

Dunn City Council
Regular Meeting
Tuesday, December 10, 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: City Manager Steven Neuschafer, Assistant City Manager Billy R. Godwin, Finance Director Cary McNallan, Chief of Police Cary Jackson, Parks and Recreation Director Brian McNeill, Human Resources Director Connie Jernigan, Public Works Director Dwayne Williams, Collections and Distribution Manager Billy Cottle, 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.

CALL TO ORDER AND INVOCATION

Before getting into the agenda, Mayor Elmore thanked the Public Works Department and Police Department for the job they did helping with the Dunn parade and other activities. They did a great job setting up and tearing down and the Police Department with overall security. He also thanked the Dunn Area Chamber of Commerce, Travel & Tourism, and the Downtown Development Group for being involved.

Mayor Elmore opened the meeting at 6:30 p.m. and Reverend Roy Johnson gave the invocation. Afterwards, Council Member Alan Hargis led the Pledge of Allegiance.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Alan Hargis and second by Council Member Dr. David Bradham to adopt the December 10, 2024 meeting agenda as presented with the following changes by removing Item #2 - The swearing in of House Representative Howard Penney and by adding Item #24a - a Resolution to Respond to a Fiscal Year 23 ACFR FPIC related to the Fiscal Year '25 Annual Comprehensive Financial Report and then by moving Item#9 Budget Amendment to fiber Line Surveying Service to Item #24b, second by David Bradham. Motion unanimously approved.

PUBLIC COMMENT PERIOD

The Public Comment Period was opened by Mayor Elmore at 6:40 p.m.

Meaghan Fournier
5595 Ashgrove Dr.
Fayetteville, NC
Re: 410 S. Fayetteville Ave.

Good evening council members. My name is Meaghan Fournier. I appreciate the opportunity to speak with you tonight. I am seeking your assistance with my property on 410 S Fayetteville Ave. I am respectfully requesting that the City grant a delay of its scheduled demolition to allow time for the sale of a property to a serious buyer who's committed to keeping up to code. When I purchased this home during the pandemic, it was advertised as habitable; however, after moving forward with the purchase I discovered asbestos, lead based paint and an unstable foundation that required remediation. I've invested over \$50,000 in addressing these problems, but life circumstances including a divorce and subsequent financial problems and constraints have prevented me from completing the necessary repairs. I am personally a 100% disabled veteran, and in addition to my disability, I'm a full-time caretaker for another disabled veteran and a student. These responsibilities made it necessary for my ex-husband, who I maintain an amicable relationship with to take over as foreman. Unfortunately, he has suffered multiple heart attacks over the past year and recently undergone surgery a few weeks ago. His health issues significantly delayed progress. In September I was assured by the City Inspector, Mr. Ganus that I would have three months to address the property's issues. Acting upon that assurance, I spent several thousand on repairs, boarded up the property, cleaned the exterior, and turned down a \$127,000 good faith offer. Unfortunately, that decision was overturned later, leaving me in a bad position. I've had multiple offers since then, but the looming demolition order has caused serious buyers to walk away. I respectfully propose that the City honor the original promise and grant me an additional three to six months to finalize a sale that would provide clarity for buyers and allow the property to be rehabilitated by someone committed to bringing it up to code and making it their primary home. This approach not only serves my interests but aligns with the city's goal of improving housing stock without incurring unnecessary demolition costs. Finally, I want to emphasize that I was never directly notified about this demolition order despite the city having my contact information. For months, communication was only directed to my former husband who is not the legal owner. This lack of notification has compounded my personal difficulties in addressing the situation sooner. That's why I'm standing here before you today. I'm humbly asking the City's cooperation to suspend the demolition order and give me an opportunity to recover financially, meet my obligations, and facilitate the sale. Thank you for your time and understanding. I'm happy to provide additional information or answer any questions and my real estate agent for this property is also with me here today.

Keenan Valda Pena
5604 McGregor Court
Fayetteville, NC
Re: 410 S. Fayetteville Ave.

