

Dunn City Council Regular Meeting Tuesday, July 23, 2024 6:30 p.m., Dunn Municipal Building

AGENDA

PLEASE TURN OFF OR SILENCE CELL PHONES

Call to Order – Mayor William P. Elmore, Jr.
Invocation – Reverend Dennis Manuel - East Granville Street CGP

Pledge of Allegiance

1) Adjustment and Approval of the July 23, 2024 meeting agenda

PRESENTATION

2) Update - BRIC Grant Award

PUBLIC COMMENT PERIOD

3) Each Speaker should limit comments to 3 minutes and must sign up on sheet available on the podium within the Council Chambers prior to the start of the meeting. Total comment period limited to 30 minutes.

CONSENT ITEMS

- 4) Minutes June 11 and June 25, 2024
- 5) Resolution Assignment of Authorized Personnel for Banking Access
- 6) Fee Schedule correction

ITEMS FOR DISCUSSION AND/OR DECISION

- 7) CZ-06-24-Conditional Rezone North Powell Avenue
 - a) Public Hearing
 - b) Decision
- 8) OA-02-24 Ordinance Amendment Gas Pump text amendment
 - a) Public Hearing
 - b) Decision
- 9) Demolition 614 E Vance Street
 - a) Public Hearing
 - b) Decision
- 10) Updated Purchasing Policy
- Administrative Reports
 - a) City Manager's Report/Update on Council Goals
 - b) Financial Report/Assessment Update
 - c) Department Reports
 Public Information
 Parks & Recreation/Police

Public Works/Public Utilities Planning & Inspections

- 12) Announcements
- 13) Information
- 14) Closed Session If called, the General Statute(s) allowing the Closed Session will be cited in the motion

ADJOURNMENT

"This institution is an equal opportunity provider and employer"

Adjustment and Approval Of the July 23, 2024 Meeting Agenda

Recommendation:

Motion to adopt the July 23, 2024, meeting agenda as presented.

Or

Motion to adopt the July 23, 2024, meeting agenda as presented with the following changes:

Additions: (Assign Number on the Agenda such as 28A)

Removal of the following items(s):

Move Item of Business from one section to another section (such as moving item from Consent Items to Items for Discussion and/or Decision).



Meeting Date: July 23, 2024

SUBJECT TITLE	Update – BRIC Grant Award
PRESENTER/DEPARTMENT	Samantha Wullenwaber – Mid Carolina Regional Council of Government.
ATTACHMENT(S)	
PUBLIC HEARING PUBLISH DATES	

PURPOSE:

Mrs. Wullenwaber will present updated information regarding the BRIC Grant Award.



Public Comment Period

Adopted 8-4-05

CITY OF DUNN CITY COUNCIL PUBLIC COMMENT POLICY

The City Council for the City of Dunn does hereby adopt a Public Comment Policy to provide at least one period for public comment per month at a regular meeting of the City Council. This policy shall remain in effect until such time that it is altered, modified, or rescinded by the City Council.

All comments received by the City Council during the Public Comment Period shall be subject to the following procedures and rules:

- 1. Anyone desiring to address the City Council must sign up and register on a sign-up sheet available on the podium within the City Council chambers prior to the Mayor calling the meeting to order. The sign-up sheet shall be available thirty (30) minutes prior the beginning of the City Council meeting in the City Council Chambers. Once the Mayor has called the meeting to order, the City Clerk shall collect the sign-up sheet and deliver it to the Mayor. The speaker shall indicate on the sign-up sheet his or her name, address and matter of concern.
 - 2. The Public Comment Period shall be for thirty (30) minutes.
- 3. Comments are limited to three (3) minutes per speaker. A speaker can not give their allotted minutes to another speaker to increase that person's allotted time.
- 4. Each speaker must be recognized by the Mayor or presiding member of the City Council as having the exclusive right to be heard. Speakers will be acknowledged in the order in which their names appear on the sign up sheet. Speakers will address the City Council from the podium at the front of the room and begin their remarks by stating their name and address.
- 5. Individuals who sign up but can not speak because of time constraints, will be carried to the next regular meeting of the City Council and placed first on the Public Comment Period.
- 6. During the Public Comment Period, a citizen, in lieu of or in addition to speaking may pass out written literature to the City Council, City Staff and audience.
- 7. Groups supporting or opposing the same position shall designate a spokesperson to address the City Council in order to avoid redundancy.
- 8. After the citizen has made his or her remarks, he or she will be seated with no further debate, dialogue or comment.

- 9. The Public Comment Period is not intended to require the City Council to answer any impromptu questions. Speakers will address all comments to the City Council as a whole and not one individual Council member. Discussions between speakers and members of the audience will not be allowed. The City Council will not take action, or respond to questions about, issues raised during the Public Comment Period at the same meeting.
- 10. Speakers shall refrain from discussing any of the following: matters which concern the candidacy of any person seeking public office, including the candidacy of the person addressing the City Council; matters which involve pending litigation; matters which have been or will be the subject of a public hearing; and matters involving specific personnel issues related to disciplinary matters. If the speaker wishes to address specific personnel issues related to disciplinary matters, he or she should take their comments to the City Manager, who shall share the comments with the City Council.
 - 11. Speakers shall be courteous in their language and presentation.
- 12. The Mayor and City Manager shall determine, on a month to month basis, where the Public Comment Period will appear on the monthly agenda when developing the agenda, prior to its publication.
- 13. The Public Comment Period shall only be held during the regularly scheduled monthly meeting of the City Council. There shall not be a Public Comment Period at any other meetings of the City Council, unless specifically approved by the City Council.

Consent Items

Recommendation:

Motion to approve all Consent Items as presented.



Meeting Date: July 23, 2024

SUBJECT TITLE	Minutes – June 11 Work Session and June 25 Regular Meeting
PRESENTER/DEPARTMENT	Deputy City Clerk Matti
ATTACHMENT(S)	Draft Minutes
PUBLIC HEARING PUBLISH DATES	

PURPOSE:

Approve Minutes prepared by Tammy Williams.

BACKGROUND:

BUDGET IMPACT:

١	RECOMMENDED
1	MOTION/ACTION
	REQUESTED OF
	COUNCIL

Motion to approve Minutes as presented.



Dunn City Council

Work Session

Tuesday, June 11, 2024 6:30 p.m., Dunn Municipal Building

Minutes

PRESENT: Mayor William P. Elmore Jr., Mayor Pro Tem J. Wesley Sills, Council Members Raquel McNeil, April Gaulden, Alan Hargis, and Dr. David L. Bradham. ABSENT: Council Member Billy N. Tart

Also present: City Manager Steven Neuschafer, Assistant City Manager Billy R. Godwin, Finance Director Cary McNallan, Chief of Police Cary Jackson, Collections and Distribution Manager Billy Cottle, Water Plant Manager Ian Stroud, Administrative Support Specialist Amber Groves, City Attorney Tilghman Pope, and City Clerk Tammy Williams.

CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 6:30 p.m. and Council Member Bradham gave the invocation. Afterwards, Council Member Gaulden led in the Pledge of Allegiance.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Bradham and second by Council Member Gaulden to adopt the June 11, 2024 meeting agenda as presented with the following addition: Legal Services Agreement – Litigation Against Manufacturers of Forever Chemicals. **Motion unanimously approved.**

PRESENTATIONS

Juneteenth Proclamation

Mayor Elmore read the Proclamation declaring June 19, 2024 as Juneteenth in the City of Dunn. Council Member McNeil shared information about the upcoming Juneteenth Celebration to be held at Codrington Park. A copy of the Proclamation (P2024-05) is incorporated into these minutes as Attachment #1.

PUBLIC HEARING - FY25 Budget

Mayor Elmore read a prepared statement from the Mayor and Council as follows:

"Citizens of Dunn, tonight the City Council and I are happy to hear and receive your comments on the proposed Fiscal Year 2024-2025 budget for the City of Dunn. The Council will not vote on the budget tonight, the actual vote to adopt the budget will take place at the June 25th regular Council meeting. The proposed budget has been on file and available for review since June 1st. Under State law, the budget must be balanced and take effect on July 1st.

The proposed budget is the product of many months of hard work. Getting to this point is a daunting task and requires much discussion among the council, the city administration and department heads on how best to spend the public's money.

The City has many competing needs that must be weighed and balanced against each other in the budget process. This ranges from state mandated improvements to the city's water and sewer infrastructure; to citizens reasonable demands for stormwater system improvements to alleviate flooding throughout the city. It also includes departmental funding requests for new equipment and for maintenance of existing equipment. Added to these is the need to keep our employee compensation package competitive so our hard-working employees and police officers stay with us and not take their knowledge, skills and experience to other communities. We are blessed to have such a dedicated workforce and this council is committed to ensuring our employees are taken care of.

Ultimately, a budget must be adopted that maintains the level of service the citizens of Dunn want and deserve. We must find a proper balance between what the city should spend and what the city must spend to meet the needs of the taxpayers. Obtaining that balance requires an honest analysis, frank discussion, much compromise, and tough decisions to make the process work.

Thus far, hundreds of thousands of dollars of worthy requests have been removed from the proposed budget and what you have before you is the result of that process. Along with the monetary cuts, we also will use several

hundred thousand dollars of funds recognized from savings in our current budget. These funds will be used to balance the proposed budget.

The budget includes a property tax rate increase of \$0.04 per \$100 valuation of real property. Each penny of property tax generates \$112,942 and the proposed increase will generate \$451,768 annually. The city leadership realizes there's an immediate need for major street repairs throughout our city. It is our opinion that the opportunity to borrow money for a major paving project such as this can be done by utilizing a USDA loan at a low interest rate. Therefore, the city plans to borrow between 4 and 5 million dollars, which would allow us to have a much larger impact on paving streets and other street related repairs. The annual debt service on that loan would be repaid by the four-cent property tax increase, the entire amount of \$451,768 generated by the increase will be used to repay the loan. Without this increased revenue, this significant paving project could not be done.

This budget also eliminates all monetary contributions to the Dunn Police Athletic League. PAL is the only nonprofit organization receiving funding from the city. The city was instrumental in the startup of PAL in 1993 and has provided funding since its inception. In 2013, PAL separated from the City of Dunn and became a stand-alone 501C3 nonprofit entity. Since 2013, the city has contributed \$2,274,387.00 directly to the PAL program, even though it's totally independent of and not a city department.

In addition to direct funding, one police officer has always been assigned full time to PAL. However, the officer assigned to that position recently took a job with another agency and is no longer employed by the city. At this point, funded in the budget are plans to assign another officer to PAL once the staffing shortages in the Police Department are resolved.

The nonprofit status obtained by PAL has allowed them the opportunity to successfully receive grants and other private funding. The organization appears to have done well with those efforts. PAL's budget last year was \$884,615. If they received the revenues projected in that budget, that would indicate that they were successful in raising \$769,000, above the city's contribution of \$115,000. We as a city are proud of the PAL organization and are thankful for the community support that they receive. Ultimately, it does not seem fair to raise property taxes and continue funding a self-sustaining nonprofit organization, even a service organization like PAL. There are many other worthy nonprofit service organizations who receive no funding from this city.

In conclusion, we believe that this proposed Fiscal year 2024-2025 budget strikes a proper balance of what the City must spend and needs to spend to meet the goals of this Board and the citizens we serve."

Mayor Elmore opened the Public Hearing at 6:42 p.m.

City Manager Neuschafer reported on the seven letters from the public that were submitted to the city clerk prior to the meeting tonight with the last collection at 6:00 p.m. All letters were submitted to the Council by email and available at their desk. Letters were received from Dunn PAL Board of Directors, Emmett Aldredge III with ARC3 Gases, J. Dal Snipes, Janet J. Doffermyre Ed.D, Dr PK Vyas MD of Eastern Carolina Medical Center, Kristina Harrell, EVP with the Dunn Area Chamber of Commerce and Emily McBryde-Wilson. All the letters encouraged the Council to continue funding the Dunn PAL organization.

The following spoke during the Public Hearing: former Council Member Carnell Robinson, former Council Member Joey Tart, Ronald Ross, Jesse Schmidlin, Nathan Williams, Shwana Cameron Williams, Shephard Massey, Regina Tew, Crystal Moore, Boris Ashford, James Berry, Janet Doffermyre, and Crystal McBryde spoke against the existing budget which does not provide funding for the Dunn Police Athletic & Activities League, Inc. All spoke of the many positive influences of the PAL organization in the community and asked the Council to reconsider PAL funding.

Council Member McNeil commented that she appreciates and believes in PAL and realizes the wonderful things they do for the young people in her ward. She added that it is a difficult decision for the Council to make and encouraged community support in funding and in volunteering.

With no additional comments, the Public Hearing was closed.

ITEMS FOR DISCUSSION AND/OR DECISION

Annexation ANX-02-2024 Fairground Rd

City Manager Neuschafer presented a request to consider adoption of resolution fixing the date for a Public Hearing for June 25, 2024, for the voluntary contiguous annexation petition ANX-02-24. The Council adopted a Resolution Directing the Clerk to Investigate the Voluntary Annexation at the May 28 Council meeting and the Certificate of Sufficiency has been completed by the Clerk and provided to Council.

Motion by Council Member Hargis and second by Mayor Pro Tem Sills to adopt the Resolution Fixing Date of a Public Hearing as June 25, 2024, at 6:30 p.m. for the Voluntary Contiguous Annexation Petition ANX-02-24. **Motion unanimously approved.** A copy of the Resolution (R2024-22) is incorporated into these minutes as Attachment #2.

Landscape Maintenance Contract Extension

City Manager Neuschafer presented a request to extend the current landscape agreement with Old Mill Stream for 18 months. It is difficult to transition contractors in the middle of the grass cutting season and the end of June is when the contract expires. This change will allow for bidding and accepting bids, next summer and then transitioning, if there is a transition, during the winter and not growing season just to make sure that we have a seamless transition, if there is one. Current Monthly Payments are \$14,445 with proposed Monthly Payments at \$15,960.

After discussion, motion by Mayor Pro Tem Sills and second by Council Member Gaulden to approve the extension of the Old Mill Stream contract for fiscal year 2024-2025. **Motion unanimously approved.**

Legal Services Agreement - Litigation Against Manufacturers of Forever Chemicals

City Attorney Tilghman Pope presented request to engage the law firms of Baron & Budd, P.C., Cossich, Sumich, Parsiola & Taylor, LLC and the Hutchens Law Firm, to represent the City of Dunn in litigation against manufacturers of aqueous film forming foam ("AFFF"), perfluoroalkyl substances ("PFAS"), including perfluorooctanoic acid ("PFOA" or "C8") and perfluoro octane sulfonate ("PFOS") and other related compounds, collectively "forever chemicals". The Environmental Protection Agency has announced new regulations regarding the amount of forever chemicals that can be contained in drinking water, which when adopted, will require every producer of public drinking water throughout the country to spend a lot of money on equipment and training and staff to modify and further filter these chemicals out of the water.

There are three different law firms indicated, with the local one being the Hutchins Law Firm out of Fayetteville, representing about 25 cities and counties throughout North Carolina against the manufacturers of forever chemicals to try and recoup some of the costs that the city will incur due to these mandatory upgrades. The proposed legal services agreement will authorize them to represent the City in this federal litigation. It is all on a contingency fee, which means the city will incur no attorney fee unless they make a recovery on the city's behalf. In which event, they get reimbursed 25% of the recovery.

Motion by Council Member Bradham and second by Council Member McNeil to approve the Legal Services Agreement with the law firms of Baron & Budd, P.C., Cossich, Sumich, Parsiola & Taylor, LLC, and the Hutchens Law Firm to represent the City of Dunn in litigation against the manufacturers of forever chemicals as presented. **Motion unanimously approved.**

ITEMS FOR DISCUSSION

CZ-04-24 - Conditional Rezoning; 1 parcel at 112 S Fayetteville Ave

Assistant City Manager Godwin introduced Haley Hogg, Planning Director with Mid-Carolina Regional Council of Governments and shared her experience with the Council. Haley presented CZ-04-24, which is a conditional zoning application for 112 S Fayetteville Ave. The property is .52 acres and has an existing building, which has been vacant for some time. The applicant is requesting a conditional zoning to rezone from C3 highway commercial district to C1, which is the central commercial district with conditional zoning. The applicant was requesting to permit only multi-family, restaurant, banquet/event space; bar/tavern/microbrewery, and general commercial. If approved, the multifamily use and the banquet and event space use would still be subject to a special use permit in addition to this rezoning.

Staff finds the rezoning has been determined to be reasonable and consistent with the surrounding conditions and development pattern of the area, as well as the Future Land Use map. The parcel is designated as Downtown and the Future Land Use Map, which includes a mixture of residential, retail, and entertainment uses. All of which include the proposed uses by the applicant. At the June 4 Planning Board meeting, the Board did bring up some

concerns regarding parking at that meeting, especially as it pertains to the potential banquet or event space use of the site. Ultimately, though, they voted four in favor, and one opposed to recommending approval to the Council. The Public Hearing will be held at the June 25 City Council meeting. After discussion on the location of the multifamily, which is proposed for upstairs, discussion was closed.

CZ-05-24 - Conditional Rezoning; 3 parcels Jernigan Rd/US301 N

Haley presented a request to rezone three parcels located at the intersection of Jernigan Road and US 301 North from R-20, Residential District to C-3, Highway Commercial District Conditional Zoning District: to permit only Self-Storage. The property is located at the corner of the gateway into Dunn, from the north into the town or into the city and C3 is a compatible zoning district with what's out there currently along 301. Even though self-storage is not entirely desirable sometimes at a high profile or a highly visible gateway into the community, it is consistent with that current development pattern occurring in that area. At the June 4 Planning Board meeting, there was some neighborhood opposition from the residential neighbors on Jernigan Road and they felt that the use would be incompatible potentially with their residential uses. The Planning Board voted three in favor and two opposed to recommending approval with the following conditions.

The first condition recommended was limiting the use of self-storage facility as outlined in the application. They also recommended a condition to require a type A landscape buffer along the residential properties. They required or recommended a condition that no access be permitted off of Jernigan Rd since that is where the residential uses were located. They also recommended a condition that a six-foot-tall privacy fence be required in the Type A buffer to provide additional screening for those residential homes. The Public Hearing and Decision is scheduled for the June 25 Council meeting. After questions related to DOT requirements, the discussion was closed.

CZ-06-24 - Conditional Rezoning; 3 parcels N Powell Ave/W Cumberland

This conditional rezoning request is for three parcels located off of North Powell Ave, with access to W Cumberland St. There are two parcels included that are zoned R20 and the third parcel is split zoned between R20 and C2. The applicant is not proposing to modify the C2 zoning. They want to reserve that for potential future commercial development if anyone wants to develop that in the future, but they are requesting to rezone the R20 portions from R20 to MXU mixed-use district conditional zoning. They are requesting to limit the uses of the site to residential, which would be single family detached and single family attached townhomes. They are also proposing the uses to allow recreational facilities, indoor and outdoor. The use of townhomes, if the rezoning is approved, would still be subject to a special use permit as well.

After reviewing the application, staff determined the request is consistent and reasonable with the development pattern in the area. The future land use map does designate the property as medium density residential, which includes a variety of uses or mixed uses of townhomes, single family. The applicant did also submit a master plan and the plan does meet the minimum requirements of the UDO and shows the general location and layout of where the single family and townhomes could be located as well as the amenity area in some open space. This is just the preliminary master plan, so a more detailed plan typically comes in at the special use permit when you get to the townhome use. And then for the preliminary plat is when you would see the lots laid out after they do the engineering and design a little bit. At the Planning Board, there was no neighborhood opposition at the meeting. However, the board did have concerns related to the level of detail on the master plan and requested the applicant provide a little bit more detail and ultimately made a motion to table the item until the July 2 Planning Board meeting with that request.

Wastewater Allocation Report

City Manager Neuschafer updated the Council on the wastewater allocation program to include reviewing the SOC projects tied to the allocation program. He shared that the number of gallons for each bedroom was amended by the State of North Carolina on December 13, 2023 and that memo was included in the packet. The City has a certain amount of sewer allocation that is allowed to be used for new development. Under the policy, the city manager is able to grant allocation up to 10,000 gallons per day for non-residential allocation. The City's current number of allocations is 332,000 gallons. That is what we have been allowed to allocate since the SOC was agreed upon. So that 332,000 gallons is a gallons per day number. In addition to that, as we complete projects, that number will increase by a specified amount that's in the SOC. As an example, our wastewater treatment plant project is winding down and getting ready to be completed in the next couple of months. He anticipates by the time we close out the project later this summer, we'll be allowed to add that allocation which is valued in our quotes at 100,000 gallons per day. So later on, this summer, if that number were to stay the same, we'd be looking at 432,000 gallons per day to allocate.

Rooms To Go industrial development is seeking a 29,400-gallon allocation in their application to develop 100 acres just north of Rooms To Go. So that request will be presented at the June 25 Council meeting. Currently, the city is sitting at about 265,000-gallon allocation remaining. So, we have a lot of ability to add development and sewer taps to the system.

He added that all the projects related to the SOC are to be completed at the end of 2026 and at that time they'll evaluate whether or not the work completed is sufficient to eliminate our stormwater and our wastewater overflow issues.

Budget Discussion

Mayor Pro Tem Sills did ask City Manager Neuschafer to explain the decline in funding to the Library system. He confirmed that all reductions in the Library system are related to the Library being absorbed by the county and becoming part of the countywide Library system.

Council Member McNeil requested that some amount be added to the budget for funding PAL and with no additional comments the discussion was closed.

Announcements/Information

Mayor Elmore announced upcoming events and activities. He also updated that the City of Dunn is being awarded a grant for stormwater repairs. The grant is \$500,000 and that will go toward some projects that we are focused on, but the city still needs to find a large amount of money to fund these stormwater projects.

He reported that Congressman Wiley Nickel presented a grant of \$1,466,000 to the 195/140 Economic Development Alliance. The Magnolia School building is under construction now to be transformed into a state-of-the-art facility that will be a workforce training center to train people in our area for needed industry. There is also a new building being built in Four Oaks for workforce training. The Dunn operation will do biotech training as well as computer training and also have offices for new industry. The Four Oaks site will provide advanced manufacturing training.

With no additional business, Mayor Elmore adjourned the meeting at 8:30 p.m., with no objections.

Attest:	William P. Elmore Jr. Mayor
Tammy Williams, CMC, NCCMC City Clerk	

Dunn City Council

Regular Meeting

Tuesday, June 25, 2024 6:30 p.m., Dunn Municipal Building

Minutes

PRESENT: Mayor William P. Elmore Jr., Mayor Pro Tem J. Wesley Sills, Council Members Raquel McNeil, April Gaulden, Billy N. Tart, Alan Hargis, and Dr. David L. Bradham.

Also present: City Manager Steven Neuschafer, Assistant City Manager Billy R. Godwin, Finance Director Cary McNallan, Chief of Police Cary Jackson, Acting Planning Director Haley Hogg, Parks and Recreation Director Brian McNeill, Public Works Director Dwayne Williams, Collections and Distribution Manager Billy Cottle, Water Plant Manager Ian Stroud, Wastewater Plant Manager Donrie Dukes, Administrative Support Specialist Amber Groves, City Attorney Tilghman Pope, and City Clerk Tammy Williams.

CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 6:30 p.m. and Rev Zack Rowe, Youth and Outreach Pastor at Gospel Tabernacle Church gave the invocation. Afterwards, Mayor Pro Tem Sills led in the Pledge of Allegiance.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Mayor Pro Tem Sills and second by Council Member Gaulden to adopt the June 25, 2024 meeting agenda as presented. **Motion unanimously approved.**

PRESENTATIONS

Officer Recognition - Zachary Jacobs

Chief Jackson recognized Sgt. Jacobs for obtaining his Advanced Law Enforcement Certification and for completing the Leadership Certificate Program.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 6:37 p.m. Having no comments, the Public Comment period was closed.

CONSENT ITEMS

- Minutes of the April 23, 2024 City Council Meeting.
- Minutes of the May 14, 2024 Work Session
- Minutes of the May 28, 2024 City Council Meeting.
- Destruction of Public Records Parks and Recreation, Finance and Administration
- Temporary Blocking of Streets B-Healthy Outdoor Zumba
- Temporary Blocking of Streets Kristen Run against Domestic Violence
- Temporary Blocking of Streets Christmas Extravaganza
- Temporary Blocking of Streets White Family Learning Center
- Viper Equipment Lease A copy of the agreement has been filed with the City Clerk.
- Budget Amendment Park to Park Trail A copy of Budget Amendment (BA2024-22) is incorporated into these minutes as Attachment #1,
- Budget Amendment Operating Accounts A copy of Budget Amendment (BA2024-23) is incorporated into these minutes as Attachment #2.

Motion by Council Member Hargis and second by Council Member Tart to approve all consent items. **Motion unanimously approved.**

ITEMS FOR DISCUSSION AND/OR DECISION

Adoption of FY25 Budget

Finance Director McNallan reviewed the various ordinances and resolutions as a part of the budget. With no additional comments, the Public Hearing was closed. The following documents were adopted as a part of the Budget.

Budget Ordinance 2024-13

Designation of Fund Balance Resolution 2024-23

Contract Services for City Attorney Resolution 2024-24

City Employee Position Classification and Pay Grade Resolution 2024-25

Salary and Wage Adjustment Resolution 2024-26

Miscellaneous Fees and Charges Schedule Resolution 2024-27

Capital Project Ordinance for FY24 Vehicle and Equipment Purchases Ordinance 2024-14

After discussion, Motion by Mayor Pro Tem Sills and second by Council Member Gaulden to adopt Budget Ordinance, Capital Project Ordinance and Resolutions related to the FY24 fiscal year. **Motion approved with Council Member McNeil opposed.** Attachment #3 is incorporated as a part of these minutes and includes the following: Budget Ordinance (02024-13) and Ordinance (02024-14)

Resolutions (R2024-23), (R2024-24), (R2024-25), (R2024-26) and (R2024-27)

CZ-04-24 - Conditional Rezone - 112 S Fayetteville Ave

Mayor Elmore opened the Public Hearing at 6:40 p.m. Acting Planning Director Haley Hogg presented a request to rezone 112 South Fayetteville Street, PIN 1516-57-6465.000 from C-3, Highway Commercial District to C-1, Central Commercial District: to permit only multi-family, restaurant, banquet/event space; bar/tavern/microbrewery, and general commercial. The brick structure, built in 1947, has been vacant for several years.

The owner, Robert Camille, contacted staff on Monday May 6 and requested that the case be tabled until June due to a family emergency. The Planning Board tabled the case until their regular June 4 meeting. The Planning Board voted 4 in favor and 1 opposed to recommend approval of this conditional zoning request as presented.

Comments were made by Robert Camille in reference to his plan for the proposed project. With no additional comments, the Public Hearing was closed.

After discussion, motion by Mayor Pro Tem Sills and second by Gouncil Member Hargis to approve with conditions that the one parcel totaling .52 acres +/- located at 112 South Fayetteville Avenue with PIN 1516-57-6465.000 be rezoned from C-3, Highway Commercial District to C-1, Conditional Zoning District (CZD) to allow only Multifamily, Restaurant, Banquet Hall/Event Venue; Bar/Tavern/Microbrewery; and General Commercial. **Motion unanimously approved.**

CZ-05-24 - Conditional Rezone - Jernigan Rd/US 301N

Mayor Elmore opened the Public Hearing at 6:50 p.m. Planning Director Hogg presented a request to rezone three parcels located at the intersection of Jernigan Road and US 301 North. PINs 1527-04-3969.000; 1527-05-4136.000; 1527-05-6219.000 from R-20, Residential District to C-3, Highway Commercial District Conditional Zoning District: to permit only Self-Storage. The Planning Board voted 3 in favor and 2 opposed to recommend approval of this conditional zoning request to permit only Self-Storage with Type A buffer, removal of entrance onto Jernigan Road from site plan, and the addition of a 6 ft. privacy fence in buffer yard.

A presentation was made by the applicant, Robert Barefoot, about the project and he also shared that they were willing to be voluntarily annexed into the city limits. With no additional comments, the Public Hearing was closed.

After discussion reference adding the annexation as a condition, motion by Council Member Hargis and second by Council Member Bradham to approve with conditions that the three parcels totaling 2.23 acres +/- located at Jernigan Road/Hwy 301 North with PINs 1527-04-3969.000; 1527-05-4136.000; 1527-05-6219.000 be rezoned from R-20, Residential District to C-3, Highway Commercial District Conditional Zoning District (CZD) with the following conditions:

- 1. The use of the properties shall be limited to Self-Storage Facility.
- 2. A Type A buffer shall be provided between the parcel and adjacent zoning districts.
- 3. No access shall be permitted on Jernigan Road;
- 4. A 6' tall privacy fence shall be required in the Type A buffer; and
- 5. Property to be annexed into the city. Motion unanimously approved.

CZ-06-24 - Conditional Rezone - N Powell/W Cumberland

Motion by Mayor Pro Tem Sills and second by Council Member Gaulden to table case number CZ-06-24 to the July 23, 2024 City Council meeting. **Motion unanimously approved.**

SUP-02-24 - Special Use - Susan Tart Development

Mayor Elmore turned the evidentiary hearing over to City Attorney Pope to facilitate. City Attorney Pope's comments in this matter are all in italics.

Thank you, Mr. Mayor, this next matter is case #SUP-02-24, a request by Susan Tart Development, LLC for a special use permit to allow the use of townhomes, 35 units on approximately 3.81 acres of the subject parcel PIN being 1516-06-0454.000 located off Susan Tart Rd. The property is zoned MXU-CZ mixed-use conditional district. The meeting on this matter is judicial in nature and will be conducted in accordance with special due process safeguards. All persons wishing to testify in this case, please approach the podium at this time to be sworn or to give your affirmation. After your swearing in, you may return to your seat.

Place your left hand on the Bible and raise your right hand. Do you swear that the testimony you're about to give to be the truth, the whole truth, and nothing but the truth, so help you God? Acting Planning Director Haley Hogg and Applicant Ben Stout were both sworn in. Thank you very much.

A brief explanation of the proceeding, as Council is familiar, for the benefit of the public and those that will be participating. A special use permit must be reviewed in accordance with the findings of facts that are listed in the Uniform Development Ordinance for the City of Dunn. The Council must determine that all findings have been met in order to approve the request. The council will hear testimony from staff, the applicant, their expert witnesses, and any opponents of the proposal. The evidence presented in this testimony must be used to make the determination of whether each finding has been met. Anyone speaking against the application must have standing in accordance with the general statutes. And if that's an issue, we'll address that at that time. When the council makes a motion, they will specify the findings of facts that are not met in the motion.

In this meeting, we will first hear from Planning Director Haley Hogg with the Mid Carolina Regional, then from the applicant and their witnesses and then from opponents to the request. Parties may cross examine witnesses after each witness testifies when questions are called for. If any witness wants the Council to see written evidence such as reports, maps, exhibits, etcetera. The witness who is most familiar with the evidence should ask that it be introduced during or at the end of his or her testimony. We cannot accept reports from anyone who is not here to testify and be given the opportunity for cross examination. I don't believe that there are any attorneys that are scheduled to speak this evening, so we'll skip on to that. And at this time, I will open the meeting on case number SUP-02-24, special use permit application and ask for testimony from the planning director.

Hogg: So, this application again is CZ-02-24. It is for a parcel located off Susan Tart Rd. The parcel in total is 5.74 acres, but the applicant is only including 3.81 acres in the special use request. The applicant is requesting a special use permit to allow the use of town homes per UDO requirements. They are proposing up to 35 townhome units on the parcel. Some background on this property. Earlier this year, I believe it was March of this year, a rezoning, conditional rezoning was approved for the site to allow the use of townhomes. But per the UDO, the applicant is still required to obtain special use approval even after the conditional zoning. So that is why they are here tonight.

The parcel was rezoned to mixed-use conditional zoning district. They did submit a site plan. It was a special use permit master plan. That is in your agenda packet. The applicant is showing their 35 townhome units proposed and the layout matches what was shown on the master plan for the conditional zoning. If approved tonight, that would require additional review at preliminary plat phase at which time we would get a landscaping plan and review more in depth. But just a summary of the site plan that they do have before you tonight. They are again proposing 35 units. They are proposing a male CBU with two parking spaces designated for that CBU, one handicap and one standard. They're also proposing a dumpster unit to serve the residents of the site. They're proposing 2 parking spaces per unit, one of which will be a garage space, the other will be a driveway space. They are not proposing any guest parking, but none is required by the UDO at this time. And the applicant is proposing to adhere to all landscaping requirements in terms of street trees and buffers for adjacent properties.

In terms of consistency, the application is consistent with the use that was proposed in the conditional zoning master plan. It is also consistent with the surrounding development pattern, which includes office uses, childcare and also multifamily across the street. And the parcel is designated as hospital district in the future land use map, which includes a variety of uses such as offices, housing, and neighborhood scale commercial. So, if approved tonight again, the applicant would be required to still come forth with a preliminary plat and go through that process as well. And they will also be required to obtain a wastewater allocation request for this development. And with that, if you have any questions, I can answer them, and the applicant can speak as well to the project.

Would you like to introduce the application and agenda materials that were presented to the Council as evidence? Hogg: Yes

So received at this time. Does anybody from the Council have any questions for Halley? Does anyone with standing have any questions for Ms. Hogg?

Mayor Pro Tem Sills: I do have a question. Will the town homes have an HOA?

Hogg: I would assume, but I would defer to the applicant to answer that and look at the HOA. Typically, whenever you have, common area, like common space area like they're proposing and CDU's, usually there's an HOA, but I'll defer to them to give their plans for that. Any other questions?

Any other questions? Alright, thank you. We will now hear from the applicant and other proponents. Sir, please state your name for the record, even though we're familiar.

Thank you, Ben Stout at 222 Maiden Lane in Fayetteville is my office address. So, man it's been a long journey to getting this point. I think I looked, and this is the tenth month of getting to this point. So sometimes nothing happens overnight per se but appreciate the chance to get to this point. And I think along the way of with George and the staff and Haley and her team, you know? Kind of on the way, there's a little bit of trust that was put into us that we present to you, kind of what we said we're gonna do the whole time and following the UDO and working through some of the steps that were new to kind of all of us. So, what you see in front of you is really what we were trying to get to this point, just be able to show you this so. As it states in the staff report that that we received, as well as you know, everything is UDO compliant. I mean, this thing is as dialed in as it can be. Check every single box that was needed to be checked. So, there's been a lot of back and forth, even when Mr. George stepped away, there were a couple little tweaks that were made. So, what's in front of you is essentially what's gonna get built. And to answer the question, yes, there will be an HOA involved in this to maintain the grass open space landscaping that type stuff. If somebody hits a mailbox, kiosk, somebody has to be responsible for it and that's what the HOA would be responsible for. I guess beyond that, I don't feel the need to maybe rehearse what is in the five findings of facts that the staff has put together. I think they've done an excellent job with that. So certainly if there's any questions that need to be asked of me, I'm more than happy to address those and answering the best way I know.

Any questions for Mr. Stout from Council? Anyone else here with standing have any questions for the applicant? Thank you, Sir.

Next, we will hear from people opposing the request. Is there anyone here to speak in opposition to the request? Alright, we will now entertain any further questions from City Council members for the applicant proponents and we've not heard from any opponents. Once evidentiary hearing is closed, the only questions posed to the applicant for proponents or opponents shall be for clarification only. No new evidence can be introduced after the close of the evidentiary hearing. In the event the Council desires to place any conditions on its approval, those must be agreed to by the applicant. Now would be the time to ask the applicant if you have any conditions that you wish for him to consider on approval. He must agree to those as a part of this hearing. So does the Council have any other questions of the applicant or any conditions that you wish to ask him to consider for your approval?

Sills: Tilghman, does the HOA need to be specified in the motion to approve or is that a default with the ordinance.

I do not believe that it is an ordinance requirement. So, if you wish for that to be a condition on approval, you may ask the applicant now if he's willing to accept that as a condition. So, since he's now in the back, let the record reflect that the applicant has agreed as a condition of approval to have a property owners association responsible for maintenance of common areas in the development. Are there any other questions of the applicant or any other conditions that the Council would like to ask the applicant to consider?

At this time, it would be appropriate to entertain a motion to close the public hearing.

Motion by Mayor Pro Tem Sills and second by Council Member Bradham to close the public hearing. **Motion unanimously approved.**

The evidentiary quasi-judicial hearing is closed.

Motion by Council Member Hargis and second by Council Member Bradham to approve Special Use Permit SUP02-24 based on all six standards having been satisfied as presented in the staff report, with the condition that a property owners association will govern the townhomes. **Motion unanimously approved.** *Evidence has been filed with the City Clerk.*

Annexation ANX-02-2024 Fairground Rd

Mayor Elmore opened the Public Hearing at 7:15 p.m. City Manager Neuschafer proposed ordinance to extend the corporate limits for voluntary annexation Petition ANX-02-24 on Fairground Road. The resolution fixing a date for the public hearing was approved at the last meeting and the notice was published on June 14 in The Daily Record and posted on the principal bulletin board as required. With no additional comments, the Public Hearing was closed.

Motion by Mayor Pro Tem Sills and second by Council Member McNeil to adopt the ordinance to extend the corporate limits of the City of Dunn as requested and to assign property to ward one effective June 25, 2024. **Motion unanimously approved.** A copy of the Ordinance (02024-15) is incorporated into these minutes as Attachment #4.

Advisory Board Appointments

Mayor Elmore appointed Dunn Housing Authority members with all terms ending on June 30 as follows: Lois Dail Term ending 2029; Angela Inman Term ending 2027; and Sharon Gant with Term ending 2025.

Motion by Council Member Gaulden and second by Mayor Pro Tem Sills to appoint advisory board members as follows with all terms ending on June 30:

For the Planning Board

Douglas Godwin Jr. and Benjamin Ellmers term ending 2027, Vincent Pressley term ending 2026 and for ETJ Representative Brice Woodell term ending 2027.

For Dunn ABC Board

Jerry Smith for term ending 2027 and to appoint Marc Phillips as Chairman

For Parks and Recreation Advisory Board Dennis Goldston for term ending 2027

For Community Appearance Advisory Board

Cornelia Malloy, Linda Monds, Edith Elmore, Kathy Pope, and Stacey Renee Sanders with term ending 2026 and to appoint Cornelia Malloy as the Chair. **Motion unanimously approved**.

Wastewater Allocation Request

City Manager Neuschafer presented a request for a wastewater (sewer) allocation for an industrial development allocation 29,400 of gallons per day with scores are above the minimum required. The current available balance of the wastewater allocation is 265,660 gallons. The City Manager is not authorized to award over 10,000 gallons of a non-residential allocation. The parcel is located at 453 Room To Go Way 1526-77-5334.000.

Motion by Council Member Bradham and second by Council Member Gaulden to approve the Wastewater Allocation of 29,400 to the parcel at 453 Rooms To Go Way PIN Number 1526-77-5334.000 as presented. **Motion unanimously approved.**

MOU - DUMA and Harnett County

Assistant City Manager Godwin presented proposed MOU between the City, Harnett County, and the Dunn United Ministerial Association (DUMA).

In September 2012, Harnett County donated to the City the real property adjacent to Tyler Park where the County Health Center Building is located which facilitated the City's expansion of Tyler Park. In consideration of the donation, the County was allowed continued use of two rooms in the building for the Women, Infants, and Children (WIC) program. If they ever needed the entire building, the City agreed to provide comparable space for the County unless the WIC program ceased to operate in the building for 90 consecutive days. These terms were memorialized, and the County no longer operates the WIC program in the City of Dunn.

DUMA is renovating and expanding its facility at 301 E Broad Street. As part of its expansion, DUMA has agreed to provide the County, free of charge, with sufficient space to renew operation of the WIC program in Dunn. The City has agreed to contribute \$30,000 toward WIC space renovation costs. Upon completion of the renovation, the County has agreed to renew operating the WIC program in Dunn and to release the City from any obligations arising out of the September 2012 MOU. The County and DUMA have already executed the MOU and it awaits approval of the City Council. The \$30,000 renovation costs will come from a State-funded County grant to the City.

Motion by Council Member Gaulden and second by Council Member Hargis to approve the MOU between the City, County, and DUMA, including the \$30,000 contribution for renovation of the property at 301 E. Broad Street, Dunn, NC, to be used by the County WIC program, and to authorize the Mayor, or his designee, to execute the MOU on behalf of the City of Dunn. **Motion unanimously approved.** A copy of the MOU is incorporated into these minutes as Attachment #5.

Capital Project Ordinance E Bay St

After explanation from Finance Director McNallan, motion by Council Member Hargis and second by Council Member Tart to approve the E Bay St and S Wilson Ave Stormwater Improvements Capital Ordinance, related budget amendment, and project reimbursement resolution. **Motion unanimously approved.** A copy of the Ordinance (02024-16), Resolution (R2024-28) and Budget Amendment (BA2024-24) are incorporated into these minutes as Attachment #6.

E Bay St Property Purchase

Assistant City Manager Godwin proposed offer to purchase two parcels of land located at 100 and 106 East Bay Street, Dunn to be utilized for stormwater management purposes. On March 14, 2024, the City Council authorized the City Manager to enter negotiations with Martin & Stone Storage, LLC, for the purchase of two undeveloped parcels located at 100 and 106 East Bay Street, Dunn. The offer to purchase has already been executed by the seller and contains the following principal terms: Purchase price \$118,000 including an earnest money deposit of \$1000 now being held by the City Attorney; 20 Day Due Diligence Period beginning on the date the City signs the contract; Closing Date of 10 days after expiration of Due Diligence Period.

The property currently contains two 48" storm drainage culverts and upon acquisition, would be used for installation of additional stormwater best management practices to mitigate flooding and further alleviate stormwater drainage throughout the City's east side.

