

Dunn City Council
Regular Meeting
Tuesday, February 9, 2021
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 Gauden, Frank McLean, Billy N. Tart, and Chuck Turnage. *Notice, relating to the Special Meeting Conditions, is incorporated into these minutes as Attachment #1.*

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 Building Inspector Steven King, Chief of Police Clark White, Librarian Mike Williams, Executive Assistant Connie Jernigan, Communications Coordinator Kaitlin Adkins, 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. Jason Williams, Pastor at Hood Memorial Christian Church gave the invocation. Afterwards, the Mayor led in the Pledge of Allegiance.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Sills and second by Council Member Gauden to adopt the February 9, 2021 meeting agenda as presented. **Motion unanimously approved.**

PRESENTATIONS

School Bus Drivers Appreciation Week Proclamation

Mayor Elmore presented proclamations to all four schools serving Dunn residents on behalf of School Bus Drivers Appreciation Week. Those in attendance representing school and bus drivers were: Harnett Primary School – Principal Calvetta Dunkins, Assistant Principal Tamekkia Cotton and Bus Driver–Anita McKoy; Wayne Avenue School–Principal Yvette Carson, Assistant Principal Sheri Trudeau and Bus Driver–Paul Starling; and from Dunn Middle School–Principal Dr. Janet Doffermyre and Bus Driver–Sheron Hurley. *A copy of the Proclamation (P2021-01) is incorporated into these minutes as Attachment #2.*

Certificate of Achievement for Excellence in Financial Reporting

Mayor Elmore recognized Finance Director Roberts and the Finance Department for receiving the Certificate of Achievement for Excellence award, for the 11th consecutive year, from the Government Finance Officers Association (GFOA). The award was received by the Finance Department for its comprehensive annual financial report for the year ended June 30, 2019. Staff members include Jim Roberts–Finance Director, Patty Rowland–Revenue Manager, Omessia Tatum–Accountant, Brittany Barefoot–Accountant I, and Customer Service Representatives, Cindy Colon and Renea Tharrington.

Employee Introductions

Planning Director Adler introduced Carmen Barnes – Administrative Support Specialist I in the Planning & Inspections Department. Chief White introduced Police Officer Ethan Core. Public Utilities Director Adams recognized Timothy Hicks – Wastewater Plant Operations Specialist and Jeffrey Mason – Equipment Operator for the Public Works Department.

Black History Month Proclamation

Mayor Elmore presented the Black History Month proclamation to both Council Members McLean and Gauden and Council Member McLean read the proclamation declaring February Black History Month in the City of Dunn. *A copy of the Proclamation (P2021-02) is incorporated into these minutes as Attachment #3.*

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:25 p.m. Rodney Lanier of Merry Street and Amanda Strickland of Currituck Avenue spoke concerning the flooding in the Westhaven neighborhood and requested that improvements be investigated and made to resolve this problem. Having no additional comments, the Public Comment period was closed.

CONSENT ITEMS

- Approval of the minutes of the January 12, 2021 City Council Meeting.
- Approval of the Interlocal Library Agreement. *A copy of the Agreement is incorporated into these minutes as Attachment #4.*
- Approval of Destruction of Municipal Records Request – Planning & Inspections. *A copy of the Request is incorporated into these minutes as Attachment #5.*
- Approval of extension of the NCDOT Mowing Maintenance Agreement.

Motion by Mayor Pro Tem Bradham and second by Council Member Sills to approve all consent items as presented. **Motion unanimously approved.**

ITEMS FOR DISCUSSION AND/OR DECISION

Cape Fear Regional Hazard Mitigation Plan

Mayor Elmore opened the Public Hearing at 7:31 p.m. concerning approval of the Cape Fear Regional Hazard Mitigation Plan, which includes Harnett County and the towns of Dunn, Lillington, Coats, Angier, and Erwin. Planning Director Adler shared that the plan identifies areas of the communities that are vulnerable and proposes preventative measures to reduce the risk of injury or death to the citizens and to reduce risk of damage to property due to Federal or State declared disasters. The adoption of a Hazard Mitigation Plan is required to obtain Hazard Mitigation funding and is tied to Federal and State disaster funding. The public hearing was duly advertised on January 26, 2021. With no additional comments, the public hearing was closed.

