

**MINUTES  
CITY OF DUNN  
DUNN, NORTH CAROLINA**

The City Council of the City of Dunn held a Regular Meeting on Tuesday, April 14, 2020 at 7:00 p.m. in the Dunn Municipal Building. Present: Mayor William P. Elmore Jr., Mayor Pro Tem Chuck Turnage, Council Members April Gaulden, Frank McLean, Billy N. Tart, and Dr. David L. Bradham. Council Member J. Wesley Sills participated in the meeting electronically via WebEx for the entirety of the meeting. *Public Notice, relating to the Special Meeting Conditions, is incorporated into these minutes as Attachment #1.*

*Also present: City Manager Steven Neuschafer, Executive Assistant Connie Jernigan, and City Clerk Tammy Williams. Participating electronically via WebEx: Assistant City Manager Mathew Boone, Finance Director Jim Roberts, Public Utilities Director Heather Adams, Planning Director George Adler, Chief Building Inspector Steven King, and Heather Lawson, Executive Vice President of the Dunn Area Chamber of Commerce. Participating electronically via telephone City Attorney Tilghman Pope.*

**CALL TO ORDER AND INVOCATION**

Mayor Elmore opened the meeting at 7:00 p.m. and Rev. Tim Rice, Pastor at Glad Tidings Church gave the invocation via WebEx. Afterwards, the Pledge of Allegiance was led by Council Member Gaulden.

**AGENDA ADJUSTMENT AND APPROVAL**

Motion by Mayor Pro Tem Turnage and second by Council Member Gaulden to adopt the April 14, 2020 meeting agenda with the following change: add Item 18A - Resolution to sell Real Property owned by the City of Dunn. **Motion unanimously approved.**

**PUBLIC COMMENT PERIOD**

The Public Comment Period was opened by Mayor Elmore at 7:07 p.m. The City Clerk confirmed no comments were received and no one has signed up to make comments. Having no comments, the Public Comment period was closed.

**CONSENT ITEMS:**

Approval of the minutes of the February 28-29, 2020 Budget Planning Retreat.

Approval of the minutes of the March 2, 2020 Special Called Meeting.

Approval of the minutes of the March 10, 2020 Regular City Council Meeting.

Proclamation – Declaration of a State of Emergency. *A copy of the Proclamation (P2020-06) is incorporated into these minutes as Attachment #2.*

Proclamation – National Library Week. *A copy of the Proclamation (P2020-07) is incorporated into these minutes as Attachment #3.*

Approval of Budget Amendment – BA-07. *A copy of Budget Amendment (BA-07) is incorporated into these minutes as Attachment #4.*

Approval of NCDOT Use and Occupancy Agreement – Project I-5883 related to I-95 Widening (Exits 75 and 77.) *A copy of the Agreement is incorporated into these minutes as Attachment #5.*

Motion by Council Member Bradham and second by Council Member Sills to approve all consent items. **Motion unanimously approved.**

**ITEMS FOR DISCUSSION AND/OR DECISION:**

**Rezoning Request CZ-01-20 from I-10 to C-3 Conditional Zoning District**

Public Hearing regarding request to rezone two parcels of land currently zoned I-10, Restricted Industrial District to C-3 (CZD), Highway Commercial Conditional Zoning District. These properties combined total 0.41 +/- acres. The one parcel is located at 508 N Fayetteville Ave (PIN 1516-68-9953.000); the second parcel (1516-69-9061.000) is adjacent to the north. The Public Hearing was duly advertised on March 17, 24 and 31, 2020. Mayor Elmore opened the Public Hearing at 7:09 p.m.

Planning Director Adler shared that the desired rezoning will allow only ten of the 41 uses generally allowed in C-3. The Planning Board met on March 24, 2020 and unanimously recommended approval of the rezoning request.

Lucia Turlington of Turlington Real Estate spoke in support of the rezoning request on behalf of the owner, Steve Malone of DSC Holdings, LLC.

No additional comments have been received by the City Clerk and with no further comments, the Public Hearing was closed.

