

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

The City Council of the City of Dunn held a Regular Meeting on Tuesday, May 14, 2019, at 7:00 p.m. in the Dunn Municipal Building. Present was Mayor Oscar N. Harris, Mayor Pro Tem Frank McLean, Council Members Buddy Maness, Dr. Gwen McNeill, Billy Tart, Chuck Turnage and Dr. David L. Bradham.

Also present was City Manager Steven Neuschafer, Assistant to the City Manager Mathew Boone, Finance Director Jim Roberts, Public Utilities Director Heather Adams, Interim Public Works Director Vince Washington, Planning Director George Adler, Chief Building Inspector Steven King, Chief of Police Chuck West, Parks and Recreation Director Brian McNeill, Human Resources Director Anne Thompson, Librarian Mike Williams, Community Planner Tasha McDowell, Communications Coordinator Christian Ortiz, Administrative Support Specialist Connie Jernigan, Attorney Tilghman Pope, and City Clerk Tammy Williams. Also present were Guests recognized by Mayor Harris: Emily Weaver with The Daily Record and Eric Sinclair, Chairman of the Dunn Housing Authority, who was the recipient of the 2018 Commissioner of the Year for North Carolina and South Carolina

INVOCATION

Mayor Harris opened the meeting at 7:00 p.m. and Dr. Len Keever, Pastor at First Baptist Church gave the invocation. Afterwards, the Pledge of Allegiance was recited.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Turnage and seconded by Council Member McNeill to adopt the May 14, 2019 meeting agenda with changes as listed below.

Agenda Items Added:

17A – Discussion of Potential Land Purchases by the City

Motion unanimously approved.

PRESENTATIONS:

Proclamation honoring Lisa Farmer

Mayor Harris presented a Proclamation in recognition and honor of Mrs. Lisa Farmer who just retired as Managing Editor of The Daily Record. *A copy of the Proclamation (P2019-06) is incorporated into these minutes as Attachment #1.*

Citizens Academy Update

Officer Carnell Campbell presented an update to the City Council on the Citizens Academy being planned by the Police Department. To participate, the applicants must be 18 years of age, a legal resident of Dunn and pass a background check. The program will start on August 6 and run for 8 weeks, meeting every Thursday from 6:00 to 8:00 p.m. Plans are to begin with 10 participants. It is hopeful that this program will create a pool of ambassadors for the City and help bridge the gap between the community and police department. Mayor Harris pointed out that Officer Campbell went through the Dunn PAL program and is an example of the success of that program. He also shared information about Officer Campbell's role in the community policing program through the Dunn Housing Authority.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Harris at 7:20 p.m. Having no comments, the Public Comment period was closed.

The meeting was recessed for Public Hearings.

PUBLIC HEARINGS:

Consideration of Ordinance to Demolish Dwelling – 506 E Townsend St. PIN # 1516-87-9662.000

Mayor Harris opened the Public Hearing at 7:21 p.m. The public has been notified that oral and written comments will be heard and received concerning the condemnation and demolition of the single-family structure owned by Alberta F. Sanders located at 506 E Townsend St, Dunn NC. The public hearing was duly advertised on May 1, 2019 and May 7, 2019. *A copy of the Legal Notice is incorporated into these minutes as Attachment #2.*

Hearing no comments, Mayor Harris closed the Public Hearing.

**Rezoning Request RZ-01-19, Rothal & Victoria W. Pike, 206 S Washington Ave and 210 S Washington Ave
PIN # 1516-75-3827.000 & 1516-75-2881.000**

Mayor Harris opened the Public Hearing at 7:22 p.m. The public has been notified that oral and written comments will be heard and received concerning the request by Rothal & Victoria W. Pike to rezone approximately .51+/- acres located at 206 S. Washington Ave. and 210 S. Washington Ave. The property is currently zoned C-3 Highway Commercial District and is proposed to be rezoned to R-7; Single Family Dwelling District. The public hearing was duly advertised on March 12, March 19, and March 26, 2019. *A copy of the Legal Notice is incorporated into these minutes as Attachment #3.*

Hearing no comments, Mayor Harris closed the Public Hearing.

