

**MINUTES
CITY OF DUNN
DUNN, NORTH CAROLINA**

The City Council of the City of Dunn held a Regular Meeting on Monday, November 17, 2008, at 7:00 p.m. in the Dunn Municipal Building. Present was Mayor Oscar N. Harris, Mayor Pro Tem N. Carnell Robinson, Council Members Buddy Maness, Bryan Galbreath, Billy Tart, Chuck Turnage and Joey Tart. Also present was City Manager Ronnie Autry, Finance Director Mark Stephens, Public Utilities Director Dean Gaster, Recreation Director Perry Hudson, Planning Director Steven Neuschafer, Librarian Mike Williams, Police Chief B.P. Jones, City Engineer Ed Powell, City Attorney P. Tilghman Pope, City Clerk Debra West, and Daily Record Reporter Reece Murphy.

INVOCATION

Mayor Harris opened the meeting at 7:00 p.m. and asked Police Chaplain Roy Johnson to give the invocation. Afterwards, the Pledge of Allegiance was repeated.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Mayor Pro Tem Robinson and seconded by Council Member Joey Tart to adopt the November 17, 2008 meeting agenda with changes, if any, as listed below.

Items Added to the Agenda:

- Presentation - Proclamation – National Hospice Month
- Presentation - Recognition of Police Department Explorer Scouts
- Discussion/Decision - Rental Housing Ordinance and action recommended

Agenda Items Removed:

- none

Motion unanimously approved.

PRESENTATIONS

PROCLAMATION

MR. STAN WILLIAMS II
DUNN MIDDLE SCHOOL

Mayor Harris along with the entire Council presented a proclamation recognizing Mr. Stan Williams, II, Principal of Dunn Middle School for receiving the 2008-2009 Harnett County Principal of the Year as well as the 2009 Wachovia Principal of the Year for Harnett County. *A copy of Proclamation (P2008-20) recognizing Mr. Stan Williams, II is incorporated into these minutes as Attachment #1.*

PROCLAMATION

MS. KARREN LEE
HARNETT PRIMARY SCHOOL

Mayor Harris along with the entire Council presented a proclamation recognizing Ms. Karren Lee, Assistant Principal of Harnett Primary School for receiving the 2008-2009 Harnett County Assistant Principal of the Year. *A copy of Proclamation (P2008-21) recognizing Ms. Karren Lee is incorporated into these minutes as Attachment #2.*

PROCLAMATION

HOSPICE MONTH

Mayor Harris presented a proclamation to Brandy Nordan, RN (Director of Nursing at Carlton Powell Hospice Center in Lillington) and to Gail Tyndall, RN (RN Community Educator of Community Home Care and Hospice Erwin office) recognizing November as Hospice Month. *A copy of Proclamation (P2008-22) recognizing Hospice Month is incorporated into these minutes as Attachment #3.*

**RECOGNITION OF
POLICE DEPARTMENT
EXPLORER SCOUTS**

Police Chief B.P. Jones introduced the following Explorer Scouts:

Cacey Jackson
Nicole Alvarez (absent)
Adam Hester
Brittany Chavis
Yuridia Bahena
Dewayne Tart (absent)
David Stephenson
Shahna McClam

PUBLIC COMMENT PERIOD

Mayor Harris opened the floor for a (30) minute public comment period.

Hearing no comments, the public comment period was closed at 7:20 p.m.

With the Consensus of the Council, the audit report preceded the public hearings.