Motion by Mayor Pro Tem Turnage and second by Council Member Tart to approve the request for a conditional zoning at 508 N Fayetteville Avenue from I-10 Restricted Industrial District to C-3 (CZD) Highway Commercial Conditional Zoning to allow 10 of the 41 uses: appliance sales and repairs, auto parts (new), auto sales and service, building supplies (retail), building trades/services, farm implement/heavy machinery sales and service, garden supplies, indoor machinery sales, offices (general and professional), public utilities with storage and service yards, blind fence, based on the following reasoning:

- 1) The rezoning request is reasonable based on surrounding conditions. The industry that had occupied the area at one time has largely left. What remains are blocks ready for redevelopment, many already cleared. The parcels seeking rezoning to C-3 CZD are each too small for industrial uses. Rezoning to C-3 Commercial, while limiting the allowed uses, increases the utility of the existing building.
- 2) The impact to the surrounding property owners will be reasonable. Currently the building on the parcel is used for storage. Once commercial uses are established traffic may increase but should be limited. Landscape buffering can be required to separate new uses from the adjacent homeowner.
- 3) When these parcels and the surrounding parcels were zoned industrial, the economy was organized differently. The number of different zoning districts that appear to be converging on the parcels seeking rezoning suggest the changes that have happened have done so incrementally, without any specific vision for this area in the city. Rezoning to limited commercial is in keeping with the changing times.
- 4) Rezoning from I-10 to C-3 CZD varies from the Future Land Use Map, as the Future Land Use Map projects these parcels to be industrial. However, the economy has changed since 2005 and the size of the parcels given their current zoning, limits their utility. This strategic rezoning intends to achieve the purposes of good planning.

**Motion unanimously approved.**

**Consideration of Ordinance to Demolish House – 510 E Townsend St**

Public Hearing regarding the Consideration to Demolish House located at 510 E Townsend St, PIN #: 1516-87-9728.000. The Public Hearing was duly advertised on April 3 and 7, 2020. Mayor Elmore opened the Public Hearing at 7:18 p.m.

Chief Building Inspector King has conducted inspections and based on his observations, the structure is unsafe and has been condemned in accordance with G.S. §160A-426. The property was also found dangerous or prejudicial to the public health or public safety and is a nuisance in violation of G.S. §160A-193. He shared that the owner has no desire to repair the dwelling.

No additional comments have been received by the City Clerk and with no additional comments, the Public Hearing was closed.

Motion by Council Member 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 510 E Townsend St (PIN#: 1516-87-9728.000). **Motion unanimously approved.** *A copy of the Ordinance (O2020-04) is incorporated into these minutes as Attachment #6.*

**Consideration of Ordinance to Demolish House – 520 E Townsend St**

Public Hearing regarding the Consideration to Demolish House located at 520 E Townsend St, PIN #: 1516-87-8975.000. The Public Hearing was duly advertised on April 3 and 7, 2020. Mayor Elmore opened the Public Hearing at 7:21 p.m.

Chief Building Inspector King has conducted inspections and based on his observations, the structure is unsafe and has been condemned in accordance with G.S. §160A-426. The property was also found dangerous or prejudicial to the public health or public safety and is a nuisance in violation of G.S. §160A-193. The owner has no desire to fix the dwelling. They have expressed interest of demolishing the house themselves, but no permit has been applied for at this time.

No additional comments have been received by the City Clerk and with no additional comments, the Public Hearing was closed.

Motion by Council Member Tart and second by Council Member McLean to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 520 E Townsend St (PIN#: 1516-87-8975.000). **Motion unanimously approved.** *A copy of the Ordinance (O2020-05) is incorporated into these minutes as Attachment #7.*

**Consideration of Ordinance to Demolish House – 510 S Elm Ave**

Public Hearing regarding the Consideration to Demolish House located at 510 S Elm Ave, PIN #: 1516-65-3160.000. The Public Hearing was duly advertised on April 3 and 7, 2020. Mayor Elmore opened the Public Hearing at 7:25 p.m.

Chief Building Inspector King has conducted inspections and based on his observations, the structure is unsafe and has been condemned in accordance with G.S. §160A-426. The property was also found dangerous or prejudicial to the public health or public safety and is a nuisance in violation of G.S. §160A-193. King confirmed that the house has been vacant for several years. He spoke to Mr. Burnett who handles the owners' properties and Mr. Burnett stated that the owner has no desire to make repairs and the property continues to deteriorate.

No additional comments have been received by the City Clerk and with no additional comments, the Public Hearing was closed.