As she said, I am the real estate agent for said house. We have had multiple offers on that property with the most recent offer being that they we're ready to go and they completely shut down the moment they found out that the City is trying to move forward with this demolition. With that being said, not only are you dealing with trying to get rid of a house and historic area, these places were built in 1906-1910. You're talking about fantastic houses here. Demolishing that property would take yet another house off the market for people who actually need a place to stay. North Carolina is already 29th when it comes to having a housing crisis. It's a lot easier to rebuild a house with good bones than it is to completely destroy a property and then find a way to build a new house on that

property with a lien now on that property from that demolition. What you would be looking at is instead of starting from square 5 square 6 and moving forward, you're taking a giant step back and starting all the way back at square one with a vacant lot. Like I said, and like she said we do have multiple offers. The only issue is this demolition process itself. Once they know that they can actually move forward and do the rebuild, then our clients or the offers would be more inclined to move forward with it until then they're not doing anything until we have a decision here today.

Gabriella Jones
51 B Lane
Couts, NC
Re: 504 Moon Circle

Gabrielle Jones was advised that her item would have a public hearing in February, and she will have the opportunity to speak at that time concerning the property.

Having no further comments, the Public Comment period was closed.

CONSENT ITEMS

- Minutes - October 8, 2024 - Work Session
- Minutes - October 22, 24 - Regular
- Minutes - October 29, 2024 - Special Call
- Temporary Closing of Streets
- Consideration of Resolution of the Disposition of property - Recreation - *A copy of the Resolution Declaring Certain Property of the City to be Surplus and Authorizing the Disposition of Said Property (R2024-36) is incorporated into these minutes as Attachment #1.*
- Capital Project Ordinance Budget Amendment - Machine & Welding Outfall Sewer Project *A copy of the Capital Project Ordinance Amendment I Machine Welding Outfall Sewer Line Improvements Project (O2024-28) is incorporated into these minutes as Attachment #2.*
- Budget Amendment - Purchase of Valve Exerciser - *A copy of the Capital Project Ordinance Amendment III FY24 & FY25 Water and Sewer Equipment (O2024-29) and Budget Amendment #19 (BA-2024-19) are incorporated into these minutes as Attachment #3.*
- Consideration of a BRIC Grant- Phase 1 Agreement - *A copy of the Agreement between Mid-Carolina Regional Council & City of Dunn for the Provision of Technical Service Assistance: FEMA BRIC Raw Water Project & Grant Administration are incorporated into these minutes as Attachment #4.*
- Adoption of Council Meetings for 2025 - *A copy of the Resolution Adopting the 2025 Regular Meeting Schedule for the City of Dunn City Council (R2024-37) is incorporated into these minutes as Attachment #5.*

Motion by Mayor Pro Tem Sills, second by Council Member April Gauden to approve all consent items. Motion unanimously approved.

ITEMS FOR DISCUSSION AND/OR DECISION

Conditional Zoning Request CZ-08-24
330 Jernigan Road
PIN:1527-06-9321.000

Mayor Elmore opened the Public Hearing at 6:48 p.m.

Samantha Wullenwaber, Executive Director of Mid Carolina Regional Council introduced herself and explained that she was here to present this case on behalf of her planning team. The request is from Republic Services of North Carolina. The owner of the property is William Blattner, Sr. Mrs. Wullenwaber shared information about the zoning request and the property from the Staff Report.

Council asked Ms. Wullenwaber if she could explain why the Planning Staff recommends denial overwhelmingly because all four points are no's, if they feel soundly about that and asked if she could speculate why the Planning Board would want to approve it. Ms. Wullenwaber explained that she was not present for any of that, but she would say just in her experience as a Planner that probably because it's an existing use it appears that the properties are being leased. It is a lease situation, and their hands may be tied. Based on the inconsistency with the land use plan, the area, and the few other factors is why the staff recommended denial, which is not uncommon. It's just a planning profession and then it's always had the pleasure of the Planning Boards and the City Council. The main issue is that it's in the residential area that's the Conditional Zoning instead of just an open-ended rezoning to limit the uses.

