

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE CONFERENCE ROOM and
COUNCIL CHAMBER
JANUARY 2, 2018
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (arrived at 5:10 p.m.); Tyrone Williams (District 2); Tisha W. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (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, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Jay Reinstein, Assistant City Manager
Telly Whitfield, Assistant City Manager
Gina Hawkins, Police Chief
Ben Major, Fire Chief
Rob Stone, Public Services Director
Giselle Rodriguez, City Engineer
John Larch, Assistant City Engineer
Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director
Kevin Arata, Corporate Communications Director
Victor Sharpe, Economic and Community Development Director
Gerald Newton, Development Services Director
Rebecca Jackson, Strategic Performance Analytics Director
Robert Van Geons, President and CEO, FCEDC
Marcia Shepherd, Strategic Planning Consultant
Adam Svolta, Pathways for Prosperity Initiative
Mark Brown, PWC Customer Services Director
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 Council Member Wright.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Haire moved to approve the agenda with the exception of removing Item 4.016 from the agenda.

SECOND: Council Member Arp

VOTE: UNANIMOUS (10-0)

4.0 OTHER ITEMS OF BUSINESS

4.01 Astros' Founders Program - Downtown Baseball Stadium

Mr. Kristoff Bauer, Deputy City Manager, presented this item with the aid of a PowerPoint presentation and stated The City of Fayetteville broke ground on August 21, 2017. The stadium will be home to the Houston Astros minor league affiliate. The stadium is expected to be complete by spring 2019 and will serve as the cornerstone of a project expected to revitalize the western end of Hay Street with many leisure and recreation opportunities. The Houston Astros and the City of Fayetteville entered into an operating agreement obligating the Astros to operate and maintain the baseball

stadium for 30 years. The Houston Astros are requesting the opportunity to allow community members to purchase engraved brick pavers in the area to the left of the stadium main entrance. The program details are outlined in the flyer included in the agenda packet. The City will remain the owner of the stadium and this use of public funds should be authorized. No current program or policy is in place to support this kind of use or public property in Fayetteville. No impact is proposed as all revenues and costs of the program are proposed to be received and the responsibility of the Astros.

Discussion ensued.

Consensus of Council was to direct staff to move this item forward.

4.02 Pathways for Prosperity Initiative Update

Mr. Jay Reinstein, Assistant City Manager, introduced this item and introduced and thanked Mr. Kirk deViere and Mr. Adam Svolta for their hard work on this project. Mr. Adam Svolta presented the item with the aid of a PowerPoint presentation and stated the clear imperative is to build an infrastructure of opportunity to ensure all citizens have a clear path to family-supporting work, that employers have the workforce they need to grow and innovate, and that our civic culture is one that supports prosperity for all. Mr. Svolta provided an overview of the background, resources, completed milestones, community survey results, summit results, and five key focus areas.

Discussion ensued.

Mr. Svolta concluded the presentation by stating the next steps would be the Comprehensive Action Plan in March 2018, Neighborhood Revitalization Teams in the summer of 2018, and an Accountability Session in December 2018.

4.03 North Carolina Civil War History Center - Property and Funding Request

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated the NC Civil War History Center Foundation ("Foundation") has made three requests for Council consideration: (1) the donation of City-owned property and assets, (2) the rezoning of that property consistent with their proposed use, and (3) the release of \$250,000.00 of the \$7,500,000 funding pledged by the City. Beginning in 2012, the Foundation presented the idea of developing a 60,000 square foot historical facility focused on the Civil War to be developed on the historic site of the Fayetteville Arsenal. The estimated cost of this facility is \$65 million and the City and County were asked to pledge \$7,500,000.00 each. The rest of the capital cost and the ongoing operation and maintenance would be provided by the State and private donors. In October 2015, the City provided the Foundation \$100,000.00 to support the development of project plans and estimates in order to support further project development and fundraising efforts. On December 12, 2016, the Council adopted Resolution No. R2016-081--"A Resolution of the City Council of the City of Fayetteville in Support of the Proposed North Carolina Civil War History Center". The resolution expresses a willingness of the City to provide \$7.5 million in funding "contingent upon [the Foundation] receiving matching County support and State funding." Cumberland County did subsequently act to provide a matching commitment. The land that the Foundation has requested be transferred is not actively programmed by the City. The City does perform minimal landscape maintenance similar to other passive open space facilities. The site is a stop during tours of historic Civil War sites and the Museum of the Cape Fear does use one of the buildings for some storage. The historic officer housing building is in need of maintenance in order to preserve that structure. That expense is not currently programmed. Staff would recommend that any property transfer include provisions regarding the appropriate maintenance of historic sites and the preservation of

public access thereto. Staff would further recommend that the City reserve the right to recover the property should the museum project not proceed within a reasonable time or the historic sites not be appropriately cared for. Council has the authority and has in the past directed that a rezoning case be prepared and presented for Council consideration. It would be inappropriate for Council to pre-judge or guarantee the outcome of that process in advance. There is no funding identified or appropriated in the City's current capital or operating budget. Staff can work to identify options to provide resources should that be Council's direction.

