

Dunn City Council
Regular Meeting
Tuesday, July 13, 2021, 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, and Billy N. Tart. **ABSENT:** Chuck Turnage.

Also present: City Manager Steven Neuschafer, Finance Director Jim Roberts, Public Utilities Director Heather Adams, Public Works Director Vince Washington, Planning Director George Adler, Chief Building Inspector Steven King, Chief of Police Clark White, Parks and Recreation Director Brian McNeill, Human Resources Director Connie Jernigan, Librarian Mike Williams, Communications Coordinator Kaitlin Adkins, Administrative Support Specialist II Debra Creighton, City Attorney Tilghman Pope and City Clerk Tammy Williams. Guests recognized by Mayor Elmore: Dr. Gwen McNeill, former Council Member.

CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 7:00 p.m. and Rev. James McNeill, Pastor at Mt. Zion Christian Fellowship Church gave the invocation. Afterwards, Council Member Tart led in the Pledge of Allegiance. Mayor Elmore recognized that Council Member Turnage was unable to be in attendance due to a scheduled family vacation.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Sills and second by Council Member McLean to adopt the July 13, 2021 meeting agenda with changes as listed below:

Items added to the Consent Agenda:

- Set Training Sessions for Monday, July 26, 2021 and Monday, August 2, 2021 at 6:00 p.m. at the Dunn Community Center for the Dunn City Council and Planning Board.
- Set Special Meeting on Monday, August 16, 2021 at 6:00 p.m. in Council Chambers for presentations on the Citywide Pavement Condition Study and for information on Bonds and Long Term Debt.

Added to the Items for Discussion and/or Decision

- Council Update and Discussion on Ongoing Concerns for Storm Water Conditions at the Westhaven Subdivision

Motion unanimously approved.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:07 p.m. Dr. Gwen McNeill spoke in reference to including Codrington Park on the park to park trails and told Council that the park also needed renovating. Having no additional comments, the Public Comment period was closed.

CONSENT ITEMS

- Minutes of the June 8, 2021 City Council Meeting.
- Minutes of the June 24, 2021 Special Meeting.
- Minutes of the July 1, 2021 Special Meeting.
- Assigned Annexation ANX-01-21 assignment to Ward 6 Voting District.
- Destruction of Municipal Records Request – Administration and Finance. *A copy of the Requests are incorporated into these minutes as Attachment #1.*
- Resolution Declaring Certain Property Surplus and Authorizing Disposal. *A copy of the Resolution (R2021-22) is incorporated into these minutes as Attachment #2.*
- Set dates for Training Sessions for Monday, July 26, 2021 and Monday, August 2, 2021 at 6:00 p.m. at the Dunn Community Center for Dunn City Council and Planning Board.
- Set Special Meeting on Monday, August 16, 2021 at 6:00 p.m. in Council Chambers for presentations on the Citywide Pavement Condition Study and for information on Bonds and Long Term Debt.

After concerns expressed by Council Member McLean, motion by Mayor Pro Tem Bradham and second by Council Member Tart to remove Amendment of Fee Schedule and place under Items for Decision and approve consent items. **Motion unanimously approved.**

ITEMS FOR DISCUSSION AND/OR DECISION

Amendment to the FY2021-2022 Fee Schedule

Finance Director Roberts presented request to adjust the fee for Police report copies to \$5.00 per copy from \$2.00 per copy. They have surveyed other area agencies and this is below or in line with what they currently charge. The fee increase was inadvertently left out of the fee schedule during the budget process. Council Member McLean expressed concerns with the amount of the increase.

After additional discussion, motion by Council Member Sills and second by Mayor Pro Tem Bradham to approve the Amendment to the Fee Schedule for the Police Department report copy fees from \$2.00 per copy to \$5.00 per copy. **Motion approved with Council Member McLean opposed.**

Ordinance Amendment – OA-02-21; Chapter 20-Subdivision of Land, 20-6

Mayor Elmore opened the Public Hearing at 7:17 p.m. Planning Director Adler presented request to amend the Ordinance to add “Lot Design” and “Reserve Strips” definitions. The Planning Board recommended unanimously that City Council adopt this ordinance amendment as presented at their June 29, 2021 meeting. With no additional comments, the Public Hearing was closed.