Arianna Olson
276 Jernigan Road, Dunn

Ms. Olson explained that she also owns 300 Jernigan Road, Dunn. This is the wall that is directly next to her property where the property in question is located. Due to military orders, her and her husband and their two young daughters are due to relocate to Georgia in mid-December. They listed their home for sale on September 23rd, 2024 and have not been able to find a buyer, largely due to the potential expansion of Republic Services. They've had multiple potential buyers lose interest in the property once the plans for the expansion are communicated. The zoning request is grossly impacting their ability to sell their home and is negatively affecting their income and the income of the new owners, if they want to rent out 300 Jordan Rd. They have already dropped the asking price of the house. Every buyer that has come by that has potentially been interested has said that this is the reason why they do not want to buy the property.

William Brown
375 Jernigan Rd.

Mr. Brown lives directly across the street from the property. His biggest concern would be the noise. Where they're at now, when they're loading those containers up at 5:00 in the morning. You hear clangin'. It sounds like

the back of a dump truck slamming hard. Now, you take those trees out and put a six-foot fence there. Even if you put shrubbery on the roadside, or down the side they're not going to block the sound barrier of those trees.

Joe Danner
Manager of the Dunn facility

Mr. Danner thanked Mr. Garland for coming up and describing some of the technical aspects of the project. He reinforced how critical the project was to their business. When they moved into the facility in 2007/ 2008, they were running 10 or 11 routes a day. They're currently running 17 to 18 routes a day. That is six to seven more trucks, more containers, more employees. The way they're currently set up, if you look at the front of the building, the building to the north is for employee parking & customer parking. If a customer comes in to pay a bill or somebody wants to set up service or needs to come to the office, there's literally no room to navigate through there because that's where we've got to have all the employee parking.

Kelly McLeod
Realtor representing them on this sale

They wanted to move to the country; not surrounded by business and these lights. They wanted peace and quiet. For the business to come all the way around them and kind of surround them on two sides is amplifying that.

Hearing and seeing nothing further, Mayor Elmore closed the Public Hearing on this matter and opened the floor for decision.

Motion by Mayor Pro Tem Sills and second by Council Member Gaulden to deny the application CZ-08-24 - 330 Jernigan Road. **Motion unanimously denied.**

Rezoning Request RZ-04-24
402 George Perry Lee Road
PIN:1527-06-9321.000

City Attorney Pope recused himself from the discussion and vote on this matter because he has family land that he is part owner of that abuts this property; therefore, he feels that he has a conflict of interest.

Mayor Elmore opened a Public Hearing at 7:25 p.m. and called on Samantha Wullenwaber to come back for her report.

Samantha Wullenwaber, Deputy Executive Director with Mid Carolina Regional Council again said she was presenting tonight on behalf of her planning team and this request is a conventional rezoning, she presented information from the Staff Report and Rezoning Application RZ-04-24. She explained that staff does recommend approval of this rezoning due to the existing use being that it's been a house for a very long time and the condition of what is going on with the property and it is surrounded by residential and farmland. The Planning Board recommended approval of the request at their meeting on December 3rd, 2024.

Mayor Elmore closed the Public Hearing at 7:32 p.m. and opened the floor for decision.

Motion by Council Member Alan Hargis and second by Council Member David Bradham to deny Rezoning Request RZ-04-24. Motion approved - 3 in favor of denying, 2 opposed denying - Council Members April Gaulden and Billy Tart.

Consideration of Ordinance to Demolish
125 Spring Branch Road
PIN: 1516-74-5198.000

Mayor Elmore opened the Public Hearing at 7:30 p.m.

John Ganus, Code Administrator, advised the council that they had some photos of the house in question that has been vacant for quite a while. Mr. Ganus provided information from the Memo to the Council and the Ordinance to Demolish. No action has been taken to date by the owner, so we're here tonight to request the adoption of an Ordinance to Demolish the Structure.

Mr. Ganus was asked if the owner is currently making payments on his property taxes. Mr. Ganus responded, "I don't believe they were last time I checked."

Mayor Elmore closed the Public Hearing at 7:40 p.m.

Motion by Mayor Pro Tem Sills and second by Council Member McNeil to proceed with the demolition of structure located at 125 Spring Branch Road, PIN#1516-74-5198. Motion unanimously approved. A copy of the Ordinance Directing the Code Administrator to Remove or Demolish the Property Herein Described as Unfit for Human Habitation and Directing that a Notice Be Placed Thereon That the Same May Not be Occupied. (O2024-30) is incorporated into these minutes as Attachment #6.

