

Dunn City Council
Regular Meeting
Tuesday, November 10, 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, and Dr. David L. Bradham. **Absent:** Billy N. Tart. *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, Planning Director George Adler, Chief Building Inspector Steven King, Chief of Police Clark White, Executive Assistant Connie Jernigan, Communications Coordinator Kaitlin Adkins, 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 Rev. Roy Johnson gave the invocation. Afterwards, Council Member Sills led in the Pledge of Allegiance.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Mayor Pro Tem Turnage and second by Council Member Bradham to adopt the November 10, 2020 meeting agenda as presented. **Motion unanimously approved.**

PRESENTATIONS

Veterans Day Proclamation

Mayor Elmore read the Veterans Day Proclamation and recognized and thanked Council Members McLean, Mayor Pro Tem Turnage and City Manager Neuschafer for their service. *A copy of the Proclamation (P2020-13) is incorporated into these minutes as Attachment #2.*

Republic Services

Chris Wilson, Manager Municipal Services for Republic Services, reviewed current operations, services provided to the City of Dunn, and industry issues including the current recycling crisis. China takes most of the recycling materials and recently reduced the amount of accepted contamination. Recycling used to be a revenue stream but now has become an expense. He discussed the contamination in Dunn and discussed options to include an education campaign on recyclables, tagging contaminated cans, and then removing cans with continued offenses. Also in attendance from Republic Services was Dunn Division Manager, Mike Novicky.

CDBG Housing Rehab Grant Update

City Manager Neuschafer reported the City of Dunn received a \$574,000 Small Cities Community Development Block Grant – Neighborhood Revitalization (CDBG-NR) grant administered by the Rural Economic Development Division, North Carolina Department of Commerce for the Harnett Training School area. Everything was ready to progress and then Covid-19 hit. Skip Green, consultant for the City on the project, presented an update on the grant progress and reviewed the various challenges with administering the grant including liens on properties, heir issues and homeowners dropping out, along with the issues related to getting contractors for the projects and the impact of the pandemic.

Special Recognitions

Mayor Elmore publicly thanked City Manager Neuschafer and Assistant City Manager Boone for the great job on the Dunn Dog Park (ribbon cutting held today.)

He also recognized City Manager Neuschafer on his 15th Anniversary with the City of Dunn and thanked him for the fantastic job he does for the city.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:35 p.m. Shenna Tart spoke concerning the inaccurate meter reading on her August and September water bill. Having no other comments, the Public Comment period was closed.

CONSENT ITEMS

- Approval of the minutes of the October 6, 2020 City Council Special Meeting.
- Approval of the minutes of the October 13, 2020 City Council Meeting.
- Resolution approving the 2021 City Council Regular Meeting Schedule. *A copy of the Resolution (R2020-21) is incorporated into these minutes as Attachment #3.*
- Approval of Temporary Blocking of Streets for Sudan Shriner Parade.
- Approval of Temporary Blocking of Streets for Christmas Tree Lighting.
- Approval of Temporary Blocking of Streets for Christmas Parade.
- Approval of Budget Amendment – Cemeteries. *A copy of the Budget Amendment (BA2021- 09) is incorporated into these minutes as Attachment #4.*

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

ITEMS FOR DISCUSSION AND/OR DECISION

Consideration of Application for CDBG-Infrastructure Grant with NC Department of Environmental Quality

Mayor Elmore opened the Public Hearing at 7:41 p.m. Heather Adams, Director of Public Utilities and Amanda Whitaker with WithersRavenel were present to discuss the purpose of the public hearing for the City's CDBG-I funding application. Ms. Adams stated that the purpose of the public hearing was to obtain citizen's views and to respond to funding proposals and answer any questions posed by citizens. Ms. Adams also stated that the public hearing must cover the City's community development needs, development of the proposed activities, and a review of program compliance before the submission of the City's CDBG-I funding application to the state of the North Carolina.

