

Dunn City Council
Regular Meeting
Tuesday, January 11, 2022
7:00 p.m., Dunn Municipal Building

Minutes

PRESENT: Mayor William P. Elmore Jr., Mayor Pro Tem Dr. David L. Bradham, Council Members J. Wesley Sills, April Gaulden, Frank McLean, Billy N. Tart, and Chuck Turnage.

Also present: City Manager Steven Neuschafer, Assistant City Manager Mathew Boone, Finance Director Jim Roberts, Public Utilities Director Heather Adams, Planning Director George Adler, Chief of Police Clark White, Parks and Recreation Director Brian McNeill, Librarian Mike Williams, Administrative Support Specialist II Debra Creighton, City Attorney Tilghman Pope, and City Clerk Tammy Williams.

CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 7:00 p.m. and Rev. Howard Dudley, Pastor at First Presbyterian Church gave the invocation. Afterwards, Council Member Turnage led in the Pledge of Allegiance.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Turnage and second by Council Member McLean to adopt the January 11, 2022 meeting agenda as presented with changes listed:

Agenda Items Removed:

- Temporary Blocking of Streets – Martin Luther King Jr.
- Annexation – Non-Contiguous Property – Hope Center Ministries

Motion unanimously approved.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:03 p.m. Having no comments, the Public Comment period was closed.

CONSENT ITEMS

- Minutes of the December 14, 2021 City Council Meeting.

Motion by Council Member McLean and second by Council Member Gaulden to approve consent items.
Motion unanimously approved.

ITEMS FOR DISCUSSION AND/OR DECISION

Ordinance Amendment, OA-01-22 Related to Special Events and Street Closings

Mayor Elmore opened the Public Hearing at 7:05 p.m. City Manager Neuschafer presented the Ordinance changes and the special guidelines and procedures for handling of Special Events especially as they relate to Temporary Blocking of Streets and Public Right-of-Ways. The proposed amendments have been reviewed by the City Attorney. Neuschafer reviewed the applications for the Neighborhood event and the Special Events. Both require sixty days -notice. Council Member Turnage added to make sure that staff notifies those who had previously held events. With no additional comments, the Public Hearing was closed.

Motion by Mayor Pro Tem Bradham and second by Council Member Tart to approve Ordinance Amendment OA-01-22 and to approve the recommended procedures and guidelines, including deadlines, as proposed in the Special Events and Neighborhood Event Applications and to set the fee for the Special Event Permit Application for \$25.00. **Motion unanimously approved.** *A copy of the Ordinance (O2022-01) is incorporated into these minutes as Attachment #1.*

Alley Closures

City Manager Neuschafer asked for Council to direct staff on evaluating existing alleys and conducting research on the condition of the alleys as well as the use of those alleys by adjacent property owners, utilities, and the community. The Alley Condition Report was presented to the Council in December 2019. Closing alleys throughout the City will incur expenses related to staff time and advertising cost for required public notices. Upon deciding to close a ROW, a decision will also need to be made on hiring a surveyor to recombine the properties and record a new map to finalize the closure process. The cost of this final step is influenced by many factors and could be as much as \$10,000 per block. This final step has historically been left to individual property owners, therefore, the official map of the City does not reflect all closed alleys due to the lack of completed surveys and recorded maps. The next step to move forward would be to identify alley segments with limited community wide value and present information and findings to Council for further direction.

Motion by Council Member Turnage and second by Council Member Gaulden to direct the city manager to identify alley segments from the study with limited community wide value and present to Council for action and decision at the regular March meeting. **Motion unanimously approved.**

Consideration to Accept Real Property from Four W's, Inc. (Wellons Group)

City Manager Neuschafer presented for consideration to accept real property donation of 5.35 acres from Four W's Inc. on E Johnson St for the purpose of future city development.

