

**Dunn City Council**  
**Regular Meeting**  
**Tuesday, September 8, 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, Public Utilities Director Heather Adams, Public Works Director Vince Washington, Planning Director George Adler, Chief Building Inspector Steven King, Chief of Police Clark White, Executive Assistant Connie Jernigan, Communications Coordinator Kaitlin Adkins, and City Attorney Tilghman Pope.*

### CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 7:00 p.m. and Rev. Beth Gaines, Pastor at Divine Street United Methodist Church gave the invocation. Afterwards, Council Member McLean led in the Pledge of Allegiance.

Mayor Elmore commended the many agencies and organizations that assisted in the search and rescue for Ms. Cathy Westbrook. He shared how impressed he was in the operation and all those that came from across the state to help in the search. Those listed included: Chief Clark White and the Dunn Police Department, Gary Whitman and Dunn Emergency Services, Sheriff Wayne Coats and the Harnett County Sheriff's Department, Harnett County Emergency Management, North Carolina Highway Patrol, Hodges Chapel Church, American Legion Post 59 as well as the many other community volunteers that helped in the search and rescue.

### AGENDA ADJUSTMENT AND APPROVAL

Motion by Mayor Pro Tem Turnage and second by Council Member McLean to adopt the September 8, 2020 meeting agenda with changes as listed below:

*Agenda Items Added:* Consideration of Contract to Purchase Real Property

**Motion unanimously approved.**

### PRESENTATIONS

#### **Buddy Brown – Sudan Shriners Potentate**

Mayor Elmore presented a Proclamation to Allen R. "Buddy" Brown for his service as this year's Sudan Shriners Potentate. *A copy of the Proclamation (P2020-11) is incorporated into these minutes as Attachment #2.*

#### **Employee Introductions**

Finance Director Roberts introduced employees: Cindy Colon, Customer Service Representative and Brittany Barefoot, Accountant II. Public Works Director Washington introduced employees: Harrison Faircloth, Equipment Operator and Hunter Johnson, Equipment Mechanic.

### PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:17 p.m. Having no comments, the Public Comment period was closed.

### CONSENT ITEMS

Motion by Mayor Pro Tem Turnage and second by Council Member Bradham to approve the minutes of the August 11, 2020 Meeting as presented. **Motion unanimously approved.**

### ITEMS FOR DISCUSSION AND/OR DECISION

#### **Ordinance Amendment OA-06-20: Combine Planning Board and Board of Adjustment**

*Public Hearing* to amend the Code of Ordinances to combine the functions of the Planning Board and the Board of Adjustment, so that the same members of the Planning Board can be convened as the Board of Adjustments, when necessary. The public hearing was duly advertised on August 18, 25 and September 1, 2020. Mayor Elmore opened the public hearing at 7:19 p.m.

Planning Director Adler reviewed the recommended changes and stated that the amendment has been reviewed by City Attorney Pope. The Planning Board also recommended unanimously that the City Council approve this ordinance amendment as presented. 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 Gaulden to approve the ordinance amendment OA-06-20 as presented. **Motion unanimously approved.** *A copy of the Ordinance Amendment OA-06-20 (O2020-19) is incorporated into these minutes as Attachment #3.*

#### **Consideration of Ordinance to Demolish – 405 E Pearsall St**

*Public Hearing* regarding the consideration of Ordinance to Demolish House at 405 E Pearsall St. The public hearing was duly advertised on August 28 and September 1, 2020. Mayor Elmore opened the public hearing at 7:22 p.m.

Chief Building Inspector King has conducted inspections and based upon his observations, the structure is unsafe and has been condemned in accordance with N.C.G.S. §160A-426. The Chief 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.

Minnie Webb, owner of the property, requested additional time so that she could sell the property. No additional comments have been received by the City Clerk and with no further comments, the public hearing was closed.

After discussion, motion by Council Member Sills and second by Council Member Tart to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 405 E Pearsall St. PIN#: 1516-65-7801.000. **Motion unanimously approved.** *A copy of the Ordinance (02020-20) is incorporated into these minutes as Attachment #4.*

#### **Consideration of Ordinance to deem Property Unfit for Human Habitation – 906 & 908 N Clinton Ave**

*Public Hearing* regarding the consideration of Ordinance to deem property Unfit for Human Habitation at 906 and 908 N Clinton Avenue. The public hearing was duly advertised on August 28 and September 1, 2020. Mayor Elmore opened the public hearing at 7:28 p.m.

Chief Building Inspector King has conducted an inspection and found the structure in a deteriorated condition that does not meet the requirements of the City of Dunn's Non-Residential Building Maintenance Code. The property was found dangerous and prejudicial to the public health or public safety and is a nuisance in violation of N.C.G.S. §160A-193. The owner has failed to comply with the Chief Building Inspector's order. King reported that the owners have scheduled a meeting with him tomorrow as they plan on getting involved with the process. He reviewed the property history, which identified those items that have not been completed.

