

**Dunn City Council**  
**Regular Meeting**  
**Tuesday, October 22, 2024**  
**6:30 p.m., Dunn Municipal Building**

## Minutes

**PRESENT:** Mayor William P. Elmore Jr., Mayor Pro Tem J. Wesley Sills, Council Members April Gaulden, Raquel McNeil, Billy N. Tart, Alan Hargis, and Dr. David L. Bradham.

*Also present: Assistant City Manager Billy R. Godwin, Finance Director Cary McNallan, Chief of Police Cary Jackson, Planning Director Alyssa Garcia, Parks and Recreation Director Brian McNeill, Public Works Director Dwayne Williams, Water Plant Manager Ian Stroud, Wastewater Plant Manager Donrie Dukes, Administrative Support Specialist Sydney McKoy, City Attorney Tilghman Pope, and City Clerk Melissa R. Matti.*

*Absent: City Manager Steven Neuschafer, Human Resources Director Connie Jernigan, Collections and Distribution Manager Billy Cottle,*

### CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 6:30 p.m. and gave the invocation. Afterwards, Council Member Sills led in the Pledge of Allegiance.

### AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Tart and second by Council Member Gaulden to adopt the October 22, 2024 meeting agenda with the following changes #1 remove item five budget amendment Fairground Road – Utility Extension: #2 Adding subdivisions “a” and “b” to Item #8 Consideration of Friendly Road – Development Agreement – RP Wellons Land & Development, LLC. **Motion unanimously approved.**

### PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 6:33 p.m.

**James and Shirley McNeil**  
**1300 Meadowlark Road**

Shirley McNeil shared her concerns is about the water in her driveway and walkway at her mailbox. The water runs down Meadowlark Road down the hill right down to her mailbox. They came out a while ago and put some rocks there. The rocks are just about gone. When she goes to her mailbox she has to walk in water. Walking in all that water and it runs right down where she has to pull out of the driveway. Someone came out and they acted like it's her water; but it's coming down from Meadowlark Road down to where she lives on the corner of Chelsea and Meadowlark. Mayor Elmore told her that Asst. Manager Godwin will get her address and said they can call him sometime in the next day or so to set up a time to go out and look at the property.

Having no comments, the Public Comment period was closed.

### CONSENT ITEMS

- Minutes of the September 10, 2024 City Council Meeting
- Reading of Veterans Day Proclamation
- Budget Amendment – Painting Carr Street Water Tower

Mayor Elmore called on Assistant City Manager Godwin who is a veteran from Dunn and works for the city to read the Veterans Day Proclamation. He then asked the audience if there was anyone present that had served in the military. If so, please stand. He thanked them for their service.

Motion by Council Member Hargis and second by Council Member McNeil to approve all consent items. **Motion unanimously approved.** *A copy of Veterans Day Proclamation (P2024-10), and Budget Amendment – Painting Carr Street Water Tower (BA-2024-33) are incorporated into these minutes as Attachment #1.*

**Public Hearing**  
**SUP-06-24 – Townhomes**  
**N Powell Avenue**

City Attorney Tilghman Pope said that he had previously informed the council when this matter came before them the first time that he had a conflict of interest so he is going to recuse himself and Mr. Godwin is going to assist you with this matter.

Mayor Elmore opened the public hearing and turned it over to Assistant City Manager Godwin to conduct the public hearing.

Mr. Mayor, Members of Council, citizens and those who are present here tonight. at this time we are getting ready to engage in a public hearing for the Special Use Permit and prior to doing that I'm just going to go over some basic procedural protocols that you do when we consider a Special Use Permit. I would point out that a Special Use Permit is a quasi-judicial proceeding, not a legislative decision proceeding and what that means is, there are certain very stringent rules that have to be followed and it's based on evidence that's presented not just how you feel.

