

**FAYETTEVILLE CITY COUNCIL  
SPECIAL MEETING MINUTES  
LAFAYETTE ROOM, CITY HALL  
JUNE 19, 2019  
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (via phone, departed at 6:30 p.m.); Daniel Culliton (District 2); Tisha S. 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, Jr. (District 9) (arrived at 5:34 p.m.)

Others Present: Kristoff Bauer, Deputy City Manager  
Karen McDonald, City Attorney  
Telly Whitfield, Assistant City Manager  
Kevin Arata, Corporate Communications Director  
Jay Toland, Chief Financial Officer  
Sheila Thomas-Ambat, Public Services Director  
Lee Jernigan, Traffic Engineer  
Gina Hawkins, Police Chief  
Gerald Newton, Development Services Director  
Cindy Blot, Economic and Community Development  
Director  
David Nash, Senior Planner  
Taurus Freeman, Planning and Zoning Manager  
Pamela Megill, City Clerk  
Jeff Wolfe, CEO McLaurin Parking  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Colvin called the meeting to order at 5:00 p.m. and welcomed everyone in attendance.

**2.0 INVOCATION**

The invocation was offered by Council Member Haire.

Mayor Colvin recessed the meeting at 5:02 p.m. and announced the meeting will take place in the Council Chamber. Mayor Colvin reconvened the meeting at 6:15 p.m.

**3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by the Mayor and City Council.

**4.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Wright moved to approve the agenda.  
**SECOND:** Council Member Culliton  
**VOTE:** UNANIMOUS (9-0)

**5.0 OTHER ITEMS OF BUSINESS**

**5.01 Downtown Parking Discussion**

Mr. Lee Jernigan, Traffic Engineer, presented a PowerPoint presentation on the Walker Consultants City of Fayetteville Parking Study that was presented to Council at the February 2019 work session and stated the recommendations of the plan included a review of the current downtown parking operations, the Hay Street parking garage and the event parking plan. This review concluded the downtown parking supply is adequate at 45 percent occupancy during the existing peak parking time, which is a weekday at 1:00 p.m. Based on this

information, the parking supply will easily accommodate an average attendance (approximately 1,000 parkers) and sell out (approximately 2,330 parkers) ballgames. The parking supply is marginal to support large or simultaneous events (approximately 3,600 parkers). The evaluation of the current system indicated the most convenient parking spaces are free time limited spaces; the less convenient spaces are paid spaces. It also concluded enforcement of time limits are not customer friendly and signage is confusing to unfamiliar users. Lastly, the current system includes parking control systems that are outdated and the parking operation is not financially self-sufficient.

Mr. Jernigan introduced Mr. Jeff Wolfe, CEO McLaurin Parking, and stated he will talk about the current operations of downtown parking. Mr. Wolfe stated McLaurin Parking had recently conducted a study on parking citations in the downtown and results revealed many of the downtown spaces are being taken up on a regular basis by people with the same license plates, and the goal of the parking plan should be to find a way to get those drivers to instead park in places like the Franklin Street parking deck or City lots. "I think a significant number of your parking spaces are being taken up by downtown employees, merchants or other folks, meaning the person coming downtown to wine or dine may have to search for a parking space".

Discussion ensued pertaining to shuttle buses and marketing campaigns.

Mayor Colvin recessed the meeting at 6:09 p.m. The regular session reconvened at 6:27 p.m.

