existing alliances and partnerships to prioritize its action plan to leverage its recently approved \$35 million recreational bond to drive economic development outcomes through the strategic leveraging of parks and recreational investment to create public destinations that would then attract private development interest in adjacent areas.

Discussion ensued.

Consensus of Council was to bring the finalized report back to Council at the October 3, 2016, work session with recommendations from staff on how to move forward.

Mayor Robertson recessed the meeting at 8:01 p.m. Mayor Robertson reconvened the meeting at 8:11 p.m.

5.03 Park Bond Project Management Presentation

Mr. Michael Gibson, Parks Recreation and Maintenance Director, introduced this item and stated Mr. Rusty Thompson, Senior Project Manager with The Mott MacDonald Group, will present an overview of the Capital Plan for Parks and Recreation. This follows the initial August presentation made to Council regarding management of these projects. Capital program elements and financial planning will be detailed as well as project procurement and delivery. Mr. Gibson introduced Mr. Thompson.

Mr. Thompson presented the item with the aid of a PowerPoint presentation and stated Mott McDonald's scope of work calls for the development of a project implementation plan by December 2016. Clarity regarding the scope and timing of projects is necessary in order for that task to be completed. This is the first opportunity for Council to revisit this issue and ask questions and/or provide feedback necessary to ensure that the capital program meets Council's expectations. Mr. Thompson stated there is an early grant opportunity and grant applications are due December 1, 2016, for the ConnectNC Bond Program. There are two projects included in the list of "improvements to existing parks" that should be highly competitive for these supplemental funds. Mr. Thompson asked for Council consensus

supporting moving forward with these projects and seeking grant funds to enhance the scopes thereof.

Consensus of Council was to support moving forward with these projects and to direct seeking grant funds to enhance the scopes.

Mr. Thompson stated a proposed location for the Senior Center (West) is included in the PowerPoint. This location is owned by the NC Wildlife Resources Commission who is considering providing the City with a no-cost 40- to 50-year lease. If Council is supportive of this location, then staff will finalize lease terms for Council consideration.

Consensus of Council was to allow continued discussion with NC Wildlife Resources Commission for leasing land in the vicinity of Lake Rim.

Mr. Thompson stated the City has identified seven splash pads; one of the splash pads still needs a location to be determined.

Consensus of Council was to locate the splash pad in the vicinity of the proposed baseball stadium.

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, stated staff has also identified a potential location for the Skatepark on land currently owned by A&R Railroad between Worth and Russell Streets and adjacent to the Ray Avenue extension project funded in the City's capital improvement program. A&R has expressed interest in exchanging their property (3.88 acres valued at \$697,178.00) for three parcels owned by the City through PWC (13.05 acres valued at \$97,448.79). Initial feedback from utility staff is that some of the identified acreage may need to be retained for future utility purposes. Utility staff has suggested that a formal request from the Council to the Commission is needed before further negotiations take place. If Council is supportive of this location and the potential land exchange, then staff will place a formal request to the Commission on a future agenda for consideration.

Consensus of Council was to direct staff to move forward with this project.

Mr. Thompson asked how much public outreach the Council would like on each project.

Discussion ensued.

Consensus of Council was to direct staff to solicit input from citizens when the projects are close to the design phase.

Mr. Thompson invited discussion on the location for the Sports Field Complex.

Discussion ensued.

Consensus of Council was to provide for flexibility to move the location of the sports field complex (possibly to Catalyst Site 1).

5.04 Discuss the Condemnation on Remaining Parcels for Centre City Business Park

Ms. Kecia Parker, Real Estate Manager, presented this item and stated On November 24, 2008, a resolution was approved authorizing the City Manager or his designees the authority to negotiate and acquire property in the Hope VI revitalization area. On December 13, 2010, City Council approved the site and concept for what is now known as the Centre City Business Park but was then known as Hope VI Business Park. On October 8, 2012, staff asked the City Council to authorize condemnation on the remaining parcels to allow for completion of the project; however Council did not authorize staff to continue with the

condemnation actions. City staff has acquired 29 parcels to date for the project and has performed the research on the remaining 12 parcels but has not had success with acquiring them due to unwilling sellers on 2 parcels and title issues on the remaining 10 parcels which require condemnation for clear title. Due to title issues that inhibit the City from getting proper title to 10 of the properties left and 2 unwilling sellers, staff is asking for City Council's opinion on beginning the condemnation process. If condemnation action is initiated, the problems with title would be cleared through that process and would allow the City to have a marketable title. The title issues involve unknown heirs on the majority of the remaining parcels. In the condemnation action, a guardian ad litem will be appointed by the Clerk of Court to represent the interest of the unknown parties. By going through this process, the City is ensuring that no impropriety exists and all interests are represented. This action would allow the advancement of the redevelopment of the business park as envisioned in the Hope VI project. The money has already been allocated for the acquisitions for this project.