The next matter is case number SUP-06-24. It is a request by Brickyard Management, LLC and Donald Curry of Curry Engineering on behalf of General Utility Company for a Special Use Permit to allow the use of townhomes on

approximately 18 acres of the subject parcel PIN# being 1516-93-1325.000; PIN# 1517-03-0036.000 and PIN#1507-92-4674.000 all located off N Powell Ave. The property is zoned mixed-use Conditional Zoning. The meeting on this matter as judicial in nature and will be conducted in accordance with special due process safeguards as set forth in the North Carolina general statutes. All persons here who wish to testify, we're going to ask you to come to the podium to be sworn in and meet with an oath for your affirmation. After that you'll be able to sit back at your seats. At this time anybody with standing will actually participate as a party. That would certainly include the applicant. Just come forward to the podium to be sworn in. Put your left hand on the Bible and raise your right. Do you swear or affirm that the testimony you're about to give shall be the truth, the whole truth, and nothing but the truth so help you God? Yes. Thank you. Please be seated.

A Special Use Permit must be reviewed in accordance with the findings of fact listed in the city's Uniform Development Ordinance. The Council must determine that all findings of fact have been met in order to approve the request for Special Use Permit. The Council will hear testimony from staff, the applicant, their expert witnesses if any, and any opponent of the proposal with standing to testify. The evidence presented in this testimony must be used to make the determination of whether each of the six (6) findings of fact are met. Anyone speaking against the application must have standing in accordance with the general statutes. When the Council makes a motion, they should specify the findings of fact that are or are not met in their motion. We will first hear from Planning Director, Alyssa Garcia, then from the applicant and any of their witnesses, and then from any opponents with standing. Parties may cross examine witnesses after the witness testifies when questions are called for. If you want the City Council to see written evidence such as reports, maps or any exhibits that you might have, then you'll need to have someone that's familiar with that evidence ask that that evidence be introduced at the end of the testimony. We cannot accept reports from anyone that's not here and not able to testify. If there are any attorneys who are here to speak on behalf of a client, you should not give factual testimony but just summarize your client's case. And if you are an attorney and you prepared to plan to testify, please identify yourself for the record. I will now open the case SUP-06-24 Special Use Permit application and ask for testimony from our Planning Director, Ms. Alyssa Garcia.

Good evening, Mr. Mayor, Members of the Council. I am Alyssa Garcia, the Planning Director for the City of Dunn and we have a brief slideshow to go over the facts for this project and for your consideration. As Mr. Godwin mentioned, this is for SUP-06-24. The applicant is Brickyard Management with Donald Curry of Curry Engineering on behalf of the General Utility Company and Sorrell Jackson, LLC. They are requesting consideration of its Special Use Permit for townhomes located at North Powell Ave. north of West Cumberland and south of North Ashe Ave. The acreage for the parcel indicated for Phase One to include the townhomes is approximately 18 acres. This request was originally heard as a Conditional Zoning by Council over the summer. Under the Conditional Zoning, there were specific conditions regarding the number of townhomes maximum and certain design standards that are being carried forward with the Special Use Permit. There are no changes in those conditions. With that approval, the townhomes are permitted by right. Under the mixed-use, only by the issuance of a Special Use Permit which is why the applicant is here for your consideration this evening. To give an idea of the location, the subject parcel is currently vacant wooded lands. To the north, there is wooded lands, farmland, and some single family residential. To the east of the parcel is commercial and industrial uses. To the west, there are wooded lands. To the south there are wooded lands, commercial uses, and single-family residential parcels. As Mr. Godwin alluded to, Special Use Permits are permitted through general statute. They may be issued to authorize specific development with certain standards more strict than that granted under the Conditional Zoning or the standard zoning district. Special Use Permits are granted by the Council to only those standards permitted in the UDO as outlined through the Special Use Permit concerning district use regulations and special uses. The uses specified as special uses in the table shall be permitted only after consideration and approval of the Special Use Permit by Council and though it is small to see, this is where the townhomes are called out as permitted and mixed-use zoning and through the Special Use Permit process the Special Use Criteria that must be met in order to grant that motion. There are six (6) items specifically outlined in the UDO that include 1) The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. 2) The use must meet all required standards of this ordinance or the UDO. 3) The use will not substantially injure the value of adjoining or abutting properties. 4) There will be adequate utilities, access roads, drainage, sanitation, and other necessary facilities that will be on site or are going to be brought with that development. 5) There will be the establishment of the proposed use that shall not impede orderly development and improvement of the surrounding properties, and 6) The requested use will be in conformity and harmony with the cities adopted comprehensive plan(s).