Mr. Mac Healy, President, Board of Directors, NC Civil War History Center Foundation, stated the Board has approved the name change of the project to the "Civil War and Reconstruction History Center".

Discussion ensued pertaining to economic impact, racial issues, financing, timelines, land and zoning, Cumberland County funding participation, and history and education.

Consensus of Council was to direct staff to prepare a property transfer that will include use restrictions and reversionary interest for Council consideration, direct staff to develop zoning plan for surrounding area, and agree to release \$250,000.00 funding once Cumberland County allocates their funding.

Mayor Colvin recessed the meeting at 6:30 p.m. and reconvened the meeting at 6:40 p.m.

4.04 Downtown Urban Design Committee formation.

Mr. Craig Harmon, Senior Planner, presented this item and stated the City has been awarded by the State a grant in the amount of \$100,000.00 to fund the preparation of a Downtown Urban Design Plan. This grant from the NC Department of Commerce, Rural Economic Development Division, is for professional services to prepare the plan. As a part of the terms of the grant, a steering committee (termed the Urban Design Advisory Committee) is to be appointed by the City Council. This is a request for the Urban Design Advisory Committee to be organized and then named at the January 23, 2018, council meeting. When the City was awarded the grant money, a requirement is that there be an advisory committee to be involved with the professional staff in the process of selecting and then overseeing the completion of a consultant's work. The intention of the plan is to synthesize current community goals with previous planning efforts and policies, provide a clear guide and predictable framework that is useful for both developers and citizens, and serve as a powerful graphic tool for visualizing preferred downtown development. The plan will address downtown Fayetteville's immediate needs and be dynamic enough to serve as a guide for the foreseeable future (20 years). Further, as a part of the grant award, the City is committed to "utilize a consultant with considerable experience in developing urban design plans for downtown areas that include establishing synergistic relationships between key land uses, enhancing vehicular and non-vehicular connectivity and integrating historic and contemporary building styles through a participatory planning process." The selected firm or team will be responsible for providing specific professional services to support the formulation of a Downtown Urban Design Plan for Fayetteville. The consultant selection process begins with the receipt of responses to the City's Request for Qualifications (RFQ), which are due to the City no later than January 19, 2018. Following review of the submissions for meeting the qualifications, a short list of consultant firms or teams will be identified by the Urban Design Advisory (UDA) Committee, with planning staff support to be interviewed. Interviews will be conducted by the UDA Committee. The UDA Committee will then select a finalist firm or team and recommend selection to the City Manager. City staff will develop a contract with the selected firm or team. The UDA Committee will then stay involved in the process which is expected to last six months

before the Fayetteville Downtown Urban Design Plan is finalized. As proposed, the UDA Committee will be made up of ten members. Each Council member is asked to select one citizen to serve on the UDA Committee for the duration of the project. Selections should be submitted to Craig Harmon. A formal naming of the UDA Committee may then be made by the City Council at their January 22, 2018, meeting, if the council so chooses.

Discussion ensued.

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

4.05 City Council Input into the City Council Retreat Agenda

Ms. Rebecca Jackson, Strategic Performance Analytics Director, introduced this item and introduced Ms. Marcia Shepherd, Strategic Planning Consultant. Ms. Shepherd provided an overview of the draft program for the forthcoming City Council Retreat.

Discussion ensued.

Consensus of Council was to direct staff to send a questionnaire to Council via e-mail pertaining to preferences of which items to address at the retreat by the end of this week.