The City proposes requesting funding from NCDEQ'S CDBG-I program for the City of Dunn's CDBG-I Sewer Line Rehabilitation/Replacement Project. The proposed project will meet the following community and housing needs of City by repairing areas of aging sewer lines, where the City has experienced sanitary sewer overflows.

The purpose of the CDBG-I grant program is to improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year 2020, the CDBG-I funding available is expected to be \$25.2 million, and each recipient's maximum available grant will be \$2.0 million over a 3-year period. Applications for funding are due by November 23, 2020.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund several activities: water and sewer infrastructure, neighborhood revitalization, COVID-19 related projects, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure and economic development activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Project that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extend public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The City is seeking an amount in CDBG-I funds not to exceed \$2 million over a 3-year period. The purpose of the City's request is to replace aging sewer lines in the areas of W. Barrington Street, N. Fayetteville Avenue, Granville Street (East and West), N. King Avenue, N. Layton Avenue, N. McKay Avenue, N. Railroad Avenue, N. Wilson Avenue, Burke Street, E. Carr Street, Caswell Street, E. Cleveland Street, N. Clinton Avenue, Dubois Circle, East Johnson Street, Lincoln Street, N. Magnolia Avenue, E. Townsend Street, E. Broad Street, E. Edgerton Street, E. Harnett Street, N. Lee Avenue, N. Sampson Avenue, Clayton Street, Moore Street, E. Surles Street, N. Washington Avenue, N. Wilmington Avenue, and McNeil Circle.

The project proposed by the City of Dunn was identified in both the 2020 Asset Management Plan and the Capital Improvement Plan.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the City of Dunn has been determined to have an area-wide low-moderate income of 52.52%. The project area includes W. Barrington Street, N. Fayetteville Avenue, Granville Street (East and West), N. King Avenue, N. Layton Avenue, N. McKay Avenue, N. Railroad Avenue, N. Wilson Avenue, Burke Street, E. Carr Street, Caswell Street, E. Cleveland Street, N. Clinton Avenue, Dubois Circle, East Johnson Street, Lincoln Street, N. Magnolia Avenue, E. Townsend Street, E. Broad Street, E. Edgerton Street, E. Harnett Street, N. Lee Avenue, N. Sampson Avenue, Clayton Street, Moore Street, E. Surles Street, N. Washington Avenue, N. Wilmington Avenue, and McNeil Circle.

The range of activities covered by the CDBG-I funds for the Sewer Line Rehabilitation/Replacement Project includes:

- Construction
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If the City of Dunn is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that if the City of Dunn receives CDBG grant funding that the City will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. If no displacement and relocation will occur as a result of the proposed CDBG grant activity, then the City confirms that during this public hearing.

In the past, the City has applied for and received for the following completed CDBG project:

- 2019 - CDBG Neighborhood Revitalization Project 17-C-2995 \$574,000;
- 2014 - CDBG Catalyst Project Harnett Training Center 12-C-2476 \$500,000; and
- 2014 - CDBG Economic Development Rooms To Go Water and Sewer Project 13-E-2604 \$1,000,000

The City of Dunn will submit its CDBG-I application for the Sewer Line Rehabilitation/Replacement Project on November 23, 2020. The CDBG-I application will be available for review during normal business hours at 101 E. Cleveland Street, Dunn NC 28335. Additional information is available from Heather Adams, 101 E. Cleveland Street, Dunn NC 28335 or 910-766-0997. Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within 10 business days or by November 20, 2020 and a written response to the written complaints and/or grievances will be sent by the City within 10 business days, where practicable.