After discussion, motion by Mayor Pro Tem Bradham and second by Council Member Gaulden to adopt ordinance Amendment OA-02-21 as presented. **Motion unanimously approved.** *A copy of the Ordinance (O2021-16) is incorporated into these minutes as Attachment #3.*

Ordinance Amendment – OA-03-21; Chapter 20-Subdivision of Land, 20-67 Generally; 20-73 Streets, (t) Sidewalks

Mayor Elmore opened the Public Hearing at 7:22 p.m. Planning Director Adler presented request to amend the Ordinance requirements for sidewalk construction in subdivisions including specifications for sidewalk construction and to bring clarity to the requirements. The Planning Board recommended unanimously that City Council approve this ordinance amendment as presented at their June 29, 2021 meeting. With no additional comments, the Public Hearing was closed.

After discussion, motion by Council Member Gaulden and second by Council Member Sills to adopt ordinance amendments OA-03-21 as presented. **Motion unanimously approved.** *A copy of the Ordinance (O2021-17) is incorporated into these minutes as Attachment #4.*

Ordinance Amendment – OA-04-21; Chapter 20-Subdivision of Land, 20-74 Utilities and 20-77 Easements

Mayor Elmore opened the Public Hearing at 7:27 p.m. Planning Director Adler presented request to amend the Ordinance to add 20-74 (c) underground utilities and 20-77 Easements. On Tuesday, June 29, 2021, the Planning Board recommended that this request be tabled until a future meeting. The Planning Board asked the Planning Director to research their question about standard width of easements. He has determined the reasoning to the easements width is for including several utilities in the same easement. Thirty feet is the basic minimum easement.

After much discussion concerning the width of the easement, motion by Council Member McLean and second by Council Member Gaulden to table amendment OA-04-21 for Planning Board recommendation. **Motion unanimously approved.**

Ordinance Amendment – OA-05-21; Chapter 20-Subdivision of Land, 20-80 Street Lights

Mayor Elmore opened the Public Hearing at 7:34 p.m. Planning Director Adler presented request to create an Ordinance to add 20-80 Street Lights section for new subdivisions. On Tuesday, June 29, 2021, the Planning Board recommended approval of this ordinance amendment as presented, with clarification on the parties to the contract as follows. The developer or property owner will be responsible for all street lights. In doing subdivisions, there are standard street lights that the city will accept for maintenance. If they want special lights, they enter into a contract and maintain themselves. The city will not accept maintenance until replaced with standard street lights due to the cost difference. Council Member Sills asked about solar street lights instead of electric. Neuschaefer confirmed that the street lights are owned by the power company and the city rents. To replace with solar, the city would have to fund replacing all street lights and take ownership. This ordinance just puts out the minimum standard which does include LED, which is more energy efficient than regular light bulbs. With no additional comments, the Public Hearing was closed.

Motion by Mayor Pro Tem Bradham and second by Council Member McLean to adopt ordinance amendment OA-05-21 as presented. **Motion unanimously approved.** *A copy of the Ordinance (O2021-18) is incorporated into these minutes as Attachment #5.*

Resolution and Letter of Conditions for USDA Loan/Grant Application – Police Vehicles and Public Utilities Equipment and Trucks

Finance Director Roberts requested approval of resolutions to secure two loans and two grants from the United States Department of Agriculture (USDA), Rural Development, for the purchase of equipment for the City of Dunn Water and Sewer Department and Police Departments. The equipment included in these loans will be for: trucks, a skid steer with attachments, a four wheel drive tractor with attachments, and Police vehicles including a new truck for animal control. The Public Hearing was held at the June meeting. The total loans combined will be approximately \$380,000 with a repayment of approximately \$60,000 per year for five years at an interest rate of 2.25%, and grants in the amount of \$100,000.