## **5.02 Consideration of Options for Regulating Short-Term Rentals**

Mr. Gerald Newton, Development Services Director, introduced this item and stated Development Services has been tasked with developing some options for regulating short-term rentals (STRs). The memorandum in the agenda packet provides definitions of STRs, the size of the STR market in Fayetteville and information on how Fayetteville and other cities in North Carolina are regulating STRs. If the City Council is interested in regulating STRs, this memo concludes with several possible options for regulating STRs in Fayetteville. At this point in the process, no action by City Council is expected. Staff is seeking direction from City Council. The June 7, 2019, Legislative Bulletin from the North Carolina League of Municipalities had some very important information about short-term rentals. It stated: "League advocates have learned credible information that real-estate and online rental booking interests are seeking legislation that would preempt local ordinances regarding short-term rentals. Given that key bill filing deadlines passed several months ago, such preemption language would likely be inserted into a bill that had already partially progressed through the legislative process. In such a scenario, the time for input by local officials would be minimal. Therefore, if your city or town believes it should retain the right to enact a short-term rental ordinance, please contact your legislators now. Ask them to look for this language and to oppose any attempts to preempt local authority. Additionally, if you have an existing ordinance that would be nullified by a preemption law, please send it to NCLM Chief Legislative Counsel Erin Wynia."

Mr. David Nash, Senior Planner, presented background information and stated the short-term rental (STR) market is part of the "sharing economy". It refers to a new kind of visitor accommodation which is offered from a residential unit and which is publicized through an online booking site. Traditionally, visitors to a community have been accommodated in facilities such as hotels or motels, boarding or rooming houses, tourist homes, or rooming or boarding houses. The STR market has emerged as web-based booking sites such as Airbnb, VRBO, Homeaway and FlipKey have made it possible for owners of residential units to offer a new kind of visitor accommodation. Communities across the nation and in North Carolina have been considering the fundamental question of whether to regulate this new kind of visitor

accommodation. If communities decide to regulate, then they must decide how to regulate this new accommodation.

Discussion ensued.

**Consensus of Council was not to take any action on this item.**

#### **5.03 Student Semester Pass - Mobile Ticketing Update**

Mr. Randy Hume, Transit Director, presented this item and stated on April 8, 2019, City Council approved a new semester pass for Fayetteville State University, Fayetteville Technical Community College and Methodist University students beginning the fall 2019 semester. Transit staff has recommended selling this pass directly to students using mobile ticketing technology. This process allows students to use their mobile phone or device to purchase passes and then ride FAST buses (i.e., pay fare) without the need of a separate conventional bus pass. Staff feels mobile ticketing will reach more students, increase pass sales/revenues and be the most effective means to ensure a successful roll out of the Student Semester Pass Program. Companies offering transit mobile ticketing apps are generally compensated by charging a commission or transaction fee based on gross sales. Staff projects increased sales achieved by the convenience and direct marketing of mobile pay along with savings related to producing, distributing and collecting revenues with conventional passes will more than offset the costs of the commissions. The City's current fee schedule provides for the City to charge a \$3.50 convenience fee for internet payments. Transit staff recommends this fee be waived for ticket purchases made by mobile ticketing and is seeking Council's direction.

Discussion ensued.

**MOTION: Council Member Arp moved to agree with the mobile ticketing approach and waive the internet fee for internet payments for transit tickets.**

**SECOND: Council Member Haire**

**VOTE: UNANIMOUS (9-0)**

#### **5.04 Appointment Committee Report - Charge for Millennial Commission**

Council Member Crisp, Appointment Committee Chair, presented this item and stated the City Council established a Millennial Commission on May 28, 2019. The Commission is comprised of 13 members. At the May 29, 2019, Appointment Committee meeting, a discussion ensued regarding the Charge for the Millennial Commission. Consensus of the Appointment Committee was to approve the following Charges:

1. Attend the scheduled Boards and Commissions Members Orientation facilitated by staff on June 20, 2019, and receive clarity on their purpose and responsibilities.
2. Organize their Executive Board by properly electing a Chair, Vice Chair, Secretary, and Director of Programs.
3. Increase their understanding of the City's vision and goals over the next 12 months; with focus on employment, recreation, community engagement, and public safety.
4. Present an initial annual report of activities to City Council in fall 2020.

Council Member Crisp stated Dr. Telly Whitfield, Assistant City Manager, will serve as the liaison and mentor to the Millennial Commission.

**MOTION: Council Member Crisp moved to approve of the Millennial Commission Charges as presented.**

**SECOND: Council Member Waddell**

**VOTE:            UANIMOUS (9-0)**

**ADJOURNMENT**

      There being no further business, the meeting adjourned at  
7:06 p.m.