

Dunn City Council
Regular Meeting
Tuesday, December 8, 2020
7:00 p.m., Dunn Municipal Building

Minutes

PRESENT: Mayor William P. Elmore Jr., Mayor Pro Tem Chuck Turnage, Council Members J. Wesley Sills, April Gaulden, Frank McLean, Billy N. Tart and Dr. David L. Bradham. *Notice, relating to the Special Meeting Conditions, is incorporated into these minutes as Attachment #1.*

Also present: City Manager Steven Neuschafer, Assistant City Manager Mathew Boone, Finance Director Jim Roberts, 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. Dennis Manuel, Pastor at East Granville Street Church of God of Prophecy gave the invocation. Afterwards, Council Member McLean led in the Pledge of Allegiance.

Mayor Elmore sent condolences to the family of Irvin Warren. Irvin has contributed a lot to this community as a business owner, property owner and philanthropist.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Turnage and second by Council Member Bradham to adopt the December 8, 2020 meeting agenda as presented. **Motion unanimously approved.**

PRESENTATIONS

Imagine Dunn Update

Aaron Arnett of Arnett Muldrow Consultants and David Hill of Hill Studio gave an update on the Imagine Dunn Strategic Vision Plan process. Hill spoke about the upcoming Workshop and the twelve initiatives that will be shared. Council Members Gaulden and Bradham, who serve on the Dunn Vision Group, encouraged the community to get involved in the process and to follow the Imagine Dunn Facebook page.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 7:18 p.m. Having no comments, the Public Comment period was closed.

CONSENT ITEMS

- Approval of the minutes of the November 10, 2020 Council Meeting.
- Approval of the minutes of the November 17, 2020 Imagine Dunn Meeting.
- Retirement Resolution – Dale Johnson, Public Utilities. *A copy of the Resolution (R2020-24) is incorporated into these minutes as Attachment #2.*
- Budget Amendment – Police Department. *A copy of the Budget Amendment (BA2021-11) is incorporated into these minutes as Attachment #3.*
- Budget Amendment – Library and Public Utilities. *A copy of the Budget Amendment (BA2021-12) is incorporated into these minutes as Attachment #4.*
- Approval of February 19-20, 2021 as the dates for the 2021-2022 Budget Planning Retreat.

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

ITEMS FOR DISCUSSION AND/OR DECISION

Consideration of Ordinance to Demolish – 706, 710, 800 N Fayetteville Ave

Mayor Elmore opened the Public Hearing at 7:19 p.m. for consideration of Ordinance to Demolish structures located at 706, 710, 800 N Fayetteville Ave. The Public Hearing was duly advertised on November 27 and December 1, 2020. Chief Building Inspector King conducted an inspection and based upon his observations, the structures are unsafe and have been condemned in accordance with G.S. §160A-426. King 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 demolition was taking place but is now at a standstill due to the asbestos abatement that is needed. According to state law, demolition can't proceed until asbestos at the site has been abated. If the ordinance is adopted, the city would have to get the property abated and demolished by outside contractors, with the cost being passed to the property owner. Currently, there is concrete crushing at the site brought in from other locations as the contractor hired for demolition is currently using the site for that purpose. Council Member Turnage asked what the timeline would be if the City passed the ordinance. King replied approximately six months. Council Member Tart asked if the current contractor would have to remove his property. King confirmed that he would have to remove his property if he was not hired by the City. Sills asked if the property was zoned correctly. Adler replied it would be allowed but it has not been approved. Council Member Gaulden stated that she has received several complaints from residents and King confirmed that the Inspections Department has also received complaints. Adler was told by the Lester Group that a contractor was hired in March for the abatement but nothing has been done.

James Godwin, the contractor hired to handle the demolition, requested additional time. He shared that the demolition had been stopped over three times with utilities and then asbestos issues. He has a contract with a company to handle the asbestos abatement to begin next week. He confirmed that he was crushing stone from other locations and had checked with Planning Director Adler to make sure it is permitted with the zoning on that location. He also replied to question from Council Member Tart that he felt that the demolition could be done 3-5 days after abatement was done, with project completed by the first week of January.

James Rankin, a resident at the corner of N Fayetteville Ave and W Granville St, spoke against the concrete busting and complained about all the dust and was concerned about the zoning allowing concrete busting at that location.