Motion by Council Member Tart and second by Council Member Gaulden to approve two resolutions, one for Public Utilities equipment and vehicles and one for Police vehicles and allow the Mayor and the City manager to execute all documents for these USDA grants and loans and accept all loan conditions provided by the USDA for these transactions. **Motion unanimously approved.** *A copy of the Resolution (R2021-23) and (R2021-24) are incorporated into these minutes as Attachment #6 and #7 respectively.*

Ordinance to Deem Property Unfit for Human Habitation – 100 W Edgerton St

Mayor Elmore shared that he received a request from the owner’s attorney, Bo Jones to table for an additional thirty days. This is an operating business. They have received the engineer report and now in negotiation for contractors. The Mayor recommended sixty days due to the difficulty with getting construction projects complete at this time. Chief Building Inspector King said repairs are estimated at \$75,000 to \$100,000. Another suggestion was to put up railing to keep fork lift from the floor.

After additional discussion, motion by Mayor Pro Tem Bradham and second by Council Member McLean to table for an additional 60 days. **Motion approved with Council Member Sills opposed.**

Consider Award for Golden Leaf Sewer Rehabilitation Project

Public Utilities Director Adams presented request for awarding a construction contract for the rehabilitation of sewer lines identified during the Golden Leaf I&I Study. On August 6, 2020, the Golden Leaf Foundation provided the City with an additional \$313,586 grant to rehab damaged sewer lines (Site 1-7). After the Golden Leaf study was completed, a significant I&I source was located at McKay and Vance. Since site 8 cannot be added to the Golden Leaf scope of work, the site was separated on the bid tab and was being proposed as a change order to the construction contract with plans to use the American Rescue Plan (ARP) funds but with the bid requirements, site 8 will be rebid with additional projects to use the ARP funds.

Bids were initially advertised for opening on April 15, 2021, with no bids received. The project was re-advertised with a bid opening of May 20, 2021. Two bids were received and IPR Southeast, LLC was the lowest responsive, responsible bidder. Since the bid exceeded the Golden Leaf budgeted amount, a budget modification request has been submitted to Golden Leaf. If Golden Leaf does not approve the budget modification request, staff recommends using fund balance.

Motion by Council Member Sills and second by Council Member Gaulden to award a contract to IPR Southeast, LLC in the amount of \$420,605 for sewer rehab work associated with the Golden Leaf Project and approve budget amendment in the amount of \$163,419 from the utility fund balance. **Motion unanimously approved.** *A copy of Budget Amendment (BA2022-01) is incorporated into these minutes as Attachment #8.*

Consideration of No Parking Signs on Railroad Ave

Chief White presented request for "No Parking" Signs and Markings for the left side curb of Railroad Ave from Cumberland St to Broad St. Complaints are being received that vehicles are being parked and left unattended against the left side of the street, which is in violation of City Ordinance 12-95(5) pertaining to obstructing of traffic. This signage and markings should help avoid confusion.

Motion by Council Member Tart and second by Mayor Pro Tem Bradham to approve "No Parking" Signs and Markings for the left side curb of Railroad Ave from Cumberland St to Broad St. **Motion unanimously approved.**

Authorize DMP Proposal for Tart to Tyler Park Trail Survey and Mapping

City Manager Neuschafer presented proposal from DMP for surveying and engineering of the Tyler to Tart Park Trail. This work will prepare documents for bidding of the projects for construction to begin, hopefully, by October. NCDOT has agreed to submit a portion of the trail construction for funding but only a small portion of the trail is identified on NCDOT maintained roadways. Council Member Tart and Mayor Pro Tem Bradham did feel that the city needs to look at incorporating Codrington Park in the near future.

