

**Dunn City Council**  
**Regular Meeting**  
 Tuesday, November 9, 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, Frank McLean, Billy N. Tart, and Chuck Turnage. **ABSENT:** Council Member April Gaulden

*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 advised that Council Member Gaulden is out due to being sick. Rev. Roy Johnson gave the invocation and afterwards, Council Member Sills led in the Pledge of Allegiance.

### AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Sills and second by Council Member McLean to adopt the November 9, 2021 meeting agenda as presented. **Motion unanimously approved.**

### PRESENTATIONS

#### New Employee Introductions

City Manager Neuschafer introduced Administrative Support Specialist II Debra "Debby" Creighton and Chief White introduced Police Officer Jacob Baird.

#### Veterans Days Proclamation

Mayor Elmore read the proclamation recognizing November 11, 2021 as Veterans Day in the City of Dunn and expressed appreciation to all the veterans in attendance including Council Members McLean and Turnage and City Manager Neuschafer. *A copy of the Proclamation (P2021-09) is incorporated into these minutes as Attachment #1.*

### PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:10 p.m. Having no comments, the Public Comment period was closed.

### CONSENT ITEMS

- Minutes of the October 12, 2021 City Council Meeting.
- Resolution approving the 2022 City Council Regular Meeting Schedule. *A copy of the Resolution (R2021-38) is incorporated into these minutes as Attachment #2.*
- Temporary Blocking of Alley – Stewart Theater
- Temporary Blocking of Streets – Dunn Christmas Parade
- Destruction of Municipal Records Request – Parks and Recreation.
- Conveyance of Personal Property to Dunn Police Athletic League. *A copy of the Resolution (R2021-39) is incorporated into these minutes as Attachment #3.*

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

### ITEMS FOR DISCUSSION AND/OR DECISION

#### Ordinance Amendment OA-10-21: Amendments to Chapter 22 - Zoning

Mayor Elmore opened the Public Hearing at 7:12 p.m. Planning Director Adler presented request from a private organization to amend Chapter 22 – Zoning, of the Dunn City Code. The amendment would establish a new definition of a use called "transitional housing dormitory" and assign the RM, Multi-family housing zoning district as the sole district in which this use will be permitted as a Special Use. The passage of this amendment was unanimously passed by the Planning Board. The code already allows up to 12 instead of the 30 proposed in the new definition.

Remarks were made in favor of the amendment from various representatives of Hope Center Ministries, a Christ-Centered Addiction Recovery Program, including the Regional Director, Travis Byrd, Edward DeLisie Jr., Randy Atkins, Jonathan Rigney, Mark Hall and Wayne Barnett. With no additional comments, the Public Hearing was closed.

After discussion, motion by Council Member Turnage and second by Council Member Tart to adopt the ordinance amendment OA-10-21 as presented to add the definition of "transitional housing dormitory" allowed only in the RM district as a Special Use with the number changed to 30 instead of 35. **Motion unanimously approved.** *A copy of the Ordinance (O2021-27) is incorporated into these minutes as Attachment #4.*

**Ordinance to Demolish Structure – 407 N Elm Ave**

Mayor Elmore opened the Public Hearing at 8:03 p.m. Chief Building Inspector King presented Ordinance to Demolish Condemned Structure for consideration. He has conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. He also found the structure dangerous or prejudicial to the public health or public safety and a nuisance in violation of G.S. §160A-193. No response by the owner about saving the structure. With no additional comments, the Public Hearing was closed.

Motion by Council Member Sills and second by Council Member Turnage to adopt ordinance to demolish the structure located at 407 N Elm Ave, PIN#:1516-87-1636.000. **Motion unanimously approved.** *A copy of the Ordinance (O2021-28) is incorporated into these minutes as Attachment #5.*

**Ordinance to Demolish Structure – 508 E Wake St**

Mayor Elmore opened the Public Hearing at 8:06 p.m. Chief Building Inspector King presented Ordinance to Demolish Condemned Structure for consideration. He has conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. He 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 has no interest in repairing and was good with proceeding with demolition. With no additional comments, the Public Hearing was closed.

Motion by Council Member Sills and second by Council Member McLean to adopt ordinance to demolish the structure located at 508 E Wake St, PIN#:1516-99-7170.000. **Motion unanimously approved.** *A copy of the Ordinance (O2021-29) is incorporated into these minutes as Attachment #6.*

**Ordinance to Demolish Structure – 124 E Broad St**

Mayor Elmore opened the Public Hearing at 8:08 p.m. Chief Building Inspector King presented Ordinance to Demolish Condemned Structure for consideration. He has conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. He 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, Dean Wiley, appealed the time period of sixty days at the September Council Meeting and the Council unanimously affirmed the inspector's decision. Mayor Elmore reported that he was contacted by one of Mr. Wiley's friends that said he did want to repair the building. With no additional comments, the Public Hearing was closed.