Motion by Council Member Turnage and second by Mayor Pro Tem Bradham to approve the Resolution adopting the Cape Fear Regional Hazard Mitigation Plan 2020 as it pertains to the City of Dunn. **Motion unanimously approved.** *A copy of the Resolution (R2021-06) is incorporated into these minutes as Attachment #6.*

Ordinance to Demolish – 410 S Clinton Ave

Mayor Elmore opened the Public Hearing at 7:35 p.m. for consideration of Ordinance to Demolish Structure located at 410 S Clinton Ave. The Public Hearing was advertised on January 29 and February 2, 2021. Chief Building Inspector King conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160A-426. King also found the structure dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King added that an ordinance was adopted in September to deem the property unfit for human habitation, which gave them up to two years to renovate and bring the property up to code. After residents moved out, inspectors were able to inspect inside, which led to the condemnation of the property. After condemnation, property owners were given 60 days to bring the property up to code. They have been working on the structure but there is a lot of work left to be done. According to Mr. Kal Patel, approximately \$60,000 has been spent up to this point. King added if construction costs exceed \$90,000, this opens up code section which requires licensed engineer or architect to submit drawings with their seal. King referred Council to the letter in packet requesting an additional 45 days.

Kal Patel spoke requesting additional time to bring the hotel up to code. His father owns the hotel but has sold to current owners, Jashvantkumar and Kantabahen Patel, through owner financing. Council Member Turnage acknowledged it seemed hard to see how Mr. Patel could finish the project within the timeline and regulations required. Council Member Sills asked King how long he felt it would take to bring the structure up to code and he said at least six months, depending on engineer's timeline. With no additional comments, the public hearing was closed.

After discussion, motion by Council Member Sills and second by Mayor Pro Tem Bradham to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 410 S Clinton Ave, PIN #1516-55-9876.000. **Motion approved with Bradham, Gauden, Sills and Mayor Elmore voting for the ordinance and McLean, Tart and Turnage opposed.** *A copy of the Ordinance (O2021-03) is incorporated into these minutes as Attachment #7.*

Ordinance to Demolish – 1604 Erwin Rd

Mayor Elmore opened the Public Hearing at 7:55 p.m. for consideration of Ordinance to Demolish structure located at 1604 Erwin Rd. The Public Hearing was advertised on January 29 and February 2, 2021. Chief Building Inspector King conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160A-426. King also found the structure dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King added that the floors are caving in so badly that he did not allow inspector to go in for further inspection. City Attorney Pope read comments from Sherry Miller requesting additional month to find family member who would like to bring the property up to code and to give family time to remove belongings. With no additional comments, the public hearing was closed.

Motion by Mayor Pro Tem Bradham and second by Council Member Tart to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 1604 Erwin Rd, PIN # 1506-79-1980.000. **Motion unanimously approved.** *A copy of the Ordinance (O2021-04) is incorporated into these minutes as Attachment #8.*

Ordinance to Demolish – 706,710,800 N Fayetteville Ave

Mayor Elmore reported that he has had several conversations with Tom Mize with the Lester Group and a lot of progress has been made since the January meeting. Mr. Mize assured him that all the work will be completed and the lot cleaned. Chief Building Inspector King added that most of the buildings are gone and the fence is being taken down. Feels pretty sure they will finish the job. Since there is nothing to demolish, he recommends denial of the ordinance. The clean-up can be handled with other city ordinances. Council Member Turnage asked for another update at the next meeting.

Motion by Council Member Tart and second by Council Member McLean to deny the ordinance directing the Building Inspector to proceed with the demolition of the structures located at 706, 710, & 800 N Fayetteville Ave, PIN #: 1506-79-4334.000. **Motion unanimously approved.**

Ordinance to Deem Property Unfit for Human Habitation – 906, 908 N Clinton Ave

Chief Building Inspector King reported that the ordinance to deem the property Unfit for Human Habitation was tabled by City Council at the September 8 and October 13, 2020 meetings for updates on the outstanding repairs. On January 12, 2021, Council tabled the matter for an additional month. The only item left was the gas tank repair. Superior Services was contracted for \$17,000 to repair breach on the gasoline tank and it has been repaired. Once the canopy is placed, gas lines will be relocated and parking lot will be striped.