4.06 Stormwater Master Plan

Mr. Rob Stone, Public Services Director, presented this item with the aid of a PowerPoint presentation and stated Council directed staff to explore methods of increasing the organization's capacity to address stormwater needs utilizing contracted resources. The City's stormwater program and utility was initiated in 1995 to comply with the Clean Water Act to manage pollution in stormwater runoff and improve water quality. This program was tied directly to 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 to make system repairs. An active capital improvement program was developed at that time. Initially, capital improvements were driven by citizen complaints and observations of flooded areas noted by City staff. Over time, the City has started conducting watershed studies to look at large sections of the City and identify problems on a system-wide basis. Projects have been developed from these watershed studies and incorporated into the CIP list, along with those identified from complaints. The CIP development process is not, however, based on a comprehensive understanding of the City's stormwater needs as not all watersheds in the City have been studied. Council directed staff to research options for utilizing contracted resources to more aggressively develop and implement stormwater improvements. Staff issued a Request for Information (RFI) to test private sector capacity and interest in assisting in the future implementation of Watershed Master Planning Services throughout the City. The main objective of the RFI was to solicit ideas and recommendations from potential private contractors based on industry standards and lessons learned in other communities. Ten firms responded to the request; one of which is local. Based on the information received from the consultants, the following multiple highlights stand out:

- (1) The firms have a capacity limit. The common number was three watersheds max per firm.
- (2) Consider looking beyond what is required to handle existing conditions and target possible build-out conditions.
- (3) Consider regional facilities.

The current stormwater project list is primarily a result of two watershed evaluation projects. The remaining 13 watershed areas will

also generate more projects that will need to be prioritized; however, current budgeting only proposes one watershed study every two years. City Council has asked for information related to developing a Stormwater Master Plan to determine comprehensive stormwater needs in a considerably shorter time period. The current five-year plan does not include the cost of a watershed masterplan or any increase in project delivery beyond that already discussed with Council. Supplementing current projects with private contractors to speed up the planning, project design and delivery process will require the identification of additional resources.

Discussion ensued.

Consensus of Council was to direct staff to bring this item back with additional information for further discussion.

4.07 Update on the Hazard Mitigation Grant Program and Community Development Block Grant-Disaster Recovery projects.

Mr. Victor Sharpe, Economic and Community Development Director, presented this item and stated at the City Council meeting on December 11, 2017, staff was requested to provide an update on the Hazard Mitigation Grant Program (HMGP) and Community Development Block Grant-Disaster Recovery Program (CDBG-DR). The City of Fayetteville is receiving an HMGP allocation of \$4.7 million. Of the 210 applications received by residents in May 2017, 32 properties met the expedited criteria, cost effective criteria, and could be accommodated under the cap of available funds. The 32 qualified homeowners were mailed letters regarding the selection of their property under the program. The City received a favorable response from 28 of the homeowners. Funding for this program will be available in February/March of 2018. Fayetteville is eligible to receive additional CDBG-DR funding that will be awarded to North Carolina in the amount of \$63 million to repair additional storm-damaged homes or buyout or elevate homes in locations likely to flood again. It is anticipated that Fayetteville/Cumberland County will receive approximately \$6.1 million in additional funding in the coming months. The State of North Carolina is receiving \$198 million of CDBG-DR funds from the Department of Housing and Urban Development as a result of damage caused by Hurricane Matthew in October 2016. Cumberland County is expected to receive \$34,945,328.00 of this amount over a three-year period. Eligible Cumberland County residents who were directly impacted by the hurricane will have an opportunity to apply for assistance from a variety of Housing Recovery Programs. This Housing Recovery Program provides assistance to low- and moderate-income homeowners and businesses who experienced major to severe damage to their homes and businesses and have remaining unmet needs, after subtracting benefits from FEMA, SBA and private insurance. This program includes reconstruction activities, acquisition and construction of new homes and insurance subsidies to eligible low- and moderate-income families. Affordable housing is the State's number one priority associated with the CDBG-DR program. City staff worked with Cumberland County to develop a proposal to carry out a variety of housing and recovery programs. The proposal includes a Homeowner Recovery Program, Small Rental Repair Program, Multi-family Rental Housing, and a Community Recovery Program that will include a Day Center and a Homeless Shelter. Businesses will have to apply directly to the North Carolina Department of Commerce for available funding. Cumberland County was awarded the CDBG-DR funds from the NC Department of Public Safety as a sub-recipient. The State is only releasing to Cumberland County two-thirds of the funding for a two-year period in the amount of \$23,260,000.00. Of that amount, the City will receive \$15,325,000 during that period from Cumberland County as a sub-sub-recipient to carry out the various programs. The additional funding of the original \$34.9 million will be awarded to the County in the third year of the program. The remaining funds of \$11,685,328.00 will be made available in year three to Cumberland County, with the City receiving \$8,042,500.00 of that amount. Applications are currently being accepted at the Cumberland County/Fayetteville Application

Center located at the Department of Social Services, Monday through Friday from 7:30 a.m. to 5:00 p.m. The State has provided application specialists to meet with applicants to complete the intake of their application. The intake center has received approximately 175 applications to date. The City and County staff will be trained by the State to use its customized software designed for the program. The City and County will take on the responsibility for application intake later in January 2018.