With no additional comments, motion by Council Member Bradham and second by Mayor Pro Tem Turnage to close the public hearing. **Motion unanimously approved.**

Motion by Mayor Pro Tem Turnage and second by Council Member Gaulden to approve the minutes of the Public Hearing for the CDBG-Infrastructure Grant with NC Department of Environmental Quality as presented. **Motion unanimously approved.**

Motion by Council Member Gaulden and second by Council Member Bradham to approve the resolution adopting the City's intent to submit a funding application to the NC Department of Environmental Quality for a Community Development Block Infrastructure Grant and make the necessary assurances contained within. **Motion unanimously approved.** *A copy of the Resolution (R2020-22) is incorporated into these minutes as Attachment #5.*

Ordinance to Demolish – 614 E Divine St

Mayor Elmore opened the Public Hearing at 7:54 p.m. for consideration of Ordinance to Demolish House at 614 E Divine St, PIN #: 1516-75-5460.000. The Public Hearing was duly advertised on October 30 and November 3, 2020. Chief Building Inspector King conducted an inspection and based upon his observations, the structure is unsafe and has been condemned in accordance with G.S. §160A-426. King also found the dwelling dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King reported that the owner does want to fix the house but lives in another state. He now has hired a contractor, Claude Ferguson, Ferguson Home Improvements to begin repairs depending on outcome of meeting. City Attorney Pope read comment from the owner, J. Michael McKeithan, requesting additional time to make repairs to the dwelling. Mr. Ferguson was in attendance at the meeting and agreed the home could be repaired and estimated at least two months on the repairs. With no additional comments, the public hearing was closed.

After discussion, motion by Mayor Pro Tem Turnage and second by Council Member McLean to table for 60 days. **Motion approved with Council Member Sills opposed.**

Ordinance to Demolish – 809 E Pearsall St

Mayor Elmore opened the Public Hearing at 8:11 p.m. for consideration of Ordinance to Demolish House and Storage Building at 809 E Pearsall St, PIN #: 1516-84-1822.000. The Public Hearing was duly advertised on October 30 and November 3, 2020. Building Inspector Johnson has conducted an inspection and based upon

his observations, the structures are unsafe and have been condemned in accordance with G.S. §160A-426. Johnson also found the structures dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King reported the storage building is in pretty bad shape but they have done quite a bit of work to the outside of the house. Clarence Woodard, representing the family, spoke requesting additional time to make repairs on the house and the storage building. With no additional comments, the public hearing was closed.

After discussion, motion by Council Member Sills and second by Mayor Pro Tem Turnage to deny ordinance to demolish the house and to table the ordinance to demolish the storage building for 60 days. **Motion unanimously approved.**

Ordinance to Demolish storage buildings – 107 Moon Circle

Mayor Elmore opened the Public Hearing at 8:26 p.m. for consideration of Ordinance to Demolish storage buildings located at 107 Moon Circle. The Public Hearing was duly advertised on October 30 and November 3, 2020. Building Inspector Slater Johnson conducted an inspection and based upon his observations, the storage buildings are unsafe and have been condemned in accordance with G.S. §160A-426. Johnson also found the structures dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King added that no response has been received by the owner. With no additional comments, the public hearing was closed.

Motion by Mayor Pro Tem Turnage and second by Council Member McLean to adopt the ordinance directing the Building Inspector to proceed with the demolition of the structures located at 107 Moon Circle, PIN #: 1526-29-0483.000. **Motion unanimously approved.** *A copy of the Ordinance (O2020-23) is incorporated into these minutes as Attachment #6.*

Ordinance to Demolish storage building – 301 Moon Circle

Mayor Elmore opened the Public Hearing at 8:28 p.m. for consideration of Ordinance to Demolish storage building at 301 Moon Circle. The Public Hearing was duly advertised on October 30 and November 3, 2020. Building Inspector Slater Johnson conducted an inspection and based upon his observations, the storage building is unsafe and has been condemned in accordance with G.S. §160A-426. Johnson also found the structure dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King added that the owner was planning on removing himself but it still has not been removed as of October 30. With no additional comments, the public hearing was closed.

Motion by Council Member Gaulden and second by Council Member McLean to adopt the ordinance directing the Building Inspector to proceed with the demolition of the structure located at 301 Moon Circle, PIN #: 1526-29-4360.000. **Motion unanimously approved.** *A copy of the Ordinance (O2020-24) is incorporated into these minutes as Attachment #7.*

Ordinance to Demolish storage building – 601 E Bay St

Mayor Elmore opened the Public Hearing at 8:31 p.m. for consideration of Ordinance to Demolish Storage Building at 601 E Bay St. The Public Hearing was duly advertised on October 30 and November 3, 2020. 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. §160A-426. Johnson also found the structure dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King reported the house was previously torn down and he has received no contact from the owner concerning the storage building. With no additional comments, the public hearing was closed.

