

Dunn City Council
Regular Meeting
Tuesday, September 14, 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 Gaulden, Frank McLean, Billy N. Tart, and Chuck Turnage.

Also present: City Manager Steven Neuschafer, Assistant City Manager Mathew Boone, Finance Director Jim Roberts, Public Utilities Director Heather Adams, 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, Administrative Support Specialist II Debra Creighton, City Attorney Tilghman Pope, and City Clerk Tammy Williams.

CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 7:00 p.m. and expressed condolences to Mayor Pro Tem Bradham on the loss of his mother, Ms. Mary Bradham. Beth Gaines, Pastor at Divine Street Methodist Church, gave the invocation and Council Member Sills led in the Pledge of Allegiance.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Turnage and second by Mayor Pro Tem Bradham to adopt the September 14, 2021 meeting agenda as presented. **Motion unanimously approved.**

PRESENTATIONS

Recognition of New Employees

Public Utilities Director Adams introduced Justin Thompson – Water Treatment Plant Operations Specialist.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:04 p.m. Having no comments, the Public Comment period was closed.

CONSENT ITEMS

- Minutes of the August 10, 2021 City Council Meeting.
- Minutes of the August 16, 2021 Special Called Meeting
- Declaring Badge and Service Weapon Surplus and Awarding to Lt. Jimmy Page, Jr. *A copy of the Resolution (R2021-28) is incorporated into these minutes as Attachment #1.*
- Retirement Resolution – Lt. Jimmy Richard Page, Jr. *A copy of the Resolution (R2021-29) is incorporated into these minutes as Attachment #2.*
- Budget Amendment – Demolitions. *A copy of Budget Amendment (BA2022-06) is incorporated into these minutes as Attachment #3.*
- Temporary Blocking of Streets – Harnett Street

Motion by Mayor Pro Tem Bradham and second by Council Member Gaulden to approve all consent items. **Motion unanimously approved.**

Chief White was asked to read the Retirement Resolution in honor of Lt. Page.

ITEMS FOR DISCUSSION AND/OR DECISION

Ordinance Amendment – OA-08-21, Chapter 20 – Subdivision of Land and Chapter 22 – Zoning, Neighborhood Meeting Requirement

Mayor Elmore opened the Public Hearing at 7:09 p.m. Planning Director Adler presented proposed amendment, which would require developers to hold a public meeting and present a record of such a meeting as part of their submittal to the Planning Board when seeking Preliminary Plat approval for a proposed Major Subdivision, for a Planned Unit Development (PUD), or for a Conditional Zoning development. A Major Subdivision is anything more than 3 parcels according to our current zoning. The Planning Board voted 6-0 to approve the requested amendment. Staff had originally requested for more than 20 houses. Council Members Bradham, Turnage and Tart had questions and comments concerning the amendment. With no additional comments, the Public Hearing was closed.

Motion by Council Member Turnage and second by Mayor Pro Tem Bradham to adopt the ordinance amendment OA-08-21 as presented except changing language in Secs. 20-13(A) from “other than a minor subdivision” to “of 20 or more lots” to require developers to hold a public meeting and present a record of such a meeting as part of their submittal to the Planning Board when seeking Preliminary Plat approval for a proposed Major Subdivision, for a Planned Unit Development (PUD), or for a Conditional Zoning development. **Motion unanimously approved.** *A copy of the Ordinance (O2021-20) is incorporated into these minutes as Attachment #4.*

309 S Magnolia Ave – Ordinance to Demolish (Storage Building)

Mayor Elmore opened the Public Hearing at 7:20 p.m. Chief Building Inspector King presented consideration of Ordinance to Demolish Condemned Structure located at 309 S Magnolia Ave. Building Inspector Slater Johnson conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. The Building Inspector also found the structure dangerous

or prejudicial to the public health or public safety and a nuisance in violation of G.S. §160A-193. King added that the owner, Barry Hoyle, is requesting an additional thirty days to bring the structure into compliance. Council Member Tart asked about the setback requirements for the property line. With no additional comments, the Public Hearing was closed.

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 structure located at 309 S Magnolia Ave, PIN #:1516-65-6854.000. **Motion unanimously approved.** *A copy of the Ordinance (O2021-21) is incorporated into these minutes as Attachment #5.*

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

Chief Building Inspector King reported that the decision to deem property unfit for human habitation was tabled at the May 11, 2021 Council meeting and at the July 13, 2021 meeting. This was done to allow the owner time to consult with engineers and contractors and to have the floor system repaired or in the process of being repaired. King reported that he has had discussions with the property owner's Attorney, Bo Jones, during this process. Engineers have looked at floor system and it will cost more than \$100,000 to repair the flooring. Pallet jack is now being used and no fork lifts are allowed however, there have been no repairs to the floor system as of today. Mayor Elmore recognized Jones, who made comments on behalf of the owners and tenant. Discussion followed on allowing various uses for that section of the building to closing it off all together with liability of the city discussed. After additional discussion, Attorney Pope recommended council table to allow time for the ordinance to be rewritten to close off the area except for lightweight materials only, with just a door access.

