

**Dunn City Council**  
**Regular Meeting**  
**Tuesday, August 11, 2020, 2020**  
**7:00 p.m., Dunn Municipal Building**

## Minutes

**PRESENT: Mayor William P. Elmore Jr., Mayor Pro Tem Chuck Turnage, Council Members J. Wesley Sills, April Gaulden, Frank McLean, Billy N. Tart, and Dr. David L. Bradham.** *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, Planning Director George Adler, Chief of Police Clark White, Executive Assistant Connie Jernigan, Communications Coordinator Kaitlin Adkins, City Attorney Tilghman Pope, and City Clerk Tammy Williams. Guest recognized by the Mayor: Trent Carpenter and Don Wood representing the Downtown Dunn Development Corporation and Lester Lee, Chairman of the Dunn Housing Authority.*

### CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 7:00 p.m. and Rev. Randy Beasley, Pastor at Lee's Grove Pentecostal Freewill Baptist Church, gave the invocation. Afterwards, Mayor Pro Tem Turnage led in the Pledge of Allegiance. Mayor Elmore announced the passing of Mr. Freddie Williford, owner of Sherry's Bakery.

### AGENDA ADJUSTMENT AND APPROVAL

Motion by Mayor Pro Tem Turnage and second by Council Member Bradham to adopt the August 11, 2020 meeting agenda as presented. **Motion unanimously approved.**

### PRESENTATIONS

#### Main Street Community Status

Mayor Elmore announced that Downtown Dunn has achieved Main Street Status as of July 31, 2020. Mayor Elmore stated that this has been a long process achieved through a partnership between the City, Downtown Dunn Development Corporation (DDDC), Dunn Area Tourism Authority, Dunn Area Chamber of Commerce as well as the downtown property owners and business owners. Communications and Downtown Coordinator Kaitlin Adkins read a letter from Dal Snipes, Chairman of DDDC, expressing his excitement and appreciation for the City's role in making this achievement possible. City Manager Neuschafer reviewed the history and timeline of the revitalization project, which led to the Main Street program. Mayor Elmore pointed out that the Main Street status brings with it, the access to many resources as well as more opportunities for development and growth. He shared that the City of Dunn was in an elite group, being 1 of 67 designated as Main Street programs in NC with only 1600 in the United States. He is hopeful this will open many doors for downtown and the surrounding area and announced he is looking forward to a grand reopening of downtown after covid. Those recognized by the Mayor and Mr. Snipes for their contribution to the Downtown Revitalization project and Main Street achievements included: Mr. Williford, the late Archie Wood, the late former Mayors Abe Elmore and Oscar Harris, Mayor Elmore, Dal Snipes, City Manager Neuschafer, former City Manager Ronnie Autry, and City Clerk Williams in her role as the Chamber's Executive Vice President; in addition to the members of DDDC including Mr. Carpenter and Mr. Wood who were in attendance.

### PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:24 p.m. Having no comments, the Public Comment Period was closed.

### CONSENT ITEMS

Motion by Council Member Bradham and second by Council Member Gaulden to approve minutes of the July 14, 2020 City Council Meeting as presented. **Motion unanimously approved.**

Chief White presented the Memorandum of Understanding (MOU) with the Dunn Housing Authority and recognized Chairman Lee who was in attendance.

Motion by Mayor Pro Tem Turnage and second by Council Member Bradham to approve the MOU between the City of Dunn and the Dunn Housing Authority for a Police Officer to be assigned to the Dunn Housing Authority for no less than 25 hours per week at the reimbursement amount of \$1,500 per month. **Motion unanimously approved.** *A copy of the MOU is incorporated into these minutes as Attachment #2.*

Motion by Council Member Sills and second by Council Member Gaulden to approve the Destruction of Municipal Records – Finance as presented. **Motion unanimously approved.** *A copy of each request has been incorporated into these minutes as Attachment #3.*

### ITEMS FOR DISCUSSION AND/OR DECISION

#### Ordinance Amendment OA-05-20; Article IV, Division 4 – Cemetery Board

*Public Hearing* to amend the Code of Ordinances Article IV, Division 4, Sections 2-124 through Section 2-129 – Cemetery Board. The public hearing was duly advertised on July 28 and August 4, 2020. Mayor Elmore opened the Public Hearing at 7:30 p.m.

City Manager Neuschafer shared that the revision is removing all sections related to the Cemetery Board as the wishes of the Council is to combine this committee with the Community Appearance Committee (CAC). All members of the Cemetery Board have been contacted and wish to transfer to the CAC. No additional comments have been received by the City Clerk and with no further comments, the Public Hearing was closed.