Motion by Council Member Gaulden and second by Council Member McLean to deny the ordinance directing the Chief Building Inspector to post the property Unfit for Human Habitation at 906 & 908 N Clinton Ave, PIN #: 1516-89-6377.000. **Motion unanimously approved.**

CDBG Grant Residential Anti-displacement and Relocation Assistance Plan Addendum

Assistant City Manager Boone reported that the City of Dunn adopted the Residential Anti-Displacement and Relocation Plan per requirement with the acceptance of Community Development Block Grant (CDBG) funds on September 11, 2018. The Temporary Relocation Addendum specifically addresses short-term relocation for residents who are recipients of CDBG funded projects and will be displaced during the project due to safety issues during a specific portion of the construction. All expenses associated with temporary relocations are allowable cost using CDBG funds.

Motion by Mayor Pro Tem Bradham and second by Council Member Turnage to approve Temporary Relocation Addendum to the existing Residential Anti-Displacement and Relocation Plan. **Motion unanimously approved.** *A copy of the Resolution (R2021-07) is incorporated into these minutes as attachment #9.*

Comprehensive Pedestrian Planning Grant

Planning Director Adler requested that the Council accept the Municipal Agreement with NC Department of Transportation (NCDOT) that awards the City of Dunn \$50,000 to hire a planning consultant to produce a Comprehensive Pedestrian Plan for the City of Dunn. The City's required match to accept this grant is \$5,000. City Manager Neuschafer added that it should take around six months to finalize the plan.

Motion by Council Member Gaulden and second by Council Member McLean to accept the grant, provide the matching funds, and authorize the City Manager to sign the Municipal Agreement, as NCDOT requires. **Motion unanimously approved.** *A copy of the Agreement is incorporated into these minutes as attachment #10.*

Authorizations to Accept Bio-solids Land Application Proposal

Public Utilities Director Adams requested Council consider acceptance of proposal from Granville Farms, Inc., for land application services to properly dispose of residual bio-solids from the wastewater treatment process and sludge residuals from the water treatment plant process in accordance with EPA regulations. An increase in residuals at both facilities has required staff to seek out additional contractors in order to dispose of residuals when City permitted fields are too wet to apply.

Motion by Mayor Pro Tem Bradham and second by Council Member Sills to authorize the City Manager to enter into an agreement with Granville Farms, Inc. to manage the residual bio-solids generated at both the wastewater treatment plant and the water treatment plant as presented in the agreement. **Motion unanimously approved.**

Contract Award – Utilities Watauga, Broad and Bay

Public Utilities Director Adams presented request for awarding a construction contract for water, sewer and stormwater improvements on Bay Street, Broad Street, General Lee Avenue, and Watauga Avenue. Due to the age and condition of the utility infrastructure on the streets, staff recommends that the infrastructure be replaced prior to the street improvements. Formal bids were initially advertised for opening on December 1, 2020 but an insufficient number of bids were received in order to open. The project was re-advertised for opening on January 14, 2021. Two bids were received for the utilities portion of the work. However, there were no bids received for the street improvements. Bids were duly advertised on November 20, 2020 and December 8, 2020. Finance Director Roberts recommended using budgeted funds from the Water and Sewer capital project account and Capital funds from the Stormwater fund. The remaining balance will be from borrowing through a local lending institution for a 7-year loan with yearly repayments of \$88,100 per year or less divided between the Water and Sewer Fund and the Stormwater Fund.

Motion by Council Member Turnage and second by Council Member Sills to award a contract to Lorman, Inc. to replace the water, sewer and stormwater utilities on Bay Street, Broad, General Lee and Watauga in the amount of \$846,121, and to approve the Budget Amendment to increase the Enterprise Fund's Capital Improvement Project budget, the Stormwater Fund's Capital Improvement Project budget and Installment Financing Income, and furthermore direct the City Manager to proceed with obtaining loan proposals for approximately \$560,000. **Motion unanimously approved.** *A copy of the Budget Amendment (BA2021-13) is incorporated into these minutes as attachment #11.*

Authorization for Project and RFQ for Stormwater System Mapping

City Manager Neuschafer presented request to advertise for Statement of Qualifications to map the city's entire stormwater system and provide a comprehensive and detailed report, identifying all areas of stormwater piping. A thorough mapping is needed in order to adequately maintain the current system and to provide essential data to help make the most effective and efficient improvements for the future. Due to the overall extent of the project, a phased, multi-year approach is recommended.