ITEM FOR DECISION

**AUDIT REPORT
FY 2007-2008**

Auditor Phyllis Pearson of Petway, Mills & Pearson, PA gave a short summary of the FY 2007-2008 audit for the City of Dunn:

- The financial statements were found to be fairly stated as presented and in conformity with generally accepted accounting principals.
- An opinion was issued in accordance with government auditing standards that found the City complied with internal control of compliance requirements of grant agreements, contracts and regulations in other matters.
- The City had total assets of 28 million dollars; total liabilities of 6.7 million and total net assets of 22 million.
- Cash flow increased from 19% to 21.5% which is a positive improvement
- Net change in fund balance for all the governmental funds of \$301,000.00 (\$122,000.00 net increase for general fund). These numbers represent some improvement over last year's performance.
- The City spent its money in accordance with the budget that was approved. There were no statutory violations with regard to budget.
- There was a finding from the prior year – This matter has since been resolved since the City hired a Finance Director at the end of July, 2008.
- The Audit report was submitted around November 5, 2008 to the LGC

Motion by Mayor Pro Tem Robinson and seconded by Council Member Maness to accept the audit report as presented. **Motion unanimously approved.**

PUBLIC HEARINGS

**PRELIMINARY ASSESSMENT
RESOLUTION
700 & 800 BLOCK OF N. LAYTON AVE.
CURB AND GUTTER PROJECT**

Mayor Harris stated that the public has been notified that oral and written comments will be heard and received with respect to any matter covered by the preliminary assessment resolution adopted by the Dunn

City Council on the 14th day of October, 2008, for the proposed street improvement project in the 700 & 800 block of N. Layton Avenue.

The Certificate showing that preliminary resolutions were mailed to owners of all property subject to assessment is attached. Also attached is a copy of the preliminary assessment resolution.

The public hearing was duly advertised on October 21, 2008.

Mayor Harris asked if there was anyone present to speak for or against this preliminary assessment resolution.

Hearing no comments, the public hearing was closed.

CONDITIONAL USE PERMIT CU 06-08

PIN #1516-48-1656.000

711 W. BROAD STREET

A request was received from Donald Addison (applicant) for the issuance of a conditional use permit to allow for the operation of a Beach Bingo business in an existing building at 711 W. Broad Street.

This property is currently zoned C-3; Highway Commercial District and a conditional use hearing is required in the zoning ordinance for this type of use.

This Public Hearing is an opportunity for the Council to hear sworn testimony and receive specific evidence from the public to include any party for or against the request.

The public hearing was duly advertised on October 14 and 21, 2008.

Mayor Harris yielded to City Attorney Pope.

City Attorney Pope introduced CU 06-08, a request by Donald Addison for the issuance of a conditional use permit to allow for the operation of a Beach Bingo business in an existing building at 711 W. Broad Street. The hearing on this matter is judicial in nature and will be conducted in accordance with special due process safeguards. Attorney Pope asked that all persons who wish to testify in this case, approach the podium to be sworn or give their affirmation.

Swearing-In:

City Attorney Pope administered oaths to:

City Planner Steven Neuschafer

Donald Addison

Explanation of Proceeding

Attorney Pope explained that testimony will first be given by City Planner Steven Neuschafer, then from the applicant and their witnesses, and then from opponents to the request. Parties may cross-examine witnesses after the witness testifies when questions are called for. If you want the Council to see written evidence, such as reports, maps, or exhibits, the witness who is familiar with the evidence should ask that it be introduced during or at the end of his or her testimony. Reports from persons who are not present to testify will not be accepted. Attorneys who speak should not give factual testimony but may summarize their client's case. Before beginning your testimony, please clearly identify yourself for the record, by stating your name, address and whether you are here to speak for or against the conditional use permit.

City Attorney Pope opened the hearing on Case #CU 06-08 Conditional Use Permit Application and asked for testimony from City Planning Director Steven Neuschafer.

Testimony from the Planner

Planner Neuschafer asked that the documents contained behind tab #14 in the City Council packet which includes the conditional use application, Planning Department staff report, map, and lay-out of the property be entered as evidence. *(A copy of these documents entered as evidence for Case #CU 06-08 Conditional Use Permit is incorporated into these minutes as Attachment #4)*

Mr. Neuschafer explained that the Planning Board met November 6, 2008 and recommended to approve the CUP based on a condition that would be concurred by the applicant by limiting the number of seating to 35 after deliberation and discussion about restricted parking on this parcel.

At the end of the City Planner's testimony, Attorney Pope asked if there were any questions of the City Planner.