Hosvan Giron, tenant/owner of D & H Mart, spoke in opposition of the ordinance stating that they had done several repairs and he requested additional time. No additional comments have been received by the City Clerk and with no further comments, the public hearing was closed. King stated the biggest issue is the canopy. Council Member Sills added that this canopy is on a main thoroughfare to the City and has been an eyesore for some time and needs to be taken care of immediately.

Motion by Council Member Bradham and second by Council Member Gauden to table until the October Council meeting. **Motion unanimously approved.**

#### **Consideration of Ordinance to deem Property Unfit for Human Habitation – 410 S Clinton Ave**

*Public Hearing* regarding the consideration of Ordinance to deem property Unfit for Human Habitation at 410 S Clinton Avenue. The public hearing was duly advertised on August 28 and September 1, 2020. Mayor Elmore opened the public hearing at 7:35 p.m.

Chief Building Inspector King has conducted an inspection and found the structure in a deteriorated condition that does not meet the requirements of the City of Dunn's Non-Residential Building Maintenance Code. The property was found dangerous and prejudicial to the public health or public safety and is a nuisance in violation of N.C.G.S. §160A-193. The owner has failed to comply with the Chief Building Inspector's order. King added that the owner has been given extended time and two major items have still not been completed.

King confirmed that the residents would have to vacate the property and the City will give residents seven days to move out. City Manager Neuschaefer added that the City tries to work with other agencies and organizations to get tenants relocated. The owners will have two years to bring the property up to code. No additional comments have been received by the City Clerk and with no further comments, the public hearing was closed. Council Member Sills shared that he had the crime stats pulled for that property and there had been over 150 calls related to this property.

After much discussion, motion by Council Member Sills and second by Mayor Pro Tem Turnage to adopt the ordinance directing the Chief Building Inspector to post the property Unfit for Human Habitation at 410 S Clinton Avenue PIN#: 1516-55-9876.000. **Motion unanimously approved.** *A copy of the Ordinance (02020-21) is incorporated into these minutes as Attachment #5.*

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

Chief Building Inspector King shared with Council that this matter was tabled at the July 14, 2020 meeting to allow potential buyer, Curtis Myles, additional time to acquire ownership of the property and to keep only structure "A" with the other two structures to be removed to conform with Zoning Regulations. It was again tabled at the August 11, 2020 meeting to allow the owner time to demolish the structures.

King told Council that Mr. Myles has demolished both structures and removed all debris and is now awaiting decision from Council to proceed with the repairs. Council Members commended Mr. Myles on his efforts with this property and other properties that he has rehabilitated in the past.

After discussion, motion by Council Member Sills and second by Council Member Gaulden to table until the December meeting to allow the owner time to make repairs to the property, PIN#: 1516-87-4980.000. **Motion unanimously approved.**

#### **Consideration to Demolish – 700 Lincoln**

Chief Building Inspector King reminded Council that the ordinance to demolish was adopted on November 12, 2019 but was passed allowing the new owner, Jada S. Wiggins, 90 days to bring the property up to code. After the repairs were not completed, King returned to Council for direction. Council agreed to another 60 days at the June 9, 2020 meeting to allow Mr. Frank Taylor additional time to make the repairs. At the August meeting, he passed the electrical inspection that day with three more inspections (mechanical, plumbing, and building) needed to finalize the repairs. At this time, no inspections have been requested. Council Members Gaulden and McLean spoke in favor of giving Mr. Taylor additional time to finish repairs as he has put quite a bit of money into the repairs.

Motion by Mayor Pro Tem Turnage and second by Council Member Bradham to table for 30 days directing Chief Building Inspector King to prepare letter directing Mr. Taylor that he has 30 days to get the last three inspections or the ordinance will stand. **Motion approved with Council Member Sills opposed due to the length of time the neighbors in this area have had to deal with this issue.** Mayor Elmore added that he would like for a personal contact to be made in addition to the letter.

#### **Acceptance of revised Golden LEAF Foundation Grant Award for Inflow and Infiltration**

Public Utilities Director Adams told Council that the City was awarded a grant from the Golden LEAF Foundation in 2019 for the purpose of inspecting the collection system and locating sewer lines that were damaged as a result of Hurricane Florence. Approximately 2,230 linear feet were identified as exhibiting the kind of fractures, breaks and cracks that lead to excessive inflow and infiltration. Staff and WithersRavenel submitted a modified project request and was notified on August 6, 2020 that the City was awarded an additional \$313,586 to fund the identified repairs. Golden LEAF has now awarded the City a total of \$456,086 with no local match required.