Motion by Council Member Tart and second by Council Member Sills to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 510 S Elm Ave (PIN#: 1516-65-3160.000). **Motion unanimously approved.** *A copy of the Ordinance (O2020-06) is incorporated into these minutes as Attachment #8.*

**Consideration of Ordinance to Demolish House – 911 Fairground Rd.**

A Public Hearing was held at the February 11, 2020 Regular Council meeting regarding the Consideration to Demolish House located at 911 Fairground Rd, PIN #: 1517-63-6654.000. Chief Building Inspector King reported at that time he had conducted two inspections and based on his observations, the structure is unsafe and has been

condemned in accordance with G.S. §160A-426. The property was also found dangerous or prejudicial to the public health or public safety and is a nuisance in violation of G.S. §160A-193.

The property was purchased by a new owner, Lloyd Tom Hamilton, who appeared at the February meeting and asked for additional time to bring the house to code. The ordinance to demolish was deferred until the April meeting.

Chief Building Inspector King conducted an additional inspection on April 2, 2020 and work has progressed on the house with building permits in place.

Motion by Council Member Bradham and second by Mayor Pro Tem Turnage to table the ordinance to demolish for an additional sixty (60) days to allow Mr. Hamilton to make additional repairs and improvements to the dwelling located at 911 Fairground Rd (PIN#: 1517-63-6654.000). **Motion unanimously approved.**

#### **Reimbursement Resolution for Clarence Lee Tart Park Construction**

Finance Director Roberts requested Council approve needed Resolution allowing the City to reimburse the General Fund for qualified expenses incurred before financing is in place for work being done on Tart Park. The Local Government Commission expressed no concern regarding the City's audit and capacity to pay for this work.

Motion by Mayor Pro Tem Turnage and second by Council Member Gaulden to adopt the Reimbursement Resolution and authorize the Mayor and City Manager to execute any and all documents associated with this Resolution. **Motion carried unanimously.** *A copy of the Resolution (R2020-05) is incorporated into these minutes as Attachment #9.*

#### **Award Contract with Strategic Vision Plan Consultant, Arnett Muldrow, Ltd.**

Planning Director Adler told Council that the City of Dunn and the Dunn Area Chamber of Commerce (DACC) have partnered together to form the Dunn Vision Group (DVG) to conduct a Strategic Vision Plan for the community. The DVG developed a Request for Proposals seeking a consultant firm and after reviewing the proposals selected Arnett Muldrow, Ltd. to assist with the process. He further requested approval of a Memorandum of Understanding (MOU) between the City and the Chamber regarding the payment of the Consultant's fees as the cost will be shared between both.

Executive Vice President Heather Lawson of DACC shared that the Chamber is excited to proceed forward and partner with the City and Arnett Muldrow in the Vision Process. She also shared that her board had reviewed the MOU and agreed with its terms. Favorable remarks were also made from Council Members Bradham and Gaulden, who both participated on the DVG.

Motion by Council Member Bradham and second by Council Member Gaulden to approve the MOU between DACC and the City of Dunn and to grant City Manager Neuschafer and City Attorney Pope the authority to enter into negotiation with Arnett Muldrow Ltd. and to execute the final contract and scope of work, with a cost to the City not to exceed \$50,000. **Motion carried unanimously.** *A copy of the MOU is incorporated into these minutes as Attachment #10.*

#### **Authorization to borrow money to purchase Paving Equipment**

City Manager Neuschafer requested authorization to move forward with borrowing the needed funds to purchase paving equipment. At the 2020-2021 Budget Planning Retreat, paving repairs were considered a priority and staff was directed to move forward with purchasing a paver to handle small paving repairs. Neuschafer added the equipment needed to make this work possible includes a paving machine, trailer, brush for street preparation, tack sprayer and additional small equipment to finalize the project with the estimated cost not to exceed \$90,000. The loan, with a 5-year payback, will be repaid through the Powell Bill funds with repayments not to exceed \$19,500 per year. He shared that the staff further proposes to add an equipment operator position into next year's budget so that small paving projects can begin this summer.