In accordance with the grant agreement with Cumberland County, the City will carry out the following CDBG-DR activities:

Activity #1: Housing Recovery - The City will undertake housing activities to include single-family homeownership rehabilitation, single-family homeownership reconstruction; mobile home repair; housing repair reimbursement; small rental repair; and provide affordable single-family ownership in the Oakridge Estates Community in Fayetteville.

Activity #2: Multi-Family Rental Housing - The City and the County will jointly choose a consultant to guide the parties in selecting an experienced individual that demonstrates the capacity and ability to carry out the activities in accordance with HUD's guidelines and contractual obligations.

Activity #3: Economic Development (Small Business Recovery) - The City will undertake this activity in accordance with the coordination and administration of the Department of Commerce.

Activity #4: Community Recovery - The City jointly with the County will collaborate as a part of the homelessness initiative in the development of a facility to provide supportive services and shelter to homeless individuals and families.

The larger projects such as the affordable housing developments and the homeless shelter/day will come back to City Council for further consideration.

There is no impact to the General Fund as no local match is required.

Discussion ensued.

Consensus of Council was to direct staff to accept the update on the Hazard Mitigation Grant Program and Community Development Block Grant-Disaster Recovery projects.

4.08 Fire Department Update on Diversity

Mr. Ben Major, Fire Chief, presented this item with the aid of a PowerPoint presentation and stated the Fire/Emergency Management Department historically has recognized the lack of sufficient numbers of minority and women within its ranks of firefighters. Various strategies have been employed, to include introducing measures to help increase the number of minority and female applicants received during recruitment periods, identifying and adjusting the components of the recruitment and hiring process to address barriers that hinder minorities and women from successfully competing for positions and the continuous review and evaluation of recruitment processes. The Fire/Emergency Management Department continues to face challenges in improving diversity within the organization. Measures to be taken to assist the department in increasing the diversity of its workforce will include the following:

- (a) Hosting a symposium on recruiting for diversity. The symposium will include speakers discussing best practices and what have worked well for other municipal departments and organizations.

- (b) Working with a consultant to assist with improving the strategic plan to improve diversity within the Fire and Police departments.
- (c) Sponsoring enhanced preparatory workshops for potential candidates.
- (d) Partnering with agencies that share an interest in workforce development.

Discussion ensued.

Consensus of Council was to direct staff to continue working on this item.

Mayor Colvin recessed the meeting at 9:04 p.m. and reconvened the meeting at 9:10 p.m.

4.09 Text Amendment to align the City Subdivision Code with the General State Statute recent change regarding subdivision review.

Mr. Jerry Newton, Development Services Director, presented this item and stated the N.C. General State Statutes has been amended to include one additional subdivision exemption allowance and an expedited subdivision review allowance. The proposed text amendment will align the City Subdivision Code with the amended State Statute. The City Code must be consistent with the NC General State Statutes. The State Statutes were recently amended. The proposed text amendments are (1) the allowance of a fifth type of land subdivision to be exempt from the subdivision regulations and the subdivision review process and (2) the allowance for an expedited land subdivision review/approval process when the subdivision complies with specific criteria. The expedited review allows for specific types of land subdivision to be approved with a final plat review only; the subdivision is exempt from the normal subdivision review process but must comply with the subdivision regulations. Text amendments are required by Code to be reviewed by the Planning Commission and forwarded to City Council for final disposition. The Planning Commission recommended approval of the proposed text amendment at their December 19, 2017, meeting. The proposed text amendments align the City Subdivision Code with the NC General State Statute regulations regarding subdivision exemptions and creates one expedited review allowance.

The Subdivision Review Fee does not apply as there is no fee for exempt subdivisions and expedited subdivisions are not required to go through the subdivision review process.

Consensus of Council was to direct staff to move this item forward.