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

Appeal of Building Inspector's Decision – 124 E Broad St

Chief Building Inspector King conducted an inspection at 124 E Broad St. and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. The Building Inspector also found the structure dangerous or prejudicial to the public health or public safety and a nuisance in violation of G.S. §160A-193. The owner of the property has appealed the Building Inspector's decision of sixty days to repair or demolish the structure according to N.C.G.S. §160D-1130. King stated they were amazed at the condition of the building due to decay and rot. The owner, Dean Wiley, appealed with no specific reason in the request and he was not in attendance. The public hearing and ordinance to demolish will be heard at the November Council meeting.

Motion by Council Member Tart and second by Council Member Turnage to affirm the allowable time period of sixty days in accordance with N.C.G.S. 160D-1122 of the structure located at 124 E Broad St, PIN #:1516-67-4133.000. **Motion unanimously approved.**

Resolution Accepting T-Mobile's "Hometown Techover" Grant

Assistant City Manager Boone presented resolution to authorize the acceptance of a "Hometown Techover" grant from T-Mobile. The City applied for a \$3 Million T-Mobile grant back in April 2021 that would go towards tech upgrades all over the City. The City learned of being a top 10 finalist in June 2021. Dunn was not chosen for the top prize but was awarded the \$50,000 grant for technology upgrades. The Mayor expressed appreciation to Boone for his efforts on the city receiving this grant.

Motion by Mayor Pro Tem Bradham and second by Council Member Gaulden to approve Resolution and Budget Amendment to accept the T-Mobile grant funds. **Motion unanimously approved.** *A copy of the Resolution (R2021-30) and Budget Amendment (BA-2022-07) are incorporated into these minutes as Attachment #6.*

Award for CDBG-I Engineering Contract and CDBG-I Grant Administrator Services

Public Utilities Director Adams presented service agreements for the CDBG-I Collection System Rehabilitation Project. The City was awarded a \$2 Million CDBG-I collection system rehabilitation project grant to replace/rehab approximately 13,625 LF of sewer line and 56 manholes with the goal of eliminating inflow and infiltration and reducing the possibility of future overflows. Requests for Letters of Interest and Statement of Qualifications were duly published on May 18, 2021 in order to select an engineering firm and Requests for Proposals (RFPs) for Grant Administration Services was duly published on May 18, 2021 with only one proposal so was published again on June 29, 2021. Staff reviewed and scored the proposals using the same criteria for comparison and are recommending WithersRavenel for both the engineering and grant administration services. The budgets for engineering is \$354,694 and grant administration is \$123,100.

Motion by Council Member Gaulden and second by Council Member McLean to authorize City Manager Neuschafer to execute an Engineering Services Agreement and a Grant Administration Services Agreement with WithersRavenel for professional services related to the CDBG-I Collection System Rehabilitation Project. **Motion unanimously approved.** *A copy of the Contracts have been filed with the City Clerk.*

Award for Engineering Services SRF WWTP Improvement Project

Public Utilities Director Adams presented the Engineering Services Agreement for the Black River WWTP Improvement Project that has been approved for funding through the Clean Water State Revolving Fund (CWSRF).

The engineering services scope of work includes an engineering report, design, permitting, construction administration, and oversight for the project. The Black River WWTP's final clarification facilities, chlorine contact tanks, and associated piping will be replaced and/or upgraded to provide increased levels of treatment and improved peak flow capacity. RFQs for Engineering Services were duly published on August 6,

2021, with one Letter of Interest and Statement of Qualifications received from Davis Martin Powell. Engineering fees are budgeted at \$485,000 and are reimbursable through the loan. The Division of Water Infrastructure awarded \$3,626,000 in loan funds at 0.13% interest.

Motion by Mayor Pro Tem Bradham and second by Council Member McLean to authorize City Manager Neuschafer to execute an Engineering Services Agreement with Davis Martin Powell for engineering services related to the Clean Water State Revolving Fund Black River Wastewater Treatment Plant Improvements. **Motion unanimously approved.** *A copy of the Contract has been filed with the City Clerk.*

Award for Engineering Services SRF Collections System Project

Public Utilities Director Adams presented the Engineering Services Agreement for a Sewer Collection System Project that has been approved for funding through the CWSRF. The Division awarded \$500,000 in principal forgiveness (grant) and \$1,500,000 in loan funds at 0.13% interest. The engineering services scope of work includes an engineering report, CCTV and visual inspections, design, permitting, construction administration, and construction oversight for the project. The project consists of the assessment of approximately 39,200 LF of sewer main and approximately 100 manholes using a combination of CCTV and visual inspection. The assessment is expected to result in the identification of substantial defects resulting in the rehabilitation of approximately 26,775 LF and 50 manholes.