Rezoning Request RZ-02-19, Jernigan Brothers, Inc. - 1005 W. Cumberland St. PIN# 1516-38-2808.000

Mayor Harris opened the Public Hearing at 7:24 p.m. The public has been notified that oral and written comments will be heard and received concerning the request by Jernigan Brothers, Inc. to rezone approximately .34+/- acres located at 1005 W. Cumberland St. The property is currently zoned O-I; Office and Institutional District and is

proposed to be rezoned to C-3; Highway Commercial District. The public hearing was duly advertised on April 16, April 23, and April 30, 2019. *A copy of the Legal Notice is incorporated into these minutes as Attachment #4.*

Comments were heard for and against the rezoning request by Lynn Jernigan, John Tart, Lynn Matthews, Doug Heath, Eric Sinclair, Valerie Newton, Glynn Jernigan and Joe Miriello. *Hand-outs will be filed in the City Clerk's office for the period as established by the Records Retention and Disposition Schedule.* The Public Hearing was closed at 8:29 p.m.

Ordinance Amendment OA-04-18; Chapter 22; Article III, Division 7 of the Zoning Ordinance

Mayor Harris opened the Public Hearing at 8:30 p.m. This is a request to hereby amend Chapter 22, Zoning Ordinance, of the City of Dunn Code of Ordinances; Article III. This amendment will allow lots with the minimum lot area of 40,000 square feet in the C-2 Shopping Center district for outparcels within a shopping center with no separate road access. The Public Hearing was duly advertised on April 16th, 23rd, and 30th, 2019. *A copy of the Legal Notice is incorporated into these minutes as Attachment #4.*

Hearing no comments, Mayor Harris closed the Public Hearing.

Mayor Harris reconvened the regular meeting at 8:31 p.m.

CONSENT ITEMS:

Minutes – Council considered approval of the minutes of April 9, 2019 City Council Meeting.

CDBG 190513 Quarterly Report – Council considered acceptance of the report as presented.

Motion by Council Member Tart and seconded by Council Member Bradham to approve all consent items. **Motion unanimously approved.**

ITEMS FOR DECISION:

Budget Amendment #09 – Capital Improvements for Tart Park

Recreation Director McNeill presented Budget Amendment needed to replace the fencing at Tart Park. The fencing was damaged during Hurricane Florence. This item was deferred from the April meeting to gather additional quotes to include vinyl and different kinds of wood fencing to allow better wind flow.

After discussion, motion was made by Council Member Tart and seconded by Council Member Maness to approve Budget Amendment #09 and go with Option #3 (vinyl fencing). **Motion unanimously approved.** *A copy of Budget Amendment #09 is incorporated into these minutes as Attachment #5.*

Recreation Director McNeill also gave an update on scoreboards – the new boards have been delayed but they will be installed prior to the state games. He has contacted management of the providers concerning the old scoreboards. The company has agreed to send the parts at no cost to repair the scoreboards. The current boards should be repaired for the district tournaments and the new boards should be up for the state tournament.

Appeal of Building Inspector's Decision – 204 Ammons Rd. PIN# 1515-49-8757.000

Chief Building Inspector King has conducted an inspection at 204 Ammons Rd. and based upon his observations, the structure failed to comply with the minimum standards of fitness established by the minimum housing code of the City of Dunn. The Building Inspector also found the dwelling 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 appealed the decision of the Chief Building Inspector, which is allowed pursuant to N.C. General Statute §160A-430. The homeowner is requesting more time than the sixty (60) days granted to make the repairs to the dwelling. Original 60 days ends May 24, 2019.

After discussion, motion by Council Member Tart and seconded by Council Member Turnage to deny the appeal. **Motion unanimously approved.**

Consideration of Ordinance to Demolish House – 506 E. Townsend St. PIN # 1516-87-9662.000

Chief Building Inspector King has conducted an inspection at 506 E. Townsend St. and based upon his observations, the structure failed to comply with the minimum standards of fitness established by the minimum housing code of the City of Dunn. The Building Inspector also found the dwelling 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 the Building Inspector's order and according to N.C.G.S. §160A-443, the City Council has the power to proceed with the demolition of this property. He added that the owner is deceased and taxes have not been paid on the property for 4 years. Since she is deceased, the notice was posted on the house and published in the newspaper.

