

**FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
COUNCIL CHAMBER, CITY HALL  
JUNE 6, 2022  
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Kathy Jensen (District 1); Shakeyla Ingram (District 2) (arrived at 5:05 p.m.); Antonio Jones (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Larry O. Wright, Sr. (District 7); Courtney Banks-McLaughlin (District 8); Yvonne Kinston (District 9)

Absent: Council Member Chris Davis (District 6)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Telly Whitfield, Assistant City Manager  
Adam Lindsay, Assistant City Manager  
Jay Toland, Assistant City Manager  
Gina Hawkins, Police Chief  
Mike Hill, Fire Chief  
Gerald Newton, Development Services Director  
Sheila Thomas-Ambat, Public Services Director  
Byron Reeves, Assistant Public Services Director  
Kelly Olivera, Budget and Evaluation Director  
Chris Cauley, Economic and Community Development  
Jodi Phelps, Corporate Communications Director  
Pamela Megill, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Colvin called the meeting to order at 5:00 p.m.

**2.0 INVOCATION**

The invocation was offered by Council Member Jones.

**3.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Wright moved to approve the agenda.

**SECOND:** Council Member Haire

**VOTE:** UNANIMOUS (8-0)

**4.0 OTHER ITEMS OF BUSINESS**

**4.01 Consideration of Financial Assistance to the Fayetteville Dogwood Festival due to COVID-19 Impacts**

Ms. Sarahgrace Snipes, Dogwood Festival Executive Director, presented this item and stated the Fayetteville Dogwood Festival is a City-sponsored nonprofit organization that has been in existence for 40 years. The City leases office space, located at 222 Hay Street, to the organization for \$250.00 a month. The Fayetteville Dogwood Festival has grown to encompass multiple events throughout each calendar year including a spring festival, which has become the largest community gathering in the City. Last year, the Dogwood Festival reported a \$1.3 million financial impact to the economy. They plan to continue seeking support through sponsorships and grants as well.

The Dogwood Festival Board of Directors sent a letter to the City requesting the sum of \$15,000.00 of financial support due to COVID impacts on their operations. The City did not receive the request in time to bring it to City Council prior to the Spring Festival event.

Discussion ensued.

**Consensus of Council was to approve the request from the Dogwood Festival Board of Directors for \$15,000.00, and to direct the Executive Director to return to a future Council meeting to present a plan of action; to include addressing diversity concerns. Council Member Ingram was opposed to the consensus vote.**

#### **4.02 Housing Program Policies and Procedures**

Mr. Chris Cauley, Economic and Community Development Director, presented this item with the aid of a PowerPoint presentation and stated Council is asked to review and provide consensus for staff to implement updated Housing Program Policies and Procedures. This is the result of staff action to implement suggested strategies from the Affordable Housing Study adopted by Council on June 28, 2021.

Since adoption of the Affordable Housing Study, staff in the Economic and Community Development Department has engaged Council, community members, and experts to update the existing housing program policies and procedures to ensure they address the findings of the affordable housing study.

Through a repurposing of existing grants and a significant amount of new resources, staff is prepared to launch a new and more inclusive housing development program on July 1, 2022, with more than \$12 million available for production.

The presentation included briefing on: Policy Decisions Required, Key Findings, Housing Plan Goals, Housing Plan Strategies, Implementation Timeline, Establish a Housing Trust Fund, Housing Policy Overview, Updating the Policy, Housing Trust Fund Basics, Financial Model - HOME, Financial Model - State, Financial Model - Bond, Financing and Developing Affordable Housing, Different Roles for Partners, To Be Done by Housing Team, Housing Resources Available, Next Steps and Timeline.

Discussion ensued.

**Consensus of Council was to direct staff to move forward on this item as presented by staff.**

#### **4.03 Stormwater Funding Brief**

Mr. Byron Reeves, Assistant Public Services Director, presented this item with the aid of a PowerPoint presentation and stated The City of Fayetteville is in the process of conducting its multi-year City-wide Watershed Master Plan. To date, multiple watershed studies have been presented to Council with proposed solutions recommended to move forward with project development.