After discussion on the complexities and options of demolition methods, motion by Council Member Sills and second by Mayor Pro Tem Bradham to adopt ordinance to demolish the structure located at 124 E Broad St, PIN#:1516-67-4133.000. **Motion unanimously approved.** *A copy of the Ordinance (O2021-30) is incorporated into these minutes as Attachment #7.*

**Ordinance to Demolish Structure – 213 N Lee Ave**

Mayor Elmore opened the Public Hearing at 8:18 p.m. Chief Building Inspector King presented Ordinance to Demolish Condemned Structure for consideration. He has conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. He has also found the structure dangerous or prejudicial to the public health or public safety and a nuisance in violation of G.S. §160A-193. They did get a permit for repairs but after tearing out the floors, the family decided that there was too much damage to repair. With no additional comments, the Public Hearing was closed.

Motion by Council Member Sills and second by Council Member McLean to adopt ordinance to demolish the structure located at 213 N Lee Ave, PIN#:1516-95-5824.000. **Motion unanimously approved.** *A copy of the Ordinance (O2021-31) is incorporated into these minutes as Attachment #8.*

**Ordinance to Demolish Structure – 306 W Granville St**

Mayor Elmore opened the Public Hearing at 8:22 p.m. Chief Building Inspector King presented Ordinance to Demolish Condemned Structure for consideration. He has conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. He also found the structure dangerous or prejudicial to the public health or public safety and a nuisance in violation of G.S. §160A-193.

Peter Gitto, representative of the owner, Dunkin Deals, requested additional time as he is in the process of handling the demolition. With no additional comments, the Public Hearing was closed.

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

**Ordinance to Demolish Structure – 809B E Edgerton St**

Mayor Elmore opened the Public Hearing at 8:27 p.m. Chief Building Inspector King presented Ordinance to Demolish Condemned Structure for consideration. He has conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. He 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 appealed the time period of the sixty days at the October Council Meeting and the Council unanimously voted to affirm the inspector's decision. Permit has been applied and paid for but no improvements at this point.

Peter Gitto requested an additional two months to work on this property. With no additional comments, the Public Hearing was closed. Mayor Elmore questioned another demolition that was required due to two structures on the same lot and felt the council should act consistently with these orders.

Motion by Council Member Turnage and second by Council Member Sills to table until the December meeting to allow staff the opportunity to research the uniqueness of this property with the two houses. **Motion unanimously approved.**

#### **Ordinance to Demolish Structure – 411 N McKay Ave**

Mayor Elmore opened the Public Hearing at 8:44 p.m. Chief Building Inspector King presented Ordinance to Demolish Condemned Structure for consideration. He has conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160D-1117. He 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 appealed the time period of the sixty days at the October Council Meeting and the Council unanimously voted to affirm the inspector's decision. Permit has been issued on this property.

Mr. Gitto spoke requesting the ordinance be denied.

After discussion, motion by Council Member Turnage and second by Council Member McLean to table until the January meeting. **Motion unanimously approved.**

#### **Community Development Block Grant (CDBG) Compliance Program Manual Adoption**

Public Utilities Director Adams reported that the Council needed to adopt the CDBG Program Manual that contains compliance plans and policies designed to meet the requirements for participation in the CDBG-I Program and also to adopt that resolution which states who can execute documents that do not require the Mayor's signature.

Motion by Council Member Sills and second by Council Member McLean to approve the resolution adopting the Community Development Block Grant Compliance Program Manual along with authorizing Steven Neuschafer, Heather Adams, and Tammy Williams, and successors so titled, to execute grant related documents that do not require the Mayor's signature. **Motion unanimously approved.** *A copy of the Resolution (R2021-40) is incorporated into these minutes as Attachment #9 and a copy of the Manual has been filed with the City Clerk.*

#### **Engineering Services Agreement to Update the Water and Sewer Capital Improvement Plan and Conduct a System Development Fee Study**

Assistant City Manager Boone presented request to obtain approval for an Engineering Services Agreement for professional services to complete an updated Water and Sewer Capital Improvement Plan along with a Water and Sewer System Development Fee study. At the August 2021 meeting, City Council approved Staff to proceed with publishing a Request for Qualifications in order to select a firm. A total of three letters of interest were received and after reviewing and scoring, The Wooten Company received the highest collective score. The proposed cost is \$46,200 and includes both the Capital Improvement Plan and the Study.