Consideration of Ordinance to Demolish
824 E Divine Street
PIN: 1516-84-4796.000

Mayor Elmore opened the Public Hearing at 7:40 p.m.

John Ganus, Code Administrator, advised the council that this housing case was also open March 21, 2023 and provided information from his Memo to the Council along with Ordinance to Demolish. There's been interior structural work and there's been electrical plumbing. This deck did not exist originally, and there appears to be some roof work dealing with the trusses, none of which has had a permit issue or inspection connected with the building inspections. Our request tonight is for you to authorize the demolition of this structure.

Mr. Ganus confirmed that no permits were approved since 2016, but they were remodeling and this investigation opened March 21st, 2023, which was over a year ago.

Lee Brown
105 Grade Ave
Dunn, NC

I guess I can blame myself for not checking behind it. I was under the assumption with the contractor right now that there is an open permit to work on the House because I know he initially started without a permit. I had to Stop Work order on the House. Maybe 30-60 days or so after that stopped work order, I dealt with another contractor who allegedly got the permits in place, did the roof, did that back porch, and started getting everything together in the interior. I never checked behind him to see if he actually got those permits because I assumed he did because we didn't get another stop work order. I'm working myself. I'm not actively working on that house. I've done a substantial amount of work to it versus when I first purchased it. It's been some years since I first purchased it, but I've done a lot of work to it. My intentions right now - I want to get that house together within the next hopefully four to six months and sell it and just move on with it. But I'm planning on completing it. As you can see, some work has been done within the last three to four months. Put a new roof on the house and reframed it. Plumbing work has been done, electrical has been started. I never received a phone call on the inspections. I thought I would have got a phone call or something. I was totally unaware that they [permits] were not there, but I guess I'm at your mercy as far as what's going on with the property from now on.

A lengthy discussion was held between Mr. Brown and council regarding permits, accountability, liability for the city, the necessity for a licensed contractor, etc.

Michael Bethea
904 E divine St.

He moved to Dunn about 5½ years ago and this house has sat in a lesser state than this the entire time I've been here. It's been an issue with rodents, with street people trying to find a place to live, people looking for a place to do serious things. Recently this deck that you see was added. This has happened in the last couple of months, when the stop work order was placed on the house. The contractor currently doing the work was not the person who was working there when the stop work order was placed. I've had enough of it. If you as a council decide to give Mr. Brown an extension, I would ask that it not be more than 90 days and that at the end of those 90 days it'd be completed up to code or demolished.

Mayor Elmore closed the Public Hearing at 7:52 p.m.

Motion by Council Member Gaulden and second by Council Member McNeil to approve the demolition of structure located at 824 E. Divine Street, PIN#1516-84-4796.000. Motion unanimously approved. A copy of the Ordinance Directing the Code Administrator to Remove or Demolish the Property Herein Described as Unfit for Human Habitation and Directing that a Notice Be Placed Thereon That the Same May Not be Occupied. (02024-31) is incorporated into these minutes as Attachment #7.

Consideration of Ordinance to Demolish
407 W Johnson Street
PIN: 1516-69-3809.000

Mayor Elmore opened the public hearing at 7:53 p.m.

John Ganus, Code Administrator advised the council that this housing case was opened April 10, 2023 and provided information from his Memo to the Council and the Ordinance to Demolish. The original condition at that time was fire damage to the roof and unsafe living conditions.

On April 10, 2023, the Housing Standards case was opened on the above property concerning the conditions of the structure, fire damage to the roof, and the unsafe living conditions. A request for inspection was issued and the inspection was scheduled for November 13, 2023. The owner did not show for the inspection. Later research found that the owner had submitted an engineer's letter, applied for permits and failed multiple inspections by the County Building Inspections department. A second attempt for an inspection was on June 24, 2024, and the owner did not show again. Observations of the house showed that the structure had been gutted and it was determined to be dilapidated, unsafe and uninhabitable in its present condition.