4.010 Memorandum of Understanding with Fayetteville State University Regarding Joint Development of Wellness Facilities

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated the Parks Bond Council Subcommittee recommends that the Council consider a Memorandum of Understanding ("MOU") with Fayetteville State University ("FSU") to study the joint development of a wellness facility and senior center on the corner of Murchison and Filter Plant Roads. A draft MOU is included in the agenda packet. The City's Parks and Recreation Bond included two senior centers--one in western Fayetteville and one in the east. The Western Senior Center is to be located adjacent to Lake Rim and is under design. The design firm, HH Architecture, has completed the Schematic Design phase and will shortly begin working with the Construction Manager at Risk firm, Metcon, on cost estimation work. The work is part of the pre-construction contract with Metcon which has been executed. The construction contract is being negotiated for consideration by Council. The location of the Eastern Senior Center has not been

established, but has been anticipated to be in the vicinity of the current center located on Blue St. which it will replace. The Park Bond identified \$5 million for the development of the Eastern Senior Center. Beginning in 2012, the City worked with FSU to clean up the old Washington Drive school site and place this property into FSU ownership. FSU acquired additional properties in the area and initiated some masterplan efforts of the area. Those plans have not been implemented. FSU has identified funding to address two pressing needs for its campus--a wellness facility and additional facilities to support female athletics. The draft MOU would support an equal split of the costs for a feasibility analysis to explore the feasibility of a jointly developed facility located within the study area. If the analysis is positive and the parties decide to move forward, then it will likely be necessary to revisit the current timing and financial plan for the Park Bond projects in order to match FSU's development and funding timeline. If Council decides to proceed, staff will recommend a Capital Project Ordinance appropriating funding from the Park Bond financial plan with matching funds from FSU. The budget would be for up to \$60,000.00.

Discussion ensued.

Consensus of Council was to move this item forward.

4.011 City Council Agenda Item Request - Mayor Colvin - Internships

Mayor Colvin introduced this item and asked Council to support expanding the available internship opportunities to our younger citizens.

Discussion ensued.

Consensus of Council was to direct staff to bring this item back with options, with the possibility of including this item as an item for the Strategic Planning Retreat agenda.

4.012 City Council Agenda Item Request - Mayor Colvin - Workforce Summit and Small Business Festival

This item was not presented.

4.013 City Council Agenda Item Request - Mayor Colvin - Branding Information

Mayor Colvin introduced Mr. Robert Van Goens, President, CEO, FCEDC. Mr. Van Goens stated from the Pathways for Prosperity research statistics we have 7,700 people in our Municipal Service Area (MSA) looking for work, we have the second highest unemployment rate in the MSA. Two years ago FCEDC was created; spun out of the Chamber of Commerce. Our goal is to bring together all the organizations/entities to have a unified message, under one commonality. We propose to not recreate the wheel and put resources in place to hire a professional company to bring together a unified branding.

Consensus of Council was to direct staff to move this item forward.

4.014 City Council Agenda Item Request - Fayetteville Parliamentary Procedures - Mayor Pro Tem Mohn

Mayor Pro Tem Mohn stated he has included in the packet Part II of our Code of Ordinances, Chapter 2 - Administration, Article 1. - In General, Section 2-4 (Parliamentary Procedure); it may be a good idea to review. Mayor Pro Tem Mohn addressed discussion during Public Hearings and stated both sides of the argument should be heard, prior to Council asking questions of speakers, and suggested the City Attorney provide an overview of Public Hearing procedures at a later work session. Council Member Dawkins recommended the procedures for Closed Sessions should be tightened up. Council Member Crisp stated

the NC School of Government will provide an overview of parliamentary procedures at the forthcoming training taking place later this month.

Further discussion ensued. No consensus was provided.

4.015 City Council Agenda Item Request - Discussion of UDO Committee - Council Member Crisp

Council Member Crisp presented this item and stated he wants to form a committee/task force to study and make recommendations/changes to the UDO, and propose the committee consist of two council members, one county commissioner, two select staff members and two person from the Home Builders/Developers to review the UDO and make recommendations and options to Council to make the UDO more user friendly. Council Member Crisp stated he has not consulted with the Development Services Director, Public Services Director or any of the City Planners. Council Member Crisp further stated the committee would need a charter.

Discussion ensued.

Mr. Jerry Newton, Development Services Director stated staff are putting together a comprehensive review (big balcony) to present to Council at the next work session of the items we are working on, the UDO is messy but not too complicated for staff and with the energy of the Council it is something we can work on.

No Consensus was provided.

4.016 City Council Member Agenda Item Request - Internet Service - Council Member Haire

This item was pulled from the agenda.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 10:05 p.m.