RFQs for Engineering Services were duly published on August 6, 2021, with the City receiving one Letter of Interest and Statement of Qualifications from WithersRavenel. Engineering fees are budgeted at \$460,000 and are reimbursable through the loan.

Motion by Council Member Gaulden and second by Council Member McLean to authorize City Manager Neuschafer to execute an Engineering Services Agreement with WithersRavenel for engineering services related to the Clean Water State Revolving Fund Sanitary Sewer Collection System Improvements. **Motion unanimously approved.** *A copy of the Contract has been filed with the City Clerk.*

Contractor Award for 14-inch Water Line Abandonment Project

Public Utilities Director Adams presented recommendation to tentatively award a construction contract for the abandonment of the 14-inch water line and the replacement of a waterline on E Wake Street. The proposed project would begin near the intersection of Bruce Drive to just south of the intersection of S Wayne Avenue and W Cumberland Street. To mitigate the hazards associated with the age of the infrastructure and current alignment, the 14-inch line will be abandoned and 6-inch and 8-inch pipe will be installed in order to serve the affected areas. The second part of the project abandons an existing 2-inch water line along E Wake from Carolina Dr to E Johnson St and replaces with a 6-inch water line for the purpose of meeting current design standards and providing fire flow. This would also include installing fire hydrants on the new water line. The bid opening was duly advertised and Jones and Smith Contractors, LLC were the lowest bid at \$693,270.

Council accepted a loan of \$875,750 in May 2020 for this project. With rising material and labor costs, the project came in right at budget leaving no contingency or funds for inspection and construction administration. Staff recommends including construction administration and inspection services for this project along with some contingency. The Division of Water Infrastructure has indicated they will increase the loan by 10% upon receiving the request and the city can return unused funds back with no penalty.

Motion by Council Member Turnage and second by Council Member McLean to approve the resolution tentatively awarding a construction contract to Jones and Smith Contractors, LLC, in the amount of \$693,270 including authorizing the City Manager to amend WithersRavenel's engineering agreement to include construction administration and inspection services and to request a 10% increase in the State Revolving Fund Loan for a total loan amount of \$963,325. **Motion unanimously approved.** *A copy of the Resolution (R2021-31) is incorporated into these minutes as Attachment #7 and the Agreement has been filed with the City Clerk.*

Budget Amendments for Sewer Projects

Finance Director Roberts presented needed Budget Amendments associated with the following projects already approved by Council.

- CDBG-I Grant/Project
- WWTP Improvement Project
- Collections System Project

All projects require specific accounting of funds due to their association with grants.

Motion by Council Member Gaulden and second by Council Member McLean to approve budget amendments associated with sewer projects as presented. **Motion unanimously approved.** *A copy of Budget Amendments (BA2022-08, BA2022-09 and BA2022-10) are incorporated into these minutes as Attachment #8.*

Underground Pipeline Inspection Equipment Proposed Loan and Purchase

Finance Director Roberts presented request to move forward with the loan to purchase Underground Pipeline Inspection Equipment needed to complete inspections of Water, Sewer, Stormwater lines and manholes to facilitate repairs and reduce leaks, infiltration, and improve repairs. This purchase was bid and approved using the North Carolina Sheriff's Association Heavy Equipment Procurement Program (Bid# 22-06-0426) and the equipment and software for this Aries Mobile Pathfinder will be installed in a high roof, extended length utility vehicle (Bid# 21-07-0915).

Motion by Mayor Pro Tem Bradham and second by Council Member Turnage to approve the budget amendment and resolution authorizing the Mayor, City Manager, and Finance Director to move forward with a loan with BB&T (Truist) for \$178,629 for the purchase of the Underground Pipeline Inspection Equipment. **Motion unanimously approved.** *A copy of the Resolution (R2021-32) and Budget Amendment (BA-2022-11) are incorporated into these minutes as Attachment #9.*

Police TASERS Contract Proposal

Finance Director Roberts presented request to enter into a contract with TASER/CEW AXON to provide the Police Department with new devices, batteries, holsters, docking stations and training. This also includes other items such as training cartridges, targets, simulated training suits, and licenses with all items covered under a 5-year extended warranty and will be negotiated for continuation after this contract is expired.