The applicant has provided a written response to each item addressed above, which is included in the staff report and at the conclusion of this presentation. (The slide show was malfunctioning at this point) There are key conditions that were outlined from the rezoning case and as it was a mixed-use development. There shall be no more than 120 townhomes permitted, and the maximum development would have 180 units. The minimum lot width for single family attached for the townhomes shall be no less than 20 feet. The single family attached units shall be front loaded, rear loaded, or at least have a single car garage. Those are key conditions that were from the original approval as well as carry forward to the Special Use for its consideration. We did have some conditions prepared specific to the Special Use. One of those we carried forward and made sure to highlight. These setback requirements Council had identified that they wished a 10-foot side yard setback for the single-family attached and that does carry forward and is outlined on their plans. No single-family residential lot in this development will be less than 6,000 square feet and the construction of the pedestrian boardwalk listed to the south on this plan will be constructed during Phase One of the development. We do have copies of the plan, if you would like to see them. I have them on larger scale than what is included in the staff report and on the presentation. It is consistent with the phasing schedule and all items approved through the Conditional Zoning as well.

Director Garcia was asked if these units are these going to have garages or will they have at minimum a single carport. She responded that at a minimum a single car garage would be provided with the parking spaces available on the driveway as well. The following slides post the conditions of approval were copies of these statements of justification and some imagery of the property on site. As previously mentioned, it is currently vacant wooden land across North Powell. There are some industrial commercial uses to the south. There are residential and a shopping center directly abutting the property. At this time, this concludes the presentation. The applicant is here as well to speak on their request for consideration. Are there any questions from council?

Assistant Manager Godwin asked if any of the parties have questions of Ms. Garcia. Ms. Garcia was asked if it was her intention to introduce the application and the staff report into evidence. She responded, Yes, Sir. It is my intention. It

shall be so received and is now part of the record. and I think a couple of the things you were alluding to the conditions of approval or actually in the staff report were correct and they will be signed pending approval. If it is approved or not to cancel the copy that you have loose is the one that we should be using. The copy that's bound in the binder had a couple of typos. Is that what the difference is? She responded, Yes. That's the only difference and that was just a typo we were correcting to make it consistent with the Conditional Zoning that the council approved sometime back in the summer as Alyssa alluded to so the staff report in the packet has been accepted into evidence.

One last call for questions of Ms. Garcia by Council or any of that the applicants. The submitted master plan was also submitted into evidence as well as the phasing schedule for the Special Use Permit consideration shall be so received. It is so received. You can have a seat and you'll be subject to recall and just stand by alright. Thank you.

At this time, we'll hear from the applicant and any other proponents of the Special Use Permit and as I said if there is any attorneys that are here on behalf of the applicant I would ask that you come up first and identify yourself. I would ask the applicant to come forward and state your name please.

Good evening, Mr. Mayor, Members of the Council. My name is Don Curry with Curry Engineering and Brickyard Management - 205 S Fuquay Ave. in Fuquay Varina. We appreciate the opportunity to be here with you tonight and I appreciate your consideration of this Special Use Permit. As Alyssa mentioned, we were here not too long ago going through the Conditional Rezoning, which was approved. Again, thank you for that approval and now we're here as the next step for the townhome piece, in particular for the Special Use Permit. We're glad to be here. I just wanted to touch on a couple of quick things just as updates from the rezoning this last time. We were here a couple months ago as Alyssa mentioned. We don't have any proposed or requested changes from the rezoning. Our layout is consistent with the Rezoning conditions, so I'm glad to say that we did get some additional information from our surveys. We've received topographic surveys since we were here with the rezoning. We did make a few adjustments that you may recall from the earlier layout from the rezoning. This layout has a few changes since we received the survey. Things that I think are improvements overall. There's a better circulation with this layout. We had a slightly adjusted count between the single-family detached and attached but still within the required split that we talked about. So, we're currently at 86 single-family and 63 townhomes. So again, still within that range that that we agreed to stay within. We also have some additional clarity on the stormwater management. We're showing 4 stormwater ponds right now, previously we were showing 2 with our earlier layout. So again, just wanted to bring you up to speed on what that looks like. That's in your packet with our layout plans. I want to call your attention to that also just an update on kind of where we are with the overall design. Our traffic study is underway. We talked about that at the rezoning. We've met with DOT and city staff for our scoping meeting and our traffic consultant is working on that right now. Sheriff Coates was here at the rezoning and expressed some concern on the roadway connections to North Powell. I've had a conversation with Sheriff Coates and he explained that what we were doing with our restricted access on one driveway and full access on the other he seemed to think that was a good plan and I emailed him a copy of our layout and also offered to meet with him and his neighbors on some evening at their Community Center if needed to talk about it. He said he appreciated that. Our final subdivision design with our construction documents is underway right now. We're working on that currently. That's just kind of a update on where we're at. I did want to touch briefly on the justification statements that are in our package. Those six (6) statements that Alyssa mentioned. I know they're in there for you. I just want to touch on them real quick and then I'll be quiet and sit down.