A Complaint and Notice of Hearing was issued for July 23, 2024, by Certified and First-Class mailing, with a copy posted on the structure. The Certified mailing was received by the owner on June 27, 2024, per the USPS. The First-Class mailing was not returned. A Hearing was held to determine the fitness for human habitation of the dwelling, and the owners were in attendance. At the completion of the hearing, the Finding of Fact and Order was issued to the owner in person. The Order required the owners to bring the structure into compliance with the City of Dunn Minimum Housing Code by repairing or demolishing the structure by a date not later than October 23, 2024. To date the owners have not complied with the order of the Code Administrator.

Jose Correa Perez
1009 N Fayetteville Ave.

I'm the owner of 407 W Johnson St. We would like to ask council to grant us more time to finish it. We have been working on it weekend after weekend. We have put in every paycheck into the house. When the house burned down in

2022, we weren't aware of all the building codes and everything. We hired a structural engineer to come look at the house. He came and looked at it and told us what to do. We abided by the engineer's letter, as you can see on your file. We even bought stuff that wasn't included in building codes. That's not really our specialty, but I took the time to go back and start reading them to framing. The house was built back in 1934, so a lot of the plumbing was just rusted out, building copper, the electrical wasn't good anymore so we had to basically bring the house up to 2008 building codes. As you can see from the pictures, we have been making progress. The reason the house fails inspections is because there's little stuff missing, for like plumbing is like a boot, for electrical it's either some exposed wires, but it's not major things. The framing - whenever we framed the back, there's some stuff missing that the engineer didn't point out which was like beach clips, some rafter ties. But that stuff can be fixed pretty fast, so I would just like you guys to consider giving us some more time. We are making progress. The plumbing is done, the electrical is done. But the inspector likes to inspect everything at once. All the rough-ins. So, if it fails something, it's because the inspector comes and looks at the whole thing. But from the last inspection we have fixed the electrical and we have fixed the plumbing so that stuff has been completed. There's some stuff in the framing that just needs to be repaired.

Mr. Perez was asked, when you talk about time, how much time are you looking? He responded that the original permit expires in April, so I like the lease till April of next year. We should have it done sooner. I would also like to ask the building inspector, what do they mean by livable? Is it once we're done with the sheetrock or does it have to be like trimmed, painted, cabinets in like house ready to go, flooring and everything or is it just once we get done with the drywall? We did sell a piece of land that we owned to buy the material, so we do have all the material ready. We're just waiting to fix the framing. Once the framing is good and it has passed inspection, we'll be able to throw everything on. We have all that stuff already purchased. We also have purchased vinyl siding for the outside, we're ready to go, we just need time. We're doing our work ourselves. We did have a couple contractors for plumbing, electrical. But HVAC and the framing itself we're doing it. We hired an engineer. He told us what to do. There's a letter in there that says that the house is supporting but he missed some stuff like the building code like H clips, rafter ties.

When a council member asked, what kind of bothers me is that every time they've had inspections you didn't show up. He responded that I spoke with the secretary, and I asked her do, I have to be there? She always told me; no you can just leave the door open. I'll leave a note here and that's it. The guys went in. I have a full-time job. My father and I have been putting every paycheck every week towards the house, so whenever I'm not there the door is open. I don't know if that's on the notes in there. You can see some of the notes from the receptionist, she says the house is open or when I'm there I usually go to lunch and he comes like at 12:30, so I miss him.

Mayor Elmore closed the public hearing at 8:05 p.m.

Motion by Council Member McNeil and second by Mayor Pro Tem Sills to approve the demolition of structure located at 407 E Johnson Street, PIN#1516-69-3809.000. Motion unanimously approved. A copy of the Ordinance Directing the Code Administrator to Remove or Demolish the Property Herein Described as Unfit for Human Habitation and Directing that a Notice Be Placed Thereon That the Same May Not be Occupied. (02024-32) is incorporated into these minutes as Attachment #8.

**Consideration of Ordinance to Demolish
410 S Fayetteville Avenue
PIN: 1516-56-0439.000**

Mayor Elmore opened the public hearing at 8:07 p.m.

John Ganus, Code Administrator explained that this case was opened on October 23, 2023 and provided information from his Memo to the Council along with the Ordinance to Demolish. A request for inspection was issued and the inspection scheduled for January 8, 2024. The owner did not show and called after the scheduled time to say he was out of the country and he would call us upon his return. After no further contact from the owner, a second inspection request was scheduled for March 11, 2024, and the owner did not show again. This house has been gutted and the structure is vacant, dilapidated, unsafe and uninhabitable in its present condition.