Motion by Council Member Gaulden and second by Council Member McLean to accept donation of land for a proposed park location on E Johnson St, PIN# 1526-29-1792.000, subject to a satisfactory title search performed by the City Attorney. **Motion unanimously approved.**

Authorization to Request American Rescue Funds

Public Utilities Director Adams presented request to submit applications for the American Rescue Plan Act funding as appropriated in the 2021-2022 NC State Budget. The funds have to be expensed and then will be reimbursed. The City of Dunn was a recipient of \$30,450,000 in appropriated funds to be used for Drinking Water and/or Wastewater Infrastructure Projects. City Staff is recommending two wastewater projects. Project #1- Install a parallel effluent force main from the Black River WWTP to the Cape Fear River (approximately 3 Miles) and effluent pump station improvements to increase pumping capacity and to eliminate the sanitary sewer overflows on the Black River Outfall Line. Project #1 is estimated at \$16,100,000. Project #2- Construct a new outfall line from Machine & Welding to the WWTP, upgrade Eastside Pump Station, reroute the Eastside Force main to the new outfall line, and eliminate the Machine & Welding Pump Station. These improvements would increase the pumping capacity at Eastside Pump Station and will take flow off the Juniper Creek Outfall, thus eliminating overflows at Eastside Pump Station and the Black River Outfall line. Project #2 is estimated at \$15,850,000. These projects will hopefully get the city out from under the moratorium. Mike Slusher with DMP reviewed the projects with Council. Adams reviewed projects already in progress. Both projects are estimated at \$31.95 million. She added that there is a 10% contingency and if that is not used then the city could request to use on other water and sewer projects. City Manager Neuschafer added these projects are part of the four prone approach - pipes in the ground, already budgeted for with loans and grants; the plant; then piping to take to River; and new piping to circumvent the city and take pressure off existing pipes.

Adams added that the funds must be committed by 2024 and spent by 2026 and she reiterated that the goal is to get out of the sewer moratorium and she feels these projects will help get us there. Mayor Elmore and Mayor Pro Tem Bradham both expressed that they feel the council needs to be more informed on the decision and make sure that the resources are being used to get us from out from the under the moratorium the fastest way possible. Adams added that these projects have been in the capital improvement plan and the eastside was discussed but was not incorporated into the plan because of the cost of the project. Mayor Elmore asked council to consider a special work session on this topic and to include a report from the upcoming SOC meeting.

After much discussion on the concerns of spending all the funds with two projects and the need for additional information, motion by Council Member Turnage and second by Mayor Pro Tem Bradham to table for further discussion at a Special Called Meeting to be held on Tuesday, January 18, 2022 at 6:00 p.m. in Council Chambers to define the purpose, projects, intent, cost and associated timeline of these projects. **Motion unanimously approved.**

Ordinance to Demolish - 411 N McKay Ave

Assistant City Manager Boone presented 411 N McKay Ave for consideration of demolition. He updated that Council had tabled the matter at the November meeting to allow time for owner to work on the property. He displayed pictures that showed a little has been done up to this point. Peter Gitto with Dunkin Deals reported on his efforts and that the house will have to be elevated and requested additional time. He added that he cannot commit to the renovation if the city is going to demolish.

After much discussion, motion by Council Member Tart and second by Council Member Turnage to adopt Ordinance to Demolish, 411 N McKay Ave, PIN#:1516-59-7422.000. **Motion approved with Council Members Tart, Turnage, Bradham and Mayor Elmore in favor and Council Members McLean, Gaulden and Sills opposed.** *A copy of the Ordinance (O2022-02) is incorporated into these minutes as Attachment #2.*

Small Rural Tribal (SRT) Grant Acceptance (Body-Worn Cameras)

Chief White requested acceptance of a body worn camera grant to provide 50% funding to purchase 10 cameras to replace nonfunctioning cameras and purchase cameras to equip new hires from the Federal Small Rural Tribal Grant. The City of Dunn Police Department applied for and was notified that they were awarded the grant in December. The request was for \$12,676.00 with the grant to fund \$6,338.00 and the city to match the amount to complete the purchase.