Mr. Curry was asked, You were saying that there was some small change in the development process or since you got the survey. What was it. I know it is probably in here, but this was just laid on us when we got here tonight. What's that difference?

Mr. Curry responded, The then difference that you'll notice, and you really have to look at them side by side to know this. But we had a couple of cul-de-sacs in the old layout and because of the topography, we ended up connecting some of those roadways together. I think it's an improvement because we have better circulation throughout the development instead of cul-de-sacs. I think that's really the main change. Everything else is substantially similar. Our open space and our trail and things like that you'll notice are very consistent.

Council asked for clarification regarding this site plan that's in the package, if that's the current one that he's referring to - the revised one, is that correct? He responded, Yes Sir that's correct. That's why we're moving forward with you and working on final design based on that right now. We like it. I think it's a good layout. We like it. Thank you for those questions.

I'm just going to hit on these statements real quickly statement #1 **The use will not materially endanger the public health or safety if located were proposed and developed according to the plan as submitted and approved.** The location use in our proposed layout is consistent with the city's published land planning documents and the recently approved rezoning. Our proposed design will move forward in a manner that meets approved standards for public safety, including proper construction materials and design requirements and we'll also obtain all the permits that we need in order to make sure that happens.

**#2 The use meets all required standards of this ordinance.** In fact, as our proposed single family attached and detached lots meet all the required standards of the City of Dunn ordinances. It also complies with DOT and DEQ standards and will continue to comply with those as we finalize design. As I mentioned, we've already been talking to DOT working on the traffic study and so that's already underway.

**#3 The use will not substantially injure the value of adjoining or abutting property.** The proposed use does not injure the value of adjoining property. Our proposed use appropriately preserves existing environmentally sensitive areas and use utilizes existing utility infrastructure and the proposed development is actually expected to increase adjacent property values just due to the new construction and price point relative to existing properties.

**#4 Adequate utilities, access roads, drainage sanitation and other necessary facilities have been or are being provided and that is the case for this this subdivision.** We have access to water, sewer and natural gas and we also have access to existing roadway infrastructure for this development and we'll extend that infrastructure into the

development to serve it with water and sewer extension permits. This will also serve adjoining properties. We'll be stepping to the properties to the north with those utilities as well.

**#5 The establishment of the proposed use shall not impede the orderly development and improvement the surrounding property.** Our proposed layout takes into account adjacent potential development to the north as I just mentioned by providing a street connection and utility stubs for future connectivity. They're about lessening the burden of developing the adjacent parcel and providing improved emergency vehicular access and utility redundancy so that statement is satisfied.