George Adler, Planning Director stated that the Brownfields EPA Grant paid for the asbestos survey but could not be used for the abatement. He added that his office needs a letter by someone saying the site has been abated for demolition to be completed. He stated that he has spoken with Lester Group on many occasions about the property to no avail. He said the property is zoned correctly but even if property is zoned properly there has not been any development permit issued. Adler also shared that he had requested that a blind fence be put up and that has not been done. He further stated that the City was providing water to the site to help with the dust but at his visit, he did not observe any water being used. Council Member Tart asked if the fence would help with the dust and Adler confirmed that the blind fence is just visual and that water is typically used to compress the dust. Council Member Tart shared that people would not want this type of business beside their home. City Manager Neuschafer stated that the zoning would have to be confirmed. He felt that this location was I-10, which is more restrictive than I-100. Council Member Sills said the City is pro-business but also must look after the health of our residents. King added that the permit was issued to handle the buildings without asbestos. Council Member Tart added that he felt it will take more time to handle the demolition if the ordinance was passed than if Mr. Godwin will go ahead and take care of the demolition since the end-goal is to get the property cleaned up. With no additional comments, the public hearing was closed.

Mayor Elmore reminded council, the ordinance to demolish was the matter at hand and not any zoning issues. He also restated that Mr. Godwin has a permit in hand to handle demolition and contract to handle the asbestos.

After much discussion, motion by Council Member Tart and second by Council Member Turnage to table until the January meeting. Motion passed with Mayor Elmore, Council Members McLean, Tart and Turnage voting in favor of the motion and Council Members Bradham, Gaulden and Sills opposed.

Consideration of Ordinance to Demolish – 1014 E Edgerton St

Mayor Elmore opened the Public Hearing at 8:11 p.m. for consideration of Ordinance to Demolish house located at 1014 E Edgerton St. The Public Hearing was duly advertised on November 27 and December 1, 2020. Building Inspector Slater Johnson 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 structure dangerous or prejudicial to public health or public safety and a nuisance in violation of G.S. §160A-193. King added that they had spent quite a bit of time trying to help the renter (who is part owner) as there were several children living there. He shared that the sewer leak was the major issue and with so much sewage under the house they could not get a plumber to touch it. He said that there are 103 items that need to be addressed at this house with nothing being repaired to-date. He confirmed that the tenant has moved out. With no additional comments, the public hearing was closed.

Motion by Council Member Sills and second by Council Member Bradham to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 1014 E. Edgerton St. (PIN #: 1516-95-6297.000). **Motion unanimously approved.** *A copy of the Ordinance (02020-26) is incorporated into these minutes as Attachment #5.*

Consideration of Ordinance to Demolish – 1008 E Harnett St

Mayor Elmore opened the Public Hearing at 8:15 p.m. for consideration of Ordinance to Demolish house located at 1008 E Harnett St. The Public Hearing was duly advertised on November 27 and December 1, 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 added that someone was planning on moving in but it had to be inspected prior to the water being turned on. The owner is not planning on making repairs and is ok for the city to demolish. With no additional comments, the public hearing was closed.

Motion by Council Member Bradham and second by Council Member Gaulden to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 1008 E. Harnett St. (PIN #: 1516-95-8642.000). **Motion unanimously approved.** *A copy of the Ordinance (02020-27) is incorporated into these minutes as Attachment #6.*

Consideration to Declare Property Unfit for Human Habitation – 609 S Sampson Ave

Mayor Elmore opened the Public Hearing at 8:18 p.m. for consideration of Ordinance to deem property Unfit for Human Habitation located at 609 S Sampson Ave. The Public Hearing was duly advertised on November 27 and December 1, 2020. Building Inspector Dwayne Williams conducted an inspection and based upon his observations, the structures are in a deteriorated condition that does not meet the requirements of the City of Dunn's Minimum Housing Code. Williams 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 his office has received several complaints from the neighbors. They were allowed to do the interior inspection and found quite a bit of violations and the owners Terry Wood and Teresa Parker have had 90 days to make the repairs. The owners have called and said they are not going to make the repairs and there is no tenant. The property has to be vacant for a year before coming back for ordinance to demolish and they can make the repairs during that time if they change their mind. Council Member Tart asked if the city would have to wait a year to clean up the outside and King stated they can use code enforcement to get the outside cleaned up. 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 Chief Building Inspector to post the property Unfit for Human Habitation at 609 S. Sampson Ave. (PIN #: 1516-73-9892.000). **Motion unanimously approved.** *A copy of the Ordinance (02020-28) is incorporated into these minutes as attachment #7.*

Mayor Elmore commended the Inspections staff for all their hard work on these condemnations. He shared about being on site of a house being demolished in Westfield Subdivision and immediately was approached by a neighbor thanking them for cleaning up the neighborhood. Council Member Turnage asked about boarded up homes. King stated he is currently working on an ordinance to handle boarded up property and the city can also handle it as an abandoned building. Council Member Bradham asked that businesses be given the same guidelines concerning boarded up structures.