Motion by Mayor Pro Tem Bradham and second by Council Member Gaulden to accept the grant and to approve the Budget Amendment funding the City's match. **Motion unanimously approved.** *A copy of Budget Amendment (BA2022-23) is incorporated into these minutes as Attachment #3.*

Appoint City of Dunn Delegate to Mid-Carolina Regional Council of Governments

Mayor Elmore asked the current delegate, Mayor Pro Tem Bradham, if he was willing to continue and after confirmation, motion by Council Member Turnage and second by Council Member Tart to appoint Mayor Pro Tem Bradham as the City's delegate to the Mid-Carolina Council of Governments. **Motion unanimously approved.**

Release of Portion of Dunhaven Subdivision Performance Bonds

Planning Director Adler reported that Dunhaven Development, LLC was the developer of the 29-lot subdivision called Dunhaven Subdivision off Tilghman Drive. The developer provided a performance bond to be held by the City as a guarantee that certain work would be completed. They are now requesting that the portion allowed be released and returned to them since work is completed.

The bond usually includes a one-year warranty. Dunhaven provided the City a Subdivision Improvements Performance Bond of \$80,000.00 in November 2020. A representative of the developer met Dunn's Chief Building Inspector and Planning Director on-site to review and discuss items yet to be completed. There were many items needing completion/correction. However, some were outside the performance guarantee. The developer has ensured the City that all items, even those that are the responsibility of the builders and the Home Owners Association (HOA), will be properly completed before the \$65,000 will be released. The remaining \$15,000 will be retained by the City for a one-year warranty period to ensure work was properly installed.

Motion by Council Member Sills and second by Council Member McLean to grant the City Manager the authority to approve release of \$65,000 of the \$80,000 Subdivision Improvements Performance Bond after final inspection and approval of items required. **Motion unanimously approved.**

To Amend Fee Schedule to Add Permit Fee for Unattended Donation Bins

Planning Director Adler presented request to amend the Fee Schedule by adding an Application Fee for the new Unattended Donation Bin Permit Application. The fee will help defray the staff cost of reviewing permit applications for completeness. Staff is recommending a fee of \$100.

Motion by Council Member Sills and second by Council Member McLean to approve the fee of \$250 effective January 12, 2022 for the permit. **Motion unanimously approved.**

Council Goals/Reports

City Manager Neuschafer shared that the reports were included in the packet for review. Small punch list on E Bay and striping on Watauga are left on paving project.

Administrative Reports

City Manager Neuschafer added that the city is still following guidelines related to Covid. He also shared some major plumbing repairs are needed for City Hall, which may require closing the offices for a couple of days.

The financial report for the period ending December 31, 2021 was presented by Brittany Barefoot:

- City had \$9,661,306 in all accounts combined, compared to \$6,925,848 in 2020.
- Water and Sewer Revenues for the month of December were \$504,435, with total collected of \$3,192,231 or 52.25% of budget compared to \$2,988,998 in 2020.
- Property Taxes collected through November are \$1,670,566, compared to \$1,536,034 last year.
- Sales Tax October receipts were \$237,969, \$41,386 more than last year.
- Utilities Sales Tax are reported quarterly and for the second quarter \$185,238 was received compared to \$193,352 in 2020.
- Building Permit Fees for the month of December were \$3,276, with total of \$83,103 or 64% of budget compared to \$77,699 last year.
- General Fund expenditures in December were \$899,675 with the total expensed of \$5,717,935 or 47.6% compared to \$5,303,517 last year. Revenue to-date is \$5,628,807.
- The Water and Sewer fund expenditures in December were 364,057, with total expensed of \$2,742,932, or 36.1% of budget compared to \$2,685,006 last year. Water and Sewer revenue to-date is \$3,427,469.
- The benchmark for this period is 50% of budget.

She also updated on debt service and lien and collections.

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

Announcements/Information

Mayor Elmore announced upcoming events and activities.

Motion by Mayor Pro Tem Bradham and second by Council Member Gaulden to enter Closed Session regarding personnel matter [N.C.G.S. 143-318.11(a)(6)]. **Motion unanimously approved.**

The meeting was recessed at 8:41 p.m.

The meeting was reconvened and with no further business to discuss, motion by Council Member Sills and second by Council Member Gaulden to adjourn the meeting at 8:55 p.m. **Motion unanimously approved.**

Attest:



William P. Elmore Jr.

 William P. Elmore Jr.
 Mayor

Tammy Williams

 Tammy Williams, CMC, NCCMC
 City Clerk