Motion by Council Member Bradham and second by Mayor Pro Tem Turnage to adopt the ordinance directing the Building Inspector to proceed with the demolition of the storage building located at 601 E Bay St, PIN #: 1516-64-8890.000. **Motion unanimously approved.** *A copy of the Ordinance (O2020-25) is incorporated into these minutes as Attachment #8.*

Approval of Waste Water Asset Management Plan and Capital Improvement Plan

Public Utilities Director Adams presented the Waste Water Asset Management Plan and Capital Improvement Plan to council for approval. She shared that Asset Inventory and Assessment grants were created to encourage water and wastewater utilities to become more viable and more proactive in the management and financing of their systems. The grant was received by the City in May, 2019 and WithersRavenel assisted the City with completing the grant requirements. The grant included mapping the sewer collection system and performing an assessment of the collection system. As part of the funding agreement, the City was required to create an Asset Management Plan along with a Capital Improvement Plan, which will allow the City to plan and budget for upcoming capital improvement expenses. City Manager Neuschafer pointed out that 75% of the infrastructure under the ground is over 50 years old with 19% over 75 years old.

Motion by Mayor Pro Tem Turnage and second by Council Member Bradham to approve the Resolution adopting the City of Dunn's Wastewater System Asset Management Plan and Capital Improvement Plan as presented. **Motion unanimously approved.** *A copy of the Resolution (R2020-23) is incorporated into these minutes as Attachment #9. A copy of the Waste Water Asset Management Plan and Capital Improvement Plan has been filed with the City Clerk.*

ADA Transition Plan Budget Amendment

Assistant City Manager Boone requested the budget be amended to fund the required American's with Disabilities Act (ADA) Transition Plan for the City. The ADA Transition Plan for the City is a formal document required by the Department of Transportation (DOT) and the Department of Justice (DOJ) for cities with 50 or more employees. The plan is a review of all city owned properties including buildings, lands, parks, streets, sidewalks, etc. The transition plan is a formal document available to the public outlining a city's compliance with ADA. This is a document that will be required when applying for federal loans and grants.

Motion by Council Member Bradham and second by Council Member McLean to approve the Budget Amendment to the 2020-2021 budget for an ADA Transition Plan in the amount of \$30,000 with funds coming from the City's Fund Balance. **Motion unanimously approved.** *A copy of the Budget Amendment (BA2020-10) is incorporated into these minutes as Attachment #10.*

Dunhaven Subdivision Final Plat Approval

Planning Director Adler presented request from Dunhaven Development, LLC to review and vote on the final plat for Dunhaven Subdivision off Tilghman Drive. The final plat shall meet all applicable regulations in Chapter 20, Subdivision of Land, Article II Plats, Section 20-43, of the Dunn City Code. The Planning Board voted unanimously to recommend approval of the final plat for the Dunhaven subdivision at their October 27, 2020 meeting. The final plat indicates that the City will accept the dedication of rights-of-way only upon approval by the City Engineer that the sidewalks and repaving of the streets have been completed to City standards. In addition, Dunhaven Development, LLC has agreed to purchase bonds to ensure proper completion of the infrastructure prior to dedication.

Motion by Council Member Sills and second by Council Member Bradham to approve the request to record the subdivision plat. **Motion unanimously approved.**

Appointment to the Dunn Area Tourism Authority Board

Motion by Mayor Pro Tem Turnage and second by Council Member Gaulden to appoint Council Member Tart as the Council representative on the Dunn Area Tourism Authority Board of Directors with a one-year term expiring on December 31, 2021. **Motion unanimously approved.**

Approval Authorizing the Planning and Application Process regarding Proposed Crosswalks associated with NCDOT Maintained Thoroughfares

City Manager Neuschafer presented request to begin the process of installing crosswalks on three intersections located on NCDOT right of Ways: 1) S Ellis Ave at US 421 (W Cumberland St); 2) S Wilson Ave at US 421 (W Cumberland St); and 3) S Elm Ave at Best St. The City will have to propose these improvements to NCDOT and will work with them to find the most economical process for installation, which will also include some sidewalk and ADA accessible ramps at associated intersections. The Elm Ave and Wilson Ave portion of the project is proposed in conjunction with a needed upgrade in order to work towards completion of the Tart to Tyler Park Pedestrian trail.