This will provide a savings of approximately \$40,000 over a direct purchase spread out for the next five years. The yearly payment will be within the Police Department budget equipment line and will stabilize the cost of this equipment and turning in the current TASERS will result in an additional savings of \$7,800.

Motion by Council Member Turnage and second by Council Member Gaulden to approve this contract proposal and Budget Amendment for a 5-year purchase option of TASERS for the Police Department in the amount of \$135,000. **Motion unanimously approved.** *A copy of Budget Amendment (BA2022-12) is incorporated into these minutes as Attachment #10.*

Conveyance of Body-worn Cameras to Central Carolina Community College BLET

Chief White presented request to donate surplus body cameras to the Basic Law Enforcement Training Program at Central Carolina Community College. The department has 20 body-worn cameras that are in good working order that are surplus equipment and another six surplus that do not work but could be used for parts. The product brand is BODYCAM by Pro-Vision. These cameras will work well for students in the BLET program since they are being used for training purposes only.

Motion by Council Member Turnage and second by Mayor Pro Tem Bradham to adopt the Resolution Conveying Surplus Property to Central Carolina Community College. **Motion unanimously approved.** *A copy of the Resolution (R2021-33) is incorporated into these minutes as Attachment #11.*

Appointments I95/I40 Crossroads of America Economic Development Alliance Board

Mayor Elmore requested for Council to appoint Dunn's four representatives to the I-95/I-40 Crossroads of America Economic Development Alliance, Inc. Two appointments will be for a 2-year term and two appointments for a 4-year term. After the initial appointments, the appointments will be made by the Alliance Board and will be 2-year terms. One of the appointments will be an active member of the City Council. The Mayor and Town/City Manager of Dunn and Four Oaks shall be designated as ex-officio, non-voting members of the Board.

Motion by Council Member Turnage and second by Council Member Tart to appoint Mayor Pro Tem Bradham and Walter Massey for a 4-year term and to appoint Jeffrey Dunn and Matthew Smith for a 2-year term to the I-95/I-40 Crossroads of America Economic Development Alliance Board. **Motion unanimously approved.**

Mayor Elmore introduced the Interim Director of the Alliance, Reid Williams, who made comments to Council.

Council Goals/Reports

City Manager Neuschafer updated the Council on meetings with NCDOT concerning the I95 Widening Project. He reported that staff will be included in upcoming construction updates on the project and will have more information once the construction schedule is released. Duke Energy has assured staff the amount of wires associated with the lighting will be minimized and staff is optimistic it will look much better. He added that they did find out that putting in an underground feeder on US 421 would be extremely expensive to the city, somewhere around \$2 million. He also updated the Council on current and upcoming city-related construction projects.

Administrative Reports

Finance Director Roberts provided the following financial report for the period ending August 31, 2021:

- General Fund and the Water and Sewer Fund combined \$9,173,072.66 compared to \$4,822,562 in 2020.
- Property taxes received \$50,889, which is approximately \$2,800 more in taxes than last year.
- Sales tax June receipts were \$231,703, about \$5,900 less than last year. He added that July is up 9.4 percent over last year and will be deposited tomorrow.
- Utilities Sales Taxes are reported quarterly. For this year, \$671,719 has been received compared to \$700,927 the prior year.
- Building Permit Fees received is \$34,473 or 26.5% of budget.
- Water and Sewer Revenues collected is \$1,075,647 or 17.6% of budget compared to \$999,386 last year.
- General Fund expenditures total to-date is \$1,941,362.
- The Water and Sewer fund expenditures is \$654,892, or 4.1% of budget compared to \$626,523 last year.
- The benchmark for this period is 16.66% of budget.

He also updated on debt service, liens and assessments and other reports were 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

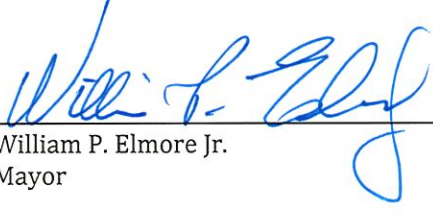
Mayor Elmore announced upcoming events and activities.

Motion by Council Member McLean and second by Mayor Pro Tem Bradham 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 8:40 p.m.

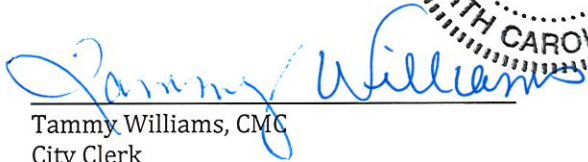
The meeting was reconvened and with no further business to discuss, motion by Council Member Tart and second by Council Member Gaulden to adjourn the meeting at 9:07 p.m. **Motion unanimously approved.**





William P. Elmore Jr.
Mayor

Attest:



Tammy Williams, CMC
City Clerk