Motion by Council Member Tart and second by Council Member Hargis to approve the City's purchase for \$118,000 from Martin & Stone Storage, LLC, the two parcels of land located at 100 and 106 East Bay Street, and further identified as Harnett County PIN # 1516-55-3618 and PIN # 1516-55-2271 and to authorize the Mayor or City Manager to execute the Offer to Purchase and other documents necessary to effect the closing. **Motion unanimously approved**.

CloudPermit Planning & Zoning Software Contract

Assistant City Manager Godwin presented a request to consider purchase of CloudPermit software for planning & zoning, building permitting, and Code enforcement. Currently, the Planning & Inspections Department uses three different software programs. CloudPermit software consolidates the function of three programs into one unified software program enabling the zoning, development permitting, building permitting, and Code enforcement for a parcel to be addressed in one cloud-based software program.

The annual \$12,000 subscription fee includes unlimited licenses for staff, unlimited data storage, online portals for public users, and support and maintenance. The initial software agreement term is for one-year with an option to renew for an additional two-year term. In addition to the annual subscription fee, there is a one-time additional fee of \$5,000 to cover implementation, document & form creation/conversion, staff training, and data importation.

Motion by Council Member McNeil and second by Council Member Gaulden to approve the CloudPermit software agreement and to authorize the City Manager, or his designee, to execute the agreement on behalf of the City of Dunn. **Motion unanimously approved.**

Administrative Reports

City Manager Neuschafer presented updated goals.

Finance Director McNallan provided the following financial report for the period ending May 31, 2024:

- The City has \$10,191,742 cash and investments, compared to \$11,240,158 last year. The decrease is primarily due to unreimbursed grant/loan proceeds for capital water and sewer projects.
- Property Taxes collected for April are \$80,909, compared to \$94,667 last year. Total to-date \$5,649,573.
- Sales Tax receipts were \$271,969 for February, \$58,391 more than same period last year, with total collected to-date of \$2,342,422 or 75.7% of budget.
- Building Permit Fees collected total \$243,591 or 153.5% of budget compared to total collected last year of \$137,160.
- General Fund expenditures for month are \$1,176,320, with total expensed to-date at \$12,403,811 or 88.1% of Budget, compared to \$12,493,965 in 2023. Revenues to-date are \$12,473,804 or 88.6% of budget.
- Water and Sewer fund expenditures for the month are \$1,245,000, with total expensed to-date at \$8,452,258, or 78.3% of budget, compared to \$6,949,050 last year. Revenues to-date are \$8,306,549 or 76.9% of budget.
- Stormwater fund expenditures for the month were \$65,471, with total expenses to-date of \$269,979, or 63.4% of budget. Revenues to-date are \$402,567 or 94.5% of budget.
- The benchmark for this period is 91.7% of budget.

Reports were also received as follows: Planning and Inspections Report, Public Works Report, Public Utilities Report, Parks and Recreation Report and Police Report.

Parks and Recreation Director McNeil gave an update on the upcoming State Tournament to be held at Tart Park.

Announcements/Information

Mayor Elmore announced upcoming events and activities.

He further announced, Council will have a Special Called meeting on July 9 at 6:30 p.m. here in Council Chambers for the purpose to have a presentation from the North Carolina Council of Governments on the procedures of hiring a city manager.

Council Member McNeil thanked the city for all their support and help for the first Juneteenth Celebration.

With no further business to discuss, Mayor Elmore adjourned the meeting at 7:45 p.m. with no objections.

	William P. Elmore Jr. Mayor
Attest:	
Tammy Williams, CMC, NCCMC City Clerk	



Meeting Date: July 23, 2024

SUBJECT TITLE	Assignment of Authorized Personnel for Banking Access
PRESENTER/DEPARTMENT	Cary McNallan/Finance Department
ATTACHMENT(S)	Bank Authorization Resolution
PUBLIC HEARING PUBLISH DATES	N/A

PURPOSE: To update the authorized signatures for all City banking and loan institutions, effective July 1, 2024, for all accounts.

BACKGROUND: With the start of the new fiscal year, a review of the City's banking authorizations requires the Council to accept a resolution naming the City's banking depositories and authorizing the listed staff members as official signers for the City's accounts.

BUDGET IMPACT: There is no fiscal impact related to this council action.

RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL

Motion to accept the resolution to establish authorized personnel for signatures at the City of Dunn's financial institutions.





Mayor
William P. Elmore Jr.
Mayor Pro Tem
J. Wesley Sills
Council Members
April L. Gaulden
Raquel McNeil
Billy Tart
Alan Hargis
Dr. David L. Bradham
City Manager
Steven Neuschafer

RESOLUTION GRANTING AUTHORIZATION TO EXECUTE ALL EVIDENCES OF DEBT, DRAW CHECKS, DRAFTS, AND WIRE TRANSFERS UPON ACCOUNTS OF THE CITY OF DUNN

BE IT RESOLVED, that the City of Dunn hereby designates First Citizens Bank and Trust Company, First Federal Savings and Loan Association, Truist Bank, First Bank, United Community Bank, KS Bank, KS Trust, United States Department of Agriculture (USDA), and the North Carolina Capital Management Trust as its depositories, and that the following be authorized, effective July 1, 2024, to execute all evidences of debt, draw checks, drafts, and wire transfers upon the accounts of the City in said banks:

William P. Elmore, Jr., Mayor

Steven Neuschafer, City Manager

Cary McNallan, Finance Director

Alexa Kallesten, Senior Accountant

BE IT FURTHER RESOLVED, that such evidence of debt, checks, and drafts will be signed or authorized by any two of said officials.

This the 23th day of July, 2024.

William P. Elmore, Jr. Mayor



Meeting Date: July 23, 2024

SUBJECT TITLE	Fee Schedule correction
PRESENTER/DEPARTMENT	City Manager Neuschafer
ATTACHMENT(S)	YES
PUBLIC HEARING PUBLISH DATES	N/A

PURPOSE:

Correction needed to the fee schedule as noted in the attachment Removing a duplicate Special Use Permit under the Board of Adjustments.

BACKGROUND:

The new process only has the City Council processing Special Use Permits. In the past the Board of Adjustments had that task and that is why the fee was redundant.

BUDGET IMPACT:

None

RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL

Motion to approve Fee Schedule correction as presented.



City of Dunn Fee Schedule Fee Schedule for FY 2025

The City Manager shall have the authority to set any fee not otherwise listed and shall have the authority to make any interpretations of any fee listed on this schedule.

this	schedule.
	\$50 initial daily prep per field, plus \$20 per field for additional same day
Field prep fee	prep
Youth Sports Registration	
Resident	\$25 per player
Non-Residents	\$60 one sport
Non-Residents	\$40 each additional sport
	\$40 each additional spor
Sponsorship Fees	940 Cacii additional Cinic
Spring Sports	
T-ball and A league	\$200.00
Girl's softball - 8u, 10u, 12u, 15u, 18u	\$275.00
Boy's baseball - AA, AAA, Majors, Dixie Boys, Dixie Boys Majors	\$275.00
Miracle League team - effective 4/15/15	\$275.00
Innate Beagae team Checkie Walle	9275100
Fall Sports	
Soccer 4u, 6u, 8u	\$175.00
Soccer 10u & 13u	\$225.00
Adult League Sports	
Men's and Women's softball	\$30 resident/\$50 non-resident
Kickball	\$30 resident/\$50 non-resident
Men's Basketball	\$30 resident/\$50 non-resident
Volleyball, Walleyball, Pickelball	\$30 resident/\$50 non-resident
Late Fee for all Registrations	\$5.00
Late I ce for all registrations	95.00
C.B. Codrington Park/ City Swimming Pool	pa 00
Adults	\$3.00
Children	\$2.00
Summer Pool Pass - Adult Summer Pool Pass - Youth	\$50.00 \$30.00
Summer Pool Pass - Youth	\$30.00
Planning	FEES
Planning Board Fees	
Application for Rezoning or Conditional Zoning (per owner)	\$500.00
Application for Special Use Permit	\$700.00
Application for Ordinance Amendment/ General Plan Amendment	\$300.00
Application for Street/Alley Closing	\$500.00
Application for Voluntary Annexation (per parcel)	\$125.00
Board of Adjustment Fees	
Application for Variance	\$500.00
Application for Special Use Permit	\$1,000.00
Appeal Zoning Administrator's Decision	\$500.00
Development Permit Fee Schedule	
Site plan and permit review	
New Construction/Major Addition (per lot)	
Single Family Home	\$50.00
Single Family Home (in floodplain)	\$100.00
Multi-family/Non-residential	\$100.00
Multi-family/Non-residential (in floodplain)	\$200.00



Meeting Date: July 23, 2024

SUBJECT TITLE	OA-02-24 – Text amendment to Section 5-16(E) Gas/Fueling Stations of Article 5 of the City's Unified Development Ordinance (UDO).
PRESENTER/DEPARTMENT	Samantha Wullenwaber, Deputy Executive Director / Mid- Carolina Regional Council
ATTACHMENT(S)	Text Amendment Staff Report, Proposed Text Amendment Strikethrough/Underline, and Legal Notice.
PUBLIC HEARING PUBLISH DATES	June 25 th , July 9 th , and July 16 th

PURPOSE:

- a) Public Hearing: This is a request to modify Section 5-16(E) Gas/Fueling Stations of Article 5 of the City's UDO. The UDO currently requires all canopies/pumps to be located to the side or rear of a building. This was added to the code during the 2023 UDO update. The proposed amendment strikes this requirement from the ordinance, to allow more flexibility for future development.
- b) Decision:

BACKGROUND:

Staff has identified that the requirement to place canopies/pumps to the side or rear of the primary building may be more stringent than preferred in the City of Dunn. Many gas stations recreate the same site design and footprint when locating a new facility and requiring canopies/pumps to be located to the side/rear of the building may create a more cumbersome process. In order to allow more flexibility for future development, staff is proposing to remove this requirement from the UDO.

The Planning Board, at their regularly scheduled meeting on July 2nd, reviewed this request and heard a presentation from staff. No one from the public attended the meeting to speak in favor or opposition of the request. The Planning Board voted unanimously to recommend approval to the City Council for OA-02-24 to remove the language as outlined.

BUDGET IMPACT: No anticipated budget impact will arise from the adoption of this proposed text amendment.

RECOMMENDED
MOTION/ACTION
REQUESTED OF
COUNCIL

Motion to approve OA-02-24 Text Amendment.





STAFF REPORT

Application Number:

OA-02-24

Ordinance Amendment:

Gas/Fueling Stations - Pump Location

Applicant:

City of Dunn (city-initiated)

Project Planner:

Haley Hogg, Planning Director, Mid-Carolina Regional Council

Meeting Dates: Planning Board:

July 2, 2024

City Council:

July 23, 2024

Public Noticing Dates:

Newspaper Ad Published:

June 25, 2024

July 9, 2024

July 16, 2024

REQUEST: The City of Dunn is proposing an amendment to Section 5-16 E (Gas/Fueling Stations) of Article 5 in the City of Dunn Unified Development Ordinance (UDO). The City is proposing to remove language outlined in (a) of E1, which requires that canopies/pumps for gas/fueling stations be located to the side or rear yard of the principal building main entrance.

STAFF ANALYSIS AND COMMENTARY:

Overview

This amendment is proposed in an effort to allow flexibility for future development, as many gas/fueling stations desire visibility of pumps/canopy from the ROW.

Reasonableness and Consistency

Per North Carolina General Statute 160D-605, governing boards must adopt a consistency and reasonableness statement, brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land use plan. For this reason, the Planning Board must consider whether the proposed request is reasonable and consistent with the City's adopted plans.

The City of Dunn's Land Use Plan and the Imagine Dunn Strategic Vision Plan are meant to inform policy and guide development decisions made by the City. Goals and recommendations regarding development are outlined in the Land Use Plan and the Strategic Vision Plan. The City of Dunn adopted its Land Use Plan in 2022. When making decisions pertaining to growth and development, the City should utilize this plan, as it serves as a guide to inform development decisions made by the City. The Imagine Dunn Strategic Vision Plan was adopted in 2021. This Strategic Vision Plan outlines the City's overarching vision for its future and should also be considered when making decisions related to development.

The proposed ordinance amendment is reasonable and consistent with the City of Dunn's Land Use Plan and the Imagine Dunn Strategic Vision Plan. The following goals and recommendation put forth in these plans are aligned with proposed ordinance amendment:

Land Use Plan

- Policy 1.3: Review and amend the Unified Development Ordinance and Future Land Use Map as needed to ensure consistency with the City's goals, policies, and strategies.
- Policy 1.4: Review existing development design guidelines and incorporate applicable updates into the Unified Development Ordinance.

Upon review of the Unified Development Ordinance, the City is proposing an ordinance amendment to update the regulations pertaining to gas/fueling stations. Seeing a need for further development flexibility and the visibility of the fuel pumps from the Right-of-Way, the City is proposing to amend the ordinance to allow fuel pumps and canopies to be located in front of principal structures. This is consistent with the above policies from the Land Use Plan, as they both recommend reviewing the Unified Development Ordinance and existing development guidelines and updating them as needed to align the ordinance with the City's goals.

Imagine Dunn Strategic Vision Plan

PG.1: Create a Comprehensive Plan and update Development Ordinances.

One of Dunn's Planning for Growth goals included in the Strategic Vision Plan is to create a comprehensive land use plan and update development ordinances. The proposed ordinance amendment is consistent with this goal's intent. Dunn's Land Use Plan was adopted shortly after the Strategic Vision Plan in accordance with this goal, and now an update to the Unified Development Ordinance is being proposed to align with the Land Use Plan.

RECOMMENDATION

Staff recommends approval of the proposed ordinance amendment, given the justification provided and the consistency and reasonableness of the request. The proposed amendment is consistent with the City of Dunn's Land Use Plan and Strategic Vision Plan and is therefore a reasonable request. These plans' recommendations include the updating of the Unified Development Ordinance as needed. The proposed ordinance amendment lends itself to these recommendations.

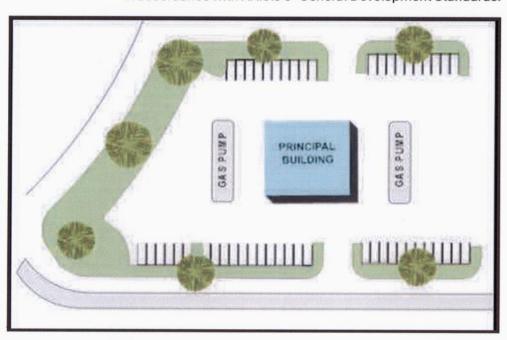
ATTACHMENTS:

- 1. Proposed Ordinance Amendment
- Newspaper Ad

Section 5-16 E (Gas/Fueling Stations) of Article 5 of the City of Dunn Unified Development Ordinance (UDO) reads as rewritten:

E. GAS/FUELING STATIONS

- 1. Canopies/Pumps:
 - a: Must be located to the side or rear yard of the principal building main entrance
 - b.a. Pump canopies must be located at least 50 feet from any interior side or rear property line that adjoins residentially developed property.
 - e.b. Must be buffered from adjoining residential uses & zoning with a 20-foot buffer in accordance with Article 6- General Development Standards.



2. Lighting:

a. All lighting must be shielded to direct light and glare only onto the lot or parcel
where the gas/fueling station is located and shall be in accordance with Article
6- General Development Standards.

EXPLANATORY NOTES:

- Section E1: Removal of language outlined in (a) of E1, which requires that canopies/pumps for gas/fueling stations be located to the side or rear yard of the principal building main entrance. This was removed to allow flexibility for future development, as many gas/fueling stations desire visibility of pumps/canopy from the ROW.
- Section E1: This graphic relates to the requirement in E1(a) that is proposed for removal and is therefore also removed in this text amendment.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a PUBLIC MEETING will be held by the CITY OF DUNN PLANNING BOARD on JULY 2, 2024, at 5:30 P.M. and a PUBLIC HEARING will be held by the CITY COUNCIL OF THE CITY OF DUNN on JULY 23, 2024, at 6:30 P.M. in the COURTROOM of the DUNN MUNICIPAL BUILDING for the purpose of considering the following item:

ORDINANCE AMENDMENT REQUEST OA-02-24

This is a request to amend Section 5-16 E (Gas/Fueling Stations) of Article 5 in the City of Dunn Unified Development Ordinance (UDO).

All persons desiring to be heard either for or against the proposed amendment set forth above are requested to be present at the above-mentioned times and places. Copies of proposed items are available for review at the Department of Planning between 8:00 A.M. and 4 P.M., Monday through Friday.

Written Comments may be addressed to:

PLANNING DEPARTMENT
CITY OF DUNN
P.O. BOX 1065
DUNN, NORTH CAROLINA 28335

ADVERTISE: June 25th, 2024

July 9th and July 16th, 2024



Meeting Date: July 23, 2024

CLID LECT TITLE	Consideration of Ordinance to Demolish – 614 East Vance Street. (PIN# 1516-86-6905)
PRESENTER/DEPARTMENT	Code Administrator, John Ganus
ATTACHMENT(S)	Yes
PUBLIC HEARING PUBLISH DATES	July 5, 2024 and July 9, 2024

PURPOSE:

- A) **Public Hearing:** Consideration of Ordinance to Demolish Dilapidated Structure 614 East Vance Street (PIN# 1516-86-6905). The Public Hearing was advertised on July 5, 2024 and July 9, 2024.
- B) **Purpose:** Code Administrator, John E. Ganus, has conducted an inspection at 614 E Vance Street. Based upon his observations, the structure is unsafe, dilapidated and uninhabitable. The Building Inspector also found the structure dangerous or prejudicial to the public health or public safety and is a nuisance in violation of G.S. 160A-193

The owner of the property has failed to comply with Code Administrators order and according to N.C.G.S. 160D-1123 the City Council has the power to proceed with the demolition of this property.

Should Council decide to proceed with the demolition of the structure at 614 East Vance Street an ordinance would need approval directing the Code Administrator to remove or demolish said structure.

BACKGROUND:

On March 21, 2023, The Housing Standards case was opened on the above property concerning the conditions of the structure and the living conditions. A request for inspection was issued and the inspection was scheduled on January 8, 2024. The owners did not show up for the inspection. It was observed that the structure was vacant, and the owners had conducted various activities of demolition and reconstruction. The entire roof system appears to have dropped approximately 12 inches and areas on both sides of the structure are bowed or separated. The interior has been gutted out and the owners have constructed of concrete framing of post and beams. The structure is dilapidated, unsafe and uninhabitable. A Complaint and Notice of Hearing was issued for January 22, 2024 by Certified and First-Class mailing with a copy posted on the structure. The Certified mailing was returned as unclaimed / unable to forward but the first-class mailing was not returned. On January 22, 2024, a Hearing was held to determine the fitness for human habitation of the dwelling, but the owners did not attend. Following the hearing, a Finding Of Fact and Order was issued by Certified and First-Class mail with a copy posted on the structure. The Certified and First Class did not return.





The Order required the owner (Caraballo Francisco Gerez) to bring the structure into compliance with the City Of Dunn Minimum Housing Code by repairing, altering, improving, or vacating and demolishing the structure by a date not later than May 19, 2024. To date the owners have not complied with the order of the Code Administrator.

The Vacant, severely dilapidated structure poses hazards to the health and safety of the community due to defects increasing the potential for accidents and fires.

BUDGET IMPACT:

None

RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL

Motion to adopt the ordinance directing the Code Administrator to proceed with the demolition of the structure located at 614 East Vance Street (PIN#1516-86-6905).



LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF DUNN, NORTH CAROLINA, UNDER AUTHORITY OF CHAPTER 160D, SECTION 601 OF THE GENERAL STATUTES OF NORTH CAROLINA, WILL HOLD A PUBLIC HEARING AT 7:00 P.M. ON JULY 23, 2024 IN THE COURTROOM OF THE DUNN MUNICIPAL BUILDING LOCATED AT 401 E. BROAD ST.

THE FOLLOWING ITEMS WILL BE DISCUSSED:

PUBLIC HEARING:

(1) A HEARING WAS HELD ON JANUARY 22, 2024 IN REFERANCE TO THE STRUCTURE LOCATED AT 614 EAST VANCE STREET. AT SAID HEARING, EVIDENCE WAS GIVEN TO SHOW THAT THE PROPERTY IS IN VIOLATION OF THE CITY OF DUNN MINIMUM HOUSING CODE ANS N.C.G.S. 160D-1119. AN ORDER WAS ALSO PLACED TO OWNER CARABALLO FRANCISCO GEREZ, TO REPAIR OR DEMOLISH SAID STRUCTURE. TO DATE NO RESPONSE HAS BEEN MADE. THEREFORE, IT WILL GO BEFORE THE CITY OF DUNN COUNCIL TO ADOPT AN ORDINACE TO HAVE THE STRUCTURE REMOVED AND ALL COST INCURRED BE A LIEN AGAINST THE PROPERTY.

ALL PERSONS DESIRING TO BE HEARD EITHER FOR OR AGAINST THE PROPOSED ITEM(S) SET FORTH ABOVE ARE REQUESTED TO BE IN ATTENDANCE AT THE TIME AND DATE STATED ABOVE.

BRIAN LOCKAMY BUILDING INSPECTOR CITY OF DUNN

Advertise: July 5, 2024 and July 9, 2024



POST OFFICE BOX 1065 • DUNN, NORTH CAROLINA 28335 (910) 230-3500 • FAX (910) 230-3590 www.dunn-nc.org

William P. Elmore Jr.

Mayor Pro Tem J. Wesley Sills

Council Members April L. Gaulden Raquel McNeil

Billy N. Tart Alan Hargis

Dr. David L. Bradham City Manager

Steven Neuschafer

AN ORDINANCE DIRECTING THE BUILDING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS AN UNSAFE BUILDING CONDEMNED PURSUANT TO N.C.G.S. §160A-426, ET SEQ.

WHEREAS, that on March 21, 2023 the Code Administrator for the City of Dunn sent a notice to Francisco Gerez Caraballo the owner(s) of record of the structure located at 614 E. East Vance Street noting the concerning of the conditions of the structure and the living conditions.

WHEREAS, on January 8, 2024 a inspection request was scheduled by the Code Administrator for the City Of Dunn. The owners did not show up it was observed that the structure was vacant and that the interior had been gutted out down to the ground. The outside wall had been cut through on all sides and have constructed concrete post and beams.

WHEREAS, A Complaint and Notice Of Hearing was sent to owners by Certified and First Class mail for a Hearing on January 22, 2024 and the owners did not attend. Following the Hearing a Finding of Fact and Order was issued by Certified and First Class mail and posted on the property. The order required the owners to bring the structure into compliance with the City Of Dunn Minimum Housing Code by repairing, improving, or demolishing the structure by a date no later than May 19, 2024. To this date the owner has not complied with the order of the Code Administrator.

WHEREAS, on July 5, 2024 and July 9, 2024 the City of Dunn published legal notices that a public hearing would be held before the Dunn City Council on July 23, 2024 to consider the adoption of this Ordinance, directing that the Building Inspector proceed with the demolition of the structure described hereby, and that all costs incurred shall be a lien against such property, pursuant to North Carolina General Statute §160A-432; and

WHEREAS, the City Council of the City of Dunn, NC finds that the structure described herein is dangerous or prejudicial to the public health or public safety and is a nuisance in violation of North Carolina General Statute 160A-193; and

WHEREAS, this structure should be removed or demolished, as directed by the Building Inspector, and is an unsafe building condemned as set forth in North Carolina General Statute §160A-426 and constitutes a fire and safety hazard; and

WHEREAS, the owner of this structure has been given a reasonable opportunity to repair or demolish the structure pursuant to an Order issued by the Building Inspector on May 19, 2024 and the owner has failed to comply with this order;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dunn, North Carolina that:

Section 1. The Building Inspector is hereby authorized and directed to place a placard on the exterior of the structure described herein, containing the legend:

"This building is unfit for human habitation and is a public nuisance; the use or occupation of this building for human habitation is prohibited and unlawful."

On the structures at the following address:

614 East Vance Street PIN #: 1516-86-6905 PARCEL ID #: 02151608510005

- Section 2. The Building Inspector is hereby authorized and directed to proceed to remove or demolish the above described structure in accordance with his Order to the owner thereof dated the 23 day of July, 2024 and in accordance with North Carolina General Statute §160A-432, based on the owner's failure to comply with such Order.
- Section 3. (a) The cost of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the City Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 10 of Chapter 160A of the North Carolina General Statutes, and such costs shall also be lien against any other real property owned by the owner of the property within the City of Dunn, North Carolina, or within one (1) mile of the City of Dunn city limits, except for the property owner's primary residence.
- (b) Upon completion of the required removal or demolition, the Building Inspector shall sell the useable materials of the structure and any personal property, fixtures, or appurtenances found in the building and credit the proceeds against the cost of removal or demolition. The Building Inspector

shall certify the remaining balance to the Tax Collector. If a surplus remains after sale of the materials and satisfaction of the cost of removal or demolition, the Building Inspector shall deposit the surplus with the Harnett County Clerk of Superior Court where it shall be secured in the manner provided by North Carolina General Statute §160A-432.

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. This ordinance shall become effective upon its adoption.

Adopted this 23rd day of July, 2024

William P. Elmore	, Jr.	
Mayor		

Attest:			
Melissa R. Matti			
Deputy City Clerk			



Meeting Date: July 23, 2024

SUBJECT TITLE	Purchasing Policy
PRESENTER/DEPARTMENT	Cary McNallan/Finance Department
ATTACHMENT(S)	Proposed Purchasing Policy
PUBLIC HEARING PUBLISH DATES	N/A

PURPOSE: To approve a revised purchasing policy for the City.

BACKGROUND: The City of Dunn's purchasing policy, which provides guidelines and rules on the purchasing process of goods and services, was last updated in July 2017. The revised policy provides more detailed information and also includes purchasing procedures related to the new Tyler accounting software. Other key components of this updated policy include:

- A section of definitions of key words within the policy.
- Expanded language regarding ethics in city contracting.
- An increase from \$500 to \$1,200 for the threshold of purchases requiring a City Manager approved requisition.
- A more detailed listing of types of purchases that do not require a requisition.
- An appendix related to bidding requirements for Historically Underutilized Businesses (HUB) and Minority and Women Owned Business Enterprises (MWBE). This policy establishes a 10% goal for HUB and MWBE participation for public building construction projects and all procurement activities. This 10% goal is also reflected in the State purchasing policy and is a requirement for any state or federally funded city projects.
- Establishes a standard services contract form for both federal and non-federal project contracts.

BUDGET IMPACT: Although there is no direct cost for the approval of this policy, the guidelines and the rules that it provides will ensure that the City staff purchase goods and services in the most efficient and economical manner.

RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL	Motion to approve the attached purchasing policy.
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Meeting Date: July 23, 2024

SUBJECT TITLE	Administrative Reports
PRESENTER/DEPARTMENT	City Manager Neuschafer
ATTACHMENT(S)	Monthly Reports
PUBLIC HEARING PUBLISH DATES	

PURPOSE:

- 1) City Manager's Report/Update on Council Goals
- 2) Financial Report/Assessment Update
- 3) Monthly Departmental Reports Included:
 - Planning & Inspections Report
 - Public Works Reports
 - Public Utilities Report
 - Water Plant Report
 - Wastewater Treatment Plant Report
 - Parks & Recreation Report
 - Police Report





14 Wastewater Sewer Plant Substantial completion Completion Millions 14 Wastewater • Sewer Plant Substantial completion Completion Millions 15 Stormwater • Sewer Lines (Repairs sized to accommodate growth) Received Grant of \$500,000 for accommodate growth) Received Grant of \$500,000 for summer of 24 Millions 16 Water Prioritize Long-turning and Bid for Clear Annual Priorities for Staff Received Grant of \$500,000 for Summer of 24 Millions 16 Water Complete Planning and Bid for Water Tower US301S Conginal Design Plan under Water US301S Revision by DMP. Need to prioritize Millions 16 Prioritize street repairs Prioritize street repairs Preparing engineer selection Summer of 24 to Summer of 24 to Summer of 24 to Summer of 24 to Time Property utility Propierty utility Plan for implementation Summer of 24 to Time Acquiring or applicable employees 2 Problet Retations Public Retations Time Acquiring or applicable employees Summer of 24 to Time Acquiring or applicable employees Summer of 24 to Time Acquiring or		Primary Goal	Plan of Action	Update	Timeline for Start or Finish	Funding needed
Wastewater Sewer Plant Substantial completion Signed July, 2024 Sewer Lines (Repairs sized to accommodate growth) Stormwater Prioritize Long-term Projects Clear Annual Priorities for Staff Funding/Budgeting Acquiring assements for Pearsall St. Project. Water Complete Planning and Bid for Water Original Design Plan under Pearsall Street Plant Street Plant Maximum two Property utility Plant Improvements Allocate funding Property utility Property utility Plan for implementation Issues Property utility Plan for implementation Issues Improve Public Training for applicable employees Relations Relations In Street Plant In Staff Activity Reports Maximum two Property or Summer of 24 to adoption Study ongoing Summer of 24 Allocate funding Preparing engineer selection Summer of 24 to adoption Study ongoing Summer of 24 to adoption Study ongoing Summer of 24 Need to prioritize Street repairs Property utility Plant or implementation Study ongoing Relations Research PIO position Monthly Update of PR Activities In Staff Activity Reports	1		Infrastructure			
Stormwater • Prioritize Long-term Projects	<u>a</u>	Wastewater	Sewer PlantSewer Lines (Repairs sized to accommodate growth)	Substantial completion Signed July, 2024	Completion As Necessary	Millions
Water Tower US301S Create an action plan for the Water Planting and Bid for Water Plant Street Improvements Private Private Property utility	e	Stormwater	 Prioritize Long-term Projects Clear Annual Priorities for Staff Funding/Budgeting 	Received Grant of \$500,000 for Merry Street project Acquiring easements for Pearsall St. project.	Summer of 24	Millions
Street Street Plant Improvements Prioritize street repairs Preparing engineer selection Improvements Private Property utility Plan for implementation Issues Public Relations Improve Public Relations In Staff Activity Reports In Staff Activity Reports	10	Water		Original Design Plan under Revision by DMP.	Maximum two years	\$3.5 Million
Street Prioritize street repairs Preparing engineer selection process & USDA application Study ongoing Study ongoing Summer of 24 to adoption Issues Public Relations Pelations Relations			 Create an action plan for the Water Plant 		Need to prioritize progress for decision	Millions
Private Finish Ordinance and Adopt Property utility - Plan for implementation Issues Issues Public Relations Improve Public - Training for applicable employees Relations - Research PIO position In Staff Activity Reports In Staff Activity Reports	2	Street Improvements	Prioritize street repairsAllocate funding	Preparing engineer selection process & USDA application	Follow approved SEPI Condition Study ongoing	\$300k per year to spend
Public Relations Improve Public Relations Relations Monthly Update of PR Activities In Staff Activity Reports	1 0	Private Property utility Issues	Finish Ordinance and AdoptPlan for implementation		Summer of 24 to adoption	Time \$100,000
Improve Public • Training for applicable employees Relations • Research PIO position • Monthly Update of PR Activities In Staff Activity Reports	7		Public Relations			
	2a	Improve Public Relations	 Training for applicable employees Research PIO position Monthly Update of PR Activities 	In Staff Activity Reports		\$75,000



	Primary Goal	Plan of Action	Update	Timeline for Start or Finish	Funding needed
		 Signage for Active City Projects – Public Works and Utilities 	In Process/ordered	Signage for City projects Summer 24/	\$1,000
2 b	Regional Marketing Plan for Sports Events	 Communication with Local Businesses early when hosting Sporting Events Reach out to sporting organizations (baseball, softball) to increase future travel ball events Market to regional sporting organizations to host major events 	Recreation & Tourism are working to prepare proposal for community benefit.	Creation of recreation marketing 24/25	\$10,000
3		City Hall Renovations			
		Plumbing Repairs		24/25 budget year	\$65,000
4		Update UDO			
		 Text Amendments to correct typos and implement newer growth recommendation in land use plan More focus on land use and growth issues during work sessions 		ongoing	Time
2		Business Recruitment and Investments			
		 Actively Recruit Businesses working in partnership with Downtown, the Chamber and Tourism 		Ongoing – participate with tourism efforts	\$50,000
				24/25 budget for incentive	\$25- \$50,000 year



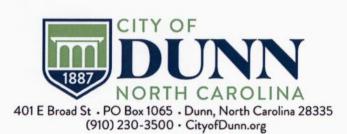
	Primary Goal	Plan of Action	Update	Timeline for Start or Finish	Funding needed
		 Market Plan for Business Recruitment Create and Fund Incentive Programs for private sector investments specifically for restaurants (façade grants, permit fee reductions, etc.) Continue support and involvement with loc/IAO Alliance 		Annual Alliance dues	\$55,000
		 Research Electricity Accessibility for Food Trucks and Conforming Ordinance 		24/25 budget for extending electrical access	\$10-20,000
9		Community Character and Beautification			
6a	Gateways	 Work with NCDOT to add additional signage through 195 project Increase Code Enforcement efforts 		24/27 depending on I-95 project	\$250,000
		along gateways		ongoing	Time
q9	Wayfinding	 Bid and proceed with Phase 1 Develop strategies and funding for future phases 	Awaiting NC DOT and Duke Energy approval Bid documents prepared.	Spring of 2025 completion	\$250,000 budgeted
၁မ	Reuse of City- owned properties	Identify Issues and Create Action Plan/updating Council regularly	Discussion Underway with Tourism on Cotton Gin Redevelopment. Obtaining Estimate to Rehab	ongoing	Undetermined
q9	Beautification Efforts	 Look for funding and develop plan for specific projects Seek community involvement and business participation 		Need plan to direct funding 24/25	Undetermined



	Primary Goal	Plan of Action	Update	Timeline for Start	Funding needed
		 Look at Public Art Program – partner with schools 			
မွ	Redevelopment Zone	Develop plan and Study feasibility for Redevelopment Zone		Consensus to move forward and determine area	Undetermined
7		Upgrade City Technology			
7 a		Update Payroll Software and Water Bill Payment (more user friendly)		Timekeeper software	\$17,000
7b		Update Permitting Software	Request to be included for June Regular Meeting	New software	\$21,000
7c		Prepare Plan for Physical Hardware upgrades	Met with Harnett IT to discuss Hardware Plan	3 yr. computer replacement plan	\$60,000
8		Senior Citizens Transportation			
		Research Grant for funding		24/25	\$60,000
6		Increase Walkability/Connectivity			
9a	Park to Park Trail	 Prepare Plan for Phase 2 Funding and Implementation 		24/25 develop route	\$500,000+
96	Updates	Identify small and less expensive projects that can be completed inhouse	Proposed \$25,000 in annual budget	Ongoing	Budget maintenance of sidewalk
10		Parks and Recreation			
10a	Codrington Park Improvements	Upgrade Basketball Court Facilities	Ribbon Cutting for Basketball Court was held at the Juneteenth Celebration	Complete	
		 Complete Needs Survey for Parks and Recreation Create plan for renovations 		Survey feedback to direct plan 25/26	\$100,000



				Timeline for Start Funding	Funding
No.	Primary Goal	Plan of Action	Opage	or Finish	needed
		 Burke St Improvements 			
10a	10a Cemeteries	 Address Aesthetic Concerns (Berms) Fencing and Lighting 	Removal of Mound & Construction of Berm at Resthaven Complete.	Complete 24/25 budget	Time \$20,000
=		Paving Repairs Facilities		Summer 24	\$50,000
11a	11a Water Plant	Develop Plan Find Funding		Set as Priority	Millions
11b	11b Public Works/Public Utilities Complex	Develop PlanFind Funding	USDA Grant Application Nearing Completion.	Grant Application Summer 24	Phase \$12M



Mayor
William P. Elmore Jr.
Mayor Pro Tem
J. Wesley Sills
Council Members
April L. Gaulden
Raquel McNeil
Billy Tart
Alan Hargis
Dr. David L. Bradham
City Manager
Steven Neuschafer

MEMORANDUM

To:

Honorable Mayor, City Council Members

From:

Cary McNallan, Finance Director

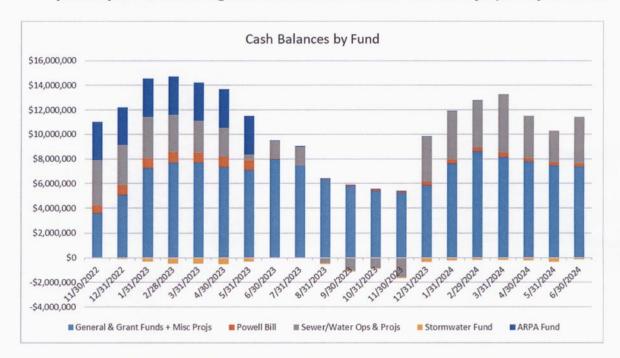
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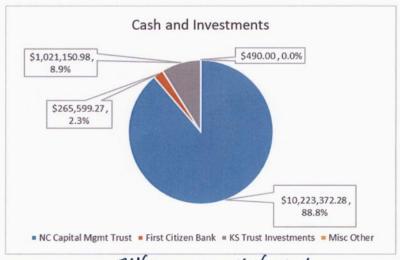
June 2024 Financial Report (unaudited)

Date:

July 10, 2024

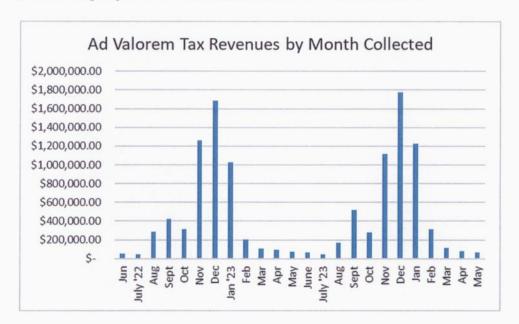
• Cash & Investment Balances: Cash and investment balances for all funds totaled \$11,510,612 as of June 30, 2024, compared to \$9,563,058 a year ago. The increase is primarily due to the timing of reimbursements of water and sewer project expenditures.



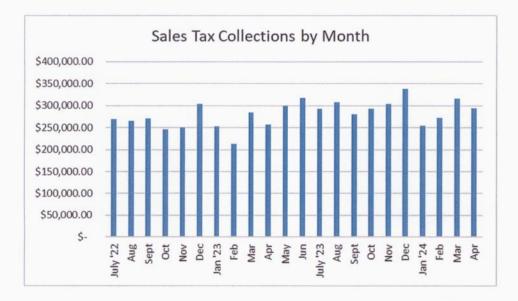


Where community begins!

- The benchmark for this period is 100.0% of the budget, however, revenues and expenditures will continue to be recorded for the next few weeks.
- Property Taxes collected by the County for the month of May 2024 totaled \$66,856 compared to \$71,733 for May 2023. FY24 year to date property tax revenues received are \$5,716,429. Our total estimated taxes for 2024 are \$5,563,300. These totals include taxes for Property, Motor Vehicles, and Downtown Service District.



• For Sales Taxes, our April receipts were \$294,285. This was \$37,656 more than the same period last year. Our budget for sales tax revenue for FY24 is set at \$3,095,000, and so far, this year we have recorded \$2,952,446, or 95.4%. Sales Tax Reports from the Department of Revenue are provided at least two months behind actual collections. Our next sales tax deposit will be August 15th.

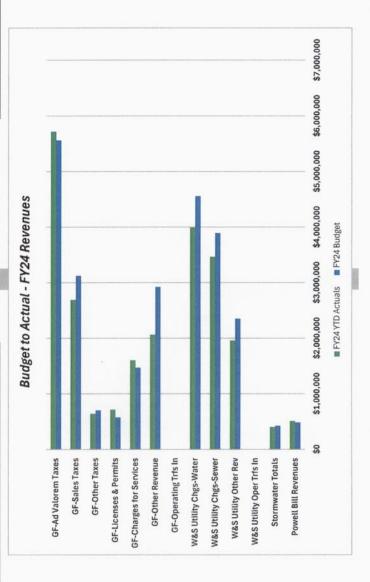


- Building Permit Fees for the month of June were \$28,747. To date we have collected a total of \$274,338 or 171.5% of the budget. At the same time last year, our year-to-date revenue was \$153,160. The budget for the 2024 budget year is \$160,000.
- The following charts and graphs include Budgeted and Actual, Revenue and Expenditures for the General Fund, Water & Sewer Fund, Stormwater Fund, and the Powell Bill Fund.