Discussion ensued.

Consensus of Council was to direct staff to continue with the condemnation procedures and for Council to adopt the corresponding resolution. Council Members Robertson and Arp were in opposition of the consensus vote.

5.05 Code Enforcement Overview

Consensus of Council was to postpone this item due to the late hour of the meeting. No meeting date was specified to revisit this item.

5.06 Stormwater Program Overview

Mr. Rob Stone, Engineering and Infrastructure Director, presented this item and stated the City's stormwater program and utility was initiated in 1995 as a result of an unfunded Federal mandate from the Clean Water Act to manage pollution in stormwater runoff and improve the associated water quality. This program was tied directly to the permitted water quality requirements until 2007 when the Council increased the stormwater fee recognizing the need for new and retrofitted drainage infrastructure to solve issues with local flooding and system repairs. In 2008 Council adopted a comprehensive stormwater management control ordinance (Chapter 23, Article III) to address drainage and flooding concerns and to manage the adverse effects of increased stormwater runoff and address water quality concerns from newly developed and redeveloped properties. Based on input from stakeholders, ordinance changes have since occurred to aid commercial and residential development. Like most other North Carolina cities and towns, the City of Fayetteville has been issued a NPDES Municipal Stormwater Discharge Permit to ensure that stormwater pollution and runoff are managed within Federal and State law. The permit components are very complex and require extensive monitoring, maintenance, and funding for compliance. Since civil, criminal, and administrative penalties can be extremely costly, NPDES Permit noncompliance is not a viable option. The City's stormwater program is regularly audited for compliance by both NC DENR and EPA. The design and construction of new and retrofitted drainage infrastructure is extremely costly and revenues from stormwater funds have been used to accomplish projects in recent years. Expenditures from the above mentioned permit compliance and infrastructure improvements are likely to continue to grow. The City must continue to find ways to provide funding to adequately address the needs.

Discussion ensued.

Consensus of Council was to bring this item back (no date specified) with the following issues to be addressed in the presentation:

1. Cost comparison for filtration verses retention ponds.
2. Chestnut Hills Subdivision update.
3. Dialogue with developers regarding the 2009 Stormwater Ordinance.
4. List of all new development/structures since the 2009 Stormwater Ordinance was adopted.

5.07 City Council Agenda Item Request - Budget Amendment Request for Neighborhood Revitalization

Mayor Pro Tem Colvin presented this item and stated he would like to invite discussion on the consideration of reallocating additional General Fund dollars in the amount of \$500,000.00 to target redevelopment plan to be utilized in the Massey Hill and Murchison Road neighborhoods.

Discussion ensued.

Consensus of Council was to move this item forward, Council to set the criteria for the ground rules to qualify for funding, and for this item to be placed on the October 3, 2016, work session.

5.08 City Council Agenda Item Request - Revision to Fayetteville's Approved Downtown Historic District

Council Member Mohn presented this item and stated Fayetteville's downtown area bordered by Rowan Street, Hay Street, Ray Avenue and Bragg Boulevard has experienced successful complimentary modern development; ASOM, NC State Veterans Park Phase I and Phase II coming, Festival Park, and the Festival Park Plaza Building. There is no negative impact on "National" historical protections for neither the train station nor the Prince Charles Hotel. We can continue to have progressive economic development opportunities and maintain historical protections of our overall downtown area.

Consensus of Council was to remove the areas outlined in Council Member Mohn's proposal from the locally established historic district.

4.0 CLOSED SESSION

MOTION: Council Member Hurst moved to go into closed session for consultation with the attorney regarding economic development matters.

SECOND: Mayor Pro Tem Colvin

VOTE: UNANIMOUS (10-0)

The regular session recessed at 10:19 p.m. The regular session reconvened at 10:52 p.m.

MOTION: Mayor Pro Tem Colvin moved to go into open session.

SECOND: Council Member Arp

VOTE: UNANIMOUS (10-0)

6.0 ADJOURNMENT

There being no further business, the meeting adjourned at 10:53 p.m.