Since December of 2021, staff has recommended moving forward with project development of approximately \$50 million. The following serves to summarize the funding status of the recommended projects to date and to underscore that only design of these projects have been programmed into the current stormwater funding model.

For construction to move forward, multiple revenue bonds will need to be secured in future fiscal years once projects are near "shovel ready". Securing these revenue bonds will result in annualized principal and interest payments. To account for future principal and interest payments, additional revenues will be needed, initiating the need for a stormwater rate increase.

This funding scenario is focused on design and construction of the recommended projects generated from the watershed study thus far. It does not address funding needs for future staffing, and potential project needs from additional watershed studies, additional soft costs, grant matches, new stormwater initiatives or other costs that could arise over the future five-year projection. Any combination of which could potentially necessitate a rate increase.

Staff recommends City Council accept staff summary that informs the proposed watershed projects to date cannot be constructed without the issuance of revenue bonds and a fee increase.

The presentation included briefs on: Timeline, 1st Tranche Projects, Locks Creek Proposed Project, Russell and Person Streets Improvements, Budget Impacts, Funding Strategies and Schedules, and Additional Considerations.

Discussion ensued.

**Consensus of Council was to accept the staff summary that informs the proposed watershed projects to date cannot be constructed without the issuance of revenue bonds and a fee increase. Council Members Haire, Banks-McLaughlin, and Kinston were opposed to the consensus vote.**

#### **4.04 Watershed Master Plan Program - Blounts Creek Watershed High Priority Concern Area Proposed Solutions (Package 4)**

Ms. Sheila Thomas-Ambat, Public Services Director, introduced this item and Mr. Scott Brookhart with Arcadis presented the item with the aid of a PowerPoint program.

Mr. Brookhart stated Priority 1 areas in the Blounts Creek Watershed have been studied as part of the first set of watersheds in the Watershed Master Plan program. Because of the size of the Blounts Creek watershed and the number of sub-basins identified as Priority 1, this watershed study was broken into four separate packages, with Packages 1 through 3 covering sub-basins in the upper part of the watershed and Package 4 covering the lower part to include the downtown area. While flooding impacts identified in Packages 1 through 3 were mostly related to secondary system deficiencies, much like the first three watersheds brought to Council in December, flooding impacts in Package 4 were shown to be primarily caused by ponding due to restrictions to the primary system.

The Package 4 area is the highest priority area in this watershed and solutions have been developed for both the secondary system as well as primary system. Of the solutions developed for Package 4, the Russell and Person Streets Proposed Solution offers the highest return on investment.

This solution would require upgrading the Person Street bridge from 50 feet to 70 feet; upgrading the 100-foot Russell Street to a 120-foot 3-span structure, and upgrading the railroad bridge between traffic lanes to 120 feet as well; and stabilizing, restoring, and providing additional floodplain storage from downstream of Person Street to S. Cool Spring Street. The cost of this proposed solution is \$20.5 million.

Based on modeling results, flooding impacts are substantial in the downtown area, with 4 miles of lane length of City and private roads impacted during the 25-year event. Likewise, the number of impacted structures is substantial with 83 during the 10-year event, 131 during the 25-year event, and 162 during the 50-year event. A prime concern for the City is the number of disconnected dwelling units and other structures, and in this area modeling results for the 50-year event indicate 132 such impacted structures. The City is also concerned about the road crossings impacted during flooding events, of which there are 10 in this area.

The Russell and Person Streets Proposed Solution resolves 2.4 miles of impacted lane length, 3 traverse road crossings, and 122 disconnected structures. This solution also resolves flooding for 74 impacted structures during the 10-year event, 132 impacted structures during the 25-year event, and 144 impacted structures during the 50-year event. The floodplain area will be reduced as follows by design storm: 10-year by 23.3 acres, 25-year by 97.1 acres, 50-year by

126.5 acres, and 100-year by 136.3 acres. The solution will provide a \$24.7 million benefit in flood risk reduction and property damage over a 10-year period.

With these primary system improvements, the Lincoln Street secondary system is improved at no additional cost. This Proposed Solution also provides substantial benefits to future secondary system proposed solutions (Stevens Street and S. Cool Springs Street).