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FY23 YTD Actuals vs Budgets - Revenues

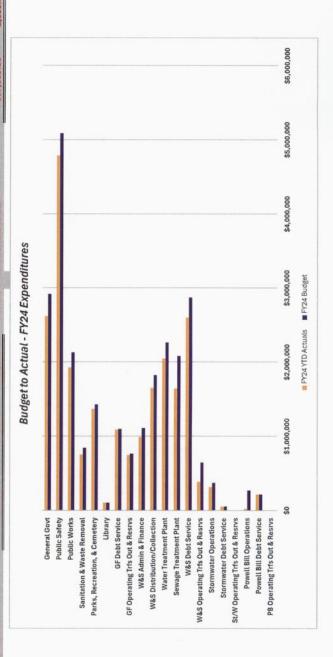
All Funds - FY24		June		1886	All Funds - FY23		June		
Revenue Category/Fund	FY24 Budget	MTD Actuals	FY24 YTD Actuals	% of Bdgt	Revenue Category/Fund	FY23 Budget	MTD Actuals	YTD Actuals	% of Bdgt
GF-Ad Valorem Taxes	5,563,300.00	66,856.35	5,716,738.68	102.8%	GF-Ad Valorem Taxes	5,383,600.00	136,865.37	5,639,675.97	104.8%
GF-Sales Taxes	3,125,000.00	318,189.62	2,687,957.44	86.0%	GF-Sales Taxes	3,218,155.00	1,163,625.89	3,635,055.23	113.0%
GF-Other Taxes	703,500.00	221,478.97	637,641.48	%9.06	GF-Other Taxes	726,000.00	349,310.94	864,995.41	119.1%
GF-Licenses & Permits	575,200.00	71,671.96	712,330.20	123.8%	GF-Licenses & Permits	00.000,609	86,394.20	591,869.27	97.2%
GF-Charges for Services	1,470,324.00	148,588.55	1,602,679.39	109.0%	GF-Charges for Services	1,381,800.00	135,174.83	1,461,854.95	105.8%
GF-Other Revenue	2,922,280.66	132,765.81	2,063,003.12	70.6%	GF-Other Revenue	3,151,845.00	157,784.08	2,018,313.63	64.0%
GF-Operating Trfs In	8,230.92	206.00	8,230.92	100.0%	GF-Operating Trfs In	3,097,102.00	3,097,101.76	3,097,101.76	100.0%
General Fund Totals	14,367,835.58	960,057.26	13,428,581.23	93.5%	General Fund Totals	17,567,502.00	5,126,257.07	17,308,866.22	98.5%
W&S Utility Chgs-Water	4,555,700.00	387,762.60	3,989,379.14	87.6%	W&S Utility Chgs-Water	3,638,000.00	465,956.76	3,777,349.37	103.8%
W&S Utility Chgs-Sewer	3,890,700.00	324,060.86	3,463,220.33	89.0%	W&S Utility Chgs-Sewer	3,140,000.00	400,056.52	3,281,957.95	104.5%
W&S Utility Other Rev	2,351,690.25	30,227.38	1,957,422.50	83.2%	W&S Utility Other Rev	1,925,922.79	(9,285.58)	1,396,787.33	72.5%
W&S Utility Oper Trfs In				#DIV/0!	W&S Utility Oper Trfs In	681.21	681.21	681.21	100.0%
W&S Fund Totals	10,798,090.25	742,050.84	9,410,021.97	87.1%	W&S Fund Totals	8,704,604.00	857,408.91	8,456,775.86	97.2%
Stormwater Revenues	425,840.00	1,043.71	403,610.32	94.8%	Stormwater Revenues	602,340.00	(33,774.45)	422,341.37	70.1%
Stormwater Totals	425,840.00	1,043.71	403,610.32	94.8%	Stormwater Totals	602,340.00	(33,774.45)	422,341.37	70.1%
Powell Bill Revenues	485,000.00	19,167.74	509,741.55	105.1%	Powell Bill Revenues	607,000.00		294,237.61	48.5%
Powell Bill Totals	485,000.00	19,167.74	509,741.55	105.1%	Powell Bill Totals	607,000.00		294,237.61	48.5%



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FY23 YTD Actuals vs Budgets - Expenditures

All Funds - FY24		June			All Funds - FY23		June		
Departments/Funds	FY24 Budget	MTD Actuals	FY24 YTD Actuals	% of Bdgt	Departments/Funds	FY23 Budget	MTD Actuals	YTD Actuals	% of Bdgt
General Govt	2,920,563.22	123,774.35	2,617,987.21	89.6%	General Govt	3,486,514.00	219,125.79	2,869,357.89	82.3%
Public Safety	5,087,426.02	314,239.84	4,786,974.39	94.1%	Public Safety	4,879,229.00	458,670.34	4,844,798.52	99.3%
Public Works	2,128,977.22	88,118.13	1,926,596.57	90.5%	Public Works	1,980,827.00	247,328.72	1,651,616.84	83.4%
Sanitation & Waste Removal	841,000.00	73,505.48	752,803.76	89.5%	Sanitation & Waste Removal	899,800.00	123,627.72	893,045.12	99.2%
Parks, Recreation, & Cemetery	1,426,022.50	128,329.84	1,366,936.59	92.9%	Parks, Recreation, & Cemetery	1,291,636.00	167,606.84	1,270,637.23	98.4%
Library	103,547.00	212.64	102,614.03	99.1%	Library	249,122.00	5,999.00	247,230.22	99.2%
GF Debt Service	1,095,864.00	36,663.66	1,088,472.39	99.3%	GF Debt Service	1,193,105.00	64,247.64	1,178,384.90	98.8%
GF Operating Trfs Out & Resrvs	764,435.62	136,725.00	745,760.62	97.6%	GF Operating Trfs Out & Resrvs	3,587,269.00	2,862,852.00	3,353,018.62	93.5%
General Fund Totals	14,367,835.58	901,568.94	13,388,145.56	93.2%	General Fund Totals	17,567,502.00	4,149,458.05	16,308,089.34	92.8%
W&S Admin & Finance	1,111,555.73	71,684.40	987,745.49	88.9%	W&S Admin & Finance	1,298,087.00	99,690.53	1,118,451.93	86.2%
W&S Distribution/Collection	1,825,127.93	98,012.51	1,652,127.75	90.5%	W&S Distribution/Collection	2,165,800.00	132,783.50	1,978,730.19	91.4%
Water Treatment Plant	2,262,739.03	111,595.90	2,047,443.49	90.5%	Water Treatment Plant	2,034,229.00	102,739.59	1,475,503.55	72.5%
Sewage Treatment Plant	2,082,096.56	113,088.02	1,644,663.32	79.0%	Sewage Treatment Plant	1,535,049.00	280,034.99	1,473,277.01	96.0%
W&S Debt Service	2,871,668.00	195,496.52	2,600,682.25	%9.06	W&S Debt Service	1,435,500.00	299,385.38	1,162,839.95	81.0%
W&S Operating Trfs Out & Resrvs	644,903.00		384,588.56	29.6%	W&S Operating Trfs Out & Resrvs	235,939.00		181,905.77	77.1%
W&S Fund Totals	10,798,090.25	589,877.35	9,317,250.86	86.3%	W&S Fund Totals	8,704,604.00	914,633.99	7,390,708.40	84.9%
Stormwater Operations	373,211.00	26,513.38	316,633.12	84.8%	Stormwater Operations	389,459.00	40,997.31	399,663.72	102.6%
Stormwater Debt Service	52,629.00		51,073.57	92.0%	Stormwater Debt Service	70,381.00	51,231.62	59,669.62	84.8%
St/W Operating Trfs Out & Resrvs				#DIV/0!	St/W Operating Trfs Out & Resrvs	142,500.00		100,000.00	70.2%
Stormwater Totals	425,840.00	26,513.38	367,706.69	86.3%	Stormwater Totals	602,340.00	92,228.93	559,333.34	92.9%
Powell Bill Operations	269,748.00	606.28	20,101.90	7.5%	Powell Bill Operations	62,000.00	2,630.00	58,437.22	94.3%
Powell Bill Debt Service	215,252.00	×	215,251.76	100.0%	Powell Bill Debt Service	•			#DIV/0i
PB Operating Trfs Out & Resrvs				#DIV/0!	PB Operating Trfs Out & Resrvs	545,000.00		545,000.00	100.0%
Powell Bill Totals	485,000.00	606.28	235,353.66	48.5%	Powell Bill Totals	607,000.00	2,630.00	603,437.22	99.4%





MAY 2024 | Monthly Development Report

Planning & Zoning

Planning & Inspections Department | 102 N. Powell Ave., Dunn, NC 28334 | phone 910-230-3503 | fax 910-230-9005 | www.dunn-nc.org

ode Enforcement	Туре	Number
	Minimum Housing/Water Cut On Inspections	0
	Non-Residential Inspections	0
	Improper refuse in container	0
	Junk & Debris Violations	1
	Household/Indoor Furniture	0
	Junk Vehicles	0
	Junk Vehicles Removed by City	0
	Weeded Lot Violations	29
	Overgrowth	0
	Dead/Unsafe Trees	0
	Misc. Complaints/Public Nuisance	0
	Illegal Dumping	0
	Illegal Signs	0
	Plantings in right of way	0
	Large Limbs	0
	Yard Waste/Trash Can	0
ermits & Inspections		
	Permits Issued	105
	Permit Fees Collected	\$45,814
	Inspections Performed	206 159 Initial 77.2 % 47 re-inspection 22.8 %
	Plans Reviewed	5
	Demolitions	0
	Certificate of Occupancy's Issued	11
	Peddler	1
	Food Truck Permits	1
	Food Truck Renewals	0
	ABC Permits	0
	Tent Permits	0
	Special Event/Noise Permit	\$90
re Inspections & Permits		
	Fire Inspections Performed	14 (52 including reinspections
	Fire Permits Issued	2
	Parameter and the control of the con	
	Fire Invoices Due/unpaid	\$7,187

Development Permits 12

\$850



	Screened Porch- Storage Bldg/Barn 1 Fences- 3 New Residential Construction- 13 New Commercial Construction- Addition- 1 Parking Lot/driveway/siteplan - Other/elec veh charging station- Swimming Pool-
Sign Permits 6	\$ 200 Wall- 3 Wall w/elec- 1 Freestanding- Freestanding w/elec- Highrise- Face Replace- 2 (no fee) Yard- Temp Banner- Temp- Billboard- Billboard w/elec- Interstate w/elec- Ground- Political- Special Event-
Plats/Recombination Approved	\$330
Minor Subdivision	\$0
Major Subdivision	\$0
Annexation	\$0
Easement	\$0
Zoning Violations/citations-	\$0
Zoning Verifications-	\$100
Rezoning/variance-	\$0
Conditional/Special Use-	\$0
Business Registration	\$2,025
New- 0	\$2,025
Renewals- 29	\$0
Home Occupation- 0	\$0

Code Enforcement Map June 1 st to June 30 th, 2024

^{**}Please note, that these are all **NEW** code enforcement items. This does not include items that were followed up on, or are at a later stage in enforcement. **



Code Enforcement Legend

☆ ✓ Building Permits

■✓Dead Trees

★ VFurniture&Appliances

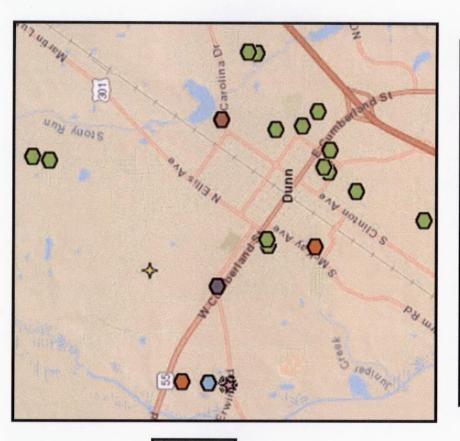
★✓Illegal Dumping

ON High Grass

OVIIIegal Signs

Code Enforcement

June 2024



☆ VImproper Refuse in Container

★ VIndoor Furniture/Appliances

■▼Junk Vehicle

■ Junk/Debris

★ Non-Residential Maint. Code

★ ✓ Minimum Housing

★ 【Large Limbs

○✓ Yard Waste Violation

♦✓Zoning Other

Stop Work Order

Overgrowth

Building Permits Legend

Building Permits

Building Permits

BUILDIN	G PERMITS - JUNE 2024	
Address	Permit Type	
200 N. Clinton Ave	Commercial Building Permit	
1801 W. Cumberland St	Commercial Building Permit	
2100 W. Cumberland St	Commercial Building Permit	
590 E. Jackson Rd	Commercial Building Permit	
215 E. Broad St	Commercial Building Permit	
117 N. Wilson Ave	Commercial Electrical Permit	
108 W. Edgerton St	Commercial Electrical Permit	
901 Rooms to Go Way	Commercial Electrical Permit	
1125 E. Cumberland St	Commercial Electrical Permit	
509 N. Fayetteville Ave	Commercial Mechanical Permit	
115 S. Wilson Ave	Commercial Mechanical Permit	
108 W. Edgerton St	Commercial Mechanical Permit	
307 E. Burke St	Res Demolition Permit	
505 Saint	Res Development Permit	
271 McNeil Cir	Res Development Permit	
261 McNeil Cir	Res Development permit	
800 S. Magnolia Ave	Res Development Permit	
604 E. Duke St	Res Development Permit	
306 E. Godwin St	Res Development Permit	
806 S. Magnolia Ave	Res Development Permit	
306 Saint St	Res Development permit	
280 Bruce Dr	Res Development Permit	
133 Courtside Dr	Res Development Permit	
272 Bruce Dr	Res Development Permit	
264 Bruce Dr	Res Development Permit	
109 Courtside dr	Res Development Permit	
125 Courtside Dr	Res Development Permit	
501 W. Vance St	Res Development Permit	
104 Gleneagles Ave	Res Development Permit	
101 Holmes St	Res Development Permit	
101 Pine St	Res Development Permit	
271 McNeil cir	Residential Building Permit	
261 McNeil Cir	Residential Building Permit	
406 N. Orange Ave	Residential Building Permit	
800 S. Magnolia Ave	Residential Building Permit	
306 E. Godwin	Residential Building Permit	
806 S. Magnolia Ave	Residential Building Permit	
306 Saint St	Residential Building Permit	
280 Bruce Dr	Residential Building Permit	
133 Courtside Dr	Residential Building Permit	
272 Bruce Dr	Residential Building Permit	
264 Bruce Dr	Residential Building Permit	

104 Gleneagles Ave	Residential Building Permit
109 Courtside Dr	Residential Building Permit
125 Courtside Dr	Residential Building Permit
505 Saint	Residential Building Permit
311 N. Clinton Ave	Residential Building Permit
101 Holmes St	Residential Building Permit
1602 Lakeshore Dr	Residential Building Permit
703 S. King Ave	Residential Building Permit
818 Ammons Rd	Residential Electrical Permit
802 E. Divine St	Residential Electrical Permit
1007 N. Mckay Ave	Residential Electrical Permit
1903 Friendly Rd	Residential Electrical Permit
505 W. Wake St	Residential Electrical Permit
311 Village Square Dr	Residential Mechanical Permit
311 E. Harnett	Residential Plumbing Permit
818 Ammons Rd	Residential Plumbing Permit

		CODE ENFORCEMEN	T ACTIONS: JUNE 202	24
ld	Address Number	Street Name	Work Type	Date Flagged
18776042	804	South Washington Avenue	High Grass	6/21/2024 10:14:27 AM
18761163	711	East Harnett Street	High Grass	6/17/2024 9:36:40 AM
18761112	400	East Townsend Street	High Grass	6/17/2024 9:30:03 AM
18760948	110	Venus Drive	High Grass	6/17/2024 9:11:48 AM
18760921	300	Saturn St	High Grass	6/17/2024 9:09:36 AM
18756539	1401,	1403 Fairground Road	High Grass	6/14/2024 9:48:06 AM
18756534	1602	Fairground Road	High Grass	6/14/2024 9:45:53 AM
18753345	710	East Divine Street	High Grass	6/13/2024 9:29:30 AM
18753341	708	East Divine Street	High Grass	6/13/2024 9:28:48 AM
18749794	102	Covington Lane	High Grass	6/12/2024 1:35:58 PM
18731871	309	South Orange Avenue	High Grass	6/6/2024 11:54:07 AM
18731869	605	W Divine St	High Grass	6/6/2024 11:52:45 AM
18739142	603	West Divine Street	High Grass	6/6/2024 11:52:34 AM
18727448	306	South Washington Avenue	High Grass	6/5/2024 11:07:34 AM
18727445	402	South Washington Avenue	High Grass	6/5/2024 11:06:50 AM
18727429	407	South Washington Avenue	High Grass	6/5/2024 11:04:52 AM
18727385	208	North Lee Avenue	High Grass	6/5/2024 10:57:51 AM
18744581	1402	Erwin Road	Improper Refuse in Container	6/11/2024 10:29:58 AM
18739156	1111	West Broad Street	Junk Vehicle	6/10/2024 8:50:01 AM
18794302	807	South Layton Avenue	Junk/Debris	6/28/2024 9:43:45 AM
18744566	1400	Erwin Road	Junk/Debris	6/11/2024 10:27:10 AM
18718322	311	Marlowe Drive	Junk/Debris	6/3/2024 10:43:46 AM
18775733	1100	North Clinton Avenue	Unsafe Trees	6/21/2024 8:50:40 AM
18744561	1400	Erwin Road	Yard Waste Violation	6/11/2024 10:24:51 AM
18718293	401	Coleridge Drive	Yard Waste Violation	6/3/2024 10:38:45 AM

Case Number	Violation Address	Owner or Occupant	Status or Conditions
	M	MINIMUM HOUSING STANDARDS	
HC-23-02	125 Spring Branch Road	Stacey Harper	Abandoned, ubstandard housing. Inspection conducted on 04-15-24 with a warrant. Hearing conducted on 06-24-24 and owner did not show. Findings of Fact and Order issued with deadlne of 09-29-24.
HC-23-03	824 East Divine Street	Zelm LLC & Co., c/o Lee Alexander Brown	Substandard housing. Conducted inspection. Hearing postponed per request of owner. Heaing has been rescheduled for 03-11-24 and owner did not show. Findings of Fact and Order issued to Repair or Demolish by a dated not later than 07-07-24 No visible improvements or permits issued as of 06-24-24.
HC-23-04	307 Burke Street	The Come Up Group, LLC (02-05-24)	Substandard housing. Hearing conducted and Order issued to Repair or Demolish by 10-29-23. As of 02-05-24 the ownership has changed. Owner has decided to demolish and build new. Spoke with owner again and contractor was delayed. Should start soon.

			Substandard housing conditions. Inspection scheduled and owner did not show. Hearing held and owner did not show. Order issued to Repair or Demolish with a deadline of 05-19-24. Memorandum and Ordinance to Demolish has been drafted and is schedule for presentation to the City Council in
HC-23-06	614 East Vance Street	Francisco Gerez Caraballo	August.
HC-23-07	101 West Bay Street	William Randy Lucas (Deceased) c/o Charlene J Sutton	Substandard housing conditions. Building Inspector working on this project.
HC-23-08	211 South Magnolia Avenue	Theodore L Williams Jr & Virginia Avenue Williams	Substandard housing conditions. Will obtain a title search and schedule Inspection upon receipt.
HC-23-09		Theodore L Williams Jr & Virginia Williams	Substandard housing conditions. Will obtain a title search and schedule Inspection upon receipt.
HC-23-10	403-405 South Washington Avenue	Theodore L Williams Jr & Virginia Williams	Substandard housing conditions. Will obtain a title search and schedule Inspection upon receipt. Building Inspector working on this project.
HC-23-11	407 South Washington Avenue	Theodore L Williams Jr & Virginia Williams	Substandard housing conditions. Will obtain a title search and schedule Inspection upon receipt.
HC-23-12	804 South Washington Avenue	Theodore L Williams Jr & Virginia Williams	Substandard housing conditions. Will obtain a title search and schedule Inspection upon receipt.

HC-23-15	811 East Cumberland Street John Davis Sutton	John Davis Sutton	Substandard housing conditions. Pending Inspection.
HC-23-16	305 West Greenwood Street Frederick E McNeil	Frederick E McNeil	Substandard housing conditions. Hearing held with potential buyers and owner did not attend. The seller & buyers are working with attorney to complete the transfer upon completion of the survey. Will issue the order upon transfer.
HC-23-21	604 East Townsend Street	Tony W Surles	Substandard housing conditions. Pending Inspection.
HC-23-22	309 North Wilson Avenue	Kris Dolan & David Berg (04-12-23)	Substandard housing conditions. Inspection conducted. Hearing held and the owners are working with Planning on converssion to SFR and total renovation. Permits were obtained and work is progressing. Will continue monitoring.
HC-23-23	307 South Washington Avenue	Thomas E Strickland	Substandard housing conditions. Pending Inspection.
HC-23-24		Avenue Roy & ROI (new owners)	Substandard housing. Inspection conducted. Hearing postponed. New owners have obtained permits on 02-29-24 and are working on the renovations. Will continue to monitor.
C-23-24	404 North Magnolia Avenue	Roy & ROI (new	owners)

			Substandard housing conditions. Owner appears to have abandoned the intent to renovate the structure. Also has failed multiple county inspections in the past. Housing Inspection conducted and Hearing is scheduled for 07-23-24 @ 2:00 pm.
UC-52-50	407 West Johnson Street	Jose Juan Correa	
			Substandard housing. Inspection conducted. Hearing postponed and
HC-23-26	408 North Magnolia Avenue	Avenue The Finn Group LLC	will be rescheduled.
70 00 011	202 T CO3		Substandard housing conditions.
HC-23-2/	502 East Suries Street	Eugenia McMillian	Pending Inspection.
			Substandard housing conditions.
HC-23-28	611 North Wilson Avenue	Frank & Lula Clark	Will schedule inspection soon.
			Substandard housing conditions.
HC-23-29	711 North Magnolia Avenue James N Wynn	James N Wynn	Pending Inspection.
			Substandard housing conditions.
HC-23-31	807 North Layton Avenue	Clayton Davis	Pending Inspection.

			conducted. Hearing held. Owner
			working with Planning concering
			permitted uses prior to renovation.
		a a	Order issued to Repair or Demolish
			with a deadline of 06-30-24. No
			permits have been obtained but
			have been in frequent
			communication with the architect
		RCC Dawson LLC	and engineers working on the
HC-23-32	1114 South Clinton Avenue	c/o Pyragna Chhasati	project.
			Substandard housing conditions.
HC-23-33 4	13 South Magnolia Avenue	413 South Magnolia Avenue Anchor Investment Properties LLC	Pending Inspection.
			Substandard housing conditions.
HC-23-34 2	202 South Sampson Ave	Caesar A Brewington Jr.	Pending Inspection.
			Substandard housing conditions.
HC-23-35 1	1607-1609-1611 Erwin Rd	Minnie F Webb	Pending Inspection of apartments.
			Abandoned, substandard housing.
HC-23-37	1001-1003 N Fayetteville Av Chelsi Fawn Boulware	Chelsi Fawn Boulware	Pending inspection.
			Substandard housing conditions.
HC-23-38 9	901 East Johnson Street	Anthony B & Robert L Ross	Pending Inspection.
			Substandard housing. Hearing
			conducted and Order issued to
			Repair or Demolish by 11-15-23.
			Property has now changed
			ownership to NW Real Estate
			Investments LLC. Met with new
			owners and working with Zoning on
		NW Real Estate Investments LLC	some issues. Pending further
HC-23-40 [2]	205 North Washington Ave	(11-28-2023)	actions.

HC-23-41	816 East Divine Street	Marjorie Nickole Mata (11-16-23)	Substandard housing conditions. Renovations are complete and follow up inspection conducted. CLOSED 06-10-24
HC-23-42	1600 Erwin Road	West Properties of NC LLC (11-28-2023)	Substandard housing conditions. Pending inspection.
HC-23-43	123 Bruce Drive	Salvador Macias Cardenas	Substandard housing conditions. Pending inspection.
HC-23-44	1009 West Harnett Street	Village Capital & Investment LLC	Vacant and substandard housing conditions. Inspection scheduled for 09-11-23 with no one showing. Ownership changed by Trustee Deed on 12-15-23. Owners have obtained required permits and the structure is under full renovation. Will continue to monitor.
HC-23-45	910 East Divine Street	Winselow Tucker Sr	Substandard housing. Inspection conducted. Hearing to be scheduled soon.

7/14/2024

HC-23-46	410 South Fayetteville Avenue	Winged Warriors LLC	Substandard housing conditions. Inspection scheduled for 01-08-24 and owner did not show. Called and found he was out of country. Inspection rescheduled for 03-11-24 and owner did not show. Order issued to Repair or Demolish by a date not later than 08-04-24.
HC-23-47	611 West Pearsall Street	J and T Properties of Holly Springs	Substandard housing conditions. Inspection conducted and Hearing was scheduled for 03-11-24. Owner did not show but called relating he would be back in county after the 14th and requested a postponement. No response from owner and no permits obtained. Order issued to Repair or Demolish by a date not later than 08-04-24.
	NON-RESI	NON-RESIDENTIAL BUILDINGS OR STRUCTURES	KES
NR-23-01	510 Spring Branch Road	New Dunn Hotel LLC c/o Amar N Patell	Vacant substandard building. Inspection scheduled and owner advised he was out of country. Requested to schedule when he returns. Will reschedule inspection soon.
	550000000000000000000000000000000000000		

Vacant substandard building. Inspection conducted with owner. Pending hearing and other actions.	Abandoned storage facility. Inspection conducted with maintenance man concerning the clean up of the property and repair of the building. Follow up visit conducted and observed clean up and maintenance is progressing slowly. Will continue to monitor progress.
Munishree LLC c/o Suresh Patel	C L Tart Jr & Mary Lee Brece Tart
508 Spring Branch Road	506 North McKay Avenue
NR-23-02	NR-23-04

PUBLIC WORKS DEPARTMENT JUNE 2024 MONTHLY REPORT

101 E CLEVELAND ST, DUNN NC 28334 PHONE 910-892-2948 FAX 910-892-8871 www.dunn-nc.org

STREET DEPARTMENT	TYPE	NUMBER
	ALLEY MAINTENANCE	1
	CATCH BASIN	4
	CITY CUTS	7
	DAMAGE TO VEHICLE	1
	DEBRIS IN DITCHES	3
	DITCHES SPRAYED	19
	FIBER OPTIC CUT	1
	FURNITURE	104
	LIMBS	217
	NEEDS 10 BARRELS	1
	NEEDS SWEEPING	1
	POTHOLE	3
	REPUBLIC SERVICES COMPLAINT	1
	ROOTS IN ROADWAY	2
	STORM DRAIN	2
	TRASH	2
	UTILITY CUT	6

PUBLIC WORKS DEPARTMENT JUNE 2024 MONTHLY REPORT

101 E CLEVELAND ST, DUNN NC 28334 PHONE 910-892-2948 FAX 910-892-8871 www.dunn-nc.org

TONNAGE REPORT	TYPE	NUMBER
	SOLID WASTE IN TONS	228.9
	YARD WASTE IN TONS	43.86
	RECYCLING WASTE IN TONS	26.57
	GRAND TOTAL TONS	299.33

^{*}Data from Republic Services Report

PUBLIC WORKS DEPARTMENT JUNE 2024 MONTHLY REPORT

101 E CLEVELAND ST, DUNN NC 28334 PHONE 910-892-2948 FAX 910-892-8871 www.dunn-nc.org

CEMETERY DEPARTMENT	TYPE	NUMBER
	MOWING & WEEDEATING	32
	OPEN/CLOSED	15



Public Utilities Dept | July 2024 | Monthly Report

101 E. Cleveland St., Dunn, NC 28334 | phone 910-892-2948 | fax 910-892-8871 | www.dunn-nc.org

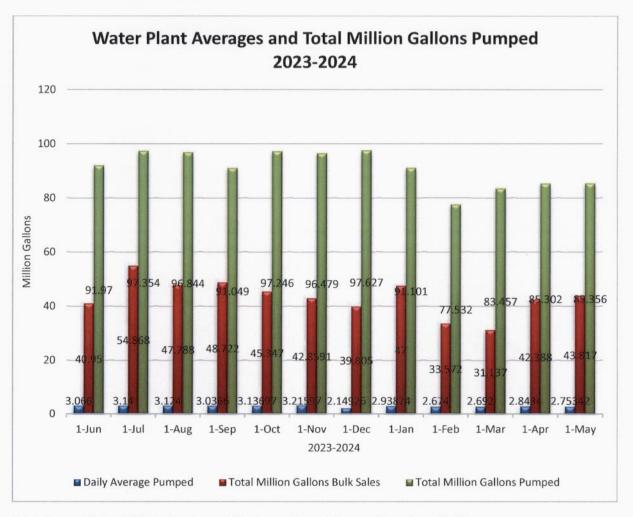
Water/Sewer Depart	ment	
	On Call	6
	Leak Repair	9
	Water Tap	2
	New Sewer Tap	2
	Sewer Tap Renewals	
	Water Construction	
	Sewer Stoppage	11
	Sewer Construction	
	Manhole Inspection	35
	Outfall Maintenance	3
	Hydrant Repair	3
	Utility Locates	738
	Water Meter Repair/Investigations	11
	Retire Water and Sewer Services	
	Valve Maintenance	1
	Taste and Odor Complaint	
	Water Quality Flushing	1
	Low Pressure Complaint	2
	Other – Water	14
	Other – Sewer	2



Public Utilities Dept-WTP | May 2024 | Monthly Report

101 E. Cleveland St., Dunn, NC 28334 | phone 910-892-2948 | fax 910-892-8871 | www.dunn-nc.org

A.B. Uzzle Water Treatment Facility		
	Total Million Gallons Pumped	85.356
	Average Million Gallons Per Day Pumped	2.75342
	Total Million Gallons Bulk Sales	43.817



^{*}Data from A.B. Uzzle Water Treatment Plant records, and Finance Department billing.



Lead and Copper Rule Revision: Lead Service Line Inventory (LSLI)

KCI Associates of North Carolina - Update as of May 31, 2024

- KCI conducted the project kickoff meeting with City of Dunn staff;
- KCI searched for and analyzed GIS data to aid in development of the lead service line inventory; and
- KCI performed research on the State of North Carolina requirements in reference to the Lead and Copper Rule Revisions; and
- KCI developed the LCRR data capture workflow plan for field investigations.

Roof Repair:

The leaking TPO Roof has been repaired/replaced on the Maintenance Building and Chemical Feed Room at the Water Treatment Plant.



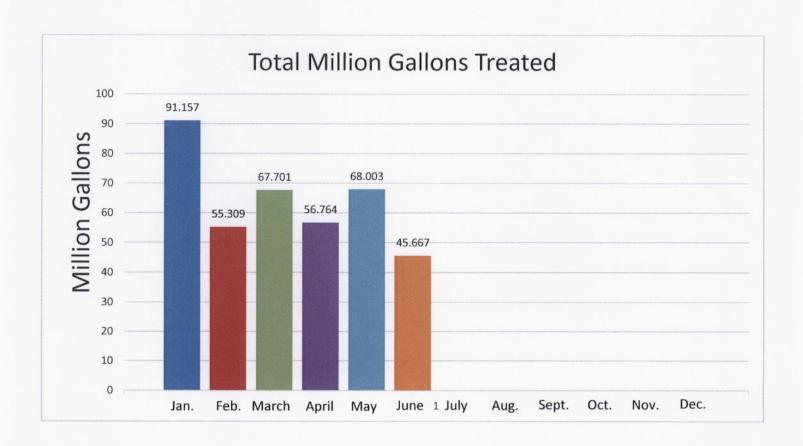


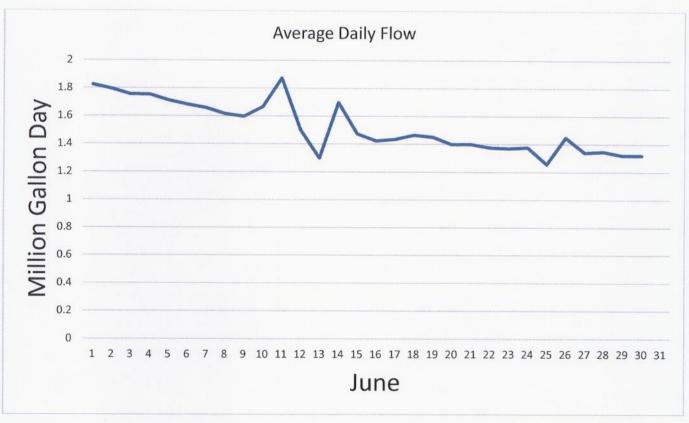
Public Utilities Dept | June 2024 | Monthly Report

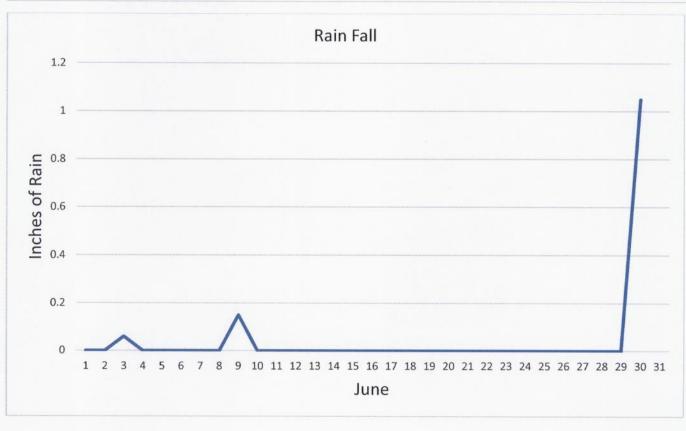
101 E. Cleveland St., Dunn, NC 28334 | phone 910-892-2948 | fax 910-892-8871 | www.dunn-nc.org

llack River Wastewater reatment Facility		June
	Total Million Gallons Treated	45.667
	Average Million Gallons Per Day Treated	1.522
	Rainfall in Inches	1.26

^{*}Data from NC DEQ DMR documents and Black River Wastewater Treatment Plant records











Narrative Report

Dunn All-Star Teams

Softball All-Stars

All three of our softball teams competed in their district tournament in Hoke County starting on June 14th. Our Darlings (8u) went 1-2, Angels (10u) went 2-2, and Ponytails (12u) went 0-2. Although our teams were competitive in every game no team advanced to the state tournament, ending their all-star journey.

Baseball All-Stars

Two of our baseball teams competed in their district tournament in Hoke County starting June 22nd. Our AAA (10u) went 3-2 and Majors (12u) went 0-2. AA (8u) did not participate in the district tournament since Dunn is the host of the AA state tournament granting them an automatic spot. Although AAA did not win their district tournament, they still advanced as our district division 2 representative in the AAA state tournament in Lockwood Folly, NC.

2024 DYB NC AA League State Tournament

We are hosting the 2024 DYB NC AA League State Tournament on June 29th – July 3rd at the Clarence Lee Tart Memorial Park. There are 24 teams competing for the division 1 and division 2 title to represent Noth Carolina in the World Series.

Summer Camps

Summer Camp registration began on April 25th. Camp registration will remain open until all camps are full. Twenty participants are allowed per camp. The first camp will begin on June 17th and the last camp will end the week of July 22nd. The camps are 4 days a week and locations vary.

Miracle League

Registration ended on June 5th, and they started games on June 20th at Tyler Park. Their last game will be on July 18th. CloudWyze sponsored both teams this season.

Fall Registration

Fall registration will begin on July 1st for cheer, football, soccer, and volleyball.

Recreation Advisory Board

The last meeting was held on Tuesday, April 16, 2024, at 6:00 p. m. in the Multipurpose Room. The next meeting will be held on August 20, 2024, at 6:00 p. m. in the Dunn Community Center.



205 Jackson Rd • PO Box 1065 • Dunn, North Carolina 28335 (910) 892-2976 • Cityof Dunn.org

June Monthly Report

Dunn Parks & Recreation	Facility Rentals, Programs & Etc.	Numbers
Rentals	Facility	
	Dunn Community Building	5
	Clarence Lee Tart Memorial Park	1
	Multipurpose Room	0
	Codrington Park	0
	Nathan Harris Athletic Complex @ Tyler Park	0
	Baseball & Softball Field Rentals	2
	Tennis Courts	0
	Picnic Shelter Rentals	4
Miracle League		
	Miracle League	14
Summer Camp Programs		
	Arts & Crafts	6
	Baseball	9
	Boys' Basketball	15
	Dance Fitness	8
	Football	7
	Fun & Games	5
	Girls' Basketball	10
	Mystery & Mayhem	12
	Soccer Indoor/Outdoor	30
	Softball	9
	Tennis	15
	Volleyball	23

Free Free		
Free Free	as Recreational Walkers	88
Free	Play 14-17 years old	57
	Play 11-13 years old	39
	y 10 & Under years old	8
	Adult Play	13
	tting Cage Rentals	0
	Pickleball Players	61
	Lacquetball Court	0

Cemetery Report

Sections	Total Spaces	Purchased	Available
Existing section 1-9, 11, 13 & 15	6,960	6,543	417
Section 12 (opened May 2023)	432	20	412
Section 14 (opened May 2023)	488	18	470
Section 10 & 16 (not yet open)	1,248	0	0
Existing Section A – Z	10,092	9,727	365
Charles and the second			
Existing Section A – F	3,448	1,503	1,833
Existing section I, II, III	272	272	0
Section G – P (not yet open)	3,336	0	0
	Existing section 1-9, 11, 13 & 15 Section 12 (opened May 2023) Section 14 (opened May 2023) Section 10 & 16 (not yet open) Existing Section A – Z Existing Section A – F Existing section I, II, III	Existing section 1-9, 11, 13 & 15 6,960 Section 12 (opened May 2023) 432 Section 14 (opened May 2023) 488 Section 10 & 16 (not yet open) 1,248 Existing Section A – Z 10,092 Existing Section A – F 3,448 Existing section I, II, III 272	Existing section 1-9, 11, 13 & 15 6,960 6,543 Section 12 (opened May 2023) 432 20 Section 14 (opened May 2023) 488 18 Section 10 & 16 (not yet open) 1,248 0 Existing Section A – Z 10,092 9,727 Existing Section A – F 3,448 1,503 Existing section I, II, III 272 272



401 E Broad St. PO Box 1065. Dunn, North Carolina 28335 (910) 892-2399. CityofDunn.org Chief of Police Cary Jackson

June 2024 Monthly Crime Stats (06/01/2024 to 06/30/2024)

Crime	Number
Homicide	2
Rape	0
Robbery	1
Aggravated Assault	4
Burglary Forcible Entry	3
Burglary Non-Forced Entry	1
Larceny from Motor Vehicle	3
Larceny all- other	34
Simple Assaults	11

	Criminal	Investigations	Division	
Assigned Cases	Cases Closed	Recovered Property	Arrests	Search Warrants Executed
34	24	0	5	7

Dunn Police Arrest & Citation Stats

Month	Felony	Misdemeanor	Citations	
June	34	63	305	

Overdose Stats

Month	Fatal	Non-Fatal	Total	DPD Narcan Use
June	0	4	4	0

	Flock	Safety	Utilizations	
Total Plate Reads:	Hot List Hits	Recovered Property	Leads Established	Agencies Assisted
1.3 million	393	0	1	5



Dunn Police Department Community Enhancement Team Monthly Report

Month: June 2024

Arrest Charges:

Felony: 12

Misdemeanor: 31

Juvenile: 0

Citations/Written Warnings Issued: 19

Drugs seized:

Marijuana	360 Grams	\$360.00	
Crack Cocaine	4 Grams	\$800.00	
Methamphetamine	31 Grams	\$6200.00	
Fentanyl	4 Grams	\$480.00	
Buprenorphine	12 du	\$120.00	
Percocet	7 DU	\$70.00	
Psilicyben	24 Grams	\$360.00	

Drug Seizure Street Value - \$8,390.00

ABC Violations: 4

Community Events conducted:

The CET Unit assisted with the Vaccination and Microchip Clinic held at Petsense in Dunn. Here, we assisted in vaccinating 89 animals and microchipping 76 pets.

We also assisted in hosting the Miracle League where we helped Special Needs Athletes hit baseballs and run the bases.

Additional information:

K9 Apacs was utilized in reallife & training scenarios 18 times this month. In total, operations he was involved in resulted in the seizure of over \$9,890.00 worth of Narcotics.



Announcements Dunn City Council Meeting July 23, 2024

- The next Dunn City Council Work Session is scheduled for Tuesday, August 13th at 6:30 p.m.
- The next Regular Meeting of the Dunn City Council is scheduled for Tuesday, August 27th at 6:30 p.m.
- The next Broad Street Block Party will be held on September 5th from 6:00 to 9:00 p.m. in Downtown Dunn.



CITY OF DUNN ABC BOARD

Minutes of Meeting, May 28, 2024

The Dunn ABC Board met on May 28, 2024. Present were Cindy Smith, Lynn Jernigan, Marc Phillips, Rob Jones, Manager Charles Willis who served as Secretary to the Board, and Finance Officer Rosanna Wilson. Board Chairman Dal Snipes was not present at the meeting. Mr. Jones offered a prayer, and the meeting was called to order.

Pursuant to GS 18B-201, the Board affirmed there is no conflict of interest with matters coming before the Board today.

Mr. Willis presented the minutes of the April 16, 2024 meeting that were approved by the Board. The Board members were given copies of April 2024 Financial Statements. The Board reviewed the statements noting that sales in April 2024 were \$22,707.45 above last year. Year to date sales are \$98,003.09 above last year. Mixed Beverage sales are \$28,327.81 above last year.

Mr. Willis sent April sales for NC ABC Boards to Board members on May 9, 2024.

Mrs. Wilson made a presentation to the Board requesting additional management responsibilities as assistant to the GM while continuing her duties as Finance Officer and be compensated accordingly. Mrs. Wilson then excused herself from the meeting.

Mr. Willis presented the Board with a review and analysis of proposed wage adjustments for Dunn ABC employees for FY 2024-2025. The Board recessed into closed session for discussion. The meeting was then called back to order and the Board members affirmed that the wage proposal and Mrs. Wilson's proposal was approved with all in favor.

The Board members were given copies of the FY 2024-2025 Budget Message and Proposed Budget Ordinance. A Public Hearing will be held during the June Board meeting on June 18th at Dunn City Hall Council Chambers.

As requested by Cindy Smith at the April meeting, the Board members received a report provided by Tammy Johnson detailing the spending of the Alcohol Education funds received by our six area schools.

The Board received a revised copy of the Policies and Procedures Manual. Final edits and changes should be made and approved at next month's meeting.

Mr. Willis informed the Board that Pat Preslar of the NCABC Commission would be conducting a RASP training session in Dunn on Thursday June 27th, 2024..

With no other business, Rob Jones moved to adjourn seconded by Marc Phillips. The next meeting is Tuesday June 18, 2024 at Dunn City Hall Council Chambers at 8:00am.