Motion by Council Member Tart and seconded by Council Member Bradham to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 506 E Townsend St., PIN #1516-87-9662.000. **Motion unanimously approved.** *A copy of the Ordinance (O2019-02) is incorporated into these minutes as Attachment #6.*

Rezoning Request RZ-01-19, Rothal & Victoria W. Pike, 206 S Washington Ave and 210 S Washington Ave PIN # 1516-75-3827.000 & 1516-75-2881.000

City Manager Neuschafer presented the request to rezone a parcel of land totaling .51+/- acres located at 206 S. Washington Ave. and 210 S. Washington Ave. The property is zoned C-3; Highway Commercial District and is proposed to be rezoned to R-7; Single Family Dwelling District. The Planning Board met on March 26, 2019 and April 23, 2019 to review the request and ask for comments from the public. The planning board voted unanimously to approve this request.

Motion by Council Member Maness and seconded by Council Member Tart to approve the rezoning request as presented. **Motion unanimously approved.**

Rezoning Request RZ-02-19, Jernigan Brothers, Inc. - 1005 W. Cumberland St. PIN# 1516-38-2808.000

This is a request to rezone one parcel totaling .34+/- acres located at 1005 W. Cumberland St. The property is zoned O-I: Office Institutional District and is proposed to be rezoned to C-3; Highway Commercial District. The Planning Board met on April 23, 2019 to review the request and ask for comments from the public. The planning board voted unanimously to approve this request. Council Member Turnage spoke in opposition to the request.

Motion by Council Member Turnage to disapprove the request to rezone one parcel of land totaling .34+/- acres located at 1005 W. Cumberland St. With no second, the motion failed.

Motion by Council Member Maness and seconded by Council Member Tart to approve the request to rezone parcel of land located at 1005 W Cumberland St. with a unanimous recommendation by the Planning Board. **Motion passed 4-2 with Council Members McNeill and Turnage opposing.**

Ordinance Amendment OA-04-18; Chapter 22; Article III, Division 7 of the Zoning Ordinance

This amendment will allow lots with a minimum area of 40,000 square feet to be located within the C-2 Shopping Center district for an outparcel with no separate road access.

Motion by Mayor Pro Tem McLean and seconded by Council Member Bradham to approve Ordinance Amendment OA-04-18. **Motion unanimously approved.** *A copy of the Ordinance (O2019-03) OA-04-18, Chapter 22; Article III, Division 7 is incorporated into these minutes as Attachment #7.*

Award CDBG Project Administration Contract

City Manager Neuschafer reported that Skip Green has already been assisting with the Dunn Enrichment Neighborhood area project. The administration contract was bid out with only proposal received by Skip Green and Associates. The contract is funded by the grant so there is no cost to the City.

Motion by Mayor Pro Tem McLean and seconded by Council Member McNeill to award the CDBG project administration contract to Skip Green and Associates for \$57,000, subject to State approval. **Motion unanimously approved.** *A copy of the Contract is incorporated into these minutes as Attachment #8.*

ITEMS FOR DISCUSSION AND/OR DECISION:

Potential Land Purchases by the City

Attorney Pope presented the following "Offer to Purchase and Contract - Vacant Lot/Land" documents along with an agency agreement with Ellis Barbour & Sons, Inc. for the City to purchase three lots across from City Hall and one lot across from Public Works.

- 1) Vacant lot owned by Roy S. Tart and wife, Jeanne G. Tart at E. Cleveland St., at a proposed purchase price of \$40,000; 2) Vacant Lot owned by D. Scott Skinner, DDS POA at E. Broad St./S. Elm Ave., at a proposed purchase price of \$40,000;
- 3) Vacant lot owned by Dottie Turner Driver at S. Elm Ave., at a proposed purchase price of \$80,000; and
- 4) Vacant lot owned by Joy L. Weeks and Rayma L. Stephenson at 104 S. Elm Ave., at a proposed purchase price of \$45,000. *A copy of page 1 of each Contract along with the Agency Agreement is incorporated into these minutes as Attachment #9.*

Motion by Council Member Maness and seconded by Council Member Tart to purchase all properties as presented by the Attorney for total of \$205,000 from the General Fund. **Motion unanimously approved.**

Financial Report

Finance Director Roberts provided the following financial report for the period ending April 30, 2019:

- The City as of April 30, 2019 had \$4,062,101 in cash in the General Fund and \$2,315,883 in the Water-Sewer Fund. Through April of 2018, the City had \$4,453,940 in the General Fund and \$2,356,147 in the Water and Sewer Fund.
- Property tax collections through April were \$3,824,296 or 99% of budget, which is on track for end of April collections report. Last year we were at \$3,805,486 or 99.15%.
- Sales Tax Revenue is \$1,459,294 or 67% of budget. Benchmark for this report is 66% of budget.
- Utilities Sales Tax is \$349,984 or 49% of budget. Benchmark for this report is 50% of budget.
- Building Permit Fees were \$65,022 or 87% of budget. Benchmark for this month is 83% of budget.
- Water and Sewer Revenues were \$3,959,870 or 83.2% of budget. Benchmark for this month is 83.3% of budget.
- Expenditures were 73.9% of budget in the general fund and 73.5% of budget in the water and sewer fund. The benchmark for this period is 83.3% of budget.

Mayor Harris asked that the amount reported in the General Fund be confirmed at June meeting.

Motion by Mayor Pro Tem McLean and seconded by Council Member McNeill to acknowledge receipt of the Financial Report. **Motion carried unanimously.**

ADMINISTRATIVE REPORTS

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

Motion by Council Member Maness and seconded by Mayor Pro Tem McLean to acknowledge receipt of Administrative Reports. **Motion unanimously approved.**

City Manager's Report

Deferred comments until the Budget Work Session.

ANNOUNCEMENTS

Mayor Harris announced upcoming events and activities. He shared letter of gratitude from Brian Foster, AP History Teacher at Triton High School concerning the Leaders of Tomorrow Day hosted by City staff on May 2, 2019.

Mayor Harris recessed the meeting at 9:17 p.m. and reconvened for the Budget Work Session at 9:23 p.m.

PROPOSED BUDGET FY 2019-2020 WORK SESSION

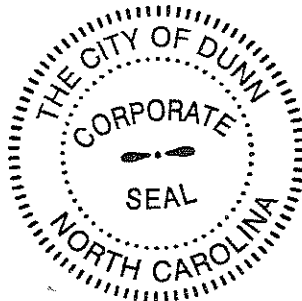
City Manager Neuschafer presented the balanced budget proposal. The key changes made to accomplish the balanced budget was adjusting the proposed COLA increase to 2% along with adjusting a couple other line items to provide \$11,602,423 for the General Fund. Contingency was reduced from \$500,000 to \$5,000. Concerns were expressed on the COLA and Merit increases and various options were discussed as alternatives including putting the first half of the COLA in contingency and leaving the second half in the budget and a possible tax increase. Mayor Harris felt that the budget needed to be approved as presented by the City Manager, as this budget was put together by him and all the department heads. Concerns were expressed that needed maintenance items and priorities might be cut if revenues did not come in as projected.

After much discussion, Mayor Harris received consensus from the City Council on moving forward with the General Fund budget as presented.

Water and Sewer Fund Budget discussion followed concerning the proposed water rate increase. Option 1 was presented to fund the Magnolia Water line replacement so that funds do not have to be borrowed or taken out of fund balance. This option keeps the current rate structure the same and increases the base rate from \$12.75 to \$14.75 and increases rate per 1000 gallons from \$4.08 to \$4.20. Option 2 reduces the volume in the base rate from 2000 to 1000 gallons and increases the base rate from \$12.75 to \$14.75. Option 3 reduces the volume in the base rate from 2000 to 0 gallons and increases the base rate from \$12.75 to \$14.75. Option 4, which is being recommended by staff, changes the rate structure to an increasing block rate structure with the first 2000 gallons not included in the base rate. Customers using less than the 2000 gallons will see a higher increase for the first year. Concerns were expressed that the smaller user has the largest increase. Mayor Harris pointed out that 87% of the City's users are 4000 gallons and less, which makes it necessary to go up on all users. Discussion followed on increasing the base rate to \$14.75 and not adding any additional increase on the block rate until after 2000 gallons. City Manager Neuschafer stated that staff will put together the new option and try to keep the total increase somewhere between Option 1 at \$135,782.04 and Option 4 of \$244,292.31.

Consensus of the Council was for the City Manager to move forward with the proposed Water/Sewer Fund Budget.

With no further business to discuss, a motion was made by Council Member McNeill and seconded by Mayor Pro Tem McLean to adjourn the meeting at 10:39 p.m. **Motion unanimously approved.**



Oscar N. Harris
Oscar N. Harris
Mayor

Attest:

Tammy Williams
Tammy Williams
City Clerk