By proceeding with further evaluation of the Russell and Person Street Proposed Solution, with a BCA of 1.2 the City will be better poised to solicit grant funding relatively soon as well as in the future. This proposed solution provides substantial benefits related to roadway flooding, disconnected structures, and traverse road crossings, as well as many co-benefits. Co-benefits identified include substantial mitigation of structure flooding, upgrading aging bridges, and providing more resiliency by incorporating stream enhancements and community improvements. Stream enhancements will provide an environmental and public benefit contributing to a resilient watershed.

The proposed solution will require working closely with and gaining cooperation from existing collaborators, such as DOT and CSX. This collaboration will most likely result in an extended project delivery schedule. Estimated time frame for this project is 72 months.

All design cost for the Russell and Person Streets Proposed Solution can be funded through the stormwater enterprise fund utilizing monies programmed in FY 23 and FY 24. To construct this project, grant funding will need to be pursued or the project will need to be included in a Stormwater Revenue Bond (targeted for FY 25).

Discussion ensued.

**Consensus of Council was to approve the Russell and Person Streets Bridge Replacement Proposed Solution to move forward with project development and design and direct staff to pursue available grant funding for future construction.**

#### **4.05 Locks Creek Proposed Solutions Follow Up**

Mr. Byron Reeves, Assistant Public Services Director, introduced this item. Mr. Gordon Rose, Gradient, presented the item with the aid of a PowerPoint presentation. Mr. Rose stated staff presented three options at the April 4, 2022, Council work session that were developed to help mitigate flooding impacts in the Locks Creek neighborhood.

At the work session, staff recommended and Council provided consensus to move forward with project development and design of Option 1 Phase I at an estimated project cost of approximately \$8.8 million. Council also requested more information on the presented Option 2 that included property acquisition, a levee system, and pump station at an estimated total cost of \$45.4 million. This presentation will provide more detail on the \$45.4 million option and include staff's recommendation for that proposed solution.

The area that drains to the NC 53 culvert on Locks Creek is approximately 14 square miles, and mostly flat. Much of the Locks Creek neighborhood, bounded by Locks Creek Road to the north and Locks Creek to the south, experiences frequent flooding. The culvert underneath NC 53 constricts flow, creating a backwater condition.

Staff (and consultant teams) have evaluated potential viable solutions to mitigate the flooding. Building on modeling results from the Watershed Master Plan program, several potential modifications/additions to both the primary system (Locks Creek, culverts under NC 53) and secondary system (pipes and inlets within neighborhoods) were evaluated in various combinations to arrive at

three potential options, or packages of solutions. While all options have the ability to mitigate some flooding impacts for the 25-year storm, no solution has been found to mitigate flooding impacts 100 percent.

Option 1 Phase I includes elevating portions of the Locks Creek road, and upgrading selected drainage within the neighborhood on Pasture Lane, Windmill Road, and from Locks Creek Road along Bridgeton Way. Council provided consensus at the April 4, 2022, work session to move forward with project development for this option.

Option 2 includes the same drainage improvements as Option 1 Phase 1 with a shorter segment of Locks Creek Road elevated, and additionally includes a levee installed along Locks Creek and tributary up to Locks Creek Road. A pump station will be required for this option as well as property acquisition. The following issues/analysis provides a more comprehensive look at this proposed option.

The following issues were looked at in more detail as a proposed levee would mitigate some, but not all, flood events in the area.

At an estimated total project cost of \$45.4 million, it is estimated that the permitting and design cost would be approximately \$8.1 million. The current stormwater financial model cannot support this design cost as it would deplete the stormwater fund, causing a negative fund balance for the 5-year projection. Additionally, with such a high construction cost, preliminary Benefit Cost Analysis are at a ratio of less than 1.0, indicating the project is not cost effective and would be difficult to fund via a grant.

Modeling results show that the elevation of the 100-year storm event is approximately 86.6 feet. This height is above the elevation of NC Hwy 53 (Cedar Creek Road). If the targeted level of service is to protect against the 100-year storm event, the levee will need to be built to FEMA standards, which includes a freeboard of 3 feet. This equates to the levee being at an elevation of approximately 90 feet.