Charles P. Willis

DUNN ABC Board Profit & Loss

April 2024

	Apr 24
Income	
40100 · LIQUOR SALES - STORE #1	136,610.45
40200 · LIQUOR SALES - STORE #2	196,286.29
40300 · LIQUOR SALES - MIXB BEVERAGE #1	21,461.10
41000 · INTEREST EARNED #1	44.06
42000 · OTHER INCOME #1	1,500.00 -83,490.00
53101 · N.C. EXCISE TAX #1 53201 · REHABILITATION TAX #1	-1,040.58
53401 · MIXED BEVERAGE TAX #1	-1,901.00
53501 · MIXED B. TAX DEPT HUMAN RES. #1	-190.06
Total Income	269,280.26
Cost of Goods Sold	199 555 10
50000 · Cost of Goods Sold	188,555.10 -1,879.35
61200 · INVENTORY ADJUSTMENT #1	-1,679.35
Total COGS	186,675.75
Gross Profit	82,604.51
Expense	4 000 00
60300 · TRUCK DELIVERY COST	1,000.00
66000 · Payroll Expenses	2,655.95
66900 · Reconciliation Discrepancies	-0.01
70101 · SALARIES - DUNN #1	22,074.40
70102 · SALARIES - DUNN #2	12,643.51
70301 · N.C. RETIREMENT FUND #1	2,735.10
70401 · GROUP INSURANCE #1	3,291.08
70501 · 401K FUND #1	1,056.03
70801 · CASH VARIANCES #1	-13.89
70802 · CASH VARIANCES #2	-6.04
70901 · CREDIT CARD CHARGES #1	1,802.92
70902 · CREDIT CARD CHARGES #2	2,076.73
71101 · DEPRECIATION #1	1,574.50 1,990.00
71201 · REPAIRS & MAINT. #1	160.00
71202 · REPAIRS & MAINT. #2	370.46
71401 · UTILITIES #1	1,191.63
71402 · UTILITIES #2	337.04
71501 · TELEPHONE #1	222.05
71502 · TELEPHONE #2	1.465.34
72000 · INSURANCE	596.38
72201 · STORE SUPPLIES #1	414.63
72202 · STORE SUPPLIES #2	509.17
72400 · TRAVEL EXPENSES - Willis	653.27
72405 · TRAVEL EXPENSES - Wilson	217.11
73001 · OFFICE SUPPLIES #1	695.00
74201 · DUES & SUBSCRIPTIONS #1	100.00
74400 · BOARD EXPENSES - SNIPES	80.00
74401 · BOARD EXPENSES - PHILLIPS	80.00
74402 · BOARD EXPENSES - JERNIGAN	80.00
74403 · BOARD EXPENSES - SMITH 74405 · BOARD EXPENSES-JONES	80.00
74405 · BOARD EXPENSES-JONES 75507 · ALC. ED. DUNN AA GROUP	200.00
75507 · ALC. ED. DUNN AA GROUP 75601 · VEHICLE EXPENSES #1	50.00
78101 · BANK CHARGES #1	719.45
79301 · SECURITY #1	569.62
79301 · SECURITY #1 79302 · SECURITY #2	612.31
Total Expense	62,283.74
Net Income	20,320.77

DUNN ABC Board Trial Balance

As of April 30, 2024

	Apr 30,	24
	Debit	Credit
10100 · Checking Acct - First Citizens	550,211.21	
14500 · A/R OTHER	0.00	
12000 · Undeposited Funds	0.00 731.02	
10801 · PETTY CASH #1	6,800.00	
11001 · Change Fund #1 13001 · PREPAID INSURANCE #1	3,988.64	
14100 · INVENTORY #1	680,488.51	
14200 · INVENTORY #2	0.00	
14700 · ALL BREAKAGE	0.00	
15001 · LAND	191,571.78	
15100 · LAND IMPROVEMENTS	106,159.25	
16000 · BUILDINGS	424,565.27 108,116.01	
17001 · STORE EQUIPMENT #1 17002 · STORE EQUIPMENT #2	40,879.90	
17101 · OFICE EQUIPMENT #2	14,043.56	
17501 · VEHICLES #1	11,963.65	
19001 · ACCUM. DEPRECIATION #1		401,066.22
19500 · Deferred Outflows	98,211.00	
20100 · A/P - DISTILLERIES		101,260.68
20300 · A/P - OTHER	19.90	
20101 · A/P - DISTILLERIES (TEMP)	0.00	1 104 04
20301 · A/P - OTHER (TEMP)	0.00	1,194.04
21000 · A/P - INSURANCE WITHHELD 21301 · Aflac supplmental - Pre Tax	0.00	143.00
21401 · Aflac Supplemental-Post Tax		87.55
22000 · A/P - FEDERAL TAX WITHHELD		359.12
22100 · A/P - FICA TAX WITHHELD		1,113.10
22200 · A/P - NC INCOME TAX WITHHELD		889.00
22300 · A/P - 401K -EMPLER		1,056.03
22400 · A/P - 401K - EMPLEE		1,431.03
22600 · A/P - RETIREMENT - EMPLR		2,735.12
22700 · A/P - RETIREMENT - EMPLEE		1,267.22 162.88
22900 · MixBev Tax Payable HR 23000 · Excise Tax Payable		76,633.77
23100 · Mix Bev Tax-Rev Payable		1,629.00
23300 · SALES TAX PAYABLE	*	23,392.57
23500 · Retirement Payable	0.00	
24000 · Payroll Liabilities	0.00	
26000 · Net Pension Liability/Asset		100,982.00
25000 · Deferred Inflows	252 202 22	911.00
31000 · City of Dunn Profit Dist	350,000.00	1,626,720.80
32000 · Retained Earnings 40100 · LIQUOR SALES - STORE #1		1,302,323.85
40200 · LIQUOR SALES - STORE #7		2,074,275.78
40300 · LIQUOR SALES - MIXB BEVERAGE #1		193,498.85
41000 · INTEREST EARNED #1		480.67
41500 · MISC. REFUNDS #1		1,134.20
42000 · OTHER INCOME #1		6,612.18
53101 · N.C. EXCISE TAX #1	784,377.00	
53201 · REHABILITATION TAX #1	9,876.74 14,297.00	
53401 · MIXED BEVERAGE TAX #1 53501 · MIXED B. TAX DEPT HUMAN RES. #1	1,429.79	
50000 · Cost of Goods Sold	1,928,934.13	
61200 · INVENTORY ADJUSTMENT #1	1,020,001.10	38,028.27
60300 · TRUCK DELIVERY COST	9,010.00	
66000 · Payroll Expenses	24,627.91	
66900 · Reconciliation Discrepancies	0.02	
70101 · SALARIES - DUNN #1	197,338.64	
70102 · SALARIES - DUNN #2	125,732.59	
70301 · N.C. RETIREMENT FUND #1	24,224.36	
70401 · GROUP INSURANCE #1	29,217.57 9,353.11	
70501 · 401K FUND #1 70801 · CASH VARIANCES #1	9,333.11	68.13
70801 · CASH VARIANCES #1		60.37

DUNN ABC Board Trial Balance

As of April 30, 2024

	Apr 30, 24		
	Debit	Credit	
70803 · CC VARIANCES # 1		56.21	
70804 · CC VARIANCES # 2	27.77		
70901 · CREDIT CARD CHARGES #1	16,966.47		
70902 · CREDIT CARD CHARGES #2	21,412.41		
71101 · DEPRECIATION #1	15,316.07		
71201 · REPAIRS & MAINT. #1	11,306.17		
71202 · REPAIRS & MAINT. #2	6,429.41		
71401 · UTILITIES #1	5.024.99		
71402 · UTILITIES #2	12,937.91		
71501 · TELEPHONE #1	3,100.78		
71502 · TELEPHONE #2	2,165.68		
71601 · COMPUTER MAINT. #1	15,072.59		
72000 · INSURANCE	13,595.36		
72201 · STORE SUPPLIES #1	9,680.36		
72202 · STORE SUPPLIES #2	6.119.88		
72301 · UNIFORMS #1	435.94		
72400 · TRAVEL EXPENSES - Willis	1,105.36		
72405 · TRAVEL EXPENSES - Wilson	1,104.73		
72500 · UNEMPLOYMENT INSURANCE	118.74		
72601 · LICENSE & OTHER TAXES #1	345.66		
72602 · LICENSE & OTHER TAXES #2	293.16		
73001 · OFFICE SUPPLIES #1	2,887.58		
74001 · PROFESSIONAL SERVICES #1	6,870.00		
74201 · DUES & SUBSCRIPTIONS #1	11,440.39		
74400 · BOARD EXPENSES - SNIPES	1,000.00		
74401 · BOARD EXPENSES - PHILLIPS	800.00		
74401 · BOARD EXPENSES - PRICEIPS 74402 · BOARD EXPENSES - JERNIGAN	800.00		
74403 · BOARD EXPENSES - SMITH	800.00		
74404 · BOARD EXPENSES - JUDD	80.00		
74404 · BOARD EXPENSES - JUDES	720.00		
75008 · Alc. Ed. Coats-Erwin Mid School	1,575.00		
75502 · ALC. ED. TRITON HIGH SCHOOL	1,925.00		
	1,725.00		
75503 · ALC. ED. DUNN MIDDLE SCHOOL	3,260.00		
75504 · ALC. ED. Dunn Elem Harn. Prim.	1,750.00		
75505 · Alc. Ed. Erwin Elem. School			
75507 · ALC. ED. DUNN AA GROUP	2,000.00 1,215.00		
75510 · ALC. ED. TEACHERS	4.000.00		
75511 · Alc. Ed. Sold Out Youth	(비)		
75601 · VEHICLE EXPENSES #1	3,203.23		
78001 · MISCELLANEOUS EXPENSE #1	400.00		
78101 · BANK CHARGES #1	5,465.86		
78102 · BANK CHARGES #2	90.98		
79001 · LAW ENFORCEMENT #1	11,250.00		
79301 · SECURITY #1	3,859.67		
79302 · SECURITY #2	3,726.93		
TOTAL	5,959,572.64	5,959,572.64	

CITY OF DUNN ALCOHOLIC BEVERAGE CONTROL BOARD

Adopted Budget for fiscal year 2024 – 2025

June 18, 2024

RE: BUDGET MESSAGE

To the Dunn ABC Board

The Annual Budget for the fiscal year July 1, 2024 through June 30, 2025 (FY24/25) has been prepared in accordance to N. C. General Statute 18B-702, "Financial Operations of Local Boards". The ABC Board determines, through adoption of an annual budget, the level of customer services that the ABC system will provide and the resources available for operations and capital projects.

The primary drivers during the preparation of this budget included projected operating costs required to sustain acceptable levels of customer service during fiscal year 2024/2025 and the need to provide distributions to beneficiaries.

The budget consists of projected revenues from liquor sales of \$4.31 million, taxes related to income of \$999 thousand, cost of sales of \$2.2 million, and operating expense costs of \$751 thousand.

Highlights of Budget:

- Retail sales are projected to increase over FY 2023/2024.
- Building and property renovations are planned for FY 2024/2025
- The assumption that no debt will be incurred.
- Employee wages will be evaluated for increases and/or adjustments.
- Profit Distribution to the City of Dunn is projected to be \$200 thousand.
- The ABC Board has four (4) full-time employees and four (8) part-time employees.

Charles P. Willis

Manager: Dunn ABC Board

APPROVED BUDGET ORDINANCE **DUNN ABC BOARD** Fiscal Year 2024 - 2025

The following ordinance establishing revenues and setting expense appropriations is hereby proposed to be effective July 1, 2024, through June 30, 2025.

Section 1. Estimated Revenues. It is estimated that the revenues listed below will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025 to meet the operational and functional appropriations as set forth in Section 2, in accordance with the chart of accounts prescribed by the state ABC Commission.

Estimated Revenues:

Sales	\$4,308,000
Other Income	\$7,150
Total	\$0
	\$4,315,150

Section 2. Appropriations. The following expenses are hereby appropriated for fiscal year 2024 - 2025 and are funded by the revenues made available through Section 1, herein.

Appropriations:

Taxes Based on Revenue	\$999,250

Cost of Goods Sold					\$2,201,000
Operating Expenses	Store(s)	Admin.	Warehouse	Law Enf.	Total
Salaries & Wages					\$415,000
Payroll taxes					\$29,500
Retirement & 401k					\$40,500
Insurance - General & Group					\$55,000
Board Member Per Diem					\$9,000
Repairs & Maintenance					\$35,000
Utilities					\$27,000
Store/Office Supplies					\$20,000
Travel / Vehicle					\$12,000
Professional Fees & Dues					\$23,150
Credit Card & Bank Fees					\$53,000
Cash Over/Short					\$0
Security					\$7,500
Unemployment Insurance					\$200
Contingencies					\$25,000

Total					\$751,850
£	Store(s)	Admin.	Warehouse	Law Enf.	Total
Capital Outlay:					
Building	\$0				\$125,000
Computer					\$5,000
Debt Proceeds					\$0

\$

\$130,000

Debt Service/Lease: (define)	\$	\$	\$	\$		\$0 \$0
	\$	\$	\$	\$		\$0
Total Estimated Expenses		\$0	\$0	\$0	\$0	\$4,082,100
Distributions:						
Mandatory 3 1/2% & Bottle Tax						\$200,000
Law Enforcement						\$15,000
Alcohol Education & Rehab.						\$18,050
Other County/Municipal						
Other Distributions						
Total Distributions						\$233,050
Working Capital Retained						\$0
(Appropriated Fund Balance)						\$0
Total Expense, Distribution & Reserv	ve				_	\$4,315,150

Section 3. Copies of this Approved Budget Ordinance shall be furnished to the City of Dunn, the state ABC Commission, and to the Budget Officer and Finance Officer to be kept on file by them for their direction in disbursement of funds.

ADOPTED by the Dunn ABC Board this 18th day of June, 2024.

APPROVED BUDGET AMENDMENTS

DUNN ABC BOARD

FISCAL YEAR 2023 - 2024

The following amendments are proposed to be made to the annual budget ordinance for the fiscal year ending June 30, 2024.

Section 1. To amend Sales, Cost of goods Sold, Taxes based on Revenue, Salaries and Wages, Payroll Taxes, Retirement and 401-K, Board Member Per Diem, and Professional Fees and Dues to reflect increases in these accounts, AND,

To amend Travel and Vehicle, Unemployment Insurance, Repairs and Maintenance, Utilities, Store & Office Supplies, Credit Card & Bank Charges, Security, Contingencies, and Capital Outlay to reflect decreases in these accounts, the appropriations are to be made as follows:

ACCOUNT	DEBIT	CREDIT
Sales		25,300
Taxes based on Revenue	16,755	
Cost of Goods Sold	93,500	
Salaries and Wages	76,000	
Payroll Taxes	5,750	
Insurance – Group & General		1,630
Retirement & 401-K	7,140	
Board Per Diem	330	
Travel and Vehicle		6,500
Unemployment Insurance		130
Repairs and Maintenance		86,200
Utilities		1,335

APPROVED BUDGET AMENDMENTS

DUNN ABC BOARD

FY-2023-2024

(Continued)

ACCOUNT	DEBIT	CREDIT
Professional Fees and Dues	4,097	
Store & Office Supplies		365
Credit Card & Bank Charges		3,450
Security		14,900
Contingencies		25,000
Capital Outlay		38,762
	203,572	203,572

Section 2. Copies of this budget amendment shall be furnished to the City of Dunn and the ABC Commission. ADOPTED this 18th day of June, 2024.

AMENDED BUDGET ORDINANCE DUNN ABC BOARD Fiscal Year 2023 - 2024

The following ordinance establishing revenues and setting expense appropriations is hereby proposed to be effective July 1, 2023, through June 30, 2024.

Section 1. Estimated Revenues. It is estimated that the revenues listed below will be available during the fiscal year beginning July 1, 2023 and ending June 30, 2024 to meet the operational and functional appropriations as set forth in Section 2, in accordance with the chart of accounts prescribed by the state ABC Commission.

Estimated Revenues:

Sales	\$4,305,000
Other Income	\$7,050
Total	\$0
	\$4.312.050

Section 2. Appropriations. The following expenses are hereby appropriated for fiscal year 2023 - 2024 and are funded by the revenues made available through Section 1, herein.

Appropriations:

Total

Taxes Based on Revenue	\$981,455
Cost of Goods Sold	\$2.331.500

Operating Expenses	Store(s)	Admin.	Warehouse	Law Enf.	Total
Salaries & Wages					\$376,000
Payroll taxes					\$28,950
Retirement & 401k					\$39,950
Insurance - General & Group					\$52,450
Board Member Per Diem					\$5,370
Repairs & Maintenance					\$36,550
Utilities					\$27,560
Store/Office Supplies					\$23,335
Travel / Vehicle					\$7,600
Professional Fees & Dues					\$21,422
Credit Card & Bank Fees					\$52,900
Cash Over/Short					-\$162
Security					\$7,600
Unemployment Insurance					\$120
Contingencies					\$0

\$679,645

		Store(s)	Admin.	Warehouse	Law Enf.	Total
Capital Outlay: Building Computer Debt Proceeds		\$0				\$74,250 \$12,150 \$0
Jeser roccus	\$	\$	\$	\$		\$86,400
Debt Service/Lease:						
(define)	\$	\$	\$	\$		\$0 \$0
	\$	\$	\$	\$		\$0
Total Estimated Expenses		\$0	\$0	\$0	\$0	\$4,079,000
Distributions:						
Mandatory 3 1/2% & Bottle Tax						\$200,000
Law Enforcement						\$15,000
Alcohol Education & Rehab. Other County/Municipal Other Distributions						\$18,050
Total Distributions					_	\$233,050
Working Capital Retained						\$0
(Appropriated Fund Balance)						\$0
Total Expense, Distribution & Reserv	e				_	\$4,312,050

Section 3. Copies of this Approved Budget Ordinance shall be furnished to the City of Dunn, the state ABC Commission, and to the Budget Officer and Finance Officer to be kept on file by them for their direction in disbursemer of funds.

APPROVED by the Dunn ABC Board this 18th day of June, 2024.

DUNN HOUSING AUTHORITY BOARD OF COMMISSIONERS MEETING MINUTES MONDAY, MAY 20, 2024

The Commissioners of the Dunn Housing Authority ("DHA") met in regular session at 817 Stewart Street, in Dunn, North Carolina, on Monday, May 20, 2024.

Following "Words of Encouragement" by Eddie Draughon, the meeting was called to order at 4:00pm.

Upon roll call, the following were present and absent:

<u>Present</u>: Board Chair, Kyle Thrower, Vice-Chair, Eddie Draughon, Commissioner Sharon Gant and Secretary Felicia Chester.

Absent: Lois Dail (medical absence)

Public Comment Period: There were no public comments.

Approval of Meeting Minutes:

The motion to accept the minutes from the April meeting was made by Eddie Draughon and seconded by Sharon Gant.

Ayes and Nays for both were as follows:

Ayes

Nays

Kyle Thrower Eddie Draughon Sharon Gant

MINUTES OF THE APRIL 2024 BOARD MEETING WERE READ AND ACCEPTED.

Occupancy and Rent Report through 04/30/2024:

As of April 30, 2024, there were two (3) vacant units. Total dwelling rent charged for the month of April was \$51,642.00. Based on financial data reported, the total revenue collected was \$51,193.00. There were a few questions and comments regarding the debts owed and the amounts recovered by NC Debt Setoff. The decision was made to update the O & R report on the day of the meeting to give the Board the most current information.

A motion to accept the Occupancy and Rent Report was made by Eddie Draughon and seconded by Sharon Gant

Ayes and Nays for both were as follows:

Ayes

Nays

Kyle Thrower Eddie Draughon

Sharon Gant

OCCUPANCY AND RENT REPORT WAS READ AND ACCEPTED.

Review of Financial Balance Report:

The monthly financial reports for March and April were available for review. The months in reserve were mentioned and there were no other comments.

A motion to accept the Financial Balance Reports was made by Eddie Draughon and seconded by Sharon Gant.

Ayes and Nays for both were as follows:

Ayes

Nays

Kyle Thrower Eddie Draughon Sharon Gant

FINANCIAL BALANCE REPORTS WERE READ AND ACCEPTED.

Business:

The Commissioners were informed that the contract for the mechanical room project had been awarded to Central Builders, but the start date for the project had not been decided.

Board members were informed of the need to renew the current Admissions and Continued Occupancy Policy and Lease Agreement. The request was made for the members to review the documents and be prepared to make a motion at the June meeting.

The decision was made to remove outdated playground equipment to comply with safety regulations that govern the maintenance and upkeep. A decision has not been made on what will replace it.

Communication:

Due to schedule conflicts with the Commissioner's training at the August meeting in 2023 and the Commissioner's meeting in April 2024, the Board was informed of another conference that would be held in Cleveland, Ohio. One commissioner expressed interest. Another member expressed interest in the meeting in August 2024. Eddie Draughon stated that he would not attend the conference in August 2024.

The June meeting will be rescheduled. Initially, the meeting was planned for June 24, 2024. After realizing Felicia Chester would be away from the office during that time, another meeting date and time has been planned for June 20, 2024, at 3:00pm instead of the regular 4:00pm meeting time.

Sharon Gant gave the Board a brief summary of the first Resident Advisory Board meeting. Residents from each community were asked to attend. The R.A.B made several comments and suggestions about things that would enhance the livability of their neighborhood. One of the discussions included updating the signs at each entrance. Another included installing portable clothes dryers or updating GFICs that would accommodate clothes dryers.

Kyle Thrower informed the Board that the lawncare contractor proposed the idea of aerating and reseeding the properties to get the grass to grow and enhance curb appeal. Will be discussed at a later date.

Adjournment:

A motion to adjourn was made by Eddie Draughon and seconded by Sharon Gant. All members were in favor and the meeting was adjourned at 5:00pm.

Kyle Thrower, Board Chair

Felicia Chester, Secretary

CLOSED SESSION CRITERIA

(Specify one or more of the following permitted reasons for closed sessions)

Move that we go into closed session in accordance with:

[N.C.G.S. 143-318.11(a)(1)]

Prevent the disclosure of privileged information

- Under the North Carolina General Statutes or regulations.
- Under the regulations or laws of the United States.

[N.C.G.S. 143-318.11(a)(2)]

Prevent the premature disclosure of an honorary award or scholarship

[N.C.G.S. 143-318.11(a)(3)] Consult with the Attorney

To protect the attorney-client privilege.

- To consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action.
- To consider and give instructions concerning a judicial action titled vs

[N.C.G.S. 143-318.11(a)(4)]

To discuss matters relating to the location or expansion of business in the area served by this body.

[N.C.G.S. 143-318.11(a)(5)]

To establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property located at _____.

(OR)

To establish or instruct the staff or agent concerning the negotiations of the amount of compensation or other terms of an employment contract.

[N.C.G.S. 143-318.11(a)(6)]

To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

(OR)

To hear or investigate a complaint, charge, or grievance by or against a public officer or employee.

[N.C.G.S. 143-318.11(a)(7)]

To plan, conduct, or hear reports concerning investigations of alleged criminal conduct.

School violence 143-318.11(a)(8) and potential terrorist activity (9). To discuss and take action regarding plans to protect public safety.



City Council Agenda Item

Meeting Date: July 23, 2024

SUBJECT TITLE	CZ-06-24: Conditionally Rezone three parcels at North Powell Avenue, PINs 1507-92-4674.000; 1507-93-1325.000; & 1517-03-0036.000, from R-20, Residential District to MXU CZD, Mixed-Use Conditional Zoning District with only specific uses		
PRESENTER/DEPARTMENT	Samantha Wullenwaber, Deputy Executive Director / Mid-		
	Carolina Regional Council Conditional Zoning Application, Staff Report with		
ATTACHMENT(S)	attachments, Public Notice, Master Plan, Master Plan Narrative, Proposed Conditions, Neighborhood Meeting Materials, etc.		
PUBLIC HEARING PUBLISH DATES	June 4 and June 11, 2024 (this item was formally continued during the June 25 th CC meeting and therefore did not require re-noticing).		

PURPOSE:

- a) Public Hearing: This is a request to rezone three (3) parcels located on North Powell Avenue with access to West Cumberland Street. PINs 1507-92-4674.000; 1507-93-1325.000; & 1517-03-0036.000. Two (2) parcels are currently zoned R-20, Residential District and the other parcel is a mix of R-20, Residential District and C-2, Shopping Center District. The applicant is not proposing to modify the existing C-2 zoning and is only proposing to rezone from R-20. The proposed rezoning is MXU, Mixed-Use District Conditional Zoning District (CZD) to allow Residential Development (townhomes and single-family detached), Recreation Facilities (indoor and outdoor), and Utilities (Class 1 & 2).
- b) Decision:

BACKGROUND:

The total acreage of the three parcels is 48.5 +/- but only 42.8 will be rezoned. The land is currently undeveloped, though a natural gas pipeline runs through it. A portion of the land appears to have been cleared for agriculture. The Planning Board, at their regular meeting on June 4, heard presentations from staff and Applicant (Curry Engineering). The Planning Board voted 3 in favor and 2 opposed to tabling this conditional zoning request until a more detailed Master Plan can be presented. On July 2nd, the Planning Board heard the application again during their regularly scheduled meeting and reviewed the updated materials submitted by the applicant. The Planning Board voted unanimously to recommend approval with the following conditions:

Recommended Conditions of Approval:

- 1. Uses shall be restricted as follows:
 - Residential Uses: Dwelling, Single Family Attached (Townhome), Dwelling, Single-Family Detached, and Home Occupation.
 - Institution & Assembly: Recreation Facility (indoor) and Recreation Facility (outdoor)





City Council Agenda Item

- Transportation and Infrastructure: Utilities (Class 1) and Utilities (Class 2)
- 2. The maximum number of units shall not exceed 180 units.
- 3. The mixture of unit types shall vary, but there shall be no more than 120 townhome units. There is no maximum unit for single-family detached units.
- 4. Minimum usable/improved open space shall be 5 acres.
- 5. Minimum natural open space shall be 10 acres.
- 6. Minimum building Setbacks for Single-Family Attached (townhomes) shall be as follows:
 - Front = 20'
 - Rear= 20'
 - Side= 0' / 5' (minimum 10' building separation)
 - Corner= 15'
- 7. Minimum building setbacks for Single-Family Detached shall be as follows:
 - Front= 20'
 - Rear= 20'
 - Side= 7.5'
 - Corner= 15'
- 8. Minimum lot widths for Single-Family Attached (townhomes) shall be 20 feet.
- 9. Minimum lot widths for Single-Family Detached shall be 50 feet.
- 10. Single-Family Attached units shall be front-loaded, or rear-loaded (via alley), however in any case, they must contain at least a single car garage.
- 11. The developer shall establish in the covenants that all trash and recycling containers provided by the City shall be kept inside the garage of all Single-Family Attached units or the developer shall provide enclosed trash corral with 100% opaque screening from view of any right-of-way.
- 12. The private, recorded legal documents governing the subdivision shall obligate the homeowner's association to maintain the landscaping and lawn care on all lots containing single-family attached (townhome) units. All common areas and landscape buffers shall also be maintained by the HOA per the City's UDO requirements.
- 13. Proposed architectural conditions shall include:
 - Anti-monotony: No unit shall be constructed with an exterior elevation or color palette that
 is identical to the unit on either side or directly across the street.
 - High visibility lot: Any side façade adjacent to a public ROW shall have decorative trim or shutters around all windows. High visibility lots shall be identified on the preliminary plat.
 - Glazing: All homes shall have a front door with ¼ lite door, transom, or door sidelights.
 - Garage Doors: All front-facing garage doors shall have windows, decorative details, or carriage style adornments.
 - Roofline: Roofline shall be broken up horizontally and vertically along the front façade, such that no roofline is in a single mass. The roofline of townhome buildings will also incorporate a minimum roof overhang of 8 inches on end units.
 - Façade Treatment: a minimum of three included per dwelling unit:
 - Minimum of 24" of masonry material (brick or stone) at base along front façade and surrounding entryway.
 - Variation in exterior materials such as brick, masonry, board and batten, horizontal or shake siding.
 - Decorative front dormers, shed roofs, or gables.
 - Decorative trim, shake, cornice, horizontal trim, brackets, or air vents/windows on gables.





City Council Agenda Item

- Decorative shutters, window trim, or window grids.
- o Decorative trellis or shed roof over garage door.
- Variation in roof lines, direction, or materials.
- Addition/variation of a front porch, covered entry, portico, or stoop.
- Shutters, window trim, or window grids.
- The side elevation of a townhome that faces an existing or proposed right-of-way (excluding alleys) shall be consistent with the front façade and shall contain two (2) of the following elements:
 - Windows with shutters.
 - o Addition of a gable, dormer, or shed roof.
 - Two or more building materials.
 - Decorative trim, shake, cornice, horizontal trim, brackets or air vents/windows on the gable.
 - Variation in siding material pattern for at least 20% of the wall area.
 - Matching window grids.

BUDGET IMPACT:

RECOMMENDED MOTION/ACTION REQUESTED OF COUNCIL

Motion to approve, with recommended conditions, CZ-06-24 N Powell Avenue Conditional Rezoning application.





STAFF REPORT

Application Number: CZ-06-24

Project Name: N Powell Avenue – Conditional
Rezoning

PIN #:

1507-92-4674, 1507-93-1325, and 1517-03-0036

Location:

North Powell Avenue

Applicant:

Brickyard Management

Owner:

Sorrell-Jackson, LLC and General Utility Company

Project Planner:

Haley Hogg, AICP, CZO - Planning Director, Mid-Carolina Regional Council

Meeting Dates:

Planning Board: June 4, 2024 (tabled) and July 2, 2024
City Council: June 25, 2024 (tabled) and July 23, 2024

Public Noticing Dates:

Neighborhood Meeting: May 21, 2024

Newspaper Ad Published: June 4, 2024 and June 11, 2024

Letters Mailed: May 31, 2024Property Posted: May 29, 2024

REQUEST: Applicant is requesting conditional rezoning of 3 parcels from *R-20 Residential District* to *MXU CZD, Mixed Use Conditional Zoning District*. The applicant is proposing to include the following as permitted uses: single-family residential detached, single-family residential attached (townhome), recreation facilities (indoor and outdoor), and utilities (class 1&2).

SITE DATA:

Acreage:

48.5 acres, with only 42.8 acres

included in the rezoning request.

Existing Zoning:

R-20, Residential District and C-2

Commercial District. The C-2 portion is not included in this

request.

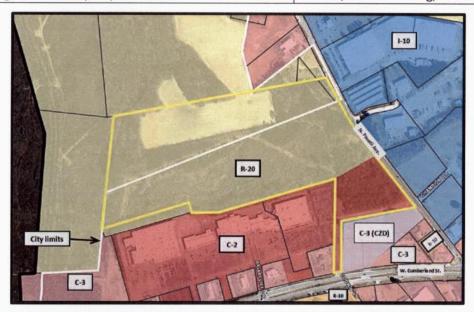
Existing Use:

Vacant



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use	
North	Residential District (R-20)	Vacant/Undeveloped	
South Commercial District (C-20)		Commercial	
West Residential District (R-20)		Vacant/Undeveloped	
East	Light Industrial (I-10)	Offices, Manufacturing, Self-Storage	



STAFF ANALYSIS AND COMMENTARY:

Overview:

The applicant is requesting Conditional Rezoning of 3 parcels, to rezone from R-20 Residential District to MXU-CZ, Mixed Use Conditional District. Of the three parcels, a portion is currently zoned C-2 and is not proposed to be rezoned as a part of this application in order to preserve that area for future non-residential development due to its close proximity to the existing shopping center to the south. The applicant is proposing to limit the uses of the parcels included in this rezoning request to those outlined above and referenced in the application.

Housing:

The applicant is proposing a mixture of single-family detached and townhome units throughout the development. The applicant is limiting the number of residential units to 180, with no more than 120 townhomes. The applicant has included specific architectural standards in their proposed conditions of approval. North Carolina does not allow local governments to dictate the materials/architectural elements of single-family housing. However, applicants may propose their own conditions pertaining to architectural elements and agree to them as the applicant of this project has done (see attachments).

Access/Roadways:

The applicant is proposing two entrances off N Powell Avenue, as well as a stub-street (Street D) to the North. The access along N Powell Avenue will be reviewed by NCDOT and the applicant will be required to obtain all necessary permitting. The stub-out to the North is encouraged by the UDO, as it allows for future connectivity if the adjacent parcel is developed in the future. All internal streets will be further evaluated at future preliminary plat submittal. The applicant will also submit a TIA in the future during the preliminary plat review.

Utilities:

The applicant is proposing to utilize City water and sewer. A Wastewater Allocation will be required during the preliminary plat.

Buffering:

The applicant has included in the Master Plan package a buffering detail sheet. This identifies the required landscape buffers along all project boundaries and what is proposed. This will be further reviewed at preliminary plat.

Recreational/Amenities:

There is an amenity area identified on the master plan, along N Powell Avenue, which is where a proposed amenity center would be located. The applicant has also identified several amenity/open space areas throughout the site, including a 6' mulch trail that goes along the existing pipeline easement that runs through the parcels. Final approval of the mulch trail location will be subject to permitting from the utility agency for the existing pipeline, and is therefore preliminary at this time. The applicant has outlined in the conditions and master plan narrative (see attached) potential elements to be included in the amenity areas.

Environmental:

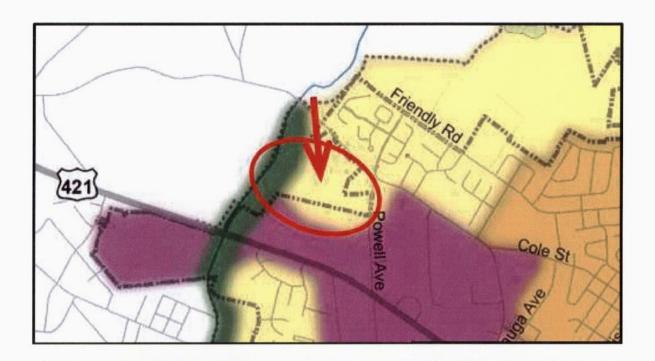
The parcels drain to a tributary of the Black River, located in the Cape Fear River Basin, and includes three jurisdictional wetlands on the project site. The applicant worked with S&EC to delineate these wetlands. The applicant is proposing a crossing, and will be required to obtain all necessary permitting from NCDEQ and US Army Corps of Engineers (USACE).

Next Steps:

The Conditional Rezoning and Master Plan are reviewed primarily to evaluate the proposed use and intensity of the uses proposed. The Master Plan is valuable for review, but is preliminary in nature and is subject to change as the applicant further works in the design/engineering phase of the project. If approved, the applicant will be required to obtain a Special Use Permit for the use of the Townhomes on the subject property. Additionally, the applicant will be required to submit a Preliminary Plat for review and final approval. The preliminary plat will show the detailed site design and layout. A TIA is required, per UDO, during Preliminary Plat review.

CONSISTENCY WITH ADOPTED PLANS & POLICIES:

The proposed request is compliant with the UDO. The applicant has provided a Master Plan that exceeds the minimum requirements of the ordinance. Additionally, the proposed conditional rezoning is consistent with the City's adopted Comprehensive Plan. The Future Land Use Map specifies these parcels primarily as Medium Density Residential, with a portion designated as Highway Commercial. The proposed MXU CZ designation requested in this application is consistent with the designation of the parcels on the Future Land Use Map. The applicant is not proposing commercial, but is proposing to retain the existing C-2 zoning designation on the portion of the parcel that falls within the FLUM's Highway Commercial designation. The residential proposal is consistent with that of Medium Density Residential, and offers an ideal transition from commercial to residential. The proposed request is also consistent with Policy 1.2 of the Comprehensive Plan: "Support residential development at varying densities based on the Future Land Use Map, associated character area descriptions, and other relevant plans". In addition to the Comprehensive Plan and UDO, the proposed rezoning is consistent with the Imagine Dunn Strategic Vision Plan. Specifically, Quality of Life Strategy QL1: "Expand market-rate residential product by recruiting developers that will build new housing products".



Reasonableness & Consistency Evaluation:

Staff has determined that the proposed rezoning is reasonable and consistent with the plans and policies of the Town, as outlined below.

✓ Yes □ No The amendment, if small scale, is reasonable based upon surrounding conditions. **REASONING:** Rezoning these three parcels will allow moderate density housing in an area adjacent to a sizeable shopping center with numerous amenities. Across Powell, there are light industrial uses and office buildings. Based on surrounding conditions, this rezoning to allow a blend of single-family detached units, townhomes, and recreational amenities is reasonable. ✓ Yes □ No The impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of rezoning outweigh any potential inconvenience or harm to the community. **REASONING:** The applicant has taken into consideration potential impacts on adjacent property owners and the surrounding community, as evidenced by the proposed buffer areas included on the Master Plan. The applicant will be required to provide detailed buffers in compliance with the UDO at the time of preliminary plat submittal. The amendment is warranted due to changed or changing conditions in the area. ✓ Yes □ No **REASONING:** The amendment is warranted because of the recognized need for new housing and different housing types that Imagine Dunn encourages. This rezoning will create new housing options for the City, which will help increase Dunn's population and stimulate further business development.

✓ Yes	☐ No	The amendment achieves the purpose and is consistent with the Land Use Plan. REASONING:
-------	------	---

The Future Land Use Map identifies this site as a Medium Density Residential Character Area. Rezoning to MXU CZD zoning will align the anticipated development of townhomes and single-family detached with the Future Land Use Map. This amendment achieves the purpose and is consistent with the Future Land Use Map and the Future Land Use Plan General Land Use Policy 1.2: "Support residential development at varying densities based on the Future Land Use Map, associated character area descriptions, and other relevant plans." The amendment would also support the Imagine Dunn Strategic Vision Plan Quality of Life Strategy, QL1: "Expand market-rate residential product by recruiting developers that will build new housing product."

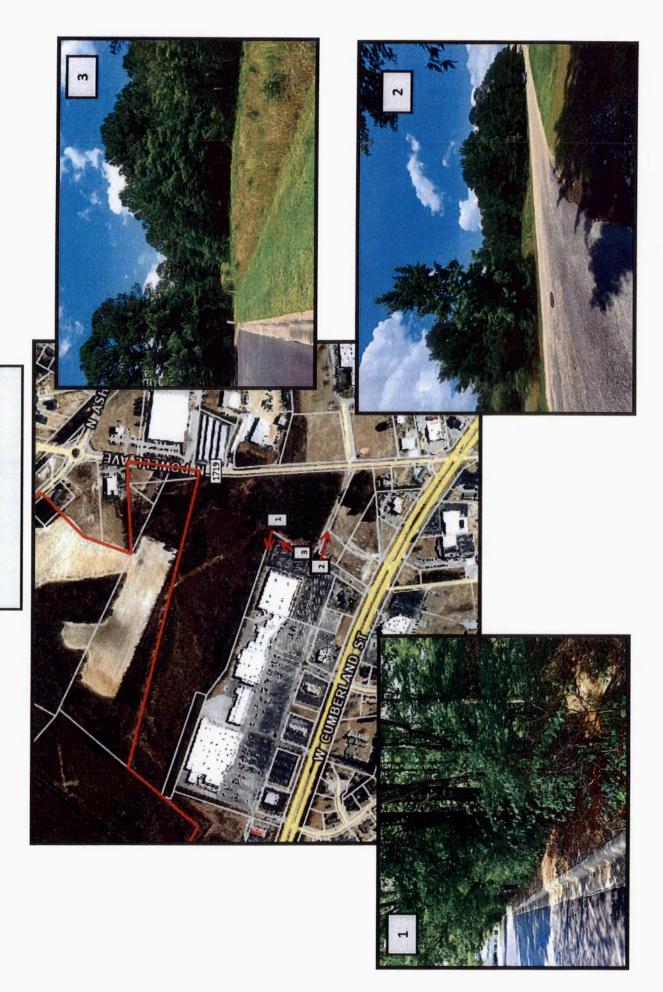
RECOMMENDED CONDITIONS OF APPROVAL:

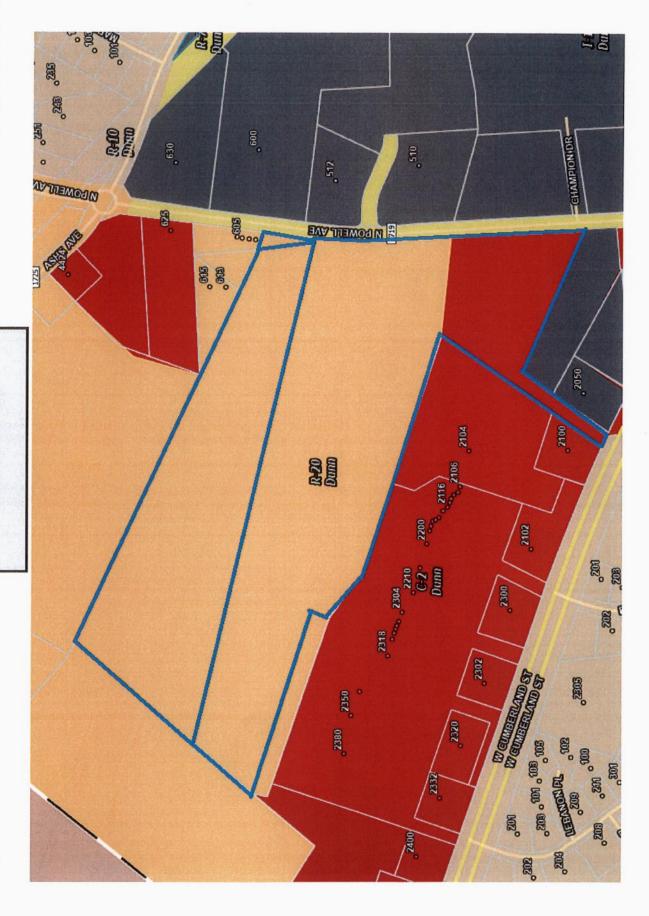
The applicant has proposed a list of conditions of approval to be placed on the application. Staff has reviewed and is in agreement with the conditions to further ensure a quality product for the City. If the Council would like to approve the application with these conditions, the Council must include reference to them in their motion. The proposed conditions are included as an attachment to the staff report.