Motion by Council Member Turnage and second by Mayor Pro Tem Bradham to authorize the City Manager to enter into an Engineering Services Agreement with the Wooten Company to complete a Water and Sewer Capital Improvement Plan along with a System Development Fee Study; and furthermore to approve a budget amendment in the amount of \$46,200. **Motion unanimously approved.** *A copy of Budget Amendment BA2022-18 is incorporated into these minutes as attachment #10.*

#### **Three Bridge Rd Material Storage Site Project**

City Manager Neuschafer presented for consideration the construction contract for the clearing and site improvement for the storage site located off Three Bridges Road. Formal bids were advertised and two bids were received and reviewed by the City's engineers assigned to the project, WithersRavenel. Of the two bids, the low bidder with appropriate qualifications to perform the work was Sawyer's Land Developing, Inc. We have a current contract with WithersRavenel in the amount of \$128,900. The amount needed for this work is \$189,391 for the construction and will need to come from the fund balance with anticipated completion date in January.

Motion by Mayor Pro Tem Bradham and second by Council Member Tart to award a contract to Sawyer's Land Developing, Inc. to complete the Three Bridges Road Site Improvement Project and approve the Budget Amendment to pay for the construction work. **Motion unanimously approved.** *A copy of Budget Amendment BA2022-19 is incorporated into these minutes as attachment #11.*

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

City Manager Neuschafer presented request to approve the purchase of one parcel of property owned by Randy Dickens, LLC at the purchase price of \$60,000.00, located at 506 E Broad Street, PIN# 1516-76-5279.000.

Motion by Council Member Tart and second by Council Member Turnage to approve the purchase of 506 E Broad St as presented for the purchase price of \$60,000, 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 BA2022-20 is incorporated into these minutes as attachment #12.*

#### **Appointment – Dunn Area Tourism Authority**

Mayor Elmore recommended reappointment of Council Member Tart.

Motion by Council Member Turnage and second by Mayor Pro Tem Bradham to appoint Council Member Tart as the Council representative on the Dunn Area Tourism Authority Board of Directors for a term – January 1 to December 31, 2022. **Motion unanimously approved.**

**Council Goals/Reports**

City Manager Neuschafer reported that staff plans on reporting more specific timetables on the goals at the January retreat. Watauga paving should be complete by the end of the month. Mayor Pro Tem Bradham encouraged plenty of time on the retreat agenda to discuss the Imagine Dunn Strategic Vision Plan.

**Administrative Reports**

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

- The City, as of October 31, 2021, had \$9,435,354 in all accounts combined compared to \$6,261,147 in 2020.
- Property Taxes, through September, were \$605,859 compared to \$771,456 last year.
- Sales Tax August receipts were \$233,200, about \$19,083 less than last month but \$15,488 more than last year.
- Utilities Sales Taxes received are \$152,050 compared to \$144,369 last year.
- Building Permit Fees for the month of October were \$17,865, with total of \$72,079 or 55% of budget.
- Water and Sewer Revenues for the month of October were \$541,283, with total collected year to-date of \$2,163,658 or 35.4% of budget compared to \$2,002,661 last year.
- General Fund expenditures in October were \$806,438, with total expensed to-date of \$3,594,191 or 29.9% of Budget compared to \$3,503,915 in 2020.
- The Water and Sewer fund expenditures in October were \$363,556, with total expensed to-date of \$1,679,021, or 22.1% of budget compared to \$1,677,309 last year.
- The benchmark for this period is 33% of budget.

He also gave an update on Debt Service and Liens and Assessments.

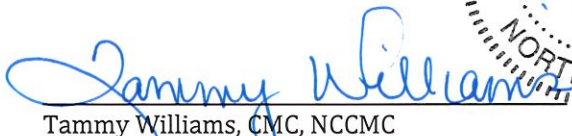
Reports were also received as follows: Communications/Public Information, Planning and Inspections Report, Public Works Report, Public Utilities Report, Parks and Recreation Report, Library Report and Police Report.

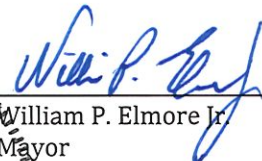
**Announcements/Information**

Mayor Elmore announced upcoming events and activities.

With no further business to discuss, motion by Council Member McLean and second by Council Member Sills to adjourn the meeting at 9:15 p.m. **Motion unanimously approved.**

Attest:

  
 Tammy Williams, CMC, NCCMC  
 City Clerk

  
 William P. Elmore Jr.  
 Mayor