**#6 The requested use will be in conformity with the city's adopted comprehensive plans.** We really went over this a lot during the rezoning, but just to reiterate here according to the City of Dunn's Land Use Plan adopted in December 2022, the property is identified as medium density residential, which is consistent with the proposed housing type shown in this package consistent with our rezoning and now consistent with our Special Use Plan that we're requesting. And this also provides a range of housing types, which is important. Based on policy, six of the Land Use Plan where this. Our layout also complies with the allowed principal permitted uses listed in the City Code Article 4 Section 4.03 Establishment Zoning Districts and our Article 5 Section 5.06 Table of Permitted Uses. So we're consistent with all of those ordinance requirements, comp plan requirements, and all of our setbacks and density is also consistent with that. So that's the end of the statement. I just wanted you to I know again, it's in your packet. I just wanted to verbalize that to you. So just real quick, next steps - we submitted our major site plan preliminary plat to the city so that's under review and we're moving forward with construction documents so our full package which will come back to the city again. We'll also be submitting to DEQ, stormwater, DOT, and everybody else for permits. That's happening right now. Thank you for your time and again, thank you for your consideration. I'm glad to answer any questions.

The applicant was asked to verify that the conditions of approval that are in the staff report package are their desire and willingness to be bound to these conditions. The applicant responded, yes, Sir. Yes, the layout that we submitted for this Special Use Permit is consistent with all those conditions and that's our intent to keep it that way. It is duly noted in the record. Thank you.

Are there any questions of council for Mr. Curry? None noted.

At this time, the normal order of business would be to heard from opponents of the opposed Special Use Permit. None having been sworn. So therefore, there is no one with standing. Now to oppose to speak on behalf or to speak in opposition. Just for the record, is there's anyone here who came to speak against it? Very well. Let the record reflect there was no one in opposition. Now that everybody has testified, Mr. Mayor, Members of Council, both Mrs. Garcia as the Planning Director and Mr. Curry on behalf of the applicant one final call for questions of either of those individuals. I will point out that when we get to the decision/deliberation part, which is the next phase of this. Once the public hearing is closed, no new evidence can be admitted but these individuals can be called back to get clarification, that's not considered new evidence. They can be called back to clarify; they just can't put any additional evidence once the public hearing is closed. So, no further questions from council. Any conditions that the Council would like to place on the applicant? I just would point out that it has to be voluntary on the applicant's part. There being no further discussion during the public hearing or questions by the council. Mr. Mayor, I would entertain a motion to close the public hearing and enter the deliberation phase.

Motion by Council Member Hargis, second by Mayor Pro Tem Sills to close the public hearing and enter the deliberation phase. All in favor say aye. Any opposed? All in favor.

Mr. Curry, Mr. Mayor at this point in this Special Use Permit process we go into the deliberation phase and I will, with your permission briefly overview how that process will work. The council under statute and under the City's Uniform Development Ordinance has three (3) options in this regard. It can approve the application, it can deny the application, or it can approve with conditions to approve the Special Use Permit. Council must find that each of the following six (6) findings of fact are true based on competent material and substantial evidence presented during the hearing and placed in the record. If the council finds that all six (6) facts are true, then it must under the law approve the Special Use Permit Application and those six (6) are the six (6) things that are in your packet. Six (6) findings that Mister Curry was alluding to. I'll review them briefly.

Finding #1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan is submitted and approved. Finding #2) That the use meets all required standards of the ordinance of the Uniform Development Ordinance. Finding #3) That the use will not substantially injure the value of adjoining or abutting property. Finding #4) That adequate utilities, access roads, drainage, sanitation, and other necessary facilities have been or are being provided. Finding #5) The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property, and Finding #6) That the requested use will be in conformity with the city's adopted comprehensive plan.

Those are the six (6) findings. The Council would need to adopt all six (6) in order to approve the Special Use Permit. To deny the Special Use Permit, the Council would need only find that one or more of those six (6) findings has not been established by competent material and substantial evidence presented during the hearing. As I said, the conditions must be reasonable and appropriate and under North Carolina statute cannot include requirements for which the City does not have authority and the applicant as we said must consent. So, after the Council deliberates to your satisfaction the evidence that was presented, then you will vote on each of the six (6) findings individually and if they are all approved, voted in the affirmative meaning found in the affirmative for all six (6). Then it would be appropriate at that point to entertain a motion to approve the permit itself. So, you vote on the six (6) findings. If you vote in favor of all six (6) then, the final vote would be a motion to approve that Special Use Permit.

So, Mr. Mayor that's where we are at this point. OK thank you Billy for your presentation and help on this.