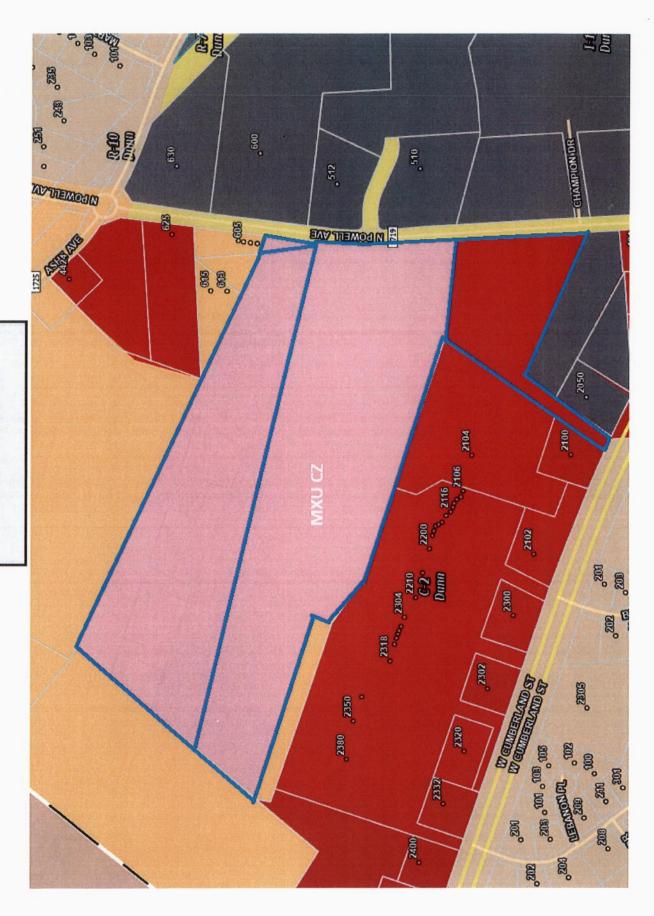
Attachments:

- 1. Staff Report Maps
- 2. Application
- 3. Master Plan Narrative
- 4. Master Plan
- 5. Proposed Conditions of Approval
- 6. Newspaper Ad
- 7. Adjacent Property Letter
- 8. Neighborhood Meeting Materials



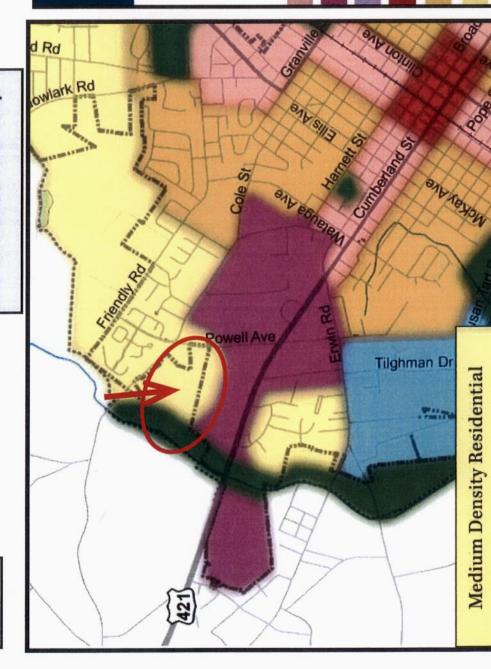






Future Land Use Map

Attachment 5



CITY OF DUNN FUTURE LAND USE MAP

The Future Land Use Map indicates the desired land use pattern for the City of Dunn. The map is based on the City's Strategic Vision Plan, community input from citizens and stakeholders, land use analysis, and best practices in land use planning. The map and its color-coded character areas are meant to guide growth and development as well as land use regulations in the City and its Extraterritorial Jurisdiction (ETJ). Descriptions for each character area are provided on the previous page of this plan.

Gateways & Corridors

Highway Commercial

Office & Industry

Journtown

Traditional Neighborhood

Medium Density Residential

Hospital District

arks and Protected Lands

are often characterized as "suburban", with few non-residen-

tial uses and low-volume neighborhood streets. Pedestrian

facilities are appropriate, though connectivity with sur-

subdivisions, and townhomes may be considered as part of a planned development. Medium Density Residential areas

propriate, including clustering and conservation-oriented

ily neighborhoods. Some attached dwellings may be ap-

Medium Density Residential applies to majority single-fam-

rounding areas may be interrupted by higher volume arterial



Conditional Zoning District Application Checklist

This checklist indicates the minimum required for this permit application to be considered complete. Please **initial** each item in the following checklist. **Write** N/A for items that are not applicable.

Applicant Initials	Required component of complete application	Staff Initials
AP	Applicant has met with City staff for a pre-submittal conference.	
AP	Conditional Zoning Application is filled out completely.	
AP	Owner's name and contact information is included. This must include a person's name and contact info if the owner is a corporation, LLC, etc.	
AP	A site plan is included with the application.	
AP	Applicant's name and contact information is included	
AP	Original signatures are notarized. Copies not accepted.	
AP	I have read and understand the entire application.	

I understand that no application will be held that is considered incomplete. If found to be incomplete it will be returned to me to make the corrections before it will be reviewed or considered. A linfo in ation cap clined in this Conditional Zoning District Application is complete and accurate to a literal these of my knowledge and ability.

Applicant Signature		\	_ Date: _5/10/2024
Print Name:	Andrew Petty		_
•		Staff Review	
Approved	Denied		
Staff Signature:			Date:
Comments:			



Conditional Zoning District Application Please print clearly.

OWNERSHIP APPLICATION

Applicant:	Brickyard Management / Donald Lee Curry, Jr.					
Phone number:	919-552-0849	don@curryeng	.com			
Applicant's legal inter	est in property:	Developer				
Applicant's Address:	205 S. Fuquay	Ave. Fuquay-Varina, NC	27526			
	(Street)	(City, State, Zip Cod	e)			
Property owner: General Utility Company						
Owner's Address:	27-107 Anne	tte Drive Benson, NC 2833	34			
•	(Street)	(City, State, Zip Cod	e)			
Phone number:91	19-934-1900	Email: meda@tilghman	andco.com			
Date property acquire	ed:10/14/1971	Deed reference: Book:563	Page: 0120			
Size (square feet or acres):18.01 ac Street frontage (feet):210'						
PIN#1507-93-1	1325.000					
Location / Address:	N. Powell Ave., D	unn, NC 28334 (non addressed pa	rcel)			
Property is loca	ted south of the inte	ersection of Powell Ave. and Ashe	Ave.			
Attach a legal descr	ription in metes and be	ounds of the Arch Annual Condi	tional use zoning.			
Andrew Pet		Thu !	donar use zonnig.			
Print N	ame	Signature				



CONDITIONAL ZONING REQUEST

A.	EX	ISTING ZONING: _	R-20			
	RE	QUESTED CONDIT	FIONAL ZONING DISTRICT: Mixed Use District (MXU), Cond. Use			
В.	LA	AND USES				
	1.	Existing Land Use	Vacant, Agriculture es:			
	2.	Uses Requested:	Residential			
		Number of pa	arking spaces provided:			
		Driveway / Ri	ight-of-way access:			
	3. Existing land uses on all adjoining properties.					
		North:	Vacant, Agriculture			
		South:	Vacant			
		East:	Commercial, Industrial			
		West:	Vacant			



C. STATEMENTS OF JUSTIFICATION

Attach a statement justifying the following:

- (1) The use(s) requested is (are) listed among the conditional uses in the district for which the application is made.
- (2) The requested use is essential or desirable to the public convenience or welfare.
- (3) The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to health, morals, or welfare.
- (4) The requested use will be in conformity with the land development plan.
- (5) Adequate utilities, access roads, drainage, sanitation, and other necessary facilities have been or are being provided.

Please see attached letter



OWNER'S CERTIFICATION

I (We) do hereby certify that:

I am (We are) the owner(s) or authorized agent of the property described in this application for conditional zoning permit and have attached copies of deed, title reports, or other documents as proof of ownership.

I (We) have read the conditional use procedures and requirements and have truthfully completed this application for a conditional zoning permit.

I (We) understand that the filing fees are non-refundable; the process to review conditional zoning cases includes public hearing and review by the Planning Board and the City Council. I (We) understand any action to approve our request is at the discretion of the Planning Board and the City Council and additional requirements may be imposed as determined necessary.

Andrew S Petty	(I) HA	5/10/24
Print name on behalf of General Utilities (see attached letter)	Signature	Date
Print name	Signature	Date
Print name	Signature	Date
Sworn to and subscribed before me this	day of May 20 24	<u>.</u> . <u>)</u> c
	My Commission Expires	
	W. 10 70 1	vised: February 2024
	7 PUBLIC OUNTRIBUTE	



GENERAL UTILITY COMPANY, INC.

27-107 Annette Drive Benson, North Carolina 27504

T (919) 934-1900 F (919) 934-0081 meda@tilghmanandco.com

May 8, 2024

To: City of Dunn Planning & Zoning Department

Attention: Mr. George Adler, Planning Director

Dear Mr. Adler,

General Utility Company is the owner of two parcels located on N. Powell Avenue (PIN 1507-93-1325 and PIN 1517-03-0036) and as the owner, hereby gives permission to Brickyard Management, LLC, to submit rezoning applications, preliminary plat applications, construction drawing applications and related land development permits associated with these properties. Should you have any questions for us as owner or need to contact us, please feel free to do so at the contact information above.

Truly yours,

Meda T. Williams

President, General Utility Co., Inc.

LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY:	Brickyard Manage	ement, LLC		
SECRETARY OF STATE ID NUMBER: 2574	362 STATE	OF FORMATION: NO	<u> </u>	Filing Office Use Only E - Filed Annual Report 2574362
REPORT FOR THE CALENDAR YEAR: 202	24			CA202406103902 3/1/2024 04:33
SECTION A: REGISTERED AGENT'S INFORM	MATION			Changes
1. NAME OF REGISTERED AGENT: CL	urry, Donald Lee , J	r		
2. SIGNATURE OF THE NEW REGISTER	ED AGENT:			
		NATURE CONSTITUTES CO		
3. REGISTERED AGENT OFFICE STREE	T ADDRESS & COUNTY	4. REGISTERED AG	ENT OFFICE MAIL	ING ADDRESS
205 S Fuquay Ave		205 S Fuquay Av	e	
Fuquay Varina, NC 27526-2212 Wa	ike County	Fuquay Varina, N	IC 27526-2212	
SECTION B: PRINCIPAL OFFICE INFORMATI	ON			
1. DESCRIPTION OF NATURE OF BUSIN				
1. DESCRIPTION OF NATURE OF BUSIN	Property mar	nagement and de	velopment	
2. PRINCIPAL OFFICE PHONE NUMBER	: <u>(919) 552-0849</u>	3. PRINCIPAL OFFI	CE EMAIL: Priva	cy Redaction
4. PRINCIPAL OFFICE STREET ADDRES	S	5. PRINCIPAL OFFI	CE MAILING ADDR	ESS
205 S Fuquay Ave		205 S Fuquay Av	re	
Fuquay Varina, NC 27526-2212 Fuquay Varina, NC 275		IC 27526-2212		
6. Select one of the following if applic	cable. (Optional see in	nstructions)		
The company is a veteran-or	wned small business			
The company is a service-di	sabled veteran-owned	small husiness		
SECTION C: COMPANY OFFICIALS (Enter ad	ditional company officials	in Section E.)		
NAME: Donald Lee Curry , Jr.	NAME: Andrew Scott Petty		NAME: Zachar	y Angle
TITLE: Managing Member	TITLE: Managing I	Member	TITLE: Manag	ing Member
ADDRESS:	ADDRESS:		ADDRESS:	
205 South Fuquay Avenue	205 South Fuquay Avenue		205 South Fuc	juay Ave.
Fuquay-Varina, NC 27526-2212	Fuquay-Varina, NC		Fuquay-Varina	
SECTION D: CERTIFICATION OF ANNUAL	REPORT. Section D mus	st be completed in its e	ntirety by a person/	business entity.
Donald Lee Curry Jr.		3/1/2024		
SIGNATURE Form must be signed by a Company Official listed under	r Section C of This form.		DATE	
Donald Lee Curry Jr.	OT : :	Managing Memb		0.00
Print or Type Name of Com	pany Official	Pri	nt or Type Title of Compa	ny Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525



102 N Powell Ave - 'PO Box 1065 - Dunn, North Carolina 28335 (910) 230-3505 - CityofDunn.org

Conditional Zoning District Application Please print clearly.

OWNERSHIP APPLICATION

Applicant:	Brickyard Manageme	ent / Donald Lee Curry, Jr.
Phone number:	919-552-0849	Email:don@curryeng.com
Applicant's legal inte	rest in property:	Developer
Applicant's Address:	205 S. Fuquay Ave	e. Fuquay-Varina, NC 27526
	(Street)	(City, State, Zip Code)
	forrell-Jackson, LLC	
Owner's Address:1507 Arendell St., C/O Hope Lupton		
	(Street)	(City, State, Zip Code)
Phone number:2	52-342-4064	Email:mlupton@ec.rr.com
Date property acquir	ed:12/12/2007 De	eed reference: Book:2456
Size (square feet or a	cres): St	reet frontage (feet):1,100'
PIN#1507-92-	4674.000	
		nn, NC 28334 (non addressed parcel)
Property is loca	ated behind the existing	shopping center on US 421
Attach a legal desc	rintion in metes and houng	ds of the area requested for conditional use zoning.
1 .		
Print N	- Momber / MANA	Signature Signature



102 N Powell Ave - PO Box 1065 - Dunn, North Carolina 28335 (910) 230-3505 - Cityof Dunn.org

CONDITIONAL ZONING REQUEST

A.	EX	(ISTING ZONING: _	Split Zoning: C-2 and R-20			
	RE	QUESTED CONDIT	IONAL ZONING DISTRICT: Mixed Use District (MXU), Cond. Use			
	C-	2 zoning portion	remain unchanged. Only R-20 portion is proposed for rezoning			
В.	LAND USES					
	1.	Existing Land Use	Vacant, Agriculture			
			Residential			
		Number of pa	rking spaces provided:			
		Driveway / Ri	ght-of-way access: Yes			
	3.	Existing land uses	on all adjoining properties.			
		North:	/acant, Agriculture			
			Commercial			
		East:	Commercial, Industrial, Vacant			
		West:	Vacant			



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C. STATEMENTS OF JUSTIFICATION

Attach a statement justifying the following:

Please see attached letter.

- (1) The use(s) requested is (are) listed among the conditional uses in the district for which the application is made.
- (2) The requested use is essential or desirable to the public convenience or welfare.
- (3) The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to health, morals, or welfare.
- (4) The requested use will be in conformity with the land development plan.
- (5) Adequate utilities, access roads, drainage, sanitation, and other necessary facilities have been or are being provided.



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OWNER'S CERTIFICATION

I (We) do hereby certify that:

I am (We are) the owner(s) or authorized agent of the property described in this application for conditional zoning permit and have attached copies of deed, title reports, or other documents as proof of ownership.

I (We) have read the conditional use procedures and requirements and have truthfully completed this application for a conditional zoning permit.

I (We) understand that the filing fees are non-refundable; the process to review conditional zoning cases includes public hearing and review by the Planning Board and the City Council. I (We) understand any action to approve our request is at the discretion of the Planning Board and the City Council and additional requirements may be imposed as determined necessary.

Print name	Signature Signature	
Print name	Signature	Date
Print name	Signature	Date
worn to and subscribed before me this _	of May 20 3) <u> </u>
JESSICA S MILLIGROCK Notary Public	Notary I	Public
Craven Co., North Carolina My Commission Expires May 2, 2028	My Commission Expires Moy 3	BEUG

Form Revised: February 2024

CONDITIONAL ZONING APPLICATION

Petitioner: Brickyard Management, LLC Property: N. Powell Ave. Assemblage

STATEMENTS OF JUSTIFICATION

STATEMENT 1: The use requested is listed among the conditional uses in the district for which the application is made.

STATEMENT BY PETITIONER:

The proposed use of single family attached and detached residential lots complies with the allowable principal permitted uses listed in the City Code, Article 4, Section 4.03 Establishment of Zoning Districts and Article 5, Section 5.06 Table of Permitted Uses.

STATEMENT 2: The requested use is essential or desirable to the public convenience or welfare.

STATEMENT BY PETITIONER:

The proposed use of single family attached and detached residential lots provides a necessary inventory for home builders to provide attractive, economically affordable homes to the City of Dunn. Providing new home construction generates interest in the City, provides additional tax revenue and consumers to support local, small businesses.

STATEMENT 3: The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. STATEMENT BY PETITIONER:

The requested use as single family homes will not impair the integrity or character of these surrounding properties nor will they be a detriment to health, morals or welfare. The requested use is the first step toward revitalizing an area that is in need of growth and development. The properties in question have long been vacant. The proposed use for the property appropriately preserves existing environmentally sensitive areas and utilizes existing utility infrastructure. Furthermore, the proposed development is expected to increase adjacent property values due to new construction and price point relative to the existing properties.

STATEMENT 4: The requested use will be in conformity with the land development plan. STATEMENT BY PETITIONER:

The requested use is in compliance and conformity with the land use plan. According to the City of Dunn's Land Use Plan adopted on December 13, 2022, the property is identified as "medium density residential" which is consistent with the proposed housing type proposed in this rezoning. The proposed use specifically addresses Policy 6 in the Land Use Plan which states: "Encourage a range of housing types based on the availability of infrastructure, proximity to services and amenities, and compatibility with existing development as described in the Future Land Use map." This proposed rezoning also allows for compliance with Policy 6.1 which encourages a mix of lot sizes and/or housing types.

STATEMENT 5: Adequate utilities, access roads, drainage, sanitation, and other necessary facilities have been or are being provided.

STATEMENT BY PETITIONER:

Existing infrastructure including water, sewer, natural gas, and roadway access is in place to allow for the development of this property based on the proposed use. The development will extend this infrastructure to serve the development and surrounding properties.



Prepared for:

BRICKYARD MANAGEMENT, LLC

205 S. Fuquay Ave. Fuquay-Varina, NC 27526

MASTER PLAN DESIGN DOCUMENT

Powell Residential

Master Plan Rezoning - Residential City of Dunn, North Carolina

First Submittal: June 21, 2024





Prepared by:

Don Curry, PE The Curry Engineering Group, PLLC 205 S. Fuquay Avenue Fuquay-Varina, NC 27526 (919) 552-0849



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2.0 Vicinity Map



Figure 1 - Vicinity Map - Courtesy of Harnett County GIS 2024

3.0 Project Data

3.1 Project Name:

Powell Residential

3.2 Project Addresses:

0 W. Cumberland St. (portion of)

0 N. Powell Ave.0 N. Powell Ave.Dunn, NC 28334

3.3 Project PINS:

1507-92-4674 (portion of)

1507-93-1325 1517-03-0036

3.4 Applicant/Developer: Brickyard Management, LLC

205 S. Fuquay Ave.

Fuquay-Varina, NC 27526

(919) 552-0849

3.5 Prepared By:

The Curry Engineering Group, PLLC

205 S Fuquay Avenue Fuquay-Varina, NC 27526

(919) 552-0849

3.6 Designated Single Point of Contact:

Andrew Petty, PE

The Curry Engineering Group, PLLC

3.7 Current and Proposed Zoning of the Property:

Current Zoning:

R-20

Proposed Zoning:

Mixed Use District (MXU) - Conditional Use

3.8 Current and Proposed Land Uses:

Current Land Use:

Vacant

Dunn Future Land

Use Plan

Designation:

Medium Density Residential

4.0 Vision Statement

Powell Residential is a proposed mixed density residential project to be developed under the City of Dunn's ordinance as a Master Planned Development. The project contains all or a portion of three parcels under contract by Brickyard Management, LLC. The project is located at the intersection of W. Cumberland St. (US 421) and N. Powell Avenue with access off W. Cumberland St. via a private drive.

The proposal to rezone this property to a mixed residential Master Planned Development is in keeping with the City's objectives to create high quality developments that provide amenities to make Dunn a desirable place to live, work and play. This development will be a pedestrian friendly community with sidewalks along both sides of the internal public streets and plenty of open space areas scattered about the 42.36 acres. The project will provide a variety of housing options that will allow residents to "grow" in the neighborhood and promote the City's vision of having multiple housing types in one community.

The project will have several amenities to include outdoor games, walking trails, open fields, playgrounds, and a community gathering space. This development will enhance the value of the surrounding properties by providing quality residential development for the areas as a mixed residential development.

5.0 Statement of Consistency: Dunn Land Use Plan

The City of Dunn spent considerable resources to develop a complete Land Use Plan in 2022 that would be the guiding document for developments in the City for years to come. The principles of this document revolve around creating high quality, pedestrian friendly, intensely magnetized developments to create an atmosphere that is highly desired and sought after based on well planned growth.

Powell Residential has considered all these principles when designing this development. Consideration has been given to providing a mixture of residential development types throughout the community to enhance the feel of a residential mixed density subdivision. This mixture of units helps create an attractive residential transition from W. Cumberland St. (US 421), a major thoroughfare in the City with dense commercial development, to the medium density single family developments of the Gleneagles neighborhood and surrounding residences. To accomplish this, Powell Residential proposes a mixture of single-family attached units or townhomes, along with single-family detached units. This mixed density helps achieve one of the City's goals to avoid developments that impair the integrity or character of surrounding or adjoining districts. On the contrary, this development enhances the area and revitalizes properties that have long been vacant.

This proposal also meets the Land Use Plan's goal stated in Policy 6, which states, "Encourage a range of housing types based on the availability of infrastructure, proximity to services and amenities, and compatibility with existing development as described in the Future Land Use map." The proposed rezoning also allows for compliance with Policy 6.1 which encourages a mix of lot sizes and/or housing types.

This development accomplishes these goals, in part, by utilizing existing utility and roadway infrastructure. Adjacent utilities include water, sanitary sewer, and gas, with no need for off-site main extensions to serve the property. Roadway infrastructure likewise is sufficient to serve the development with W. Cumberland St. and N. Powell Ave. abutting the property.

Considerable growth is anticipated in Dunn's future and this development provides opportunities for homeowners to remain in the neighborhood as their needs change. Many homeowners transition from single-family attached or townhomes to single-family detached and Powell Residential allows homeowners to do this within a single neighborhood.

Thoughtful consideration was given to provide usable, open space areas throughout the development. Perimeter buffers are provided along neighboring tracts to provide vegetated transitional yards and a street connection network allows for flexible development options in the future. This development provides a robust street network including connections to commercial to the south and the addition of a street stub to the north, perhaps ultimately connecting to Ashe Avenue in a future development, providing alternative routes for public safety and transportation.

Powell Residential will complement the surrounding developments with its walkability, amenities, and varied product types as well as set the stage for future developments that rely on rooftops to entice investing in businesses in the surrounding areas. We believe this development will become a favorite of the City and will be used as a trend setter for future developments.

6.0 Statement of Consistency: Land Development Ordinance

Powell Residential will comply with the development standards outlined in the City of Dunn's Land Development Ordinance as well as the City's standards and specifications for the design and construction of the project. Section 7.0 below summarizes the design guidelines and intent of this development.

7.0 Design Guidelines

7.1 Land Uses

The City of Dunn UDO allows a mixture of uses in the MXU zoning district and the Owners have chosen to further restrict the allowable uses as listed below:

Residential Uses

Dwelling - Single Family Attached (Townhome)

Dwelling - Single Family Detached

Home Occupation

Institution & Assembly (accommodates neighborhood amenity)

Recreation Facility (Indoor)

Recreation Facility (Outdoor)

Transportation & Infrastructure (accommodates gas main on site)

Utilities (Class 1)

Utilities (Class 2)

7.1 Maximum Densities

Maximum residential density for the project shall be limited to 180 units, which results in a density similar to R-10. The total gross acreage for the property is 42.36.

7.2 Proposed Minimum Building Setbacks & Lot Widths

Minimum building setbacks & lot widths for Single-Family Attached

Front = 20'

Rear = 20'

Side = 0'/5' (minimum 10' building separation)

Corner = 15'

Minimum lot widths shall be 20 feet

Minimum building setbacks & lot widths for Single-Family Detached

Front = 20'

Rear = 20'

Side = 7.5'

Corner = 15'

Minimum lot width shall be 50 feet

7.4 Street Network

Powell Residential will utilize a public roadway system that will be maintained by the City of Dunn. Proposed street types include Dunn's "Residential Street" section which consists of a 50' right-of-way width. This street will be utilized throughout the neighborhood and all homes will front the public right-of-way.

Single-family attached units may incorporate an alley (rear-loaded), in which case they will follow the City's alley standards.

All streets shall be consistent with the City of Dunn's standards and specifications for roadway standards.

7.5 Open Space Summary

Per the City of Dunn's UDO, Powell Residential is required to provide a minimum of 10% of the gross project acreage as dedicated open space. Powell Residential exceeds the minimum open space requirements as outlined in the summary below. See section 7.8 for additional information on open space components.

Usable Open Space

Required = 5% (2.11 ac)

Provided = 11.8% (5 ac)

Natural Open Space

Required = 5% (2.11 ac)

Provided = 23.6% (10 ac)

7.6 Tree Preservation

As outlined in 7.5 above, Powell Residential is committed to a significant amount of natural open space, the majority of which is preserved in its undisturbed state. The proposed development will take care to minimize wetland impacts on the property and will retain the vast majority of vegetation in natural open space areas, thereby preserving existing buffers and natural habitats.

7.7 Perimeter Buffers

The master plans show buffers around the site to provide visual breaks between neighboring uses and adjacent public roads, as stipulated in the City's UDO. Minimally, Powell Residential will provide 20' Type A buffers along all abutting commercial uses and a 20' Type B buffers along abutting residential uses. Street tree buffers will be provided along N. Powell Avenue and street trees will be provided along lot frontages with public streets.

To provide added protection with neighboring parcels while also providing attractive buffers, Powell Residential will install buffers that will provide a mixture of evergreen and deciduous trees and shrubs in all buffers with a minimum quantity of both, however there shall be at

least 50% evergreen plants in the perimeter buffers. All plant material will be per the City's approved planting list.

No buffer will be provided in utility or storm drainage easements. Utility easements may cross buffers without plantings within. Utility easements that run parallel with parent property lines shall have buffers installed beside the easement.

Existing vegetation will be utilized towards any buffer requirements. Any disturbed areas of a buffer area shall be replanted to meet the standards of the respective types of buffer in full compliance with the City's UDO.

7.8 Enhanced Landscaping & Open Space

Open space areas within the Randall Farm community shall be developed to provide both a visual and functional approach to useable areas. The open space areas have been enhanced with additional landscaping, pedestrian style lighting, outdoor commercial games and outdoor seating areas. The goal for this development is to make the open space areas extensions of back yards that are open to the community to be used for gathering areas. These areas are designed and placed throughout the community to provide an inviting space that promotes fellowship and an active lifestyle. Below is a list of sample open space amenities that Powell Residential will provide in the usable open space areas.

Usable Open Space Area #1

- Playground with IPEMA certified equipment
- Dog waste stations
- · Benches and/or picnic tables
- Walking trail

Usable Open Space Area #2

- Outdoor, commercial grade games (i.e. foosball table, corn hole or table tennis) <u>OR</u>
 Outdoor exercise equipment
- Outdoor library book box
- Community gathering space/community building
- Dog waste stations

Usable Open Space Area #3

- Small enclosed dog park for residents only.
- Dog waste stations
- Walking trail

Examples of the type of active open space areas are as follows:



Neighborhood Playground





Outdoor Games



Outdoor Gathering Areas

10

Pet Waste Station



Community Dog Park

7.9 Additional Committed Elements

Powell Residential is committed to providing a development that the City of Dunn can use as a template for success. As such, the following is a committed condition to ensure the neighborhood is a successful, well maintained community.

- Developer shall establish in the covenants that all trash and recycling containers provided by the City shall be kept inside the garage of all single-family attached units OR developer to provide enclosed trash corral with 100% opaque screening from view of any right of way.
- 2. The private, recorded legal documents governing the subdivision shall obligate the homeowner's association to maintain the landscaping and lawn care on all lots containing single-family attached (townhome) units. All common areas and landscape buffers shall also be maintained by the HOA per the City's UDO requirements.

7.10 Design Flexibility Elements

The goal of Powell Residential is to comply with intent of all items within the City's UDO. Section 3.10.C.2 of the UDO allows for design flexibility within a master plan, however, the proposed layout still must comply with the UDO and submitted rezoning conditions. Elements that could vary from the submitted master plan include precise shape of open space, specific open space components and amenities, and split between single-family attached and detached units.

8.0 Architectural Standards

Powell Residential offers the following architectural commitments as part of this master plan and rezoning. These commitments apply to all residential dwellings unless noted specifically to apply to single-family detached or attached units.

- 1. Anti-monotony: No unit shall be constructed with an exterior elevation or color palette that is identical to the unit on either side or directly across the street.
- 2. High visibility lot: Any side façade adjacent to a public ROW shall have decorative trim or shutters around all windows. High visibility lots shall be identified on the Preliminary Plat.
- 3. Glazing: All homes shall have a front door with a 1/4 lite door, transom, or door sidelights.
- Garage Doors: All front-facing garage doors shall have windows, decorative details or carriage style adornments.
- Roofline: Roofline shall be broken up horizontally and vertically along the front façade, such that no roofline is in a single mass. The roofline of townhome buildings will also incorporate a minimum roof overhang of 8 inches on end units.
- 6. Façade Treatment a minimum of three included per dwelling unit:
 - a. Minimum of 24" of masonry material (brick or stone) at base along front façade and surrounding entryway.
 - b. Variation in exterior materials such as brick, masonry, board and batten, horizontal or shake siding.
 - c. Decorative front dormers, shed roofs, or gables.
 - d. Decorative trim, shake, cornice, horizontal trim, brackets or air vents/windows on gables.
 - e. Decorative shutters, window trim, or window grids.
 - f. Decorative trellis or shed roof over garage door.
 - g. Variation in roof lines, direction, or materials.
 - h. Addition/variation of a front porch, covered entry, portico, or stoop.
 - Shutters, window trim or window grids.
- 7. The side elevation of a townhome that faces an existing or proposed right-of-way (excluding alleys) shall be consistent with the front façade and shall include two (2) of the following elements:
 - a. Windows with shutters.
 - b. Addition of a gable, dormer or shed roof.
 - c. Two or more building materials.
 - d. Decorative trim, shake, cornice, horizontal trim, brackets or air vents/windows on the gable.
 - e. Variation in siding material pattern for at least 20 percent of the wall area.
 - f. Matching window grids.

9.0 Parking and Loading

Parking and loading requirements for the residential areas shall conform to the parking standards listed in the City of Dunn UDO Article 3.05. Parking for single-family attached and detached will provide parking on each individual lot in the driveways and garages. Single-family attached units are committed to providing at least a single-car garage. Additional guest parking spaces are provided throughout the community along the streets in the form of parallel spaces.

10.0 Signs

Signage for this project will comply with City of Dunn UDO Article 6.11. A separate sign permit will be required prior to any erection or construction of a sign outside of parking and traffic signs.

11.0 Natural Resource and Environmental Data

This project drains to a tributary of Black River which is located in the Cape Fear River Basin. Per environmental investigation conducted by S&EC, there are three areas of jurisdictional wetlands on the project site. While a short crossing of the wetlands will be required for access, the intent of this project is to preserve these environmental features to the maximum extent practicable. All permitting will be accomplished through NCDEQ and USACE, as appropriate.

12.0 Stormwater Management

Powell Residential will meet all applicable requirements and standards as described in Article 8 of the Dunn UDO. This project will meet all stormwater quality treatment and quantity reduction requirements including limiting the post-development stormwater flows to not exceed the pre-development stormwater runoff rate for the 10 year storm event.

The project will use approved devices to control the stormwater sediment runoff. These devices may include wet detention basins, constructed wetlands, bioretention areas, surface sand filters or any other approved stormwater control measure. Stormwater control devices shall be landscaped and constructed to be an amenity to the development and shall blend into the surroundings such that they are not an eyesore for the community.

13.0 Public Facilities

All internal public streets will have sidewalks on both sides of the street. The development will comply with any required roadway improvements along N. Powell Avenue, although it appears that this will be limited to NCDOT-required turn lanes. These improvements will be coordinated with the City of Dunn and NCDOT.

This project will commit to providing a Traffic Impact Analysis to the City of Dunn and NCDOT for review prior to approval of the Construction Drawings. The scope of the TIA will be coordinated with both agencies prior to execution of the study.

Public utilities will be extended into the project site from existing City utility mains. Public water will be provided to the subdivision via a 12" water main in N. Powell Ave. A fire flow test will be conducted and a fire flow model will be provided to show there is adequate flow to support the subdivision as part of the Construction Drawing process.

Public sewer will be provided by extending sewer from the subdivision to the west to the existing 15" Black River sewer outfall line, per the City's Standards and Specifications. Dunn has recently adopted a Wastewater Allocation Policy whereby applicants must demonstrate that the development achieves a minimum of 55 points in order to receive wastewater allocation. Based on a preliminary analysis, it appears that Powell Residential will achieve 65-75 points, which exceeds the minimum required.

14.0 Neighborhood Meeting

A neighborhood meeting per the City of Dunn's requirements was held on May 21, 2024, at the Hampton Inn on Jesse Tart Road in Dunn. A summarized neighborhood meeting report was provided to Dunn Planning Department. No planned changes to the master plan were made as a result from the neighborhood meeting and there was no real opposition heard.

END OF REPORT

HARNETT COUNTY, NORTH CAROLINA CITY OF DUNN

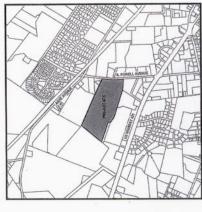
MASTER PLAN REVIEW CITY OF DUNN PROJECT # CZ-06-24 SUBMITAL TO CITY OF DUNK, JUNE 21, 2024

DRAWING INDEX

- C-1.0 C-1.0 C-2.0 C-4.0





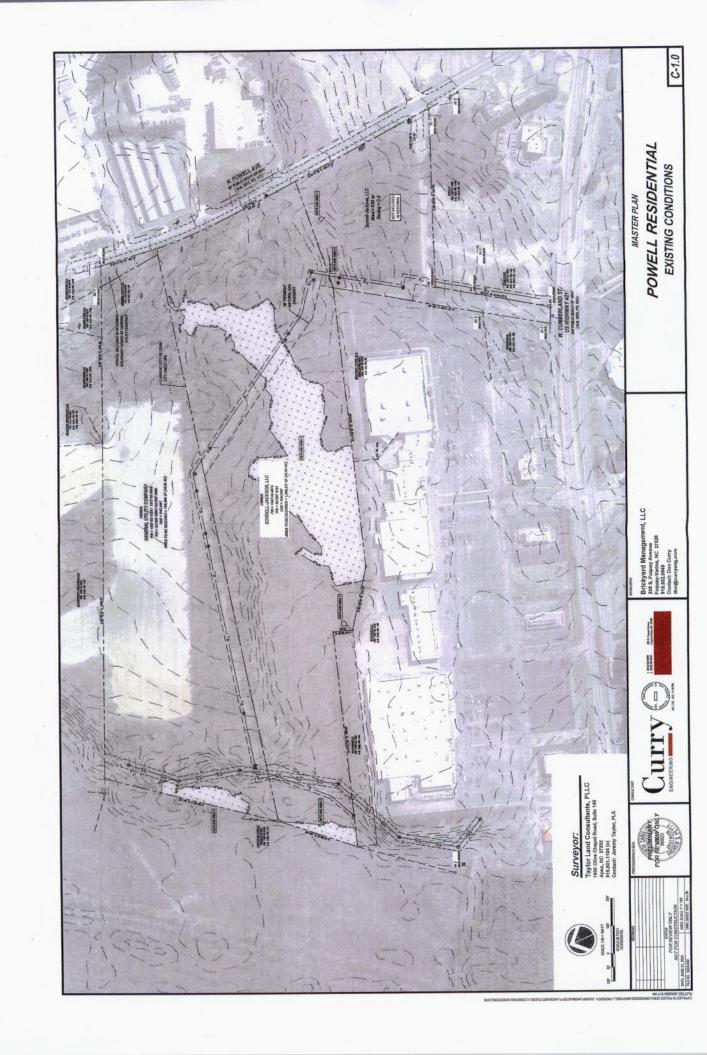




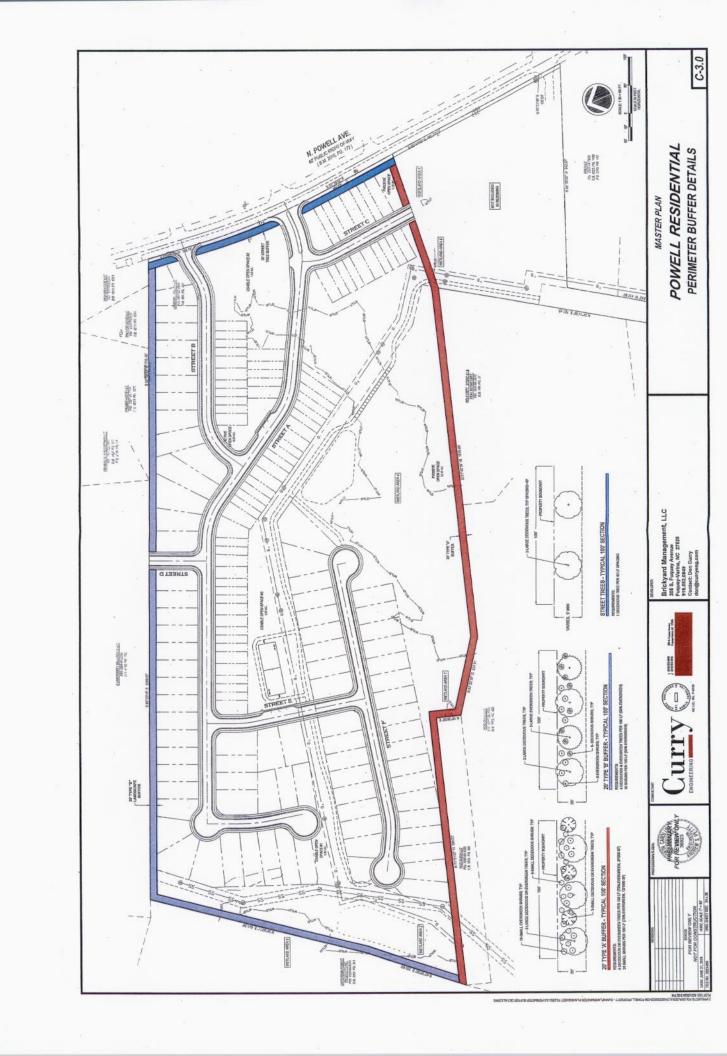
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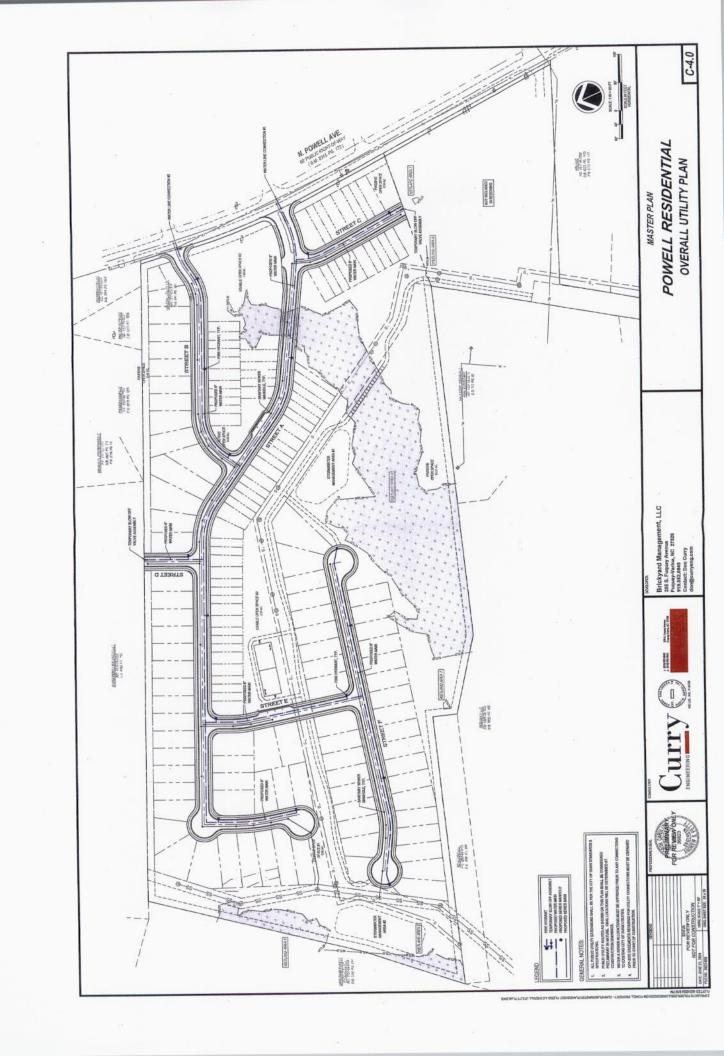
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POWELL RESIDENTIAL COVER SHEET MASTER PLAN









NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a PUBLIC MEETING regarding two (2) Conditional Zoning Applications that will be held by the CITY OF DUNN PLANNING BOARD on JUNE 4, 2024 at 5:30 P.M. and a PUBLIC HEARING for the same will be held by the CITY COUNCIL OF THE CITY OF DUNN on JUNE 25, 2024 at 6:30 P.M. in the COURTROOM of the DUNN MUNICIPAL BUILDING located at 401 EAST BROAD STREET for the purpose of considering the following items:

CONDITIONAL ZONING APPLICATION CZ-05-24

Jernigan Road/US 301 North

PIN: 1527-04-3969.000, 1527-05-4136.000, and 1527-05-6219.000

This is a request to rezone three (3) parcels 2.30 acres + / - located at the intersection of Jernigan Road and US 301 North, Dunn, NC 28334. The property is currently zoned R-20, Residential District. The proposed rezoning is C-3, Highway Commercial District Conditional Zoning District (CZD) to allow only Self-Storage.