The elevation of NC Hwy 53 at the intersection with Lock's Creek Drive is approximately 87 feet. This intersection would be 3 feet below the top of the levee resulting in Lock's Creek Road being elevated to an even higher elevation than presented in Option 1 Phase 1.

To meet FEMA 44 CFR 65.10 Regulations, the levee would be over a mile long, range in height of 3 to 10 feet, and have a base width ranging from 30 to 85 feet.

Levee construction would require the acquisition of 35 homes and impact up to 60 properties.

If the levee was designed and constructed to protect against less than 100-year storm event, events larger than the levee design could potentially overtop depending upon freeboard provided.

Construction of a levee system would require perpetual operation of a pump station (including backup generators) as well as ongoing maintenance and operation to combat erosion, flood damage, slope failures, vegetative growth etc.

Staff has previously identified and presented to Council the most effective approach to flood mitigation in the Locks Creek area is through the removal of the flooded structures within the floodplain. This can potentially be achieved by continuing with the previously presented and Council approved Letter of Map Revision (LOMR) submittal. If Council wishes to pursue construction of a Levee system, the current LOMR effort would need to cease.

The current stormwater financial model cannot support this design cost. Moving forward would deplete the stormwater fund, causing a negative fund balance for FY 23 and each year of the 5-year projection.

Discussion ensued.

**Consensus of Council was to accept staff's additional reporting and recommendation to not move forward with the estimated \$45.4 million proposed solution improvements outlined in Option 2 and continue Council's previous consensus of submitting a Letter of Map Revision (LOMR). Council Member Ingram was opposed to the consensus vote.**

#### **4.06 City Council Member Agenda Item Request - Support of an Aquatic Center - Council Member Banks-McLaughlin**

Council Member Banks-McLaughlin stated she will yield her five minutes' time to Mr. Lee Spruill, Parks and Recreation Advisory Board Chair. Mr. Spruill spoke in favor of supporting the construction of an Aquatic Center.

Mayor Pro Tem Jensen asked Mr. Michael Gibson, Parks and Recreation Director, if there have been any conversations with Cumberland County and the Cumberland School District regarding joint funding and partnership for this proposed project. Mr. Gibson stated those conversations have not taken place.

**Consensus of Council was to direct staff to engage in conversations with the County and School Board regarding construction of an Aquatics Center.**

#### **4.06 City Council Member Agenda Item Request - Vehicles in Front Yards - Council Member Haire**

Council Member Haire stated he is asking for support to direct staff to research ordinances our peer cities may have pertaining to parking vehicles in front yards; to include trailers, boats, recreational vehicles, etc.

Discussion ensued.

**Consensus of Council was to direct staff to research ordinances our peer cities may have pertaining to parking vehicles in front yards; to include trailers, boats, recreational vehicles, etc.**

#### **4.07 City Council Member Agenda Item Request - Expand Notification Notice - Council Member Haire**

Council Member Haire presented this item and stated he is requesting support to direct staff to research and provide feedback on the pros and cons of expanding the notification for zoning cases; from 500 feet to 1,000 feet.

Discussion ensued.

**Consensus of Council was to direct staff to research and provide feedback on the pros and cons of expanding the notification for zoning cases; from 500 feet to 1,000 feet.**

#### **4.08 City Council Member Agenda Item Request - City Partnership with Man22 SAR Suicide Awareness Run and Other Agencies - Council Member Davis**

This item was not presented as Council Member Davis was absent.

**4.010 City Council Member Agenda Item Request - Upgrade/Transform Reid Ross fields with Turf for Multiple Sport - Council Member Davis**

This item was not presented as Council Member Davis was absent.

**4.011 City Council Member Agenda Item Request - Storm Drainage - Council Member Haire**

Council Member Haire presented this item and stated he is requesting support to direct staff to research amending the Storm Drainage Assistance Policy to assist with extending PWC type storm drainage pipe to the PWC drainage pond. The particular case I refer to the residents would need construction equipment to keep this storm drainage clean. Council Member Haire also stated he had brought this item to the attention of the Stormwater Committee and he did not receive support for his request.

Discussion ensued.

**Consensus of Council was to direct staff to research this request, and report back with findings.**

**5.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 8:12 p.m.