Motion by Mayor Pro Tem Turnage and second by Council Member Bradham to accept the revised Golden LEAF grant agreement in the amount of \$456,086 and make the applicable assurances contained therein and authorize City Manager Neuschafer to execute an amended contract with WithersRavenel to assist the City with the engineering, construction, administration and observation associated with the identified repairs to the sewer lines. **Motion unanimously approved.** *A copy of the Acknowledgment and Agreement with the Golden LEAF Foundation and the amended contract with WithersRavenel are incorporated into these minutes as attachment #6.*

#### **Septic Off Loading Station and Septage Hauler Waste Service and Disposal Fee**

Public Utilities Director Adams requested the City proceed with a project at the Black River Wastewater Treatment Plant in order to accept septic and portable toilet waste. The service will be available for State approved septic haulers registered in the City of Dunn and surrounding area, to dispose of waste at the plant. Adams reported this has been investigated and determined to be a feasible project for a new income stream for the City. The payback for the project, from new revenues, is projected to be two years or less.

After discussion, motion by Council Member Bradham and second by Mayor Pro Tem Turnage to approve moving forward with design and installation of a septic off-loading station at the Black River Wastewater Treatment Plant and authorize City Manager Neuschafer to enter into a contract with Draper Aden Associates for the engineering services as outlined in the attached proposal, approve a budget amendment in the amount of \$295,890 for engineering and construction of this capital improvement, and also approve that the Septage Hauler Base Facility Fee and Per Gallon Usage Fee be added to the City of Dunn's Fee Schedule in the amounts of \$20.00 per load and \$0.04 per gallon respectively. **Motion unanimously approved.** *A copy of the Budget Amendment 2021-05 and the Proposal with Draper Aden Associates are incorporated into these minutes as attachment #7.*

#### **Resolution to apply for Water Infrastructure Merger & Regionalization Feasibility Program Grant**

Public Utilities Director Adams asked Council to approve a resolution stating that the City intends to pursue an application with the State Water Infrastructure Authority for the purpose of seeking grant funding for a Water Infrastructure Merger Regionalization Feasibility Study - \$50,000 grant with no local match.

Motion by Mayor Pro Tem Turnage and second by Council Member Gaulden to adopt the resolution stating the City's intent to request a \$50,000 grant through the Division of Water Infrastructure's Merger and Regionalization Feasibility Grant Program and authorize City Manager Neuschafer to enter into a contract with WithersRavenel for their assistance in preparing the grant application. **Motion unanimously approved.** *A copy of the Resolution (R2020-15) is incorporated into these minutes as attachment #8.*

#### **Resolution authorizing Application for State Revolving Loan/Grant Funds - Design and Construction of elevated Water Tank**

Council is being asked to consider a resolution stating the City's intent to pursue an application for the purpose of seeking funds for the design and construction of an elevated water storage tank on Highway 301 South near the Food Lion Distribution Center. Michael Goliber, PE with Davis Martin Powell Engineering told Council that the water tank was originally designed several years ago but the Council decided not to move forward since the system was operable without the tank. However, several water pressure issues have come up with the larger customers since that time.

Motion by Council Member Sills and second by Council Member Bradham to approve the resolution adopting the City's intent to request grant and/or loan funding through the Division of Water Infrastructure State Revolving Loan Program and the NC Department of Commerce for the design and construction of an elevated water tank near Highway 301 South and authorize City Manager Neuschafer to enter into a contract with Davis Martin Powell to prepare the grant and loan applications. **Motion unanimously approved.** *A copy of the Resolution (R2020-16) is incorporated into these minutes as attachment #9.*

#### **Lakeshore Drive Water Line Replacement Contract Award**

Michael Goliber, PE with Davis Martin Powell told Council that this project is a part of the 2020 City Paving, Storm Water, Water and Sewer Improvement plan. He presented the bid report for the construction contract for water line improvements on Lakeshore Drive. Informal bids were received on August 20, 2020 to replace approximately 2,420 linear feet of 6-inch water line along Lakeshore Drive. A total of 6 bids were received with Central Builders, Inc. with the lowest bid of \$270,270. Public Utilities Director Adams added staff's recommendation to take \$20,270 from the 2020-2021 Water and Sewer Capital Project budget and borrow the remaining \$250,000 from a local lending institution.

City Manager Neuschafer added that the City has experienced several water line breaks over the last two years on Lakeshore and the City will self-fund until the loans have been approved by Council. Queens Avenue will probably be the next project in this area due to the number of breaks on that street. Goliber confirmed that construction will last approximately 90 days from notice to proceed and the project should be started in approximately 45 days, if approved tonight.