A Complaint and Notice of Hearing was issued for March 25, 2024, by Certified and First-Class mailing with a copy posted on the structure. The Certified mailing was returned as "Unable to Forward" on March 21, 2024. The First-Class mailing was not returned. A Hearing was held to determine the fitness for human habitation of the dwelling, but the owners did not attend. Following the hearing, a Finding of Fact and Order was issued by Certified and First-Class mail with a copy posted on the structure. The Certified mailing was returned "Unable to Forward" and the First-Class mailing was not returned. The Order required the owners to bring the structure into compliance with the City of Dunn Minimum Housing Code by demolishing the structure by a date not later than October 4, 2024. To date the owners have not complied with the order of the Code Administrator.

**Meaghan Fournier
5595 Ashgrove Dr.
Fayetteville, NC**

Ms. Fournier is the owner's ex-wife. She said that her ex was the foreman on the job. She is seeking original extension. Property was bought in 2020. She was involved for a year, then the divorce happened, and she stepped away. Now she is looking for someone to do the work. She received an e-mail that the extension had been rescinded. She needs assistance because she has been under financial hardship due to divorce and her disability.

Mayor Elmore closed the public hearing at 8:15 p.m.

Motion by Council Member Hargis, second by Council Member Gauden to adopt an ordinance directing the code administrator to proceed with the demolition of the structure of 410 S Fayetteville Avenue. Motion unanimously approved. A copy of the Ordinance Directing the Code Administrator to Remove or Demolish the Property Herein

Described as Unfit for Human Habitation and Directing that a Notice Be Placed Thereon That the Same May Not be Occupied. (02024-33) is incorporated into these minutes as Attachment #9.

ANX-03-24

504 Moon Circle

City Manager Neuschafer presented for consideration a Resolution directing the Clerk to investigate a Voluntary Annexation Petition ANX-03-24 for the voluntary contiguous annexation of 1.21 acres contained within PIN#1526-39-2104.000 near the intersection of Moon Circle and Jupiter Drive, Dunn. This is the first of three steps to officially annex a piece of property. If the council directs the clerk to investigate the petition, she will bring back the findings from that and then at that next meeting which, would be the second step. If it moves forward, the council will then set a public hearing date for a formal decision. The application and other information is in the packet.

Motion by Council Member Gaulden, seconded by Council Member Bradham to adopt the Resolution Directing the City Clerk to Investigate the Voluntary Annexation Petition ANX-03-24 as presented. A copy of the Resolution Directing the City Clerk to Investigate the Voluntary Annexation Petition (R2024-30) is incorporated into these minutes as Attachment #10.

Ms. Jones was informed that she would be notified when the public hearing is that should be held in February so she could come and make your comments at that time.

Award Contract

Body Worn Camera and Storage

Police Chief Jackson explained that she came to seek the approval of the purchase of the body worn cameras and storage. She said that spoke about this at the last meeting (November, 2024) when we accepted a grant for a portion of the cost of these cameras. They've had several that have gone down, and several that can't be repaired. The company currently being used was sold back in 2018 to Motorola, so we're at a kind of a crossroads now where decisions have to be made on purchasing new equipment to continue this program. Chief Jackson provided a handout with the total cost of \$282,172.50. A five year subscription plan is under consideration for the first year. The first year the upfront cost of equipment and subscription will be \$93,038 that includes hardware accessories and implementation of this program for licensing and the storage, which is unlimited cloud storage for this system. After that, you'll see the additional costs and it goes down each year. They decided to go with Motorola, because it's cost effective and with good service with watch guard, who Motorola has purchased. The Highway Patrol is going to Motorola as well because of their quality. Chief Jackson explained that with the subscription program, any camera that's damaged they'll replace the camera at no cost no matter what happens to it if it falls off or officers uniform gets ran over by the car they'll replace it no questions asked and no cost.

Motion by Mayor Pro Tem Sills, second by Council Member McNeil to award the contract to purchase body worn cameras and video evidence management system and the related budget amendment. Motion unanimously approved. A copy of the Body Camera Upgrades and Budget Amendment #17 (BA-2024-17) are incorporated into these minutes as Attachment #11.