Justification statement #1) The use will not materially endanger the public health or safety if located we're proposed and developed according to the plan as submitted and approved.

Motion by Mayor Pro Tem Sills, second by Council Member Gaulden All in favor, motion carries.

Justification Statement #2) The use meets all required standards of this ordinance.

Motion by Mayor Pro Tem Sills, second by Council Member Gaulden All in favor, motion carries.

Justification Statement #3) That the use will not substantially injure the value of adjoining or abutting property.

Motion by Mayor Pro Tem Sills, second by Council Member Gaulden All in favor, motion carries.

Justification Statement #4) Adequate utilities, access roads, drainage, sanitation and other necessary facilities have been or are being provided.

Motion by Mayor Pro Tem Sills, second by Council Member Gaulden All in favor, motion carries.

Justification Statement #5) The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property.

Motion by Mayor Pro Tem Sills, second by Council Member Gaulden All in favor, motion carries.

Justification Statement #6) The requested use will be in conformity with the City's adopted comprehensive plan.

Motion by Mayor Pro Tem Sills, second by Council Member Gaulden All in favor, motion carries.

Motion by Mayor Pro Tem Sills, second by Council Member Gaulden to approve the Special Use Permit SUP-06-24 with conditions as printed. Any questions? Any discussion? All in favor, say aye. Any opposed? **Motion unanimously approved.** *A copy of Special Use Permit (SUP-06-24), and slides are incorporated into these minutes as Attachment #2.*

Mayor Elmore thanked Mr. Curry all for their investments and said that Dunn looks forward to working with them. He also thanked Assistant City Manager Godwin for conducting that part of the meeting.

### Consideration of Friendly Road

#### Development Agreement

#### RP Wellons Land & Development, LLC

Mayor Elmore advised that this is an ongoing project that the city has been working on for some time. There is a Development Agreement that's been put in place with the City and RP Wellons Land & Development group. He opened a public hearing and called on Assistant City Manager Godwin to make a presentation regarding the matter.

Assistant City Manager Godwin reminded Council of the special work session from a couple of weeks ago where they went into a little more detail about the proposed development agreement between the city and Wellons Land & Development, LLC. He explained that at this point the statute requires that a public hearing be conducted for development agreements. That's what's being conducted tonight to take public comment on the development agreement. Nothing has changed in the document that was presented to you a couple of weeks ago. It's the same development agreement, the numbers are all the same. He pointed out for the record that representatives of Wellons were present.

City Attorney Pope gave a recap of the development agreements in place. The RP Wellons Land & Development, LLC is developing a piece of property on this road and as a part of that they're required to do certain infrastructure improvements. The City has requested that while they are conducting those infrastructure improvements they do some additional infrastructure improvements, which they're not required to do which would be at the cities expense. So, the Development Agreement is a contract between the City and RP Wellons Land & Development that enables the City to pay them to perform extra work over and above what they're required to do and the specifics of all of that are in the agreement. There's some curb and guttering and a variety of different things and it spells out what they're responsible for doing. It points out what the City is requesting them to do at the City's expense and then there's a smaller component that is a shared expense between the two parties and add to that this improvement, which will be the widening curb and gutter, and sidewalks on one side of the street that runs from Maple to Powell.

Mayor Elmore explained that the improvements will be along that entire stretch of Friendly Road and opened a public hearing. He asked if there was anyone in favor, against, or anyone that might have questions concerning this matter, and asked that anyone that did to please come forward.

James Tripp

Regarding 106 Moses Tripp Lane.

Expressed concern with curb and gutter project on his property off Friendly Road.

Seth Thompson

The RP Wellons Land & Development, LLC

Presented their plan for the Seasons Development where they provided access taking away Moses Tripp Lane, but everything with the new road is coming off the extension of Powell Avenue. The new road will tie into where Mr. Tripp and the Yeatman's currently access their property. So, they'll have access from their property through their current easement though our new road that will come out onto Powell Avenue.

It was decided that James Tripp and Seth Thompson will get together and work this out between them and the City could be involved, if necessary to be sure that they get a curb cut in the area that they prefer or within the 25 foot easement that goes through there.