Motion by Council Member Bradham and second by Council Member Sills to approve Ordinance Amendment OA-05-20; Article IV; Division 4, Section 2 by removing Sections 2-124 through Section 2-129 as presented. **Motion unanimously approved.** *A copy of the Ordinance (O2020-17) is incorporated into these minutes as Attachment #4.*

#### **Consideration of Ordinance to Demolish – 1501 Erwin Rd**

*Public Hearing* regarding the consideration of Ordinance to Demolish House at 1501 Erwin Rd. The Public Hearing was duly advertised on July 31 and August 4, 2020. Mayor Elmore opened the Public Hearing at 7:32 p.m.

Chief Building Inspector King has conducted inspections at 1501 Erwin Rd and based upon 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 of the property has failed to comply with the Building Inspector's order. City Manager Neuschafer confirmed that the owner, Casper Tart, does not have any objections to the demolition. No additional comments have been received by the City Clerk and with no further comments, the Public Hearing was closed.

Motion by Council Member Sills and second by Council Member McLean to adopt the ordinance directing the Building Inspector to proceed with the demolition of the structure located at 1501 Erwin Rd. PIN# 1506-79-4334.000. **Motion unanimously approved.** *A copy of the Ordinance (O2020-18) is incorporated into these minutes as Attachment #5.*

#### **Consideration of Ordinance to Demolish – 503 E Carr St**

Consideration of ordinance to demolish was tabled at the July meeting to allow potential buyer, Curtis Myles additional time to acquire ownership of the property. City Attorney Pope confirmed that Mr. Myles' Attorney, Bo Jones, has obtained the deed to the property confirming that Mr. Myles does own the property. City Manager Neuschafer presented option to demolish all three buildings or just two of the buildings. City Attorney Pope reminded Council that discussion at the July meeting was that Mr. Myles be allowed time to handle the demolition, himself. Mr. Myles told Council that he needed 90 days for demolition and repairs to the third structure.

Discussion followed on tabling for 30 days with the conditions that the two structures be demolished prior to receiving building permits. Pope confirmed that a motion to table cannot include conditions.

Motion by Council Member Tart and second by Council Member Sills to table until the next Council meeting. **Motion unanimously approved.**

#### **Ordinance to Demolish Review – 911 Fairground Rd**

Consideration of ordinance to demolish was tabled initially at the February Council meeting to allow the new owner, Mr. Lloyd Tom Hamilton time to make repairs and improvements to the dwelling. It was further tabled in April and June. City Manager Neuschafer told council that some exterior work has been completed but no additional interior construction due to waiting on the electrician. Council Member Sills expressed concerns related to the lack of progress and how slowly the work is being completed.

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

#### **Ordinance to Demolish Review – 700 Lincoln**

The City Council adopted an ordinance to demolish the property on November 12, 2019 but also allowing the new owner, Jada S. Wiggins, 90 days to bring the property up to code. City Council instructed Chief Building Inspector, Steven King, to defer any demolition activities for 90 days to allow time for repairs. The City Council agreed to allow 60 additional days from the June 9, 2020 Council Meeting for Mr. Taylor to complete the repairs to the dwelling and bring it into compliance with applicable codes. Mr. Taylor has not finished the repairs but has made a better effort in finishing than he did from November 2019 to June 2020. City Manager Neuschafer stated that Mr. Taylor has passed several inspections including the final electrical this morning. He is still lacking a few final inspections.

Council Member Sills pointed out that this has been going on for almost a year. After additional discussion, it was decided that there may need to be a work session to discuss housing issues and to give some direction to Chief Building Inspector King concerning these structures and his discussions with owners. Council Member Sills stated that he was concerned with the length of time this project was taking and that he would be very hesitate to vote to table again. Mayor Pro Tem Turnage suggested a work session to come up with some guidelines/criteria and timelines for the building inspector. City Manager Neuschafer shared that he felt that King would appreciate this guidance from Council. Council Member Tart suggested a penalty when repairs and renovations exceed a certain amount of time. Council Member McLean expressed concerns related to property owners getting different information from different inspectors.

Motion by Council Member Tart and second by Council Member Sills to table 700 Lincoln St for an additional 30 days. **Motion unanimously approved.**

Mayor Elmore asked City Manager Neuschafer to begin working on some guidelines and to plan for a work session as discussed.

#### **Approval of Utility Payment Plan Terms**

Finance Director Roberts presented payment plan that covers requirements of Executive Orders 124 and 142 for past due residential utility bill payments due to Covid-19.

Motion by Council Member Sills and second by Council Member McLean to approve the Utility Payment Plan meeting the requirements of Executive Orders 124 and 142 covering past due utility accounts. **Motion unanimously approved.** *A copy of the Utility Payment Plan is incorporated into these minutes as Attachment #6.*

#### **Acknowledge the Voluntary Non-Contiguous Annexation of Properties – ANX-01-20 and ANX-02-20**

City Manager Neuschafer presented a local act of the North Carolina General Assembly, codified as NC Session Law 2020-36, Senate Bill 201, for the voluntary non-contiguous annexation of two properties into the corporate limits of the City of Dunn effective July 1, 2020. The City of Dunn received a petition for annexation from:

- JPF Properties for 13.33 acres located at 1560 George Perry Rd. (PJ's Truck Bodies), identified by the Harnett County Registry as PIN# 1537-17-7973.000, Parcel 02-1529-0032-20
- Robin Whitley Hood II for 6.285 acres located on Hodges Chapel Rd, which is a portion of the property identified by the Harnett County Registry as PIN# 1537-29-5093, Parcel 02-1529-0032-21

Due to the proximity to the City of Dunn and Town of Benson, this annexation had to go through the General Assembly and Representative David Lewis assisted with this process.