Motion by Council Member Gaulden and second by Council Member Tart to award a contract to Central Builders, Inc. for the water line replacement on Lakeshore Drive at a cost of \$270,270, to approve the Budget Amendment to increase the Enterprise Fund's Capital Improvement Project budget and Installment Financing Income, and furthermore to direct the City Manager to proceed with obtaining bids for loan of \$250,000. **Motion unanimously approved.** *A copy of Budget Amendment 2021-06 is incorporated into these minutes as attachment #10.*

#### **Contract to Purchase Real Property**

City Manager Neuschafer presented for approval, the contract to purchase three parcels of property owned by Donald D. Morrison and Evon B. Morrison for the purchase price of \$96,000. The three parcels are located at 501 E Broad Street, Parcel Number 02151608410001, PIN# 1516-76-5566.000; 503 E Broad Street, Parcel Number 02151611050010 01, PIN# 1516-76-6504.000; and 1 Lot 100 x 140 E Broad Street, Parcel Number 02151611050010, PIN#1516-76-6560.000.

Motion by Council Member Bradham and second by Council Member McLean to approve the purchase of all three properties as presented for the purchase price of \$96,000, authorizing the Mayor and City Manager to proceed with the purchase and to approve the Budget Amendment as presented. **Motion unanimously approved.** *A copy of Budget Amendment 2021-07 is incorporated into these minutes as attachment #11.*

#### **Community Appearance Committee Appointments**

City Manager Neuschafer presented the applications received for the Community Appearance Committee. He added that a staff member will also be assigned to the committee.

Motion by Council Member Sills and second by Mayor Pro Tem Turnage to approve the following appointments to the Community Appearance Committee: Cindy Atkins, Ann Fairley, John Frazee, Linda James, Elyse Johnson, Marian McDonald, Tasha McDowell, Lynwood Massengill, Meredith Bradham and Rodney Stewart, and to appoint Meredith Bradham as the Chairman. **Motion unanimously approved.**

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

City Manager Neuschafer presented the updates prepared by staff. He reported that rain has slowed the progress at the Dog Park. Mayor Pro Tem Turnage expressed concerns with drainage issues at Tart Park. Neuschafer reported that the engineer has presented a plan that has been approved by staff and construction is still ongoing. Planning Director Adler gave an update on the Imagine Dunn process.

#### **Administrative Reports**

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

- General Fund - \$2,460,850 and (NCCMT Term Account) Water-Sewer Fund - \$2,361,713. As of August 2019, the City had \$3,613,251 in General Fund and \$2,333,838 in the Water and Sewer Fund. City has spent over \$1,000,000 on Tart Park and over \$370,000 on PJ's project, waiting on reimbursements from loan and NCDOT.
- Taxes: \$50,889 was received in July. This was \$16,278 more than we received last year.
- Sales Tax Revenue reported in June - \$201,690 up 5.5% from the same time last year, finished the year strong with total of \$2,310,420 for the year (3.6% above budget).
- Building Permit Fees for the month were \$7,094, total collected to-date is \$16,595 or 16.6% of budget.
- Water and Sewer Revenues for the month were \$510,066, with total to date at \$999,387 or 17.1% of budget.
- Expenditures are at \$1,703,130 or 14.8% of budget in the General Fund. Water and Sewer Fund - \$694,084 or 10.4% of budget. The benchmark for this period is 16.7% of budget.
- Debt Service payments from the General Fund made in August included the Tyler Park II loan and the Downtown Revitalization loan totaling \$260,718. Expenditures to-date are \$434,020.

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 thanked Jeffrey Surlles and all the volunteers that participated in Operation Not Forgotten. More than 1400 floral arrangements were delivered to area nursing homes through this project which included many nursing homes outside of Dunn.

He also stated that staff will be putting together a work session to give Council information on the Condemnation process and for staff to provide an update on the goals and priorities set at the retreat.


Mayor Pro Tem Turnage suggested that the City may need to give residents guidance on this year's Halloween. He added that he would like for the Alley Project and for Juniper Creek be discussed at the upcoming work session or for an additional work session to be scheduled.

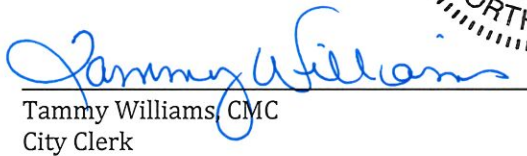
Council Member McLean wanted to bring to the Council's attention that the cemeteries were in terrible condition. City Manager Neuschafer said that staff is aware and has a meeting scheduled with the contractor this week.

With no further business to discuss, motion by Council Member McLean and second by Mayor Pro Tem Turnage to adjourn the meeting at 8:55 p.m. **Motion unanimously approved.**

Attest:



  
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William P. Elmore Jr.  
Mayor

  
\_\_\_\_\_  
Tammy Williams, CMC  
City Clerk