Motion by Council Member Tart and second by Mayor Pro Tem Bradham to approve the attached budget amendment for \$50,000 and to authorize the City Manager to execute the Tart to Tyler Trail Proposal from DMP. **Motion unanimously approved.** *A copy of Budget Amendment (BA2022-02) is incorporated into these minutes as Attachment #9.*

Council Update and Discussion on Ongoing Concerns for Storm Water Conditions at the Westhaven Subdivision

Council Member Sills gave an update on the storm water issue at Westhaven. Some easements are on record but there are some storm drains with absolutely no easement. He has gone door to door and most are in favor of easements being used to repair issues for 50-year fix. Those without easements want the areas flagged so that they can see the impact. Westhaven residents are having property damage from the hard fast rains that the storm drains can't manage. Neuschafer said that it should not be too expensive (\$2,500 to \$4,000) to mark the existing pipes to inform the public where the drains are located.

After much discussion, motion by Council Member Tart and second by Mayor Pro Tem Bradham to table for firm numbers on the cost for marking the existing pipes and for a full council to be in attendance. **Motion unanimously approved.**

Mayor Elmore stated that he would like to see the storm drainage issues prioritized like we are doing with the street conditions.

Council Goals/Reports

City Manager Neuschafer presented reports. Mayor Pro Tem Bradham asked about the loud motors and Chief White stated that officers are enforcing as they witness violations. Parks and Recreation Director McNeill gave an update on the AA and AAA State Tournaments at Tyler Park and he also updated Council on the Tart Park renovation project.

Administrative Reports

Finance Director Roberts provided the following financial report for the period ending June 30, 2021:

- General fund and Water and Sewer fund combined had \$8,466,289 compared to \$6,168,293 in 2020.
- Property tax payments received \$3,918,638 or approximately 104.5% of projected budget compared to \$3,828,078 last year. Total Taxes received through the end of May were \$4,400,234 compared to \$4,183,387 in 2020.

- Sales Tax Revenue continues to be very strong. Total through April, \$2,172,024 compared to \$1,823,469 same time last year. This is a 19.1% increase over last year.
- Utilities Sales Taxes received \$671,719, compared to \$700,927 same time last year.
- Building Permit Fees for the month of June were \$14,646 with total to-date of \$170,467 or 170% of budget compared to \$129,697 last year.
- Water and Sewer Revenues for the month of June were \$525,287, with total collected year to date of \$5,882,454 or 100.6% of budget compared to \$5,677,047 in 2020.
- General Fund expenditures in June were \$970,895, with total expensed to date of \$11,125,651 or 93.15% of Budget compared to \$10,963,295 in 2020.
- The Water and Sewer fund expenditures in June were \$530,423, with total expensed to date of \$6,340,763 or 83.43% of budget compared to \$5,649,345 last year.
- The benchmark for this period is 100% of budget.

He also gave updates on Debt Service and Liens and Accounts Receivable.

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

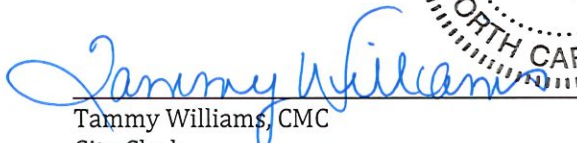
Mayor Elmore announced upcoming events and activities. Council Member Gaulden invited everyone to a Back to School Bash, Jasmine’s Vision Scholarship Fund, hosted by past Triton graduates at Trinity AME Zion Church, 700 E Johnson Street.

Motion by Council Member McLean and second by Council Member Gaulden to enter closed session for the purpose to instruct the staff concerning the negotiation of the price and terms of a contract concerning the acquisition of real property in accordance with [N.C.G.S. 143-318.11(a)(5)]. **Motion unanimously approved.**

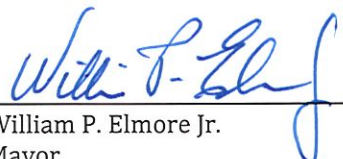
Mayor Elmore recessed the meeting at 8:43 p.m.

The meeting was reconvened and with no further business to discuss, motion by Council Member Sills and second by Council Member Tart to adjourn the meeting at 9:45 p.m. **Motion unanimously approved.**

Attest:


 Tammy Williams, CMC
 City Clerk




 William P. Elmore Jr.
 Mayor