Motion by Council Member Sills and second by Council Member Gaulden to authorize the City Manager to advertise for request to receive Statement of Qualifications for developing a complete map of the City's stormwater system. **Motion unanimously approved.**

Merry Street Stormwater Design

City Manager Neuschafer presented request for authorization to hire DMP to evaluate Merry Street and Westhaven Subdivision for stormwater improvements to reduce the frequency of flooding. DMP has extensive experience with the evaluation and inspection of the stormwater piping installed in Westhaven and will be able to use that knowledge to evaluate and determine the most responsible project needed for the city to achieve improvement in the stormwater system. Existing funds in professional services will cover fees for recommendation from DMP. Construction cost will depend on the route selected and will have to be financed. He shared that the retention pond planned on the Watauga property did not work out because the property is too wet to work properly like the retention pond on Fairground that fills and then dries out. Council Member Sills shared a picture showing the flooding in Westhaven and added that a plan needs to be developed to handle this flooding. Council Member Tart asked if the pipes have been cleaned properly by the City and City Manager Neuschafer added that the City has cleaned extensively as much as possible. Some of the stormwater lines are in people's backyards under fences and outbuildings and can't be reached without disturbing their yards.

After additional discussion, motion by Council Member Sills and second by Mayor Pro Tem Bradham to authorize the City Manager to hire DMP to conduct evaluation of the Merry Street and Westhaven Subdivision storm water system to determine best course of action to reduce flooding. **Motion unanimously approved.**

Bond Counsel Services for USDA Loans

Finance Director Roberts reported that the City is working with the USDA to provide funding for sewer lines upgrades in the amount of approximately \$2,700,000. In this process the USDA has required the city provide proposals and acceptance of a firm to provide Bond Counsel services to move forward. The proposal for these services through Womble Bond Dickinson of \$12,500 includes work relating to the authorization of the bonds, the sale and issuance of one series of bond anticipation notes to provide interim financing for the project, and the sale and issuance of the long-term bond to be privately placed with the USDA.

Motion by Council Member Turnage and second by Council Member Gaulden to approve Womble Bond Dickinson as the City's Bond Counsel for the current USDA Loan application process and through the bond placement as described for the fee of approximately \$12,500 and authorize the Mayor and City Manager to execute any and all documents associated with this proposal. **Motion unanimously approved.**

Council Goals/Reports

City Manager Neuschafer reported that the MOU for the I95/I40 Alliance is nearly complete and there will probably be a special meeting in the near future for approval.

Administrative Reports

Finance Director Roberts provided the following financial report for the period ending January 31, 2021:

- The City had \$8,018,787 in cash from the General Fund and the Water-Sewer Fund combined. As of January 31, 2020, the city had \$6,913,152 in cash including the General Fund and the Water-Sewer Fund.
- Through December 31, 2020, the City has received \$3,053,522 in tax payments compared to \$3,043,048 in 2019.
- Sales Tax Revenue continues to be very strong - up 7.5% from the same time last year. October receipts were \$204,510; July through November total - \$1,071,141 compared to last year - \$977,468.
- Utilities Sales Taxes received \$337,594 compared to \$343,048 for 2019.
- Building Permit Fees for the month of January were \$14,563 with total collected of \$92,262 or 92% of budget compared to \$83,114 last year.
- Water and Sewer Revenues for the month of January were \$475,233 with total collected to-date of \$3,461,735 or 59.2% of budget. Year to Date in 2019 was \$3,465,657.
- General Fund expenditures in January were \$696,452 with total to-date of \$5,990,452 or 51.5% of Budget compared to \$6,689,177 for 2019.
- The Water and Sewer fund expenditures in January were \$453,831 with total to-date of \$3,469,620 or 47.7% of budget compared to \$3,219,231 in 2019.
- The benchmark for this period is 58% of budget.

He also updated Council on Debt Service and Liens and Assessments.

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.

With no further business to discuss, motion by Council Member McLean and second by Council Member Gauden to adjourn the meeting at 9:01 p.m. **Motion unanimously approved.**

William P. Elmore Jr.
Mayor

Attest:

Tammy Williams
City Clerk