Consideration on offer to Purchase City-owned Property – 415 S Magnolia Ave

The City has received an offer of \$8,000, by Lucknow Homes LLC, to purchase real property located at 415 S Magnolia Avenue in Dunn. Offer to Purchase was received by the City Clerk on November 24, 2020.

Motion by Council Member Bradham and second by Council Member Turnage to table to the January meeting. **Motion unanimously approved.**

Election of Mayor Pro Tem

Mayor Elmore shared that the Mayor Pro Tem will be appointed annually. He commended Council Member Turnage for his outstanding job as Mayor Pro Tem in 2020.

Motion by Council Member Turnage and second by Council Member McLean to elect Council Member Bradham as Mayor Pro Tem. **Motion unanimously approved.**

Council Goals/Reports

City Manager Neuschafer reviewed the reports. Council Member Bradham requested status on trail from Tyler to Tart Parks. Neuschafer stated that the path has been informally identified and request has been sent to NCDOT concerning crossing certain NCDOT right of ways. Surveyor has gone out to mark some crossings especially the Ashe Avenue crossing to make sure crossings are as safe as possible. Goal is to have permissions and a plan of action in place for crossings and marking trail for spring activities. He added that we need to make sure it is as safe as possible before being promoted to the public. Mayor Elmore added that he has seen a lot of use of the new Dog Park. Neuschafer further updated Council that only one bid was received on the Watauga project for utilities and paving so the process has to start over again. Hopefully, if enough bids are received in January, the utilities will be in spring and early summer for the paving.

Administrative Reports

City Manager Neuschafer reported on the Pope Street sewer repair and that it was not as bad as feared. Emergency repairs have been done with total cost estimated at \$130,000 after paving is completed. Staff feels these expenses can be covered in the budget but if there are any other repairs needed in the fiscal year, they will have to come to council for budget adjustments.

Finance Director Roberts provided the following financial report for the period ending November 30, 2020:

- \$6,506,247 in General Fund and Water-Sewer Fund combined with \$5,323,064 as of November 2019.
- Property taxes received as of October 30, 2020 were \$929,245. Last October's funds received were \$924,014.
- Sales Tax Revenue - September receipts were \$202,714 with total receipts at \$670,047, up 6.43% from the same time last year. Last year, Sales Tax Revenue was \$582,325.
- Utilities Sales Taxes are reported quarterly. Report for the quarter ending June 30, 2020 was \$144,370 compared to \$160,754 for this same period in 2019.
- Building Permit Fees for the month of November were \$6,919, with total collected for the year of \$52,887 or 53% of budget. Last year we had collected \$55,120.
- Water and Sewer Revenues for the month of November were \$503,664 compared to \$505,696 in 2019. Total collected to date is \$2,503,584 or 42.8% of budget compared to \$2,570,033 in 2019. The \$66,450 difference is directly related to COVID-19 payment deferrals.
- Expenditures in the General Fund are \$4,502,128 or 38.7% of budget. For 2019, expenditures were \$4,675,584.
- The Water and Sewer fund has spent \$2,197,973 or 30.2% of budget. Last year, total expended was \$1,852,689. The benchmark for this period is 42% of budget.
- Debt Service expenditures to date are \$551,605 in the General Fund. One interest payment for Water/Sewer Debt Service was made this month with total for the year - \$204,119 for all Debt Service payments.

Mayor Elmore asked for an update on the mapping for the storm water system. Neuschafer said that the mapping for the sewer system was almost complete and was funded through a grant. There are no grants to handle the mapping of the storm water system so the city will have to look at funding approximately \$75 - \$100,000 through the storm water fees. Mayor Elmore asked for this to be placed on the January agenda.

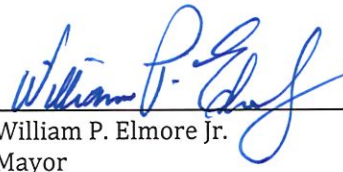
Reports were also received as follows: Communications/Public Information, Planning and Inspections Report, Public Works Report, Public Utilities Report, Parks and Recreation Report, Library Report and Police Report.

Announcements/Information

Mayor Elmore announced upcoming events and activities.

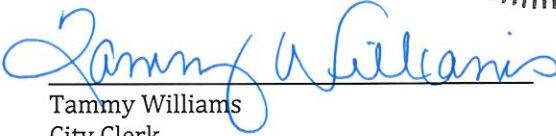
With no further business to discuss, motion by Council Member McLean and second by Council Member Bradham to adjourn the meeting at 8:47 p.m. **Motion unanimously approved.**





William P. Elmore Jr.
Mayor

Attest:



Tammy Williams
City Clerk