After discussion, motion by Mayor Pro Tem Turnage and second by Council Member McLean to authorize City Manager Neuschafer to move forward with a loan for the funds needed to purchase paving equipment. **Motion carried unanimously.**

#### **Adopt City of Dunn Water System Capital Improvement Plan**

Public Utilities Director Adams requested Council to adopt the revised Water System Capital Improvement Plan that was originally adopted at the March 12, 2019 Council Meeting as part of the Water System Asset Inventory and Assessment Plan. The Capital Improvement Project matrix has been updated to include the electrical improvements at the raw water station and the raw water line replacement as presented in the April 3, 2020 Special Called Meeting of the Council. *Mayor Pro Tem Turnage stepped out of the chambers during the discussion.*

Motion by Council Member Bradham and second by Council Member Tart to adopt the revised Water System Capital Improvement Plan as presented. Mayor Elmore acknowledged that Mayor Pro Tem Turnage's vote will be recorded "for" the motion. **Motion carried unanimously.** *A copy of the revised Water System Capital Improvement Plan has been filed with the City Clerk.*

#### **Resolution to Sell Real Property owned by the City of Dunn**

The City has been approached by Wincor Properties LLC regarding the purchase of real property located on Ashe Avenue in Dunn. The property is a 50 foot section beside the location of the proposed Dog Park. The property would be sold with "Notice to sell Real Property with Invitation for Upset Bids." An offer has been received from Wincor for \$8,500 with agreement that Wincor will cover all cost associated with the survey and closing fees. *Mayor Pro Tem Turnage returned to the meeting during the discussion.*

Motion by Mayor Pro Tem Turnage and second by Council Member Tart to approve the Resolution to Sell Real Property pursuant to the Notice and Upset Bids procedure as set forth in N.C.G.S. §160A-260. **Motion carried unanimously.** *A copy of the Resolution (R2020-06) has been incorporated into these minutes as Attachment #11.*

**Proposed Summer Hours**

City Manager Neuschafer presented request for the City to begin summer hours in May and for summer hours to continue through September. Summer hours have been used by the City for 16 years and he also confirmed that City staff considers these hours as a benefit.

Motion by Council Member McLean and second by Mayor Pro Tem Turnage to adopt summer hours of 7:30 a.m. to 4:00 p.m., beginning May 1, 2020 and ending September 30, 2020. **Motion carried unanimously.**

**Reports – Goals and Objectives established by Council**

City Manager Neuschafer reviewed the administrative reports pertaining to the Goals and Objectives set by the Council at the FY2020-2021 Budget Planning Retreat. Council Member Bradham requested additional detailed information be shared at the meetings on the short term goals. Mayor Pro Tem Turnage said the tracking mechanism is excellent and asked that they be posted on the City’s website.

**Financial Report/Assessments Update**

Finance Director Roberts provided the following financial report for the period ending March 31, 2020:

- General Fund has \$5,296,441 cash in hand with \$2,357,922 in the Water and Sewer Fund. As of March 2019: General Fund was at \$4,721,377 and Water and Sewer Fund at \$2,656,491.
- Property Taxes to date are approximately \$4,048,111 or 96.8% of budget compared to 2019 - \$4,181,600.
- Sales Tax Revenues as of January - \$1,481,092 or 67% of budget.
- Utilities Sales Taxes - \$525,935
- Building Permit Fees for the month of March were \$13,302 for a total to-date of \$102,204 or 128% of budget.
- Water and Sewer revenues are at \$4,319,766 or 77.24% of budget with \$417,224 being collected in March.
- Expenditures are 72% of budget or \$8,344,169 in the General Fund and 62.5% of budget or \$3,898,838 in the Water and Sewer Fund. The benchmark for this period is 75%.

**Administrative Reports**

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

Motion by Mayor Pro Tem Turnage and second by Council Member Tart to acknowledge receipt of Administrative Reports. **Motion unanimously approved.**

**City Manager’s Report**

City Manager Neuschafer updated the Council on the different steps the City has taken related to the Covid-19 State of Emergency. He shared that staff is carefully watching the finances and expenditures of the City. Staff has been directed to cut spending and travel has also been halted. He told Council the City is anticipating a 20 percent reduction in sales tax revenues due to Covid-19. He also shared that CSX will be doing repairs on railroad crossings in the City of Dunn, tentatively the week of April 27.

**Announcements/Information**

Mayor Elmore announced upcoming events and activities. He also shared a Thank You card received from the Maness family related to the loss of the late Oscar N. Harris, former Mayor of the City of Dunn.

With no further business to discuss, motion by Mayor Pro Tem Turnage and second by Council Member Bradham to adjourn the meeting at 8:29 p.m. **Motion unanimously approved.**



Attest:

*Tammy Williams*  
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Tammy Williams  
City Clerk

*William P. Elmore Jr.*  
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William P. Elmore Jr.  
Mayor