CONDITIONAL ZONING APPLICATION CZ-06-24

North Powell/West Cumberland Street

PIN: 1507-92-4674.000, 1507-93-1325.000, and 1517-03-0036.000

This is a request to rezone three (3) parcels 48.49 acres + / - on North Powell Avenue with access to West Cumberland Street Dunn, NC 28334. Two parcels are currently zoned R-20, Residential District and the other parcel is a mix of R-20, Residential District and C-2, Shopping Center District. The proposed rezoning is MXU, Mixed-Use District Conditional Zoning District to allow Residential Development (townhomes and single-family detached), Recreation Facilities (indoor and outdoor), and Utilities (Class 1 & 2).

Copies of proposed items are available for review at the DEPARTMENT OF PLANNING during normal business hours Monday through Friday. Written comments may be addressed to:

P.O. BOX 1065
DUNN, NC 28335

ADVERTISE:

June 4, 2024 June 11, 2024

Powell Residential Conditional Rezoning

Restricted Uses: The City of Dunn UDO allows a mixture of uses in the MXU zoning district and the petitioners have chosen to further restrict the allowable uses to only those as listed below:

Residential Uses

Dwelling - Single Family Attached (Townhome)

Dwelling - Single Family Detached

Home Occupation

Institution & Assembly

Recreation Facility (Indoor)

Recreation Facility (Outdoor)

Transportation & Infrastructure

Utilities (Class 1)

Utilities (Class 2)

Development Conditions:

- 1. Maximum number of units shall be 180 units.
- 2. Mixture of unit types shall vary, however, there shall be no more than 120 townhomes. There is no maximum unit threshold for single family detached units.
- 3. Minimum usable/improved open space= 5 ac
- 4. Minimum natural open space= 10 ac
- 5. Minimum building setbacks for Single-Family Attached
 - a. Front = 20'
 - b. Rear = 20'
 - c. Side = 0'/5' (minimum 10' building separation)
 - d. Corner = 15'
- 6. Minimum building setbacks for Single-Family Detached
 - a. Front = 20'
 - b. Rear = 20'
 - c. Side = 7.5'
 - d. Corner = 15'
- 7. Minimum lot widths for Single-Family Attached shall be 20 feet.
- 8. Minimum lot width for Single Family Detached shall be 50 feet.
- 9. Single-Family Attached units shall be front-loaded, or rear-loaded (via alley), however in any case, they must contain at least a single car garage.
- 10. Developer shall establish in the covenants that all trash and recycling containers provided by the City shall be kept inside the garage of all Single-Family Attached units OR

- developer to provide enclosed trash corral with 100% opaque screening from view of any right of way.
- 11. The private, recorded legal documents governing the subdivision shall obligate the homeowner's association to maintain the landscaping and lawn care on all lots containing single-family attached (townhome) units. All common areas and landscape buffers shall also be maintained by the HOA per the City's UDO requirements.
- 12. Proposed architectural conditions to include:
 - Anti-monotony: No unit shall be constructed with an exterior elevation or color palette that is identical to the unit on either side or directly across the street.
 - High visibility lot: Any side façade adjacent to a public ROW shall have decorative trim or shutters around all windows. High visibility lots shall be identified on the Preliminary Plat.
 - 3. Glazing: All homes shall have a front door with a ¼ lite door, transom, or door sidelights.
 - 4. Garage Doors: All front-facing garage doors shall have windows, decorative details or carriage style adornments.
 - 5. Roofline: Roofline shall be broken up horizontally and vertically along the front façade, such that no roofline is in a single mass. The roofline of townhome buildings will also incorporate a minimum roof overhang of 8 inches on end units.
 - 6. Façade Treatment a minimum of three included per dwelling unit:
 - Minimum of 24" of masonry material (brick or stone) at base along front façade and surrounding entryway.
 - Variation in exterior materials such as brick, masonry, board and batten, horizontal or shake siding.
 - Decorative front dormers, shed roofs, or gables.
 - Decorative trim, shake, cornice, horizontal trim, brackets or air vents/windows on gables.
 - e) Decorative shutters, window trim, or window grids.
 - f) Decorative trellis or shed roof over garage door.
 - g) Variation in roof lines, direction, or materials.
 - h) Addition/variation of a front porch, covered entry, portico, or stoop.
 - i) Shutters, window trim or window grids.
 - 7. The side elevation of a townhome that faces an existing or proposed right-of-way (excluding alleys) shall be consistent with the front façade and shall include two (2) of the following elements:
 - a) Windows with shutters.
 - b) Addition of a gable, dormer or shed roof.
 - c) Two or more building materials.
 - Decorative trim, shake, cornice, horizontal trim, brackets or air vents/windows on the gable.
 - e) Variation in siding material pattern for at least 20 percent of the wall area.
 - f) Matching window grids.

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a PUBLIC MEETING regarding two (2) Conditional Zoning Applications that will be held by the CITY OF DUNN PLANNING BOARD on JUNE 4, 2024 at 5:30 P.M. and a PUBLIC HEARING for the same will be held by the CITY COUNCIL OF THE CITY OF DUNN on JUNE 25, 2024 at 6:30 P.M. in the COURTROOM of the DUNN MUNICIPAL BUILDING located at 401 EAST BROAD STREET for the purpose of considering the following items:

CONDITIONAL ZONING APPLICATION CZ-05-24

Jernigan Road/US 301 North

PIN: 1527-04-3969.000, 1527-05-4136.000, and 1527-05-6219.000

This is a request to rezone three (3) parcels 2.30 acres + / - located at the intersection of Jernigan Road and US 301 North, Dunn, NC 28334. The property is currently zoned R-20, Residential District. The proposed rezoning is C-3, Highway Commercial District Conditional Zoning District (CZD) to allow only Self-Storage.

CONDITIONAL ZONING APPLICATION CZ-06-24

North Powell/West Cumberland Street

PIN: 1507-92-4674.000, 1507-93-1325.000, and 1517-03-0036.000

This is a request to rezone three (3) parcels 48.49 acres + / - on North Powell Avenue with access to West Cumberland Street Dunn, NC 28334. Two parcels are currently zoned R-20, Residential District and the other parcel is a mix of R-20, Residential District and C-2, Shopping Center District. The proposed rezoning is MXU, Mixed-Use District Conditional Zoning District to allow Residential Development (townhomes and single-family detached), Recreation Facilities (indoor and outdoor), and Utilities (Class 1 & 2).

Copies of proposed items are available for review at the DEPARTMENT OF PLANNING during normal business hours Monday through Friday. Written comments may be addressed to:

P.O. BOX 1065
DUNN, NC 28335

ADVERTISE:

June 4, 2024 June 11, 2024 102 N Powell Ave • PO Box 1065 • Dunn, North Carolina 28335 (910) 230-3505 • Cityof Dunn.org

May 31, 2024

Reference: Conditional Zoning Request CZ-06-24

PIN # 1507-93-1325.000; 1517-03-0036.000; 1507-92-4674.000

These parcels are located on North Powell Avenue with access to West Cumberland Street, Dunn, NC,

28334

Dear Property Owner:

The purpose of this letter is to notify you that a Conditional Zoning request has been received by the City of Dunn for property located adjacent to or within 200 feet of a parcel under your ownership.

Two parcels are currently zoned R-20, Residential District and the other parcel is a mix of R-20, Residential District and C-2, Shopping Center District. The proposed zoning classification is MXU, Mixed-Use District Conditional Zoning District (CZD) to allow Residential Development (townhomes and single-family detached), Recreation Facilities (indoor and outdoor), and utilities (Class 1 & 2).

The City of Dunn Planning Board will receive comments, review, and form a recommendation on the above referenced project on Tuesday, June 4, 2024 at 5:30 p.m.

The Dunn City Council will hold a Public Hearing, review, and take action on the above referenced project on **Tuesday, June 25, 2024 at 6:30 p.m.** Both meetings will be held at:

Dunn Municipal Building City Council Chambers 401 East Broad Street Dunn, NC 28334

Should you wish to express any opinions for or against this request, please attend these meetings where a special time is reserved for public comments. Written comments may be submitted to the Planning Department at the address shown at the top of this letter.

If you have any questions regarding this action, please call the Planning Department at 910-230-3505, or visit the Planning office at 102 North Powell Avenue.

Sincerely,

George Adler Planning Director

GA/mm



Neighborhood Meeting Report

Powell Residential

North Powell Avenue City of Dunn

May 24, 2024





Prepared by:

Andrew Petty & Don Curry The Curry Engineering Group, PLLC 205 S. Fuquay Avenue Fuquay-Varina, NC 27526 (919)552-0849



TABLE OF CONTENTS

ATTACHMENTS

Neighborhood Meeting Notification Sample Letter

Buffer List

Sign In Sheet

Proof of Meeting

Copy of Agenda Packets provided at the meeting

Concerns & Responses

T (919) 552-0849 F (919) 552-2043 205 S. Fuquay Avenue Fuquay-Varina, NC 27526



SAMPLE LETTER





May 9, 2024

RE: Neighborhood Meeting for a Conditional Use Rezoning Application

Dear Neighbor:

This letter is to invite you to a meeting to review a proposed Conditional Use Rezoning Application for a Residential Development for the properties located at N Powell Avenue (PIN 1507-93-1325.000 & 1517-03-0036.000) and W Cumberland Street (PIN 1507-92-4674.000).

Please see enclosed map for specific properties shown in red. At this meeting a schematic layout will be shared outlining the proposed use along with a discussion of conditions and open space considerations.

Meeting Information:

Date:

Tuesday, May 21, 2024

Time:

5:30 to 7:00 PM

Location: Hampton Inn Meeting Room, 100 Jesse Tart Circle, Dunn, NC 28334

Please feel free to contact me at 919-552-0849 ext. 101 or don@curryeng.com with any questions or concerns regarding this meeting.

Sincerely,

The Curry Engineering Group, PLLC

1. Cuf. Don Curry

President



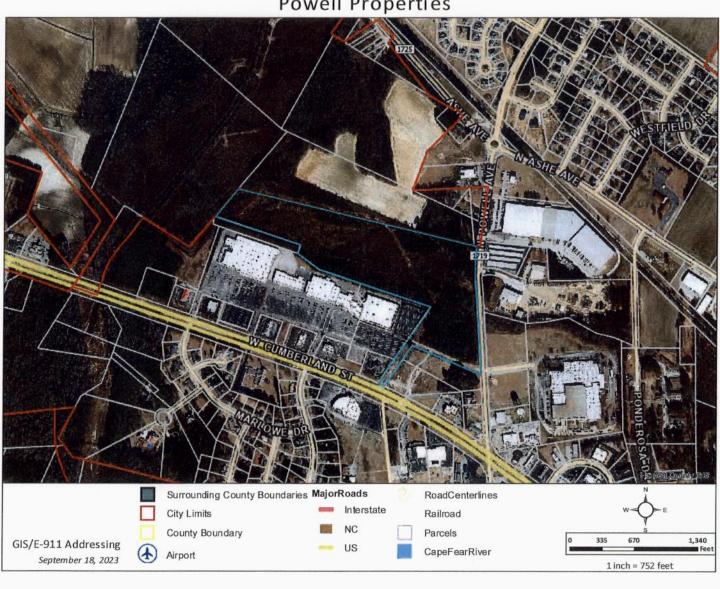
205 S. Fuquay Avenue Fuquay-Varina, NC 27526



BUFFER LIST & MAP



Powell Properties



ParcellD PIN	PID	REID Owners	Owner1	PhysicalAddress	MaillingAddress
7755335 1507-82-3552.000	021507 0152	1299 RCG-DUNN LLC	RCG-DUNN LLC	2106 W CUMBERLAND ST DUNN, NC 28334	3060 PEACHTREE RD STE 400 ATLANTA, GA 30305
7690478 1507-93-8624.000	021507 0082 02	81403 BYRD MARILYN BREWER	BYRD MARILYN BREWER	N POWELL AVE DUNN, NC 28334	1785 HOBSON RD DUNN, NC 28334
7705145 1507-82-7074.000	021507 0152 03	20559 MASADA VENTURES LLC	MASADA VENTURES LLC	2102 W CUMBERLAND ST DUNN, NC 28334	PO BOX 979 CARY, NC 27512
7706467 1517-03-4438.000	021507 009105	52770 GRAY PROPERTIES OF NC LLC	GRAY PROPERTIES OF NC LLC	630 N POWELL AVE DUNN, NC 28334	PO BOX 1126 DUNN, NC 28335-0000
7720742 1517-01-0525.000	021507 0094	31031 GREEN DOOR PROPERTIES LLC	GREEN DOOR PROPERTIES LLC	101 N POWELL AVE DUNN, NC 28334	908 MAPLE AVE FOUR OAKS, NC 27524-8322
7739435 1507-91-0269.000	021507 0425	54355 GOSPEL TABERNACLE INC	GOSPEL TABERNACLE INC	2105 W CUMBERLAND ST DUNN, NC 28334	2105 W CUMBERLAND STREET DUNN, NC 28334-0000
7735774 1507-91-1879.000	021507 0152 04	6316 ZIG DUNN LLC	ZIG DUNN LLC	2100 W CUMBERLAND ST DUNN, NC 28334	4722 PARK RD SUITE C CHARLOTTE, NC 28209-3801
7706491 1517-02-9417.000	021507 009103	52029 WELLONS CONSTRUCTION INC	WELLONS CONSTRUCTION INC	N POWELL AVE DUNN, NC 28334	P O BOX 730 DUNN, NC 28335-0000
7704461 1507-91-7577.000	021507 0100	36280 KR/O LLC	KR/OLLC	WICUMBERLANDIST NG	PO BOX 1254 DUNN, NC 28335-0000
7689479 1507-93-1325.000	021507 0085	11578 GENERAL UTILITY CO	GENERAL UTILITY CO	N POWELL AVE DUNN, NC 28334	27-107 ANNETTE DR BENSON, NC 27504-0000
0650-96-8332.000	ROW Street	NC DEPARTMENT OF TRANSPORTATION	NC DEPARTMENT OF TRANSPORTATION		1546 MAIL SERVICE CENTER RALEIGH, NC 27611
7726896 1517-01-8798.000	2151607020050	6409 JP GODWIN PROPERTIES III LLC	JP GODWIN PROPERTIES III LLC	200 CHAMPION DR DUNN, NC 28334	PO BOX 1147 DUNN, NC 28335-0000
7739462 1517-02-2489.000	2151718070100	36292 WELLONS CONSTRUCTION INC	WELLONS CONSTRUCTION INC	510 N POWELL AVE DUNN, NC 28334	P O BOX 730 DUNN, NC 28335-0000
7706480 1507-91-6743.000	021507 015107	81007 FOURWS INC	FOURWSING	W CUMBERLAND ST NC	PO BOX 1254 DUNN, NC 28335-0000
7710821 1517-03-0036,000	021507 0086	11579 GENERAL UTILITY CO	GENERAL UTILITY CO	N POWELL AVE DUNN, NC 28334	27-107 ANNETTE DR BENSON, NC 27504-0000
7747369 1507-93-7394.000	021526 1122	25477 PALMER HOME LLC	PALMER HOME LLC	615 N POWELL AVE DUNN, NC 28334	303 STONEY BROOK LN MARLTON, NJ 08053-2424
7711715 1507-92-4674.000	021507 0151	31032 SORRELL-JACKSON LLC	SORRELL-JACKSON LLC	W CUMBERLAND ST DUNN, NC 28334	1507 ARENDELL ST C/O HOPE LUPTON MOREHEAD CITY, NC 28557-4025
7758284 1507-91-7858.000	021507 0151 08	KRO LLC	KROLLC	POWELLAVE DUNN, NC 28334	2004 W CUMBERLAND ST DUNN, NC 28334-4448
7850305 1517-03-0551.000	021507 0082	12066 MB ANIMAL PROPERTIES LLC	MB ANIMAL PROPERTIES LLC	625 N POWELL AVE DUNN, NC 28334	1785 HOBSON RD DUNN, NC 28334
7713288 1507-64-6184.000	021506 0002	33011 CAPE FEAR FOREST PRODUCTS INC	CAPE FEAR FOREST PRODUCTS INC	ASHE AVE DUNN, NC 28334	203 EASY ST CAPE CARTERET, NC 28584-9251
7706476 1517-02-2191.000	021507 0084	6407 JP GODWIN PROPERTIES III LLC	JP GODWIN PROPERTIES III LLC	N POWELL AVE NC	PO BOX 1147 DUNN, NC 28335-0000
7625279 1507-93-2984.000	021507 0082 01	57523 E3 PROPERTY SOLUTIONS LLC	E3 PROPERTY SOLUTIONS LLC	POWELLAVE NC	109 PROFESSIONAL CT GARNER, NC 27529-8347
7699480 1507-84-3756.000	021507 0328 01	59040 CAPE FEAR FOREST PRODUCTS INC	CAPE FEAR FOREST PRODUCTS INC	ASHE AVE DUNN, NC 28334	203 EASY ST CAPE CARTERET, NC 28584-9251
7763071 1507-72-2820.000	021507 0151.06	52446 SUNSHINE EXPRESS CARWASH LLC	SUNSHINE EXPRESS CARWASH LLC	W CUMBERLAND ST DUNN, NC 28334	PO BOX 176 BUIES CREEK, NC 27506-0176
7747342 1517-03-0248.000	021507 0249	25475 PALMER HOME LLC	PALMER HOME LLC	603 N POWELL AVE DUNN, NC 28334	303 STONEY BROOK LN MARLTON, NJ 08053-2424
1517-02-2688.000	ROW Street	NC DEPARTMENT OF TRANSPORTATION	NC DEPARTMENT OF TRANSPORTATION		1546 MAIL SERVICE CENTER RALEIGH, NC 27611
1516-09-2876.000	ROW Street	NC DEPARTMENT OF TRANSPORTATION	NC DEPARTMENT OF TRANSPORTATION		1546 MAIL SERVICE CENTER RALEIGH, NC 27811
7721714 1517-02-2874.000	021507 0087	8413 512 N POWELL AVE LLC	512 N POWELL AVE LLC	512 N POWELL AVE DUNN, NC 28334	6513 WAKEFALLS DR WAKE FOREST, NC 27587-9594
7706479 1507-91-4820.000	021507 015109	FOURWING	FOURWING	2050 W CUMBERLAND ST DUNN, NC 28334	PO BOX 1254 DUNN, NC 28335-0000
7701130 1517-03-4104.000	021507 0101	14512 GRAY PROPERTIES OF NO LLC	GRAY PROPERTIES OF NC LLC	600 N POWELL AVE DUNN, NC 28334	PO BOX 1126 DUNN, NC 28335-0000
7705127 1507-83-1052.000	021507 0151 05	41051 RCG-DUNN LLC	RCG-DUNN LLC	W CUMBERLAND ST DUNN, NC 28334	3080 PEACHTREE RD STE 400 ATLANTA, GA 30305
7706477 1517-01-3730.000	021507 008401	6408 JP GODWIN PROPERTIES III LLC	JP GODWIN PROPERTIES III LLC	N POWELL AVE NO	PO BOX 1147 DUNN, NC 28335-0000
7716877 1507-92-2275.000	021507 0092	2502 BELK DEPT STORE 91 & REAL ESTATE DEPT	BELK DEPT STORE 91	2104 W CUMBERLAND ST DUNN, NC 28334	2801 W. TYROLA ROAD CHARLOTTE, NC 28217-3509
7684325 1507-91-3435.000	021507 0335	7693 B AND J PROPERTIES OF DUNNILLC	B AND J PROPERTIES OF DUNN LLC	W CUMBERLAND ST NC	5508 SOLOMANS SEAL CT HOLLY SPRINGS, NC 27540-8626
7839650 1507-93-9237.000	021507 0090	25474 PALMER HOME LLC	PALMER HOME LLC	N POWELL AVE DUNN, NC 28334	303 STONEY BROOK LN MARLTON, NJ 08053-2424

SIGN IN SHEET



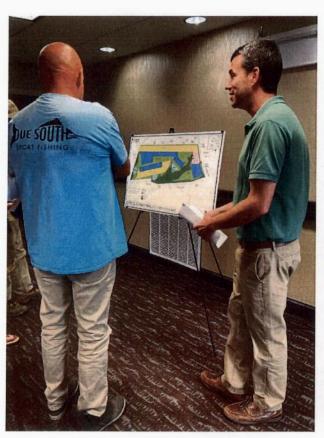


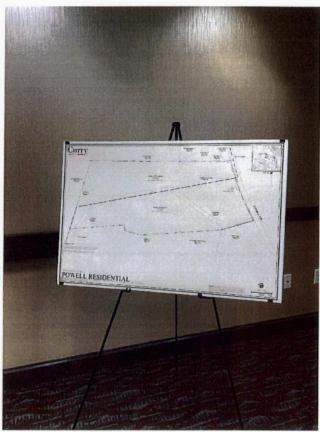
NEIGHBORHOOD MEETING SIGN-IN SHEET					
Project:	Rezoning – Powell Mixed Use Residential, Dunn, NC	Meeting Date:	May 21, 2024		
Facilitator:	Curry Engineering	Place/Room:	Hampton Inn, 100 Jesse Tart Circle, Dunn, NC		

Name		Address	Phone	E-Mail
Don Curry		205 S, Fuquay Ave. Fuquay- Varina, NC	919-552-0849	donfācurryeng.com
Andy Petty		205 S. Fuquay Ave. Fuquay- Varina, NC	919-552-0849	andy@curryeng.com
marin	Brewy	625 N. Rowels	\$15820-3.	\$31 msbrewer420ema
thomas (coope		L.	L - Pen
George a	. 1			sadler@dunn-nc.org
What Bus		203 Easy St Cartait	9127845822	with juab @ exhal, wit
Joann S	Sasta	203 Kay St Cartait		Soamasako@cymail. Con
Paulas	shoe	1003 V. Panal		Disorie embargmail.

PROOF OF MEETING









AGENDA PACKETS





May 9, 2024

RE: Neighborhood Meeting for a Conditional Use Rezoning Application

Dear Neighbor:

This letter is to invite you to a meeting to review a proposed Conditional Use Rezoning Application for a Residential Development for the properties located at N Powell Avenue (PIN 1507-93-1325.000 & 1517-03-0036.000) and W Cumberland Street (PIN 1507-92-4674.000).

Please see enclosed map for specific properties shown in red. At this meeting a schematic layout will be shared outlining the proposed use along with a discussion of conditions and open space considerations.

Meeting Information:

Date:

Tuesday, May 21, 2024

Time:

5:30 to 7:00 PM

Location: Hampton Inn Meeting Room, 100 Jesse Tart Circle, Dunn, NC 28334

Please feel free to contact me at 919-552-0849 ext. 101 or don@curryeng.com with any questions or concerns regarding this meeting.

Sincerely,

The Curry Engineering Group, PLLC

Don Curry President

T (919) 552-0849 F (919) 552-2043

205 S. Fuquay Avenue Fuquay-Varina, NC 27526





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1507 0082 02	ALMS MUSICIPALITY IN THE PROPERTY OF THE PROPE	0.114410	rnysical Address .	MailingAddress
2020 0005 02	CONTRACTOR OF THE PARTY OF THE	ACC-DUMIN LLC	2106 W CUMBERLAND ST DUNN, NC 28334	3060 PEACHTREE RD STE 400 ATLANTA GA 30305
The state of the s	DIANS BIRD MARILIN BREWEH	BYRD MARILYN BREWER	N POWELL AVE DUNN, NC 28334	1785 HOBSON DO DININ NO 20224
	20559 MASADA VENTURES LLC	MASADA VENTURES LLC	2109 W CHMBERLAND ST DUNK NO 2022	TO TO THE POST OF
021507 0091 05	52770 GRAY PROPERTIES OF NC LLC	GRAV DRODEDTIES OF AICH O	TOTAL SOUTH THE PROPERTY OF TH	PU BUX 3/9 CAHY, NC 27512
121507 0094	31031 GREEN DOOR PROPERTIES LLC	GEEN DOOR BEOBRAILES !	BAUN POWELL AVE DUNN, NC 28334	PO BOX 1126 DUNN, NC 28335-0000
321507 0425	54355 GOSPEL TARFRANCE FINC	COCCE TABLESTON	101 N POWELL AVE DUNN, NC 28334	908 MAPLE AVE FOUR OAKS, NC 27524-8322
	6316 ZIGDUNN I.C.	SUSPECTABERNACLE INC.	2105 W CUMBERLAND ST DUNN, NC 28334	2105 W CUMBERLAND STREET DUNN, NC 28334-0000
121507 0091 03	52029 WELLONS CONSTRUCTION INC	MEI ONE CONSTRUCTION	2100 W CUMBERLAND ST DUNN, NC 28334	4722 PARK RD SUITE C CHARLOTTE, NC 28209-3801
1507 0100	36280 KR/O LLC	WELLONS CONSTRUCTION INC.	N POWELL AVE DUNN, NC 28334	P O BOX 730 DUNN, NC 28335-0000
1507 0085	11578 GENERAL UTILITY CO	GENERALITITIVOS	W CUMBERLAND ST NC	PO BOX 1254 DUNN, NC 28335-0000
JW Street	NC DEPARTMENT OF TRANSPORTATION	NC DEPARTMENT OF TRANSPORTATION	N POWELL AVE DUNN, NC 28334	27-107 ANNETTE DR BENSON, NC 27504-0000
51607020050	6409 JP GODWIN PROPERTIES III I C	IS COLMIN DECEMBER OF THANSPORTATION		1546 MAIL SERVICE CENTER RALEIGH, NC 27611
51718070100	36292 WELLONS CONSTRUCTION INC	WELLONG CONSTRUCTION INC.	200 CHAMPION DR DONN, NC 28334	PO BOX 1147 DUNN, NC 28335-0000
1507 0151 07	81007 FOUR WISING	EDITO MES INC	STON POWELL AVE DONN, NG 28334	P O BOX 730 DUNN, NC 28335-0000
1507 0086	11579 GENERAL LITTITY CO	Contrast transfer	W CUMBEHLAND ST NC	PO BOX 1254 DUNN, NC 28335-0000
	SEATT DAI MED HOME ITO	GENERAL CHILITY CO	N POWELL AVE DUNN, NC 28334	27-107 ANNETTE DR BENSON, NC 27504-0000
	31032 SOBBELL-IACKSON I C	PALMER HOME LLC	615 N POWELL AVE DUNN, NC 28334	303 STONEY BROOK LN MARLTON, NJ 08053-2424
	KBO 11 C	SORRELL-JACKSON LLC	W CUMBERLAND ST DUNN, NC 28334	1507 ARENDELL ST C/O HOPE LUPTON MOREHEAD CITY, NC 28557-4025
	1200s All Asilvai photographics	KHO LLC	POWELL AVE DUNN, NC 28334	2004 W CUMBERLAND ST DUNN, NC 28334-4448
	22011 CABE CEAR FOOTET BROWNING	MB ANIMAL PROPERTIES LLC	625 N POWELL AVE DUNN, NC 28334	1785 HOBSON RD DUNN, NC 28334
	SANT IN CONTRACTOR PRODUCTS INC.	CAPE FEAR FOREST PRODUCTS INC	ASHE AVE DUNN, NC 28334	203 EASY ST CAPE CARTERET, NC 28584-9251.
	52532 C3 DBODGEDTA COLLIMONE II	JP GODWIN PROPERTIES III LLC	N POWELL AVE NC	PO BOX 1147 DUNN, NC 28335-0000
	59040 CADE EEAB COBEST BROWNING	E3 PROPERTY SOLUTIONS LLC	POWELL AVE NC	109 PROFESSIONAL CT GARNER, NC 27529-8347
1507 0151 06	SA448 SINSHINE EXPRESS CARMASH III	CAPE FEAR FURES! PRODUCIS INC	ASHE AVE DUNN, NC 28334	203 EASY ST CAPE CARTERET, NC 28584-9251
1507 0249	25425 PAI MED HOME I C	SUNSHINE EAPHESS CARWASH LLC	W CUMBERLAND ST DUNN, NC 28334	PO BOX 176 BUJES CREEK, NC 27506-0176
W Street	NC DEPARTMENT OF TRANSPORTATION	ACTION DEPARTMENT OF TRANSPORTED	603 N POWELL AVE DUNN, NC 28334	303 STONEY BROOK LN MARLTON, NJ 08053-2424
W Street	NC DEPARTMENT OF TRANSPORTATION	NO DEPARTMENT OF INANSPORTATION		1546 MAIL SERVICE CENTER RALEIGH, NC 27611
1507 0087	8413 512 N POWEL AVELLO	SAS N DOWN I WAS TO I DANS TO IN INC.		1546 MAIL SERVICE CENTER RALEIGH, NC 27611
	FOLIS WING	SOLID WING	512 N POWELL AVE DUNN, NC 28334	5513 WAKEFALLS DR WAKE FOREST, NC 27587-9594
	14512 GRAV BDODGOTICS OF NO. 1.	COLUMN TINC	2050 W CUMBERLAND ST DUNN, NC 28334	PO BOX 1254 DUNN, NC 28335-0000
	41051 BOS.DIINN I D	POC PHILIPPI	600 N POWELL AVE DUNN, NC 28334	PO BOX 1126 DUNN, NC 28335-0000
	6408 JP GODWIN PROPERTIES III I C	ID GOOMAN BRODGER III I I I	W CUMBERLAND ST DUNN, NC 28334	3060 PEACHTREE RD STE 400 ATLANTA, GA 30305
	2502 BELK DEPT STORE 91 & REAL PSTATE DEPT	REIN DEDT STORE OF		PO BOX 1147 DUNN, NC 28335-0000
	7693 R AND I PROPERTIES OF DILINN 11 C	B AND IDDODEDTICE OF STREET		2801 W. TYROLA ROAD CHARLOTTE, NC 28217-3509
	25474 PALMER HOME LLC	PALMER HOMELLC		5508 SOLOMANS SEAL CT HOLLY SPRINGS, NC 27540-8626
		0100 00085 00085 00080 00131 07 00131 07 00131 01 00131 01 00002 000002 000002 00002 00002 00002 00002 00002 00002 00002 00002 00002 00002 000002 00002 00002 00002 00002 00002 00002 00002 00002 00002 000002 000000	17.70 GENERAL UTILITY CO	1372 GENERAL UTILITY CO GE



102 N Powell Ave - 'PO Box 1065 - Dunn, North Caro ina 28335 (910) 230-3505 - CityofDunn.org

Conditional Zoning District Application

Please print clearly.

OWNERSHIP APPLICATION

Applicant:	Brickyard Manager	ment / Donald Lee Curry, Jr.				
Phone number: _	919-552-0849	Email: don@curryeng.com				
Applicant's legal in	nterest in property:	Developer				
Applicant's Addres	205 S. Fuquay A	Ave. Fuquay-Varina, NC 27526				
	(Street)	(City, State, Zip Code)				
Property owner:_	Sorrell-Jackson, LLC					
Owner's Address:	1507 Arendell St., C/O	Hope Lupton Morehead City, NC 28557				
	(Street)	(City, State, Zip Code)				
Phone number:	252-342-4064	Email: mlupton@ec.rr.com				
		Deed reference: Book: 2456 Page: 0076				
Size (square feet or	acres):30.45 ac	Street frontage (feet):1,100'				
PIN#1507-92	2-4674.000					
Location / Address: W. Cumberland St., Dunn, NC 28334 (non addressed parcel)						
Property is located behind the existing shopping center on US 421						
1 .		Hype Rugher Signature				
· Pilin	. Ivaille /	/ Signature				



Conditional Zoning District Application Please print clearly.

OWNERSHIP APPLICATION

Applicant:	Brickyard Manage	ment / Donald	Lee Curry, Jr.	
Phone number:	919-552-0849	Email:_	don@curryeng	g.com
Applicant's legal inter		Developer	-	
Applicant's Address:	205 S. Fuquay	Ave, F	uquay-Varina, NC	27526
	(Street)		(City, State, Zip Coo	ie)
Property owner:	General Utilit	y Company		
Owner's Address:	27-107 Annet	te Drive	Benson, NC 283	34
	(Street)		City, State, Zip Coo	ie)
Phone number: 91	9-934-1900	Email: _	meda@tilghmar	nandco.com
Date property acquire	d: 10/14/1971	Deed reference	:: Book:563_	Page: 0120
Size (square feet or ac	res):18.01 ac	Street frontage	(feet):210'	
PIN#1507-93-1	325.000			
Location / Address:	700	nn, NC 28334 (non addressed pa	rcel)
Property is locat	ed south of the inter	rsection of Pow	vell Ave. and Ashe	Ave.
Attach a legal descri	ption in metes and bo	unds of the A	o alk	itional use zoning.
Andrew Petty		The solution of the solution o		illonal use zoning.
Print Na	ame		Signature	

Powell Residential Conditional Rezoning

Restricted Uses: The City of Dunn UDO allows a mixture of uses in the MXU zoning district and the petitioners have chosen to further restrict the allowable uses to only those as listed below:

Residential Uses

Dwelling – Single Family Attached (Townhome) Dwelling – Single Family Detached Home Occupation

Institution & Assembly

Recreation Facility (Indoor)
Recreation Facility (Outdoor)

Transportation & Infrastructure

Utilities (Class 1)
Utilities (Class 2)

Development Conditions:

- 1. Maximum density = 4.35 units/acre
- 2. Minimum usable/improved open space= 5 ac
- 3. Minimum natural open space= 10 ac
- 4. Minimum building setbacks for Single-Family Attached
 - a. Front $= 20^{\circ}$
 - b. Rear = 20'
 - c. Side = 0'/5' (minimum 10' building separation)
 - d. Corner = 15'
- 5. Minimum building setbacks for Single-Family Detached
 - a. Front = 20'
 - b. Rear = 20'
 - c. Side = 7.5°
 - d. Corner = 15'
- 6. Minimum lot widths for Single-Family Attached shall be 20 feet.
- 7. Minimum lot width for Single Family Detached shall be 50 feet.
- 8. Single-Family Attached units shall be front-loaded, or rear-loaded (via alley), however in any case, they must contain at least a single car garage.
- Developer shall establish in the covenants that all trash and recycling containers provided by the City shall be kept inside the garage of all Single-Family Attached units OR developer to provide enclosed trash corral with 100% opaque screening from view of any right of way.

- 10. The private, recorded legal documents governing the subdivision shall obligate the homeowner's association to maintain the landscaping and lawn care on all lots containing single-family attached (townhome) units. All common areas and landscape buffers shall also be maintained by the HOA per the City's UDO requirements.
- 11. Proposed architectural conditions to include:
 - Anti-monotony: No unit shall be constructed with an exterior elevation or color palette that is identical to the unit on either side or directly across the street.
 - 2. High visibility lot: Any side façade adjacent to a public ROW shall have decorative trim or shutters around all windows. High visibility lots shall be identified on the Preliminary Plat.
 - 3. Glazing: All homes shall have a front door with a ¼ lite door, transom, or door sidelights.
 - 4. Garage Doors: All front-facing garage doors shall have windows, decorative details or carriage style adornments.
 - 5. Roofline: Roofline shall be broken up horizontally and vertically along the front façade, such that no roofline is in a single mass. The roofline of townhome buildings will also incorporate a minimum roof overhang of 8 inches on end units.
 - 6. Façade Treatment a minimum of three included per dwelling unit:
 - a) Minimum of 24" of masonry material (brick or stone) at base along front façade and surrounding entryway.
 - b) Variation in exterior materials such as brick, masonry, board and batten, horizontal or shake siding.
 - c) Decorative front dormers, shed roofs, or gables.
 - d) Decorative trim, shake, cornice, horizontal trim, brackets or air vents/windows on gables.
 - e) Decorative shutters, window trim, or window grids.
 - f) Decorative trellis or shed roof over garage door.
 - g) Variation in roof lines, direction, or materials.
 - h) Addition/variation of a front porch, covered entry, portico, or stoop.
 - i) Shutters, window trim or window grids.
 - 7. The side elevation of a townhome that faces an existing or proposed right-of-way (excluding alleys) shall be consistent with the front façade and shall include two (2) of the following elements:
 - a) Windows with shutters.
 - b) Addition of a gable, dormer or shed roof.
 - c) Two or more building materials.
 - d) Decorative trim, shake, cornice, horizontal trim, brackets or air vents/windows on the gable.
 - e) Variation in siding material pattern for at least 20 percent of the wall area.
 - f) Matching window grids.

CONDITIONAL ZONING APPLICATION Petitioner: Brickyard Management, LLC Property: N. Powell Ave. Assemblage

STATEMENTS OF JUSTIFICATION

STATEMENT 1: The use requested is listed among the conditional uses in the district for which the application is made.

STATEMENT BY PETITIONER:

The proposed use of single family attached and detached residential lots complies with the allowable principal permitted uses listed in the City Code, Article 4, Section 4.03 Establishment of Zoning Districts and Article 5, Section 5.06 Table of Permitted Uses.

STATEMENT 2: The requested use is essential or desirable to the public convenience or welfare.

STATEMENT BY PETITIONER:

The proposed use of single family attached and detached residential lots provides a necessary inventory for home builders to provide attractive, economically affordable homes to the City of Dunn. Providing new home construction generates interest in the City, provides additional tax revenue and consumers to support local, small businesses.

STATEMENT 3: The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. STATEMENT BY PETITIONER:

The requested use as single family homes will not impair the integrity or character of these surrounding properties nor will they be a detriment to health, morals or welfare. The requested use is the first step toward revitalizing an area that is in need of growth and development. The properties in question have long been vacant. The proposed use for the property appropriately preserves existing environmentally sensitive areas and utilizes existing utility infrastructure. Furthermore, the proposed development is expected to increase adjacent property values due to new construction and price point relative to the existing properties.

STATEMENT 4: The requested use will be in conformity with the land development plan. STATEMENT BY PETITIONER:

The requested use is in compliance and conformity with the land use plan. According to the City of Dunn's Land Use Plan adopted on December 13, 2022, the property is identified as "medium density residential" which is consistent with the proposed housing type proposed in this rezoning. The proposed use specifically addresses Policy 6 in the Land Use Plan which states: "Encourage a range of housing types based on the availability of infrastructure, proximity to services and amenities, and compatibility with existing development as described in the Future Land Use map." This proposed rezoning also allows for compliance with Policy 6.1 which encourages a mix of lot sizes and/or housing types.

STATEMENT 5: Adequate utilities, access roads, drainage, sanitation, and other necessary facilities have been or are being provided.

STATEMENT BY PETITIONER:

Existing infrastructure including water, sewer, natural gas, and roadway access is in place to allow for the development of this property based on the proposed use. The development will extend this infrastructure to serve the development and surrounding properties.

CONCERNS & RESPONSES





SUMMARY OF DISCUSSION FROM THE NEIGHBORHOOD MEETING				
Project:	Powell Mixed Use Conditional Rezoning	Meeting Date:	May 21, 2024	
Applicant:	Brickyard Management	Place/Room:	Hampton Inn, 100 Jesse Tart Cir., Dunn, NC Conference Room	
Contact Information:	Don Curry / 919.552.0849 / don@curryeng.com	Time:	5:30-7 PM	

Summary of questions/comments and responses from the neighborhood meeting:

Question/Concern #1: Does the property touch NC Highway 421?

Applicant Response: A small portion does as an access way from the property that is zoned commercial, not any part of this rezoning area will touch 421.

Question/Concern #2: Are you developing in the wetland areas?

Applicant Response: Disturbances to the wetlands will be minized to crossings. The wetlands have been delineated and are shown on the map presented.

Question/Concern #3: Property to the north, owned by E3. Is that yours too?

Applicant Response: No it is not.

Question/Concern #4: Is this going to be government assisted housing or a rental community?

Applicant Response: That is certainly not the intention and the conditions that have been offered up are geared toward creating a very nice development that is a standard for Dunn. We can't require that a developer or builder not rent units as that is a violation of NC State Law. All lots will be fee simple lots meaning the building and lot convey as one.

Question/Concern #5: Who will do the building of the homes if you are not building? Can you guarantee a builder? Applicant Response: We do not currently have a builder for the homes under contract but hope too before the June 25th City Council meeting. The conditions follow the rezoning and the property so no matter the building, the conditions apply. This will help ensure the development is a quality development.

Question/Concern #6: How many parcels are included and how many lots?

Applicant Response: There are 2 bigger parcels (3 if you include a small piece inside of the General Utilities parcel) and approximately 174 lots. We have capped density in the conditions at 4.35 units/acre, similar to R10.

Question/Concern #7: Will there be a natural buffer or nature park?

Applicant Response: Yes, we have provided a minimum 20' buffer around the perimeter where existing vegetation is to remain. We have also provided conditions for open space.

Question/Concern #8: Is the open space public?

Applicant Response: Open space is for the community, and not open to the public.

Question/Concern #9: Are apartments allowed?

Applicant Response: No, they are not included as an allowable use in the conditions.



Question/Concern #10: Do you know the price point of the homes yet?

Applicant Response: Not yet since we don't have a builder but our thought is mid \$200,000's and up.

Question/Concern #11: Concerns about trespassing on the land to the west. Asked about fencing along the sewer easement.

Applicant Response: Understand the concern however right now our plan is to utilize the easement and the natural buffer to help deter trespassers. Additionally, the hope is that there are enough amenities and nature trails in the community to make trespassing off site unappealing. We can't really fence the City's sewer easement.

Question/Concern #12: Will this devalue our properties?

Applicant Response: We don't anticipate this devaluing anyone's property. New construction in this area should increase value for the area.

Question/Concern #13: Where is the water coming from? Water plant in Dunn? Wasn't there a moratorium on this? How is it being handled?

Applicant Response: The water is coming from Dunn but the moratorium was for waste water not potable water. George Adler from City of Dunn spoke up and stated that the City has capital improvement projects underway that has helped lift the moratorium for the City but that this project will be required to submit an allocation request to the board for approval to gain authorization to tie to the sewer system.