Motion by Council Member Bradham and second by Council Member Gaulden to acknowledge the voluntary non-contiguous annexation of 1560 George Perry Rd., PIN# 1537-17-7973.000, zoned I-100 and assigned to Ward 3, and portion (6.285 acres) of property located on Hodges Chapel Rd, PIN# 1537-29-5093.000, zoned C-3 and assigned to Ward 3. **Motion carried unanimously.**

#### **Harnett County CARES Act Funding Interlocal Agreement and City's Spending Plan**

Assistant City Manager Boone presented proposed Interlocal Agreement between Harnett County and the City of Dunn as well as the plan to spend the \$484,668.00 in CARES Act funding to be dispersed to Dunn from the Coronavirus Relief Fund. Harnett County has recommended to all municipalities receiving CARES Act funds, to allocate funds to public safety cost; specifically, salaries and benefits paid to sworn officers. All municipalities within the County agreed that this would be the easiest way to use the funding and report back to the County, and in return the County reporting back to the State.

Motion by Council Member Sills and second by Council Member McLean to approve the Interlocal Agreement with Harnett County as well as the City of Dunn CARES Act spending plan. **Motion carried unanimously.** *A copy of the Interlocal Agreement is incorporated into these minutes as Attachment #7.*

#### **Downtown Dunn Development Corporation (DDDC) Memorandum of Understanding (MOU)**

Downtown Coordinator Adkins presented the MOU to be considered between the City and DDDC. The MOU expresses the mutual understanding between both parties concerning the roles and responsibilities, priorities and decision-making process concerning the Main Street program. There has never been a formal agreement between the City and DDDC and this MOU is a requirement for the Main Street status.

After discussion, motion by Council Member Tart and second by Council Member Gaulden to approve the MOU between the City of Dunn and DDDC as presented. **Motion carried unanimously.** *A copy of the Memorandum of Understanding is incorporated into these minutes as Attachment #8.*

#### **Council Goals/Reports**

City Manager Neuschafer reviewed the reports presented. In response to inquiries, he shared that the Paving projects are in the design phase. He further added that the asphalt paver has been received and some training has been held with staff. Staff will be doing some practice runs with paver without asphalt, spreading fines on the Dunn-Erwin Trail and some fines on the Dog Park. Three different areas have been identified to work on as the first paving projects using the new paver. Council Member Bradham thanked the staff for all the work on the dog park and the sunflower field.

#### **Administrative Reports**

City Manager Neuschafer shared that the City was awarded a second grant from the Golden Leaf Foundation for \$313,586 for repairs to sewer lines that were found damaged during the study funded by the first grant. He also pointed out that staff is investigating a septic waste hauler fee for an additional revenue stream for the City. Assistant City Manager Boone gave a quick update on the Tart Park Renovation project addressing the drainage issues and sharing that some delays have been experienced due to weather but the project is progressing well. Should be finished by October without additional weather delays.

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

- General Fund - \$3,766,289 and (NCCMT Term Account) Water-Sewer Fund - \$2,361,713. Through July of 2019, General Fund - \$3,982,853 and Water and Sewer Fund - \$2,329,518. More than \$1,000,000 has been spent on Tart Park and that loan should be finalized in the next 3 weeks.
- Taxes for the 2020 year have not been billed yet.
- Sales Tax Revenue through May is \$2,208,089 - 99.8% of total expected income.
- Utilities Sales Taxes received to date is \$700,927.
- Building Permit Fees for July were \$9,501 or 10% of budget.
- Water and Sewer Revenues for July were \$489,311 or 8.4% of budget. Year to Date in 2019 was \$534,201.
- General Fund Expenditures - \$828,066 or 7.2% of budget. The Water and Sewer fund Expenditures - \$384,417 or 7.9% of budget. The benchmark for this period is 8.3% of budget.

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 Council Member Bradham and second by Council Member McLean to enter a Closed Session for the purpose to instruct the staff concerning the negotiation of purchasing real property [N.C.G.S. 143-318.11(a)(5)]. **Motion unanimously approved.**

Mayor Elmore recessed the meeting at 8:39 p.m. for the Closed Session.

The Council Meeting was reconvened. With no further business to discuss, motion by Council Member Tart and second by Council Member Gaulden to adjourn the meeting at 8:58 p.m. **Motion unanimously approved.**



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

Attest:

*Tammy Williams*  
 Tammy Williams  
 City Clerk