After discussion, motion by Council Member Gaulden and second by Council Member McLean to approve a letter from the City Council to request pedestrian improvements at the S Elm Ave, S Wilson Ave and the S Ellis Ave intersections, additionally indicating the City's intent to work with the NCDOT and their process regarding installation of approved crosswalks over state-maintained roads. **Motion unanimously approved.**

Council Goals/Reports

City Manager Neuschafer updated Council on long-term plans related to municipal facilities. He reported that the plans for the police locker rooms and server room renovations have been drafted and are out for bid now. Public Works, City Hall and Water Tower are still under consideration. Engineer has been engaged to work on proposal for Parks and Recreation consolidation and that is in process. He pointed out that Public Works Department has averaged purchasing about 25 tons of asphalt a month for the past 6 months for patching of streets.

Administrative Reports

City Manager Neuschafer shared that the City would be hosting a Mask Giveaway on the upcoming Friday. After recommendation from Council Member McLean, the city was able to acquire masks from the Harnett County Emergency Services to distribute to county residents.

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

- The City had \$6,261,147 in the General Fund and the Water-Sewer Fund combined. The Board of Directors for the NC Capital Management Trust made the decision to eliminate the "Term" portfolio. All funds were then moved into the Cash Account on October 29. From this point forward, the totals will be compared. As of September 30, 2020, \$6,143,912 in General and the Water-Sewer Fund. Through September 2019, the City had \$5,530,328 in these same two accounts. Still waiting for NCDOT to reimburse \$370,000 for PJ's project.
- Through September, City received \$619,689 in taxes.
- Sales Tax Revenue August receipts were \$217,712. Sales tax revenues are up 12.5% compared to the same time last year.
- Utilities Sales Taxes for the quarter ending June 30, 2020 was \$144,370 compared to \$160,754 for same period in 2019
- Building Permit Fees for the month of October were \$16,128 with total to-date \$45,968 or 46% of budget.

- Water and Sewer Revenues for October were \$482,629 down slightly from September. Last year in October, the city collected \$504,471. Total collected to-date - \$2,002,661 or 34.23% of budget compared to total of \$2,064,337 in 2019. The \$62,000 difference is directly related to COVID-19 payment deferrals.
- Expenditures are \$3,469,381 or 29.9% of budget in the general fund compared to \$3,971,406 in 2019. Water and Sewer fund expense - \$1,663,963 or 22.9% of budget compared to \$1,482,810 in 2019. The benchmark for this period is 33% of budget.
- He also updated the Council on debt service payments.

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 and commended Council Member Gaulden on the recent Community Clean hosted by her in her district. Council Member Gaulden expressed appreciation to the volunteers and looks forward to future clean up on November 21.

Mayor Pro Tem Turnage announced the opening of the General William C. Lee Airborne Museum in honor of Veterans Day.

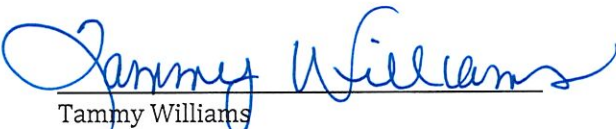
Council Member McLean read the Proclamation presented by the Mayor in honor of Veterans Suicide Prevention Month. *A copy of the Proclamation (P2020-14) is incorporated into these minutes as Attachment #11.*

With no further business to discuss and no objections, the meeting was adjourned at 9:14 p.m.



William P. Elmore Jr.
Mayor

Attest:



Tammy Williams
City Clerk