Question/Concern #14: Will the development push stormwater onto our properties?

Applicant Response: No. During the design and permitting, we will grade the property to drain stormwater to the designated stormwater management areas. We will be required to meet pre and post stormwater rates.

Question/Concern #15: Is mixed use having any commercial uses?

Applicant Response: This rezoning is specifically for mixed residential uses however, a portion of one of the parcels is already zoned C-2 which is commercially zoned will remain C-2.

City of Dunn Purchasing Policy and Contract Procedures Handbook



Effective July 23, 2024 (Proposed)

Steven Neuschafer, City Manager Cary McNallan, Finance Director

City of Dunn Purchasing Policy and Contract Procedures Handbook

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City of Dunn Purchasing Policy and Contract Procedures Handbook

The Purchasing Policy and Contract Procedures Handbook shall be a part of the City's centralized policy and procedure manual and followed in strict accordance with the rules and procedures set forth herein. This Handbook replaces the Purchasing Policy and Procedures Manual previously adopted. The Finance Officer has been assigned responsibility for oversite, management and updating of the policies and procedures in this Handbook.

PURPOSE

This handbook was developed as a resource for City of Dunn employees and elected officials to become familiar with key policies and procedures for procuring commodities, goods, services, equipment, and construction projects. An understanding of how the city is required to conduct its business in relationship to applicable laws pertaining to procurement will provide the foundation for a solid partnership between the Finance Department and other departments.

The policies provided in this manual were established to ensure the fair and equitable treatment of all persons involved in public purchasing, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

APPLICATIONS

This policy applies to contracts for the procurement of materials, apparatus, supplies, equipment and construction projects entered into by the City. It shall apply to expenditure of public funds by City departments for public purchasing irrespective of the source of the funds. When the procurement involves the expenditure of federal assistance or contract funds, the procurement shall be conducted in accordance with any mandatory applicable federal law and regulations. Nothing in this policy shall prevent the City or any of its departments from complying with the terms and conditions of any grant, gift or bequest that is otherwise consistent with law.

Authority

- (a) The City Council has full budget authority to sign contracts. Authority to sign contracts for procurement of supplies and services has been delegated to the City Manager.
- (b) Purchase requisitions, purchase orders, and contracts must be approved by the City Manager or Assistant City Manager.
- (c) The securing of goods and services necessary to the operation of City government is the primary responsibility of the city's Purchasing Manager.
- (d) Department Heads, or their designees, are responsible for developing bid specifications, gathering information from vendors, and communicating with the Purchasing Manager.
- (e) Prior to making any purchase and entering into an agreement, the City must first have funds appropriated to meet financial obligations. Contracts or purchase orders requiring the payment of funds for supplies or materials, may not be made unless a proper appropriation appears in the budget and a sufficient unencumbered balance remains in the appropriation.

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USE OF PURCHASING POLICY AND CONTRACTS PROCEDURES HANDBOOK

- 1. The purchasing of goods and services utilized by City departments must be handled in accordance with the policies and procedures contained in this Handbook.
- 2. The purchasing of such items and services shall be accomplished in cooperation with the City's purchasing agent(s).
- 3. While some exception to these policies in this Handbook may be allowed, e.g., emergency purchases, failure to communicate with the purchasing office may result in the City's refusal to pay invoices for such purchases.

Any requisition of a commodity or a service made before the Finance Department issues a purchase order may become the personal obligation of the individual obtaining the commodity or service.

The requirements stated herein apply to all purchases of commodities and contractual services regardless of the funding source under the name of City of Dunn.

It is the responsibility of the purchasing agent to work with, and communicate with, the city departments to secure the best vendor, products, and pricing for the City of Dunn.

Requisitioning departments are urged to contact the purchasing agent prior to preparing a requisition to secure information about specifications, sources of supply, terms and prices.

A contractor or vendor should never be allowed to provide a service or deliver a commodity before a requisition is prepared and a purchase order or contract issued.

All contracts and agreements require review and approval by Finance prior to the signing of the contract document. If this policy is not followed, the individual signing the contract may be personally liable for any cost incurred. Note: Only the City Manager or Assistant City Manager, has the authority to sign contracts for the City of Dunn.

DEFINITIONS

The following words, terms, and phrases, when used here, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

<u>Addenda/Addendum</u>: Additional requirements, specifications, or instructions to the originally issued Invitation to Bid or Request for Proposals. All contents of the addendum are incorporated into the original document.

<u>Alternative contracting</u> means local governments can seek authority to modify bidding requirements for particular projects, specifically design-build projects for building construction.

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<u>Appropriation</u> means an authorization granted by the City Council to make expenditures and to incur obligations for specific purposes.

<u>Appropriation account</u> means a budgetary account set up to record specific authorizations to spend. The account is credited with original and any supplemental appropriations and is charged with expenditures and encumbrances.

<u>Architectural, Surveying and Engineering Services</u>: Contracts performed by private consulting firms as agents of the City of Dunn including feasibility studies, planning, design, testing, and construction administration or management services.

<u>Bid</u> means a quotation specifically given to a prospective purchaser upon request, usually in competition with other vendors.

<u>Bidder</u>: Any person, firm, partnership, corporation, association, or joint venture seeking award of a public contract or subcontract with City of Dunn.

<u>Budget document</u> means the instrument used by the budget-making authority to present a comprehensive financial program to the appropriating body.

<u>Business</u>: Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.

Commodity: Tangible goods, wares, and merchandise which are moveable in trade.

<u>Confirmation Order</u>: A confirmation order is a purchase, letter of intent to purchase, or request for scheduling in advance of an order that is made by an individual, without having a valid purchase order number, procurement card (if applicable) or approved payment request form (if applicable).

NOTE: Use of a confirmation requisition and/or Purchase Order to authorize retroactively commitments to vendors by personnel are a violation of City Policy

<u>Construction management-at-risk</u> means services provided by a construction manager, which may include preparation and coordination of bid packages, scheduling, cost control, value engineering, evaluation, preconstruction services and construction administration.

<u>Contract</u> means a legal agreement between the City and another governmental agency, company, corporation, individual or group of individuals obligating the City to pay money for services rendered or products.

<u>Department Head</u> means the highest level of supervision and coordination within a department.

<u>Dual bidding</u> means bids may be received to erect, construct, alter or repair a building under both the single-prime and separate-prime contracting systems, and the contract shall be awarded to the lowest responsible bidder under the single-prime or the lowest responsible bidder under the separate-prime system.

<u>Fiscal year</u> means a 12-month period of time to which the annual budget applies and at the end of which a governmental unit determines its financial position and the results of its operations. The City's Fiscal Year is July 1 through June 30.

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<u>Force account</u> means work performed by City employees that would ordinarily be performed by outside contractors.

<u>HUB</u> means Historically Underutilized Businesses as defined by NC General Statute 143-128.4. HUB certification categories include: Black, Hispanic, Asian American, American Indian, Female, Disabled, and Disadvantaged.

<u>Information technology</u> means electronic data processing goods and services and telecommunications goods and services, microprocessors, software, information processing, office systems, and related services and consulting or other services for design or redesign of information technology supporting business processes.

<u>Minority business</u> means a business of which at least 51 percent is owned by one or more minority persons or socially and economically disadvantaged individuals or, for a corporation, in which at least 51 percent of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals, and of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.

MWBE means minority- and women-owned business enterprises.

<u>Pre-audit</u> means an examination for the purpose of determining the propriety of proposed financial transactions and financial transactions which have already taken place, but which have not yet been recorded or, if such approval is required, before the approval of the financial transactions by designated officials for recording.

<u>Purchase order</u> means a legal document binding a vendor to provide a service or product and the City to pay a specified price. A purchase order is a written contract between the City and the vendor. A purchase order is the primary tool for ordering apparatus, supplies, materials, and equipment. The purchase order meets all of the legal requirements for a contract set forth by North Carolina State Statute and the Uniform Commercial Code (UCC). A purchase requisition is needed to initiate a purchase order.

<u>Purchasing agent</u> means one who purchases goods, supplies and materials for the City and is authorized to negotiate contracts with vendors.

Quote means to state a price for goods or services.

<u>Request for Information (RFI)</u>: A request written to obtain information from vendors to assist the city in determining the needs and requirements for development of a future project or RFP, including recommendations for specific products, services and strategies to meet City's needs.

<u>Request for Proposals (RFP)</u>: A request written as a performance specification, outlining the desired result and asking the responders to propose a method of reaching that result. RFPs are service oriented and allow greater flexibility in how the contract is awarded. (*Note: The NCDOT requires the use of a RFLOI (Request for Letter of Interest) to procure professional engineering services, design or construction engineering.*)

<u>Request for Qualification (RFQ)</u>: A request written to obtain information from vendors to determine if they are qualified to provide a particular service to the City. Qualification criteria are

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established that vendors must meet to be considered for the selection process. Allows elimination of non-qualified vendors before price evaluation.

<u>Requisition</u> means a request by a department or program to the purchasing agent to purchase, by issuance of a purchase order, specified services or products.

Separate-prime means bids for building projects are received for each subdivision of work:

- (1) Heating, ventilating and air conditioning;
- (2) Plumbing;
- (3) Electrical; and
- (4) General.

<u>Single-prime</u> means bids for building projects are received from one contractor. The single-prime contractor performs all work or contracts with subcontractors for heating, ventilating and air conditioning; plumbing; and electrical.

<u>Sole-source item</u> means when an item is of such a special nature that it is only manufactured by one company.

<u>Specifications</u>: The parameters, requirements, and instructions that define the exact item or service that is desired and provides the basis for comparing bids. Specifications are generally incorporated into a contract, by reference, to become the successful bidder's legal obligations under the contract.

<u>Subcontractor</u>: Any persons named by a general contractor and approved by the City to perform work or provide services for a public contract.

Surplus property means items which are obsolete or are no longer of any value to the City.

<u>Unencumbered balance</u> means that portion of an appropriation, which has not been expended or obligated through issuance of a purchase order.

Vendor means one who sells a commodity or a service.

<u>Voucher</u> means a written document which evidences the propriety of transactions and usually indicates the accounts against which they are to be recorded.

<u>Women owned business</u> means a business of which at least 51 percent is owned by one or more women; or for a corporation, in which at least 51 percent of the stock is owned by one or more women and of which the management and daily business operations are controlled by one or more women who own the business.

RESPONSIBILITIES AND OBJECTIVES

A. Responsibilities

It is the Finance Department's responsibility to ensure that all purchases are made in accordance with the City Policies and Procedures, North Carolina law, and Federal laws and regulations. Successful purchasing requires active cooperation between the Finance Department and all Departments. Each entity has fundamental requirements for this mutually

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cooperative endeavor. Under the supervision of the Purchasing Agent(s) designated by the City Manager, Purchasing Agent(s) have the responsibility to:

- 1. Purchase or lease all supplies, materials, equipment and services needed for use by the City and its agencies, boards, and commissions.
- Make all contracts or purchases in accordance with the City's standard procedures, policies, and North Carolina law.
- 3. Make emergency purchases, leases, or contracts for supplies, materials, equipment, and services for all Departments.
- 4. Assist Departments in the development of standard specifications for all supplies, materials, equipment, and services.

The procurement process is a dynamic process subject to change pursuant to amendments made to North Carolina General Statutes, actions by City Council, and City Manager's mandates. It is also a mutually cooperative process that requires prompt review and approval/disapproval by one or more parties.

Mayor and City Council: As the legislative body for the City, the Mayor and City Council have delegated the authority of procurement to the City Manager as allowed by North Carolina General Statute.

City Manager: The City Manager is the final authority in making decisions in any situation relating to procurement.

City Attorney: The City Attorney reviews non-standard contracts to determine if it is acceptable to the City; and provides interpretation of City, county, state, and federal statutes/regulations upon request.

B. Objectives

In carrying out the purchasing function, the City seeks to:

- 1. Conduct business with integrity, fairness, and dignity so as to maintain public trust and reduce the government's exposure to criticism and legal action.
- 2. Secure the right materials, equipment, and services at the right quality and quantity, on a timely basis, as efficiently as possible, and at the lowest overall cost.
- 3. Obtain the "best value" of products and services for the dollars spent; secure, whenever possible, competitive prices on purchases.
- 4. Establish specifications which will encourage competition and accurately describe the equipment, materials, and services needed.
- 5. Provide all customers with quality service in a manner that is courteous, responsive, accessible, and seamless.
- 6. Assure vendors that impartial and equal treatment is afforded to all who wish to do business with the City.

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7. Be receptive to changes in material and requirements and new products and procedures.

C. Departmental Responsibilities

- 1. Accept the purchasing authorities delegated to the Finance Department.
- 2. Put forth an effort in good faith to comply with these policies and procurement procedures without reservation or evasion.
- 3. Prepare acceptable specifications that define the quantity and quality of goods and services needed to perform a specific function without undue influence or personal preference.
- 4. Allow the time necessary for Procurement to select a vendor and for the vendor to deliver.
- 5. Receive and inspect items delivered and report vendor performance good or bad.
- 6. Cooperate with the Finance Department in the process of fulfilling departmental requisitions.
- 7. Work with the Finance Department to promote goodwill between the City and its vendors.

ETHICS IN CITY CONTRACTING

Ethics Statement: "The City of Dunn is governed by the highest ideals of honor and integrity in all public and professional relationships in order to merit the respect and inspire the confidence of the City and the public we serve."

I. Ethical Conduct

The City of Dunn believes strongly in the precept of fair and open competition and in maintaining the integrity of its procurement and contracting process. To this end, the City has a strict policy of "NO GRATUITIES" in any form. Employees of the City are prohibited from accepting any gratuity, no matter how small the value. Violation of this policy may lead to vendor's bid or proposal response being disqualified, cancellation of any contract with the City, being prevented from participation in City solicitations, and possible legal action. In addition, no person or firm preparing specifications for a City solicitation shall receive any direct or indirect benefit from the use of such specifications.

II. Conflict Of Interest

The City of Dunn policies prohibit business transactions with City Officials and employees, either directly or indirectly. N.C. General Statute 14-234 makes it a misdemeanor for a public official to benefit from contracts with the unit he or she works for or represents. All state and local governmental officers and employees are prohibited from entering into any contracts involving the units they serve when any such officer or employee or a firm in which he has a financial interest has a private interest in the contract, except when that private interest:

 A. Involves a bank or banking institution, a savings and loan association, or a regulated utility; or

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B. Provides supplies, services, or facilities to needy persons under state and federal aid programs.

III. Equal Opportunity

The policies of the City of Dunn prohibit discrimination against any person or business in pursuit of business opportunities on the basis of age, sex, race, creed, national origin, disability or on the basis of sexual orientation or gender expression/identity.

IV. Fair and Open Competition

All City Departments shall promote the principle of a fair and open competitive solicitation process, wherever practicable. Restrictive or proprietary specifications are kept to a minimal use; and only applied where absolutely necessary to meet technical demands for operational compatibility with existing City equipment; or for truly unique and cost-effective performance applications.

The City may contract with persons other than City personnel for the preparation of specifications. However, no person preparing specifications shall receive any direct or indirect benefit from the utilization of such specifications.

V. Benefit from Confidential Information

It is unethical and unlawful for any employee or former employee knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

VI. Local Buying

It is the desire of the City to purchase from vendors located within Harnett County whenever possible. This can be accomplished by ensuring that local vendors who have goods and services available that are needed by the City are included in the competitive purchasing process. The City, however, has a responsibility to its residents to ensure maximum value is obtained for each public dollar spent. The City cannot make purchasing decision solely on the basis of vendor residence. Rather, the City will endeavor to encourage local vendors and suppliers to compete for all City business.

VII. Historically Underutilized Businesses (HUB)

The City of Dunn encourages HUB participation in all procurement activities. Construction contract awards shall be in compliance with North Carolina General Statutes 143-128.

The City's current goal for minority and women-owned business enterprise (MWBE) participation, and HUB participation, for public building construction is ten percent (10%) for each. The overall goal will be reviewed annually, or as soon as relevant data is available. The City, as awarding authority for construction projects, and the

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contractors and subcontractors performing the construction contracts awarded, shall cooperate and in good faith do all things, legal, proper, and reasonable to achieve the goal of ten percent (10%) for participation by HUB in each construction project.

See Appendix B for the City's adopted <u>"Outreach Plan and Guidelines for Recruitment and Selection of HUB and MWBE Businesses for Participation in City of Dunn Building Construction Contracts"</u>.

WORKING RELATIONSHIPS-PURCHASING OFFICE

- 1. The basic responsibilities of the City's Purchasing Office Agent are to:
 - a. Purchase goods and materials in accordance with established law and local policy; and
 - b. Operate a centralized and consolidated purchase function for the City.
- 2. The Purchasing Office has the responsibility to advise of the suitability, quality, or quantity of equipment, material, or supplies requested, and can refer such requests to the Finance Director and City Manager for approval.
- 3. The Purchasing Office is charged with record keeping of vendor quotations, terms, delivery codes, contracts, assisting with all formal and informal bid proceedings, maintaining an accurate records for public review & auditing purposes, disposing of surplus property in accordance with resolutions of the City Council, and issuing purchase orders.
- 4. As a service agency for the City, the Purchasing Office seeks to establish and always maintain a close working relationship with each department. It is essential that cooperation and understanding exist between the user department and the purchasing office. The following guidelines will promote a good working relationship:
 - a. The User Departments should:
 - Maintain a close check on supplies and stock.
 - ii. Forecast any future purchasing requirements.
 - iii. Request well in advance of needs whenever possible.
 - iv. Eliminate all unnecessary emergencies or rush purchasing.
 - v. Alert purchasing regarding late deliveries.
 - vi. Examine items received for quality, quantity, and the like.
 - vii. Report promptly to the purchasing office any deviations in orders received.
 - viii. Submit by written memorandum complaints against vendors.
 - ix. Indicate to purchasing the exact needs of the user department when equipment or special orders requiring written specifications are involved.
 - x. Forward a copy of quotes obtained to the Purchasing Office for the purpose of maintaining a record.
 - b. The Purchasing Office should:
 - i. Check with user departments on needs when placing consolidated orders.

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- ii. Inform departments of vendor contracts that might be utilized.
- iii. Expedite emergency purchases as rapidly as possible in order that normal operations of a department are not disrupted.
- iv. Contact vendors on late deliveries and report findings to ordering departments.
- v. Mediate between the user department and the supplier on partial deliveries, cancellation, return of merchandise, and complaints.
- vi. Consult with the originating department when technical equipment, special order specifications, plans or designs are involved.
- vii. Coordinate with the ordering Department Head and/or his delegate of formal or informal pre-bid conferences and bid openings.
- viii. Review with Department Head the bids and prices received; consider their preference before making recommendations for award or purchase.

From the initial request to delivery of the order, the Purchasing Office should coordinate all action toward accomplishing the desired goal for efficient procurement of items/services requested by City departments. Only through a harmonious working association can the Purchasing Office effectively function as a support service for the departments.

VENDOR RELATIONS

The purchasing/vendor relationship is one of mutuality. The promotion of good relations with vendors is an important function of the purchasing agent. Therefore, it is essential that the purchasing agent and city department contacts communicate about all transactions between the City and its vendors. The following rules related to vendors shall apply:

- 1. The purchasing office will forward to the department contacts useful information obtained from vendor interviews, direct mailings, and advertising.
- 2. The Finance Department shall maintain an up-to-date bid list of all vendors requested to do business with the City. This list shall be made available to all departments.
- 3. Commitment of City funds without an approved purchase order or pre-audited contract is prohibited, and such commitment will not be honored for payment as provided by G.S. 159-28.
- The City will not knowingly negotiate with any contractor or vendor which has been deemed by the Equal Employment Opportunity Commission to be in noncompliance with equal employment opportunity laws.
- 5. Bid notices are posted on the City of Dunn's website at the following address: http://www.cityofdunn.org/finance/bid-notices.asp

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PURCHASES NOT COVERED BY STATUTE (\$0 to \$29,999.99)

Although purchases under \$30,000 are not covered by statute, it is the policy of the City to go through a competitive process. Expenditures over \$1,200.00 and up to the legal bid requirement \$500,000 for construction projects and \$90,000 for equipment, apparatus and materials should be handled the same as for Informal Bids.

There are two (2) ways to obtain informal bids:

- Competitive Sealed Bid Process (the Preferred Method)
 Informal bid requirements can be met by sealed bids, opened at a set time, date, and place.
- Quotations
 Informal purchases are accomplished by written quotations received in person or by mail, fax, or e-mail.

PURCHASING PROCEDURES

For the purchase of tangible goods or equipment, the following thresholds shall apply:

- A. <u>Less than \$1,200</u>: Purchases of less than \$1,200 may be made directly by the Department. No competitive bidding or purchase requisition is required. An original invoice must be submitted to Finance when requesting payment.
- B. <u>\$1,200 to \$3,000</u>: Purchases of \$1,200 to \$3,000 require a purchase requisition. Although competition is not required, Departments are advised to obtain more than one quote. Certain types of supplies, materials, equipment, and services that cost \$1,200 or more may be procured without competitive bidding or purchase order. See Appendix A for a list of these items.
- C. **\$3,000 to \$30,000:** Purchases between \$3,000 and \$30,000 require obtaining price quotes and processing a purchase requisition. Three price quotes from three different vendors are to be submitted with the purchase requisition.

Purchase Requisition for Purchase Order

- 1. Each City department is responsible for requesting, receiving, inspecting, and accepting supplies and equipment for that department in accordance with the following:
 - a. The Department is responsible for submitting a purchase requisition through the accounting software to request a purchase order. The ordering department should anticipate needs in sufficient time for normal processing by the purchasing office. As much of the following information should be included:
 - i. Buyer
 - ii. Vendor
 - iii. Shipping destination
 - iv. Unit price
 - v. Contract number, if applicable.

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- vi. Description
- vii. Quantity
- viii. Unit of measure
- ix. Fund
- x. Account number.
- xi. Project, if applicable.
- b. Any tangible goods purchased is to be coded to the appropriate general ledger expense account line item.
- c. The purchase order shall be completed by the Finance Department (per requisition information provided by the issuing department).
 - (NOTE: Departments are NOT to submit requisitions to Finance until funds are available in designated expense categories for purchase to be made. Please contact Finance to confirm funding is available for all commodities, goods, or services. All requisition submitted without funds in place will be returned to the department. NO EXCEPTIONS)
- d. The purchasing agent will review the purchase requisition, obtain pricing, if applicable, confirm that the appropriate accounts were entered, and approve the requisition. The requisition is then reviewed and approved by the City Manager and Finance Director. Once the requisition receives all approvals, the purchasing agent creates and distributes the related purchase order to the ordering department.
- e. The purchasing agent has the authority to revise purchase requisitions or purchase orders and estimates of quantity, quality, cost, or the description field, as long as the established standards and specifications are maintained. If it is necessary to revise a purchase requisition or purchase order, the ordering department will be informed immediately.
- f. Authorization in the department budget for a particular item does not authorize a specific purchase. The purchasing agent must review each request independently when it is submitted by the ordering department and can request further review by the Finance Officer or City Manager.
- g. Issuance of purchase order; processing; records; after submission of a purchase requisition by the user department and review by purchasing agent, a purchase order is issued. The purchase order is a legal instrument that is sent to the vendor for the actual purchase of items and as such is a contract to buy on behalf of the City and to sell at a specified price on behalf of the vendor. State pre-audit law requires dual signatures on all purchase orders issued, a designated purchasing office representative and a finance office representative. When both representatives have approved the purchase order, they are distributed to the ordering department who then forwards it to the vendor.
- 2. Blanket Purchase Order (also known as a Standing or Open Order) may be issued to selected vendors for purchase of large volume items such as landscaping supplies, rock, sand, asphalt

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and computers, etc. A Blanket Purchase Order is a term contract or basic agreement with a supplier. It is issued to a specific supplier for recurring low dollar purchases of consumable supplies for a specific period of time.

- a. A Blanket Purchase Order should be used when the ordering department will:
 - i. Purchase repetitive, specified items or categories of items from the same vendor, which are purchased and paid in a predictable manner during a certain time period, usually one (1) year.
 - Order standard materials or maintenance supplies which require numerous shipments.
- b. Blanket Purchase Orders should **not** be used when:
 - i. The City already has an open line of credit with a vendor;
 - ii. The City hires a vendor for contractual services; or,
 - iii. Prices are unknown at ordering time, or subject to change later without notice.
- c. A Blanket Purchase Order shall include the following information:
 - The period to be covered by the blanket agreement should not exceed one year and should not extend beyond the fiscal year.
 - ii. Items and/or categories of items to be covered by the Blanket Order
 - iii. Maximum quantities if any
 - iv. Prices
 - v. Terms and billing arrangements
- 3. A request to increase the dollar amount of a Blanket Purchase Order should be submitted to Purchasing with the description and amount of increase. As with the initial requisition to establish a Blanket Purchase Order, make sure this request is approved by the Department Head.

QUOTATIONS

Quotes should be on the vendor's letterhead or an official quotation form, and include the salesperson's signature, date, and expiration of the bid date. Emails received from vendors with quoted prices and detailed descriptions in the body of the email are acceptable, but not preferred.

Departments are responsible for forwarding all quotes to the purchasing agent and/or attaching them to the electronic purchase requisition.

All requisitions and quotations for computer hardware, software, electronic and photo equipment shall have prior approval from the Information Technology Department before submitting for purchase.

Waiver from Policy: If a department, after exercising due diligence, cannot obtain the required number of quotes for a purchase, the City Manager may provide a written waiver of the requirement.

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RECEIPT AND INSPECTION OF SUPPLIES, MATERIALS, AND EQUIPMENT

The City does not have a central receiving and inspection point. Departments are responsible for receipt and inspection of all shipments. Departments should retain a file for each completed purchase order for future reference and/or re-ordering.

- a. When a department receives partial delivery of an order and finds that the balance of the order is not needed, the department should notify the purchasing agent in writing and request cancellation of the remaining balance, provided the complete order has not yet been shipped and the vendor is agreeable. If a department wishes to cancel a purchase order in its entirety, the Department Head should immediately notify the purchasing office in writing and explain the reasons for the cancellation. The Department Head will then notify the vendor directly.
- b. It is important that the ordering department keeps a close check on expected delivery dates of purchase orders and notify the purchasing agent of any outstanding orders so that necessary action may be taken. If follow-up action is required, the purchasing agent will mail a letter to the vendor requesting that delivery be made or asking for an explanation of the delay. The purchasing agent will then place the purchase order and a copy of the form letter in a suspense file. If the order is received on or before the new delivery date, no further action is required. If the items have not been received, the purchasing agent will again contact the vendor as to the delay and/or cancel the purchase order if immediate delivery cannot be guaranteed.
- c. There may be occasions when a department wishes to return merchandise to the vendor. In such a case, the Department Head should notify the purchasing agent. If the order is not to be replaced by the vendor, the department should request purchasing to cancel the purchase order.
- d. The Tyler Accounts Payable Module is to be used to request payment for goods and services whether or not a purchase order is issued. All payment requests must include a copy of invoice and receiving report. All payment requests without appropriate documentation will be returned to the department.

VENDOR INVOICES

To comply with the City's internal controls, all invoices from vendors are to be submitted on the vendors' own invoice form or letterhead and include the following information:

- Itemized list of supplies or services.
- b. To whom supplies or services were delivered).
- c. Purchase Order Number, if applicable.
- d. Sales Tax.
- Total amount of payment due.

COMPETITIVE BIDDING

It is the policy of the City to make all purchases of supplies, materials, equipment, and contractual services on the basis of competitive bids whenever possible. Below is a summary of informal and formal bids. For more details, see Appendix C, Formal and Informal Bids.

Informal Bids

The informal bidding requirements cover contracts for construction or repair work and contracts for the purchase or lease-purchase of apparatus, supplies, materials, or equipment involving the expenditure of \$30,000 or more, but less than the limits prescribed by the State of North Carolina for formal bidding requirements (\$500,000 for construction; \$90,000 for purchase according to G.S. 143-131(a)).

Bids may be obtained electronically or written, and no minimum number of bids are required. All specifications will be written to allow free and open competition except when dictated by specific make, model, or design.

All proprietary/single source requirements must be accompanied with detailed written justification to Purchasing for consideration and approval prior to bidding.

FORMAL BIDS

The formal bidding requirements cover:

- 1. Construction or repair contracts estimated to cost more than \$500,000; and,
- 2. Purchase of apparatus, supplies, materials, or equipment estimated to cost more than \$90,000.

The threshold applies to the estimated cost of the total contract, not each item. The bidding requirements also cover lease-purchase contracts.

Bidding opportunities must be advertised in a newspaper having "general circulation" in the jurisdiction that is seeking bids. The advertisement must appear at least one time and at least seven full days before the date of the opening of bids.

Bids shall be sealed and opened to the public on the advertised date. Three bids are required for construction or repair contracts. No minimum is required for the purchase contracts.

All specifications will be written to allow free and open competition except when dictated by specific make, model, or design.

All proprietary/single source requirements must be accompanied with detailed written justification to Purchasing for consideration and approval prior to bidding.

OTHER PROCUREMENT METHODS

In addition to Informal and Formal Bid Process, the following procurement methods - some of which are exceptions to the statutory bidding requirements (see page 39) - are available:

A. <u>STATE CONTRACTS</u>: (G.S. 143-129(e)(9)) State Contracts are established by the State Division of Purchase and Contract to obtain more favorable prices through volume purchasing, reduce lead time and administrative effort. City departments may utilize the State of North Carolina Department of Administration Purchase and Contract Division whenever possible for procurement of capital and non-capital items. This system expedites the purchase of goods since the state has already received quotes from formal and informal bids, the City doesn't have to do this step and it satisfies North Carolina General Statutes.

Examples of goods on state contract are: law enforcement vehicles, office furniture, copiers, janitorial supplies, and office supplies. To view vendors under the state contract, go to: https://www.doa.nc.gov/divisions/purchase-contract/statewide-term-contracts

B. <u>SOLE SOURCE PURCHASES</u>: (G.S. 143-129(e)(6)) Sole Source is available "when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration".

A sole source purchase is a procurement of materials or services that are available form only one source including:

Items that are available from one source due to patents, copyrights, secret processes, etc... The following are examples:

- Films, manuscripts, or books published and available from only one source.
- Electricity, gas, water, and other utility services
- Captive replacement parts or components for equipment
- Books, paper, and other library materials for a public library that are available only from the
 person holding exclusive distribution right to the materials.
- Maintenance services required to maintain warranty coverage.

A sole brand purchase is the procurement of materials or services of a particular specified brand that may be available from multiple sources. A sole brand is the result of a competitive solicitation of equipment or competing brands to determine the best brand. Usually, a brand is selected to standardize purchases over a period of time when an investment must be made such as specialized training.

All sole source purchases require Finance Officer approval and approval by the City Council.

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- C. <u>PIGGYBACKING</u>: (G.S. 143-129(g)) allows municipalities, counties, or other subdivisions to piggyback for supplies, materials, or equipment from another entity that has within the previous 12 months, completed a formal bid process, to purchase similar supplies, materials, or equipment if agreed upon by the vendor. Requires Board approval and advertisement of intent to award.
- D. <u>COMPUTER HARDWARE & SOFTWARE</u>: (G.S. 143-129(e)(7)) All requisitions for computer hardware, software, peripheral, cameras, phones, and electronic equipment shall have prior approval from the Information Technology Department prior to submission of requisition to purchasing.
- E. <u>EMERGENCY PROCUREMENTS</u>: (G.S. 143-129(e)(2)) allows for an exception to the Formal Bid procedure "in cases of special emergency involving the health and safety of the people or their property". Emergency purchases must be documented to the Purchasing Agent in addition to obtaining a Purchase Order.
 - 1. Emergency purchasing permission is granted only in extreme cases. During normal working hours, if, in the judgment of the Department Head, an emergency arises which necessitates immediate purchase of materials or services to continue with department operations, he notifies the purchasing agent of the emergency purchase. The purchasing agent will notify the City Manager, who will contact the Mayor and City Council to declare an emergency. Upon approval, the purchasing agent will approve emergency items for purchase. Requisitions shall be completed for any emergency purchase the following working day with an explanation attached.
 - After working hours, the Department Head will decide if an emergency exists and, in such case, will authorize the necessary emergency purchase. Requisitions shall be completed for any emergency purchase the following working day with an explanation attached.
 - 3. In all cases, if the Department Head is not available, the decision regarding emergencies will be made by the City Manager. These procedures apply to all City departments.
 - 4. Emergency procedures are not intended for purchases required because of failure to anticipate normal needs. Work should be planned in advance and material requirements determined so that items can be requisitioned as a regular purchase.

F. FEDERAL GOVERNMENT SURPLUS STORE

When items are obtained from the federal surplus store, the amount paid for them represents simply the cost of transferring them to the City. Such items are, therefore, not purchased, but transferred, and the purchasing agent assumes full responsibility for all surplus items. As such, these items must remain on City property or premises at all times. If government officials wish to inspect any of these items, the purchasing agent will be contacted and must be familiar with the items and their location. Therefore, the purchasing agent will check periodically with departments that utilize such items and equipment.

CONTRACTS

The original contract is to be signed by the vendor and returned to the City for approval signatures. All contracts are to be processed through the computerized purchase requisition process.

The City has two standard templates for contracts – one for non-federal funds (Appendix D) and one for federal funds (Appendix E). The use of these standard contract templates does not require City Attorney review, provided no changes are made to them. All other contracts require review by the City Attorney.

Services that are mechanical, technical, or maintenance oriented for which City Departments do not have staff are normally handled through various contracts. Some specific examples of service contracts are: air conditioning maintenance, termite treatment and control, window washing, machine shop services, rental of hauling equipment, copier machine maintenance, etc.

Supply contracts provide a list of goods and supply items, their source of supply, prices to be charged, terms and conditions, and other pertinent information.

All contracts must be pre-audited prior to execution by the finance officer or Senior Accountant as required by G.S. 159-28. Contracts without this certification are invalid. This Certification is as follows:

"This <u>Instrument</u> has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Director "

All contracts are to be entered by the requesting department, into the Tyler accounting system as a requisition. Funds in the amount of the total contract for the fiscal year shall be encumbered on the general ledger. Requisitions charged to general ledger accounts with insufficient budget appropriation balance will be returned to the department.

An original copy of the fully executed contract will be returned to vendor and forwarded to the City Clerk. A copy of the contract will be retained in the Purchasing Office and a copy returned to the department. The Department is responsible for the supervision of services rendered under service contracts.

CONTRACT AUTHORITY

City Council

The City Council must approve all purchases and contracts that meet any of the following criteria:

- a) Contracts or purchases subject to statutory bid thresholds.
- b) Contracts with terms greater than one year.
- c) Contracts suggesting a significant policy change as determined by the City Manager.

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City Manager

The City Manager shall:

- b. Execute contracts within specific budget appropriations.
- c. Execute contracts up to \$10,000 with no specific budget appropriation.
- d. Execute contracts for temporary hires outside of normal business routine.
- e. Execute change orders to contracts up to 5% of the original amount, or if the amount is allowed in sections a through c above.
- f. In an emergency, may enter into contractual agreements for any amount provided the contract is presented to the City Council, at the earliest possible date, for review. An emergency is defined as a sudden or unexpected occurrence which jeopardizes the safety of the City's citizens.

City Clerk

The City Clerk shall attest the signature of the City Manager or authorized City representative.

CONTRACT ADMINISTRATION

In contracting for goods and services, the City commits to making payments from appropriated funds. These committed funds are said to be encumbered. The purpose of recording encumbrances in the accounting system is to find out whether a particular contract or purchase will cause an appropriation to be overspent. The encumbered portion of an appropriation is unavailable for a proposed expenditure as if it had already been expended. Once a contract is completed or a purchase order filled, the encumbrance is removed and replaced by an expenditure or liability.

Types of Contracts

Basically, there are three types of contracts into which the City may enter:

- <u>Current Contracts</u> in which the goods and services are provided during the current fiscal year.
- 2. <u>Continuing Contracts</u> in which a part or the entire contract is performed in ensuing fiscal years.
- 3. Requirements Contracts result when a unit enters into a contract under which a vendor agrees to supply a particular commodity at a fixed price. An example of a requirements contract is an agreement to provide a day care service for a child. In a requirements contract the unit is not obligated to buy anything, and therefore, such a contract need not be pre-audited.

Contracts, unlike purchase orders, vary greatly in content and complexity. Most contracts are negotiated at the department level by people with the technical expertise necessary to deal with the specific issue under consideration. The Finance Department, therefore, will not be required to negotiate all contracts. This function will somewhat continue at the departmental level where the expertise lies.

All contracts and agreements negotiated must be sent to the Finance Department for processing, both for internal control and statutory purposes. This is very important because under the provisions of General Statute 159-28(a), any contract, agreement, or purchase order that does not

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include on its face a pre-audit certificate signed by the City's Finance Director (Officer) or by a Deputy Finance Officer approved for this purpose by the Governing Board is invalid and may not be enforced.

PROHIBITED PURCHASING PRACTICES

Commitment of City funds without an approved purchase order or pre-audited contract is prohibited, and such commitment will not be honored for payment as provided by G.S. 159-28.

Any individual who engages in a prohibited purchasing practice is hereby notified that he or she is risking their personal funds only, and not the funds of the City. This policy applies to all funds on deposit with City, regardless of the source. Lack of knowledge of proper procedures, or a perceived lack of time to follow them, when circumstances do not indicate that a true emergency existed, will result in the return of all payment requests, expense reimbursements or requisitions for handling by the individual making the charge, or the individual approving it after the fact within the department.

<u>Order Splitting Prohibitions</u>: Dividing contracts or purchases in order to evade procedures is prohibited under this Handbook and G.S. 143-133.

BEST VALUE PROCUREMENT

Personnel authorized to make procurements on behalf of the City shall determine in his/her best judgment the most appropriate and effective method of acquisition for each assigned requisition or request for purchase. In making this determination, authorized personnel will have a variety of procurement options, including, but not limited to: North Carolina State Contract, NIGP (National Institute of Governmental Purchasing) Purchasing Cooperatives (i.e. U.S. Communities; Western States Contracting Alliance [WSCA]; National Intergovernmental Purchasing Alliance [NIPA]), Group Purchasing Contracts, Open Market Procurements (OMP), Catalogue Purchases, and other "Piggyback" contracts per North Carolina local cities and City governmental agencies. The Department's objective is to acquire the product or services meeting the needs of the end user while ensuring that the procurement achieves:

- (1) Compliance with the specification and departmental needs; and,
- (2) "Best Value"

In determining "Best Value" consider:

- Purchase price
- Delivery
- · Reputation of the vendor and the vendor's goods or service
- Quality of the vendors goods or services
- Extent to which the goods or services meet City needs; that meet or exceed product standards established by any ruling regulatory agencies/commissions.
- Vendors past relationship with City

- Impact on the ability of City of Dunn to comply with the laws and rules relating to the HUB (Historically Underutilized Business program) for construction contracting.
- Impact on the ability of City to comply with the laws and rules relating to the procurement of commodities, goods, and services from persons with disabilities.
- Long term cost of City acquiring the vendor's goods or services.

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APPENDIX A

EXCEPTIONS TO PURCHASES OVER \$1,200

The items below may cost more than \$1,200 and do not require competitive bidding or purchase order. They are to be procured and managed by the department.

- 1) Association dues membership in professional associations for City Departments or employees.
- 2) Training and conference registrations, travel accommodations and reimbursements, conferences, etc.
- 3) Concession supplies supplies and materials required for operation of concessions, typically at recreational centers.
- 4) Government publications purchase of government publications offered by federal, state, county, or municipal departments.
- 5) Recurring utility, cellular/radio/pager service, data, and telecom payments.
- 6) Landfill fees.
- 7) Legal payments settlement of claims (authorized by the City Attorney but paid by and routed through Department affected); lawyers' and legal fees; warrant, lien, and continuance fees; real estate purchases and condemnations.
- 8) Debt service payments.
- 9) Fiscal Agents' fees when acting on behalf of the Department of Finance for the payment of interest and the redemption of negotiable bonds and similar functions, notary fees, filing fees, etc.
- 10) Bond services professional and technical services required in connection with the issuance of the City of Dunn bonds.
- 11) Expenditures remitted against balance sheet accounts.
- 12) Interlocal Agreements with other government agencies.
- 13) Commissions or fees to banks and sub-stations acting as collecting or selling Departments for utility payments, license sales, payments to City Boards or Commissions for services rendered.
- 14) Professional services except where required by Statute. (Engineers and Architects will need a purchase order).
- 15) Insurance premiums.

- 16) Medical examinations.
- 17) Postage, permits, licenses, and recording fees.
- 18) Clothing allowance for personnel such as police officials required to use civilian clothing.
- 19) Rental payments for property, safety deposit boxes and other similar facilities.
- 20) City sponsored conferences, room deposits, hotel-motel, and banquet expenses.
- 21) Professional books when required in the performance of assigned duties.
- 22) Refunds including taxes, bid deposits, cancelled courses and payroll related.
- 23) Services for labor through temporary service agencies.
- 24) Property tax notices for city owned property.
- 25) Renewal Maintenance Agreements for office equipment.
- 26) Funds budgeted for contributions to other governmental entities and community programs.
- 27) Funds for drug investigation expenses (undercover drug purchases).

Note: The above listing includes the most common exceptions. There may be other items that are not listed that would qualify as an exception to the \$1,200 limit. Please contact the Purchasing Department for further information and approval.

APPENDIX B

OUTREACH PLAN AND GUIDELINES FOR RECRUITMENT AND SELECTION OF HUB AND MWBE BUSINESSES FOR PARTICIPATION IN CITY BUILDING CONSTRUCTION CONTRACTS

In accordance with G.S. 143-128.2 these guidelines establish goals for minority participation in single-prime bidding, separate-prime bidding, Construction Manager-at-Risk, and alternative contracting methods on City of Dunn building construction projects in the amount of \$500,000 or more (\$100,000 or more if the City receives State funds for the project).