Motion by Mayor Pro Tem Sills and second by Council Member Hargis to approve the Development Agreement between the City of Dunn and The RP Wellons Land & Development, LLC. **Motion unanimously approved.** A copy of the Development Agreement is incorporated into these minutes as Attachment 3.

#### **Sampson County Water Contract**

Ian Stroud, Water Plant Treatment Manager informed the Council that this was a request to approve the Sampson County Water Purchase Contract. He said that the Sampson County Water & Sewer District had requested a contract to purchase an average one and a half million gallons of water per month. For one year, the sale of water will be metered through existing infrastructure located on Highway 55. The rate charged will reflect the FY25 fee schedule amount for the government bulk rate. The water plant has a capacity of 8,000,000 gallons a day and in 2023 averaged on average flow of 3.1205 million gallons a day. The amount of water Sampson County has requested will increase the average to approximately 3.17 running down so about 48,000 gallons per day of flow. This amount of flow will not negatively impact the operation of the water plant. The revenue from water sales for the water and sewer will increase approximately \$4,125.00 per month based on an average usage of 1.5 million gallons per month. Ian was asked if they are currently purchasing water from us right now. He responded, no, they quit purchasing the water back in August of 2023. They put in some well systems, so they're producing some of their own water. But this is to supplement some issues that they're having on that side of their system.

Motion by Council Member Tart and second by Council Member McNeil to approve the Sampson County Water Purchase Contract. **Motion unanimously approved.** A copy of the Sampson County Water Contract is incorporated into these minutes as Attachment #4.

#### **Administrative Reports**

Assistant City Manager Godwin

Finance Director McNallan provided the following financial report for the period ending September 30, 2024:

- Finance Director McNallan provided the following financial report for the period ending September 2024:
  - The City has \$10,101,000 cash and investments, compared to \$4,851,000 last year. The difference is at this time last year we had the wastewater treatment plant project going on and we hadn't been able to draw down our reimbursement of grant funds so we were still paying TA loving we were paying contract payments but we were floating that with our own cash so since that time we've caught up on the reimbursements so that's why we have such more cash this year than last year and then we're three months into the year so our benchmark is 25%
  - Property Taxes collected for August was \$422,000, compared to \$171,000 last year.
  - We've had 483,000 collected for Sales Tax.
  - Our July receipts were \$284,000. This is \$8,500 less than the same time last year and for building permits for the month of September we had \$14,039. To date, we've collected \$28,000, which is about 17% of our budget.
  - In your package you have the Revenue and Expenditure Reports along with our Capital Projects Report.
- Reports were also received as follows: Planning and Inspections Report, Public Works Report, Public Utilities Report, Parks and Recreation Report and Police Report.

#### **Announcements/Information**

Mayor Elmore announced upcoming events and activities.

Mayor Pro Tem Sills apologized to any business downtown or their customers that were impacted Saturday with our tree trimming operation. Certainly, we will do an after-action report on that as to why the parking spaces were blocked off. But I apologize and we will not let that happen again to our business owners downtown.

#### **Closed Session**

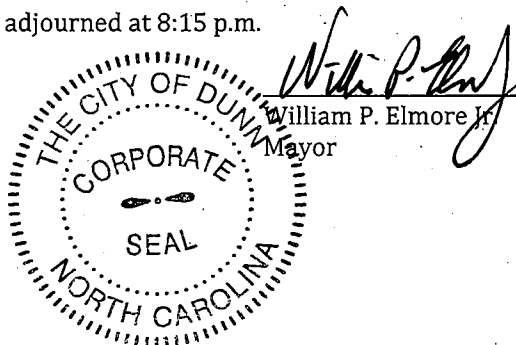
Motion by Mayor Pro Tem Sills and second by Council Member Gaulden pursuant to G.S. 143-318.11(a)(5) to go into closed to instruct the public body's staff on the position to be in negotiating the price and other material terms for the acquisition of an interest in real property at 7:40 p.m. **Motion unanimously approved.**

No decisions were made, and Closed Session adjourned at 8:15 p.m.

Attest:

*Melissa R. Matti*

Melissa R. Matti  
City Clerk



William P. Elmore Jr.  
Mayor