Award Bid

Pearsall St.

Assistant City Manager Billy Godwin explained that this is a project that the that the council is extremely familiar with. The council is being asked to consider awarding the bid to make the Pearsall St. culvert repair and to approve a Project Ordinance Amendment that's accompanying that as well as to approve a Reimbursement Agreement so the city is authorized to reimburse itself from the the fines they advanced. He explained that Mr. David Perry with WithersRavenel was present tonight. David is one of the Design Engineers for this project. He is in attendance in case council has any questions. Council Member Hargis asked if there was any question that this will be completed by August - completed people will be riding on it. Assistant City Manager Godwin responded that he would defer to our engineer and would let David answer that. David Perry with WithersRavenel introduced himself and advised that the current construction start is anticipated to be in April and it is anticipated to be potentially a six month project. So, that would not be by the summer, but more in the fall. There was a brief discussion between Mr. Perry and Council Member Hargis regarding the project.

Motion by Council Member Hargis, second by Council Member Bradham to approve the following as presented the resolution tentatively awarding the Pearsall St. Culvert Replacement Project to T2 Contracting Inc. in the alternate amount of \$1,989,988, the Amended Capital Project Ordinance, and the Reimbursement Resolution. Motion carries unanimously. A copy of the Resolution of Tentative Award (R2024-38), Capital Project Ordinance Amendment III (02024-34), and Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing (R2024-39) are incorporated into these minutes as Attachment #12.

Sewer Collection System

Rehab Project

City Manager Neuschafer explained that this agenda item is related to the sewer collection system rehab project and this is one of the projects that needs to be completed to satisfy our SOC and this is the fourth time bidding this project. There was a lack of bids on some of the other times that it was bid. This time three 3 contractors bid on it and the recommended award would be \$8.7 million to Bionomics. This morning, the Department of Water Infrastructure - The Sua Board met and entertained our request for additional funding for this project. We had in place \$3.12 million funding approved before this morning. We requested another \$6.5 million and they did approve that. It's in the form of a low interest loan so the total fund that would be \$9.6 million with \$500,000 of that being a loan forgiveness grant. So that grant or that loan would be over a 30 year. And the interest rate would be at .13% just to put some context into this um a \$9 million loan for 30 years would is not something that we could cash flow today we don't have \$9 million in the bank so this loan is needed for to fund this project. motion and 2nd on the floor all in favor say aye any opposed motion carries on that one

Motion by Council Member Bradham, second by Mayor Pro Tem Sills to approve the Funding Offer Resolution, Capital Project Ordinance Amendment, Borrowing Resolution, and the Tentative Award Resolution to Bio-nomics Services Inc. in the amount of \$8,728,164.10 for the Sewer Collection System Rehab Project. Motion unanimously passed. A copy of the Resolution by Governing Body of Recipient (R2024-40), Resolution of Tentative Award (R2024-

- The City has a cash balance of \$8.3 million, compared to \$3.8 million last year. The increase is related to project payments and reimbursements from grants.
- Property Taxes collected for October are \$296,000, compared to \$278,000 same time last year.
- Sales Tax receipts were \$285,000 for August, \$23,000 less than same period last year, and that is the fourth month in a row that we've had a decrease in year over year sales tax. We've collected \$569,000 or 17% of our budget.
- Building Permit Fees collected a total of \$51,000 or 32% of budget compared to total collected last year.
- The benchmark for this period is 41.7% of budget.

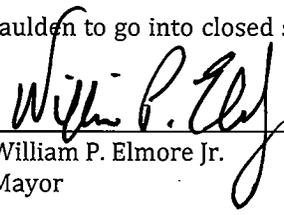
Reports were also received as follows: Planning and Inspections Report, Public Works Report, Public Utilities Report, Parks and Recreation Report and Police Report.

Announcements/Information

Mayor Elmore announced upcoming events and activities.

Closed Session

Motion by Mayor Pro Tem Sills and seconded by Council Member Gaulden to go into closed session for personnel matter at 8:45 p.m.



William P. Elmore Jr.
Mayor

Attest:



Melissa R. Matti, CMC, NCCMC
City Clerk