City of Dunn's current goal for minority and women-owned participation for public building construction is ten percent (10%) each. The overall goal will be reviewed annually, or as soon as relevant data is available.

INTENT

The intent of these guidelines is that the City of Dunn, as awarding authority for construction projects, and the contractors and subcontractors performing the construction contracts awarded, shall cooperate and in good faith do all things, legal, proper and reasonable to achieve the goal of ten percent (10%) for participation by minority businesses in each construction project. Nothing in these guidelines shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible, responsive bid or bids.

DEFINITIONS

- 1. <u>Minority</u> a person who is a citizen or lawful permanent resident of the United States and who is:
 - a. Black, that is, a person having origins in any of the black racial groups in Africa;
 - b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central American, or the Caribbean Islands, regardless of race;
 - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, or the Pacific Islands:
 - American Indian, that is, a person having origins in any of the original peoples of North America; or
 - e. Female

2. <u>Minority Business</u> – means a business:

a. In which at least fifty-one percent (51%) of the ownership interest is held by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons, disabled individuals, or socially and economically disadvantaged individuals; and

- b. Of which the management and daily business operations are controlled by one or more of the minority persons, disabled individuals, or socially and economically disadvantaged individuals who own it.
- 3. <u>Socially and economically disadvantaged individual</u> means the same as defined in 15 U.S.C. 637. "Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities". "Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged".
- 4. Public Entity means State (and all political subdivisions thereof) and local government units.
- 5. Owner City of Dunn.
- 6. <u>Designer</u> Any person, firm, partnership, or corporation, which has contracted with City of Dunn to perform architectural or engineering work.
- 7. <u>Bidder</u> Any person, firm, partnership, corporation, association, or joint venture seeking to be awarded a public contract or subcontract.
- 8. <u>Contract</u> A mutually binding legal relationship, or any modification thereof, obligating the seller to furnish equipment, materials or services, including construction, and obligating the buyer to pay for them.
- 9. <u>Contractor</u> Any person, firm, partnership, corporation, association, or joint venture which has contracted with the City of Dunn to perform construction work or repair.
- 10. <u>Subcontractor</u> A firm under contract with the prime contractor or Construction Manager-at-Risk to supply materials, or labor and materials, and/or installation in connection with a city building construction or repair contract. The subcontractor may or may not provide materials in the subcontract.

The City of Dunn will employ the following strategies to encourage participation from HUB and MWBE's:

- Work with minority-focused business groups in an attempt to recruit minority business participation in contracts/bids.
- Emphasize the importance of soliciting certified HUB firms and small businesses for subcontracting opportunities at pre-bid conferences and in the bid documents. Examine specifications to identify special subcontracting opportunities and strongly encourage prime contractors to solicit bids for subcontracts from HUB firms.

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- 3. Provide information to majority contractors concerning the Guidelines for Recruitment and Selection of Minority Business and Outreach Plan and provide information on the procedure for letting of public contracts under G.S. 143-129 by holding meetings with the contractors.
- 4. Assess the effectiveness of the Outreach Plan by evaluating HUB participation and compliance and reviewing the "good faith efforts" provided in bid packages.
- 5. Identify subcontracting opportunities unique to each construction contract and project and concentrate heavily on targeting certified HUB firms and small businesses that have expressed an interest in City of Dunn projects. Identify these opportunities, contact interested businesses no later than 10 days prior to the bid opening and provide a list of prime contractors planning to participate in the project.
- 6. Build new business relationships through networking with other North Carolina cities and counties and sharing ideas to improve the Outreach Plan.
- Offer training sessions to share the City's Outreach Plan with interested business organizations.
- 8. Post the Outreach Plan and Guidelines on the City's website, listing good faith efforts, creating links to HUB resources, and creating awareness of specific subcontracting opportunities.
- 9. Maintain a database specifically for HUB firms to ensure that those businesses are notified of bid opportunities.
- 10. Advertise upcoming bid opportunities in minority-focused media.
- 11. Work with architects and engineers to make subcontracting opportunities more noticeable and more easily understood by potential contractors and subcontractors.

<u>Designer</u>

Under the single-prime bidding, separate prime bidding, dual bidding, Construction Manager-at-Risk, or alternative contracting method, the Designer must do all the following:

- a. Attend the scheduled prebid conference to explain minority business requirements to the prospective bidders.
- Assist the bidders and potential bidders to identify and notify prospective minority business prime and subcontractors of potential contracting opportunities.
- c. Maintain documentation of any contacts, correspondence, or conversations with minority business firms made in an attempt to meet the goals.

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- d. Review jointly with the owner all requirements of G.S. 143-128.2(c) and G.S. 143-128.2(f) (i.e. bidders' proposal for identification of the minority businesses that will be utilized with corresponding dollar value of the bid and affidavit listing Good Faith Efforts or affidavit of self-performance of work, if the contractor will perform work under contract by its own workforce) prior to recommendation of an award.
- e. During the construction phase of the project, review "HUB Documentation for Contract Payment" form with monthly pay applications to the owner and forward copies to the City of Dunn.

Prime Contractors(s), CM at Risk and Its First-Tier Subcontractors

Under the single-prime bidding, the separate-prime bidding, dual bidding, Construction Manager-at-Risk and alternative contracting methods, contractor(s) must do all of the following:

- a. Attend the scheduled pre-bid conference.
- b. Identify or determine those subcontractor work areas where minority businesses may have an interest in performing subcontract work.
- c. At least ten (10) days prior to the scheduled day of bid opening, notify minority businesses of potential subcontracting opportunities listed in the proposal. The notification must include all of the following:
 - i. A description of the work for which the sub bid is being solicited.
 - ii. The date, time, and location where sub bids are to be submitted.
 - iii. The name of the individual within the company who will be available to answer questions about the project.
 - iv. Where bid documents may be reviewed.
 - v. Any special requirements that may exist, such as insurance, licenses, bonds, and financial arrangements.
- d. During the bidding process, comply with the contractor's requirements listed in the proposal for minority participation.
- e. Identify on the bid the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit listing good faith efforts as required by G.S. 143-128.2(c) and G.S. 143-128.2(f) or Intent to Perform Contract With Own Workforce affidavit.
- f. Make documentation showing evidence of implementation of Prime Contractor, Construction Manager-at-Risk and First Tier Subcontractor responsibilities available for review by City of Dunn upon request.
- g. Provide one of the following upon being named the apparent low bidder: (1) an affidavit that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal. This affidavit shall give rise to a

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presumption that the bidder has made the required good faith effort; or (2) if the percentage is not equal to the applicable goal, then documentation of all good faith efforts taken to meet the goal. The documentation must include evidence of all good faith efforts that were implemented, including any advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract. Failure to comply with these requirements is grounds for rejection of the bid and award to the next lowest responsible and responsive bidder.

- h. Identify the name(s) of minority business subcontractor(s) and corresponding dollar amount of work on the schedule of values.
- i. Submit with each monthly pay request(s) and final payment(s), "HUB Documentation for Contract Payment" for Designer's review.
- j. If at any time during the construction of a project, it becomes necessary to replace a minority business subcontractor, immediately advise the owner in writing of the circumstances involved. The prime contractor shall make a good faith effort to replace a minority business subcontractor with another minority business subcontractor.
- k. Make a good faith effort to solicit sub bids from minority businesses during the construction of a project if additional subcontracting opportunities become available.

Minority Business Responsibilities

Certification

City of Dunn <u>does not</u> certify minority, disadvantaged or woman-owned businesses. Any business which desires to participate as an HUB will be required to complete, and submit for certification, documents required by the agencies listed below. Only those firms holding current certification through at least one of the following agencies will be considered eligible for inclusion in meeting the HUB participation percentage goals:

- North Carolina Administration Department Historically Underutilized Business (HUB) certification.
- North Carolina Department of Transportation Minority/Disadvantage/Womanowned Business certification.
- 3. Small Business Administration 8(a) certification.
- 4. Other governmental agencies on a case-by-case basis.

A copy of these guidelines will be issued with each bid package for City of Dunn building construction projects. These guidelines shall apply to all contractors regardless of ownership.

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Other Responsibilities

Minority businesses that are contacted by owners or bidders must respond promptly whether or not they wish to participate in the bidding.

MINIMUM HUB COMPLIANCE REQUIREMENTS

All written statements, affidavits or intentions made by the Bidder shall become a part of the agreement between the Contractor and City of Dunn for the performance of the contract. Failure to comply with any of these statements, affidavits, or intentions, or with the minority business guidelines shall constitute a breach of contract. A finding by the City that any information submitted either prior to award of the contract or during the performance of the contract, is inaccurate, false, or incomplete, shall constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. The City of Dunn shall determine, in the exercise of its sole discretion, whether to terminate the contract for breach.

In determining whether a contractor has made Good Faith Efforts, the City of Dunn will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, intensity, and results of these efforts. Bidders must earn at least 50 points from the good faith efforts listed below in order for their bids to be considered responsive:

- 1. Contacting those minority businesses reasonably expected to submit a quote and known or identified to the contractor, or available on State or local government-maintained lists, at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed. (Value = 10 points)
- 2. Making the construction plans, specifications, and requirements available for review by prospective minority businesses or providing these documents to them at least 10 days before the bid or proposals are due. (Value = 10 points)
- 3. Breaking down or combining elements of work in economically feasible units to facilitate minority participation. (Value = 15 points)
- Working with minority trade, community, or contractor organizations identified by the Office for Historically Underutilized Businesses and those included in the bid documents to provide assistance in recruitment of minority businesses. (Value = 10 points)
- 5. Attending any pre-bid meetings scheduled by the public owner. (Value = 10 points)
- 6. Providing assistance in obtaining required bonding, insurance, or providing alternatives to bonding or insurance for subcontractors. (Value = 20 points)
- 7. Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification shall have the reasons documented in writing. (Value = 15 points)

- 8. Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit. (Value = 25 points)
- 9. Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public building construction or repair project when possible. (Value = 20 points)
- 10. Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands. (Value = 20 points)

Failure to file a required affidavit or document demonstrating that the contractor made the required good faith effort is grounds for rejection of the bid.

DISPUTE RESOLUTION PROCEDURES

Pursuant to G.S. 143-128(f1), all disputes involving contractors on a building construction project with the City of Dunn shall be resolved pursuant to the State of North Carolina Policy G.S. 143-135.26(11).

APPENDIX C

FORMAL and INFORMAL BIDS

All formal bids will be sent out by the Finance Department as the authorized representative of the City. Bids will be opened and tabulated by the purchasing office. When architects or engineers are employed to perform this service on construction bids, the purchasing agent should be present at bid openings, when possible, receive copies of the public notice and bids and prepare a recommendation for the award of a bid. Certain requirements must be followed in the formal bid process:

- 1. Written specifications must be prepared. Efficient purchasing practices require buying in accordance with carefully developed specifications. For purchases of fairly standard items, development of elaborate specifications is not necessary, but simple, standard specifications are in order. Good, clear specifications are an essential aspect of competitive bidding. Quality and service are as important as price; therefore, specifications are needed that will fulfill but not exceed the requirements for which the items and/or services are intended. A general policy should be followed which would encourage the purchasing of a good, standard product which represents the best relationship between quality and price while providing a satisfactory level of service. Specifications are prepared by the purchasing office with input from the ordering department to ensure that the products purchased fill the need. A lengthy specification designed solely for the purpose of eliminating competition, other than those able to supply a particular brand name, will not be permitted. Brand names should be used only when no other product would be satisfactory. Sole Sources justification must be provided to limit to a specific brand (see Finance Department for "Sole Source Justification" form)
- 2. Bids must be advertised for prospective bidders. Advertisements must be published on the City's WEB site so there are seven full days between the date of the publication and the date of the opening of the bids. It will be purchasing responsibility to maintain a vendor list and notify all parties on the vendor list for applicable projects. The advertisement must contain the time and place where plans and specifications may be obtained and the time and place for opening of the proposals. On all construction contracts, the advertisement must also contain a notice that bidders must be properly licensed under G.S. Ch. 87.
- 3. Prospective bidders must submit sealed bids. Unless the invitation to bid states differently, bids must be sealed, and the contents must not be disclosed or exhibited prior to the time set for the bid opening. Bids must be properly marked "BID" with bid title, opening date on outside of envelope and any other applicable information.
- 4. Except under the conditions in subsections (4) (a) and (4) (b) of this section, the City Council must accept bids and award contracts. Bid results must be presented to the City Council for acceptance and contract award. The City Council reserves the right to reject any or all proposals.
 - a. The City Council is authorized to award formal bids for purchase contracts of \$90,000.00 or more within the following guidelines:
 - i. The bid is awarded to the lowest responsible bidder.

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- ii. Sufficient funding is available within the department.
- iii. The purchase is consistent with the goals and/or outcomes of the department.
- iv. Project is approved in the budget or adoption of project ordinance by City Council
- b. Bids may be rejected for any reason determined by the City Council or the City Manager, under their authority, for any reason determined to be in the best interest of the City. However, the bid shall not be rejected for the purpose of evading the provisions of G.S. 143-129.

Request for Proposal (RFP)

Requests for proposals (RFPs) are normally used when the service of a professional individual or firm is required by the City, including but not limited to accountants (CPAs), attorneys, IT specialists, trainers, and doctors.

When utilizing the request for proposal method, the following shall apply:

- RFP should be drawn up by the appropriate department with the assistance of the purchasing office in such a manner as the department deems appropriate to solicit responses from providers.
- 2. RFP should be distributed to potential contractors by the purchasing office.
- 3. The purchasing agent and department will evaluate responses to RFP and decide on a particular individual or firm that best meets the requirement of the RFP.
- 4. Contract and purchase order will be issued. If a contract is used, it must first be sent to the finance director for pre-audit and to the staff attorney to approve as to form.
- 5. RFP for information technology goods and services must meet the following minimum requirements:
 - a. Notice of the request for proposals shall be given in accordance with G.S. 143-129(a) Procedure for letting of Public Contracts.
 - b. Contracts shall be awarded to the person who or entity that submits the best overall proposal as determined by the awarding authority. Factors to be considered in awarding service contracts shall be identified in the requests for proposals. The "best value" process as stipulated in G.S. 143-135.9 for information technology procurement may be used to award the contract. The term "best value procurement" means the selection of the contractor based on a determination of which proposal offers the best trade-off between price and performance, where quality is considered an integral performance factor. (See "Best Value" determination)
 - c. City staff may negotiate with any proposer in order to obtain a final contract that best meets the needs of the City. Negotiations allowed under this section shall not alter the contract beyond the scope of the original request for proposals in a manner that:
 - Deprives the proposers or potential proposers of a fair opportunity to compete for the contract; and

ii. Would have resulted in the award of the contract to a different person or entity if the alterations had been included in the request for proposals. Proposals submitted under this section shall not be subject to public inspection until the contract is awarded pursuant to G.S. 143-129.8.

Formal Bid for Construction proposal monetary limits (Construction)

- 1. When required. Formal procedures must be followed when the purchase requires an estimated expenditure of \$90,000.00 or more for apparatus, supplies, materials, or equipment. For construction, repairs and renovation, formal bid procedures must be followed if the project requires an estimated expenditure of \$500,000.00 or more, except where the work is to be done by City personnel (force account) and the total cost of the project will not exceed \$125,000.00, including all direct and indirect costs, or if the labor does not exceed \$50,000.00. Bidding requirements will still apply to apparatus, supplies, materials, or equipment purchased for use on force account projects. Force account labor must be approved by the City Council, and a record of all costs must be maintained for public inspection.
- 2. Minority and Woman Owned Enterprise Firms; separate specifications and contracts. If the cost for the construction of a building is estimated at \$500,000.00 or more, the City has established a ten percent goal for participation by minority and woman owned enterprise firms in the total value of work for which a contract is awarded pursuant to G.S. 143-128. In addition, for projects totaling \$500,000.00 or more, separate specifications and contracts must be prepared for the following areas of work:
 - a. Heating, ventilating, air conditioning and accessories and/or refrigeration for cold storage (where the cooling load is 15 tons or more of refrigeration).
 - b. Plumbing and gas fittings and accessories.
 - c. Electrical wiring and installations.
 - d. General work not included in the three areas in subsections (2) (a-c) of this section.
- 3. Contracting methods. For building construction or building repair projects \$500,000.00 and above, bids may be received by using (i) single-prime, (ii) separate- prime, (iii) dual bidding, (iv) construction management-at-risk contract or (v) alternative contracting methods authorized pursuant to G.S. 143-135.26(9) in accordance with the following:
- 4. Single-prime. All bidders in a single-prime project shall be required to identify on their bid the contractors they have selected for the subdivisions or branches of work for: heating, ventilating, and air conditioning; plumbing; electrical; and general. The contract shall be awarded to the lowest responsible, responsive bidder, taking into consideration quality, performance, the time specified in the bids for performance of the contract, and compliance with G.S. 143-128.2. A contractor whose bid is accepted shall not substitute any person as subcontractor in the place of the subcontractors listed in the original bid, except:

- a. If the contractor later determines the listed subcontractor's bid to be non-responsible or nonresponsive, or the listed subcontractor refuses to enter into a contract for the complete performance of bid order; or
- b. With the approval of the City Council for good cause shown by the contractor. When a contract is awarded using the single-prime method, the City shall make the dispute resolution process available to subcontractors.
- 5. Separate-prime. Bids shall be accepted for each subdivision of work for which specifications are required to be prepared, and bids shall be awarded separately to responsible and reliable persons regularly engaged in their respective lines of work. Each separate contractor shall be directly liable to the City and to the other separate contractors for the full performance of all duties and obligations due under the terms of the contract. Contracts shall be awarded to the lowest, responsible, responsive bidders, taking into consideration quality, performance, the time specified in the bids for performance of the contract and compliance with G.S. 143-128.2.
- 6. Dual bidding. Bids may be received to erect, construct, alter or repair a building under both the single-prime and separate-prime contracting systems, and the contract shall be awarded to the lowest responsible, responsible, responsive bidder under the separate-prime system or to the lowest responsible, responsive bidder under the separate-prime system, taking into consideration quality, performance and compliance with G.S. 143-128.2 and time specified in the bids to perform the contract. In determining the system under which the contract will be awarded to the lowest responsible, responsive bidder, the cost of construction oversight, time for completion, and other factors the City considers appropriate may be considered. The bids received as separate-prime bids shall be received, but not opened, no less than one hour prior to the deadline for the submission of single-prime bids. The amount of a bid submitted by a subcontractor to the general contractor under the single-prime system shall not exceed the amount bid, if any, for the same work by that subcontractor under the separate-prime system.

7. Construction management contracts.

- a. Construction management services. The term "construction management by services" means services provided a construction manager, which may include preparation and coordination of bid packages, scheduling, cost control, value engineering, evaluation, preconstruction services, and construction administration.
- b. *Construction management-at-risk services*. The term "construction management-at-risk services" means services provided by a person who:
 - i. Provides construction management services for a project throughout the preconstruction and construction phases.
 - ii. Is licensed as a general contractor; and
 - iii. Guarantees the cost of the project.

- 8. Construction manager-at-risk. The construction manager-at-risk shall contract directly with the City for all construction, shall publicly advertise, and shall pre-qualify and accept bids from first-tier subcontractors for all construction work. The construction manager-at-risk shall address quality, performance, the time specified in the bids for performance of the contract, the cost of construction oversight, time for completion, capacity to perform, and other factors deemed appropriate by the City. The City shall require the construction manager at risk to submit its plan for compliance with G.S. 143-128.2 for approval by the City Council prior to soliciting bids for the project's first-tier subcontractors. A construction manager-at-risk and first-tier subcontractors shall make a good faith effort to recruit and select minority businesses for participation in contracts pursuant to G.S. 143-128.2. A construction manager-at-risk may perform a portion of the work only if:
 - Bidding produces no responsible, responsive bidder for that portion of the work, the lowest responsible bidder will not execute a contract for the bid portion of the work or the subcontractor defaults and a prequalified replacement cannot be obtained in a timely manner; and
 - b. The City approves of the construction manager-at-risk's performance of the work. All bids shall be opened publicly and once they are opened are public records. The construction manager-at-risk shall act as the fiduciary of the City in handling and opening bids. The construction manager-at-risk shall award the contract to the lowest responsible, responsive bidder, taking into consideration quality, performance, the time specified in the bids for the performance of the contract, the cost of construction oversight, time for completion, compliance with G.S. 143-128.2, and other factors deemed appropriate by the City and advertised as part of the bid solicitation. The City may require the selection of a different first-tier subcontractor for any portion of the work, provided the construction manager-at-risk is compensated for any additional cost incurred. When contracts are awarded using this method, the City shall provide for a dispute resolution procedure as provided in G.S. 143-128(g). The construction manager-at-risk shall provide a performance and payment bond to the City.
- 9. Alternative contracting method. Local governments can seek authority to modify bidding requirements for particular projects, specifically design-build projects for building construction.
- 10. Performance and payment bonds. When the total amount of construction contracts for any one project exceeds \$300,000.00, performance and payment bonds are required for each contract that exceeds \$50,000.00. No bid for construction or repair work valued at \$500,000.00 or above may be considered or accepted unless, at the time of the submittal, it is accompanied by a deposit in the form of cash or certified check, in an amount equal to not less than five percent of the proposal. In lieu of making a cash deposit, the bidder may file a bid bond executed by a corporate surety licensed under the laws of the state. The successful contractor shall be required to submit performance and payment bonds to secure the faithful performance of the terms of the contract and the payment of all sums due for labor and materials.

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- 11. Reporting requirements. City staff shall report to the secretary of the department of administration the cost and effectiveness of the method used under this section. Reports shall include the following information:
 - a) The method used.
 - b) The total value of each project.
 - c) The bid costs and relevant post-bid costs.
 - d) A detailed listing of all contractors and subcontractors used on the project, including identification of whether the contractor was an out of state contractor and the reasons why the contractor was selected.
- 12. Dispute resolution for building construction projects. The City shall provide dispute resolution procedures for all building construction or repair projects. The dispute resolution procedures are available to all parties involved in the construction project, including the architect, the construction manager, and the contractors, including all levels of subcontractors, and is available for any issue arising out of the contract or construction process as long as the matter in dispute is \$15,000.00 or more.
- 13. Minority participation for building construction projects (formal bids).
 - a) Contractors, including first-tier subcontractors on construction management-at-risk projects, must identify on their bids the minority businesses they will use on the project and the total dollar value of the bid that will be performed by minority businesses. They must also include an affidavit listing the good faith efforts they have made. If contractors intend to perform all of the work with their own forces, they may submit an affidavit.
 - b) After bids are received, the apparent lowest responsible bidder must provide either:
 - i. An affidavit describing the portion of the work to be executed by minority businesses, expressed as a percentage of the total contract amount showing a percentage equal to or more than the applicable goal on the project; or
 - ii. Documentation of good faith efforts to meet the goal, including any advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract.
 - c) Within 30 days after a contract is awarded, the successful contractor must list all identified subcontractors that will be used on the project. Failure to provide the affidavit or documentation required to demonstrate good faith efforts is grounds for rejection of a bid.
 - d) A subcontractor may not be replaced except:

- When the subcontractor's bid is determined to be nonresponsible or nonresponsive or the subcontractor refuses to enter into a contract for the complete performance of the work; or
- ii. With the approval of the City for good cause.
- iii. When selecting a substitute contractor, the contractor must make and document good faith efforts. See guidelines and minority outreach plan, on file in the City offices.

Formal bid exceptions

The following are statutory exceptions to the Informal and Formal bidding requirements and may be considered as "other" procurement methods as shown on page 18.

- 1. State of emergency. The City Council may set aside the normal requirements in an emergency involving the health and safety of people or their property. In such cases, the City Council may let contracts as necessary in its discretion.
- 2. If a contract for the purchase, lease or other acquisition of any apparatus, supplies, materials, or equipment is with the:
 - a. United States of America or any agency thereof; or
 - b. Any other governmental unit or agency thereof within the United States.
- 3. A project is exempt from formal bidding if it is a construction project that will not cost more than \$125,000.00, including all direct and indirect costs, or if the labor does not exceed \$50,000.00, and the work is to be done by the forces of the governmental unit involved. Bid requirements will still apply to apparatus, supplies, materials, or equipment purchased for use on force account projects. Force account labor must be approved by the City Council, and a record of all costs must be maintained for public inspection.
- 4. Exemption from bidding is allowed for purchases from contractors who have, within the past 12 months, contracted to furnish the desired item to the federal government or any federal agency, another state government or agency, another local government or agency. The contractor must be willing to furnish the items at the same or more favorable prices, terms, and conditions as those provided under the contract with the other unit or agency. A prior contract must have been let under public bidding process substantially similar to G.S. 143-129, and the City Council must approve the contract at a regular meeting on ten days' notice, notwithstanding delegation of authority to award contracts. Notice may be published by electronic means.
- Purchases are made through a competitive bidding group purchasing program, which is a
 formally organized program that offers competitively bid purchasing services at discount prices
 to two or more public agencies.

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- Purchases using contracts established by the state or any agency of the state, if the contractor is
 willing to extend to a political subdivision of the state the same or more favorable prices, terms,
 or conditions as established in the state contract.
- 7. Purchase of used apparatus, supplies, materials, or equipment. For purposes of this subsection, remanufactured, or refabricated apparatus, supplies, materials, or equipment are not deemed to be "used," and are not included in this exception.
- 8. Guaranteed energy savings contracts, which are governed by G.S. 143-64.10 et seq.
- 9. Purchase of information technology using contracts established by the state office of information technology services as provided in G.S. 147-33.82(b) and 147-33.92(b).
- 10. Purchase of gasoline, diesel fuel, alcohol fuel, motor oil, fuel oil, or natural gas. These purchases are subject to G.S. 143-131.
- 11. In accordance with G.S. 143-129, single-source items are exempt from bid procedures when performance or price competition for a product are not available, when a needed product is available from only one source of supply, or when standardization or compatibility is the overriding consideration. This subsection requires action by the City Council notwithstanding delegation of authority to award contracts and requires a record of justification for use of the exemption.

Informal Bids

Informal bids are distinguished from formal bids by the following:

- 1. The dollar amount to be purchased is less than \$90,000.00 for equipment, apparatus, materials, or supplies; or construction/repair work for buildings with expenditure less than \$500,000.00.
- 2. Written specifications are not required, but highly recommended.
- 3. Advertising for bids is not necessary.
- 4. Written, sealed bids need not be submitted.
- 5. Informal bids received shall remain confidential until the bid is awarded.

Informal purchases are accomplished by written quotations, e-mail, or fax. For purchases of supplies and equipment between \$1,200.00 and \$30,000.00, three (3) quotes should be obtained to ensure competitive pricing. However, the 3-quote requirement can be waived with the written approval of the City Manager when it is deemed to be in the best interest of the City. Three written quotes should be obtained for purchases between \$30,000.00 and \$90,000.00 for purchases of supplies and equipment unless it is a sole source item. If quotes have been attempted and the item can only be obtained from one source, the informal purchase is accomplished by a fair and reasonable acceptance of the product by the Department Head affected and the purchasing agent.

1. The employee who receives such bids is to keep a record of all bids submitted and have these available for public inspection. This record shall include the company name, the contact person, the item quoted and the date the quote was received.

When informal bids are received by a department, the quotes received should be attached to the purchase requisition and a copy forwarded to purchasing.

Informal building construction and repair projects are accomplished by obtaining 3 written quotations for projects between \$30,000.00 and \$500,000. Also, when building construction or repair contracts in the informal range is between \$30,000.00 and \$500,000.00, minority business contractors shall be solicited.

AWARD OF BID

After receipt and evaluation of bid proposals, the purchasing agent shall make a recommendation to the City Council or City Manager for purchases of \$500,000.00 or less for projects approved in the budget. Such recommendation shall endorse the lowest responsible, responsive bidder, taking into consideration the following:

- 1. Price.
- 2. Quality.
- 3. Performance.
- 4. The time specified in the bid proposal for the performance of the contract (delivery or completion date).

Performance and payment bonds are required for construction or repair work when a project exceeds \$300,000.00, and for each contract that exceeds \$50,000.00. The successful contractor shall be required to submit performance and payment bonds to secure the faithful performance of the terms of the contract and the payment of all sums due for labor and materials at time of contract execution.

The award of a bid by the City Council or the City manager will result in execution of a purchase order and/or a contract. In general, a purchase order is used for a one-time purchase of supplies, equipment, or services and for minor construction work. A contract and purchase order are used for nonprofessional services required over a period of time, for all professional services and for significant construction jobs.

Though dollar amounts generally determine whether formal or informal procedures are required, such practices may also be followed for purchases below the minimum cost in each category. The objective of the purchasing office is to secure with efficiency what is needed, when it is needed, and at the lowest reasonable cost. Competitive bidding can save dollars regardless of the estimated purchased amount.

The purchasing office must prepare or oversee the preparation of the specifications, hold a prebid conference when applicable, advertise for bids, and conduct the bid opening.

APPENDIX D

NON-FEDERAL FUNDS STANDARD SERVICE CONTRACT NORTH CAROLINA SERVICE CONTRACT CITY OF DUNN

political subdivision of the State of North Carolina, (hereinafter referred to as "CITY", party
of the first part and, (hereinafter referred to as "CONTRACTOR"),
party of the second part.
1. SERVICES TO BE PROVIDED
CONTRACTOR hereby agrees to provide services and/or materials under this contract (hereinafter referred to collectively as "SERVICES" for{Insert Name of Project} pursuant to the provisions and specifications identified in "Attachment 1".
2. TERM OF CONTRACT
The term of this CONTRACT for services and supplies is fromtoto
3. PAYMENT TO CONTRACTOR
CONTRACTOR shall receive from CITY an amount not to exceed \$XXXXX. Unless otherwise specified, CONTRACTOR shall submit a monthly itemized invoice to
at theDepartment of the City of Dunn, PO Box 1065, Dunn, NC
1. SERVICES TO BE PROVIDED CONTRACTOR hereby agrees to provide services and/or materials under this contract inafter referred to collectively as "SERVICES" for{Insert Name of Project} and to the provisions and specifications identified in "Attachment 1". 2. TERM OF CONTRACT The term of this CONTRACT for services and supplies is from to 3. PAYMENT TO CONTRACTOR CONTRACTOR shall receive from CITY an amount not to exceed \$XXXXX. Unless wise specified, CONTRACTOR shall submit a monthly itemized invoice to Department of the City of Dunn, PO Box 1065, Dunn, NC 5. Payment will be processed within 30 days upon receipt and approval of the invoice by Y. 4. INDEPENDENT CONTRACTOR CITY and CONTRACTOR agree that CONTRACTOR is an independent contractor and not represent itself as an agent or employee of CITY for any purpose in the performance of TRACTOR'S duties under this contract. Accordingly, CONTRACTOR shall be responsible ayment of all federal, state and local taxes as well as business license fees arising out of TRACTOR'S activities in accordance with this contract. For the purposes of this contract
CITY and CONTRACTOR agree that CONTRACTOR is an independent contractor and shall not represent itself as an agent or employee of CITY for any purpose in the performance of CONTRACTOR'S duties under this contract. Accordingly, CONTRACTOR shall be responsible for payment of all federal, state and local taxes as well as business license fees arising out of CONTRACTOR'S activities in accordance with this contract. For the purposes of this contract taxes shall include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes.

5. INSURANCE AND INDEMNITY

manner and in accordance with the standards of applicable professional organizations and licensing

agencies.

CONTRACTOR, as an independent contractor, shall perform said services in a professional

To the fullest extent permitted by laws and regulations, the **CONTRACTOR** shall indemnify and hold harmless the **CITY** and its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and

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charges of engineers or architects, attorneys, and other professionals and costs related to court action or arbitration) arising out of or resulting from the performance of this Contract or the actions of the **CONTRACTOR** or its officials, employees, or contractors under this Contract or under the contracts entered into by the **CONTRACTOR** in connection with this Contract. This indemnification shall survive the termination of this contract.

In addition, **CONTRACTOR** shall comply with the North Carolina Workers' Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by this Act. **CONTRACTOR** shall supply **CITY** with certification of insurance for workers' compensation coverage with North Carolina statutory limits.

CONTRACTOR shall maintain, at its expense, the following minimum insurance coverage:

General Liability with Combined Single Limit Bodily Injury and Property Damage not less than \$5,000,000 and Products and Completed Operations Liability not less than \$5,000,000.

CONTRACTOR agrees to furnish **CITY** a certificate of insurance from an insurance company, licensed to do business in the State of North Carolina and acceptable to **CITY** verifying the existence of any insurance coverage required by **CITY**. The certificate should name the **CITY** as an additional insured entity and will provide for thirty (30) days advance notice in the event of termination or cancellation of coverage.

6. HEALTH AND SAFETY

CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing services under this contract.

7. NON-DISCRIMINATION IN EMPLOYMENT

CONTRACTOR shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, national origin, disability or on the basis of sexual orientation or gender expression/identity. CONTRACTOR shall take affirmative action to ensure that applicants are employed and that employees are treated fairly and legally during employment with regard to their age, sex, race, creed, national origin, disability or on the basis of sexual orientation or gender expression/identity. In the event CONTRACTOR is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state or local law or this provision, this Contract may be canceled, terminated or suspended in whole or in part by CITY, and CONTRACTOR may be declared ineligible for further CITY contracts.

8. GOVERNING LAW

This contract shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this contract shall be brought in the General Court of Justice in the County of Harnett and the State of North Carolina.

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9. AMENDMENT

This contract may be amended only in writing by mutual agreement by both parties.

10. TERMINATION OF CONTRACT

This contract may be terminated, for cause, by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this contract and if the failure is not corrected within ten (10) days of the receipt of the notification. Upon such termination, the parties shall be entitled to such additional rights and remedies as may be allowed by relevant law.

Termination of this contract, either with or without cause, shall not form the basis of any claim for loss of anticipated profits by either party.

11. SUCCESSORS AND ASSIGNS

CONTRACTOR shall not assign its interest in this contract without the written consent of **CITY**. **CONTRACTOR** has no authority to enter into contracts on behalf of **CITY**.

12. COMPLIANCE WITH LAWS

CONTRACTOR represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented. The implementation or this contract will be carried out in strict compliance with all Federal, State, or local laws regarding discrimination in employment.

13. NOTICES

All notices, requests, consents, claims, demands, waivers and other communications hereunder shall be in writing and shall be deemed to have been given (a) when delivered by hand (with written confirmation of receipt); (b) when received by the addressee if sent by a nationally recognized overnight courier (receipt requested); (c) on the date sent by facsimile (with confirmation of transmission) if sent during normal business hours of the recipient, and on the next Business Day if sent after normal business hours of the recipient, (d) if sent by e-mail of a PDF document, upon confirmation of receipt, or (e) on the third day after the date mailed, by certified or registered mail, return receipt requested, postage prepaid. Such communications must be sent to the respective parties at the following addresses:

CITY OF DUNN, Finance Officer, 4	01 East Broad Street, DUNN, NC, 28334
Contractor's contact information:	
Email:_	

14. AUDIT RIGHTS

For all services being provided under this contract, CITY shall have the right to inspect, examine, and make copies of any and all books, accounts, invoices, records and other writings

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relating to the performance of said services. Audits shall take place at times and locations mutually agreed upon by both parties, although **CONTRACTOR** must make the materials to be audited available within one (1) week of the request for them.

15. CITY NOT RESPONSIBLE FOR EXPENSES

CITY shall not be liable to CONTRACTOR for any expenses paid or incurred by CONTRACTOR prior to the commencement date of contract, unless otherwise agreed in writing.

16. ENTIRE CONTRACT

This Contract and the attached document labeled "Attachment 1" shall constitute the entire understanding between **CITY** and **CONTRACTOR** and shall supersede all prior understandings and agreements relating to the subject matter hereof and may be amended only by written mutual agreement of the parties.

17. HEADINGS.

The subject headings of the paragraphs are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions.

18. E-VERIFY

The **CONTRACTOR** shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. **CONTRACTOR** shall require subcontractors to comply with the requirements of Article 2, Chapter 64 of the North Carolina General Statutes.

19. IRAN DIVESTMENT ACT CERTIFICATION

Contractor hereby certifies that Contractor, and all subcontractors, are not on the Iran Final Divestment List ("List") created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. Contractor shall not utilize any subcontractor that is identified on the List.

20. DIVESTMENT FROM COMPANIES THAT BOYCOTT ISRAEL

Contractor certifies that Contractor has not been designated by the North Carolina State Treasurer as a company engaged in the boycott of Israel pursuant to N.C.G.S. 147-86.81. It is the responsibility of each contractor to monitor compliance with this restriction. Contracts valued at less than \$1,000.00 are exempt from this restriction.

The **CONTRACTOR** hereby agrees that each clause of this **CONTRACT** has been read and fully understands the meaning of the same and will comply with all of its terms.

ATTEST ATTEST Title: Title:	
Title: Title:	
trument has been pre-audited in the manner required by the Local Go al Control Act.	vernment Budget

APPENDIX E

FEDERAL FUNDS STANDARD SERVICE CONTRACT NORTH CAROLINA SERVICE CONTRACT CITY OF DUNN

THIS CONTRACT is made, and entered into by and between the City of Dunn, a political subdivision of the State of North Carolina, (hereinafter referred to as "CITY", party of the first part and, (hereinafter referred to as "CONTRACTOR"), party of the second part.
1. SERVICES TO BE PROVIDED
CONTRACTOR hereby agrees to provide services and/or materials under this contract (hereinafter referred to collectively as "SERVICES" for{Insert Name of Project} pursuant to the provisions and specifications identified in "Attachment 1".
2. TERM OF CONTRACT
The term of this CONTRACT for services and supplies is fromto
3. PAYMENT TO CONTRACTOR
CONTRACTOR shall receive from CITY an amount not to exceed \$XXXXX. Unless otherwise specified, CONTRACTOR shall submit a monthly itemized invoice toat theDepartment of the City of Dunn, PO Box 1065, Dunn, NC 28335. Payment will be processed within 30 days upon receipt and approval of the invoice by CITY. (Note: For contracts of short duration, e.g. less than 3 months, monthly invoices should be avoided, and only provide for payment after satisfactory completion of the project.)
4. INDEPENDENT CONTRACTOR
CITY and CONTRACTOR agree that CONTRACTOR is an independent contractor and shall not represent itself as an agent or employee of CITY for any purpose in the performance of CONTRACTOR'S duties under this contract. Accordingly, CONTRACTOR shall be responsible for payment of all federal, state and local taxes as well as business license fees arising out of CONTRACTOR'S activities in accordance with this contract. For the purposes of this contract taxes shall include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes.
CONTRACTOR, as an independent contractor, shall perform said services in a professional

5. INSURANCE AND INDEMNITY

To the fullest extent permitted by laws and regulations, the **CONTRACTOR** shall indemnify and hold harmless the **CITY** and its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees

manner and in accordance with the standards of applicable professional organizations and

licensing agencies.

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and charges of engineers or architects, attorneys, and other professionals and costs related to court action or arbitration) arising out of or resulting from the performance of this Contract or the actions of the **CONTRACTOR** or its officials, employees, or contractors under this Contract or under the contracts entered into by the **CONTRACTOR** in connection with this Contract. This indemnification shall survive the termination of this contract.

In addition, **CONTRACTOR** shall comply with the North Carolina Workers' Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by this Act. **CONTRACTOR** shall supply **CITY** with certification of insurance for workers' compensation coverage with North Carolina statutory limits.

CONTRACTOR shall maintain, at its expense, the following minimum insurance coverage:

General Liability with Combined Single Limit Bodily Injury and Property Damage not less than \$5,000,000 and Products and Completed Operations Liability not less than \$5,000,000.

CONTRACTOR agrees to furnish **CITY** a certificate of insurance from an insurance company, licensed to do business in the State of North Carolina and acceptable to **CITY** verifying the existence of any insurance coverage required by **CITY**. The certificate should name the **CITY** as an additional insured entity and will provide for thirty (30) days advance notice in the event of termination or cancellation of coverage.

6. HEALTH AND SAFETY

CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing services under this contract.

7. NON-DISCRIMINATION IN EMPLOYMENT

CONTRACTOR shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, national origin, disability or on the basis of sexual orientation or gender expression/identity.

CONTRACTOR shall take affirmative action to ensure that applicants are employed and that employees are treated fairly and legally during employment with regard to their age, sex, race, creed, national origin, disability or on the basis of sexual orientation or gender expression/identity. In the event CONTRACTOR is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state or local law or this provision, this Contract may be canceled, terminated or suspended in whole or in part by CITY, and CONTRACTOR may be declared ineligible for further CITY contracts.

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Contractor's contact information:	
Email:	

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21. FEDERAL FUNDS PROVISIONS

The <u>(Insert Name of Project)</u> project will be paid for, in part, by Federal funds. Therefore, pursuant to 2 C.F.R. 200.326 and 200 C.F.R. Part 200 Appendix 2, the following Federal provisions apply, or may apply:

Equal Employment Opportunity (41 C.F.R. Part 60); Davis-Bacon Act (40 U.S.C. 3141-3148); Copeland 'Anti-Kickback" Act (40 U.S.C. 3145); Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708); Clean Air Act (42 U.S.C. 7401-7671q); Federal Water Pollution Control Act (33 U.S. C. 1251-1387); Debarment and Suspension (Executive Orders 12549 and 12689); Byrd Anti-Lobbying Amendment (31 U.S. C. 1352); Procurement of Recovered materials (2 C.F.R. 200.322); and Record retention Requirements (2 C.F.R. 200.324).

The **CONTRACTOR** hereby agrees that each clause of this **CONTRACT** has been read and fully understands the meaning of the same and will comply with all of its terms.

CITY OF DUNN		CONTRACTOR	
Date	Title:	Date	
	ATTEST		
	Title:		
udited in the mann	er required by the Local Go	vernment	
	udited in the mann	Date Title: ATTEST Title:	