Council Member Maness asked Mr. Neuschafer if the applicant was in agreement to the condition at the Planning Board meeting. Mr. Neuschafer responded yes; however, the council will need to make this official and confer with the applicant at the proper time.

Attorney Pope asked for testimony from the Applicant/Proponents

Mr. Donald Addison, applicant, stated he has been in the Beach Bingo Business for fifteen years. His business was previously located on N. Ellis Ave. and he recently relocated to W. Broad Street. Mayor Harris asked for the reason of his relocation. Mr. Addison responded overhead expense was a factor in moving, specifically the electric bill and rent were extremely high.

Mayor Pro Tem Robinson asked Mr. Addison if he was in agreement with the 35 seating limit. Mr. Addison responded yes, 35 is ample seating.

Mayor Harris asked Mr. Addison about his past experience operating beach bingo and if he has had any unusual occurrences at the beach bingo games. Mr. Addison responded his business is a family oriented environment and he has experienced no problems in the past. He has not required any assistance from fire or police in the past.

Mayor Pro Tem Robinson asked Mr. Addison if prizes for beach bingo were regulated by state statute and if so, what is that limit. Mr. Addison responded yes, there is a \$10.00 prize limit for each game.

City Attorney Pope entertained questions from other parties for the applicant/proponents. None were heard.

Testimony from Opponents

No one spoke in opposition of the request.

Attorney Pope entertained further questions from the City Council members for the applicant, proponents, opponents, or for the planner or other sworn persons. He explained that once the public hearing is closed, the only questions that the Council may pose to the applicant, proponents or opponents shall be for clarification. No new evidence can be introduced after closing the public hearing. Any additional conditions that the Council wishes to consider to place upon the use of the land by the applicant, must ask the applicant if he will voluntarily place the condition upon his property at this time.

Attorney Pope explained that the applicant has stated that he is in agreement with accepting a maximum occupancy of 35 persons with the Planning Board recommendation; however, if the Council would like to impose additional conditions, the Council must ask the applicant at this time.

Council Member Maness asked Mr. Addison for the hours of his operation. Mr. Addison responded 6:00 pm until 10:15 pm four days per week (Monday, and Thursday through Saturday).

Attorney Pope asked if there were any additional conditions other than the occupancy limit the Council would like to ask the applicant to consider before closing the public hearing. None were heard.

With no further testimony, a motion was made by Council Member Joey Tart and seconded by Council Member Turnage to close the public hearing for CU-06-08 at 7:39 p.m. **Motion unanimously approved.**

REZONING REQUEST PZ 10-08

PIN #1516-82-0808.000

817 STEWART ST.

(Request by applicant to withdraw petition)

Mayor Harris explained that this petition has been withdrawn by the applicant.

For informational purposes, the following was advertised:

The public has been notified that oral and written comments will be heard and received concerning the request by Nathan & Heather Reed (applicant) to rezone a parcel of land totaling .79± acres located at 817 Stewart Street.

This property is currently zoned RM; Multi-Family Dwelling District and is requested to be rezoned to CO; Office and Institutional District.

The public hearing was duly advertised on October 14, and 21, 2008.

The petitioner forwarded a letter dated October 23, 2008, requesting withdrawal of this rezoning request.

**ORDINANCE AMENDMENT OA-09-08
ARTICLE I DEFINITIONS, ARTICLE III DISTRICTS
ARTICLE IX CONDITIONAL USES
OF THE ZONING ORDINANCE
CHAPTER 22 (AMEND DEFINITIONS FOR GROUP CARE
FACILITY, FAMILY CARE HOME, TRANSITIONAL
HOUSING FACILITY & HANDICAPPED PERSONS)**

Mayor Harris stated that the public has been notified that oral and written comments will be heard and received concerning the request by the City of Dunn Planning Department to amend the City of Dunn Code of Ordinances to change existing definitions and add new definitions for group care facility, family care home, transitional housing facility, and handicapped persons. This amendment will also set the districts and condition by which they are allowed.

The public hearing was duly advertised on October 14 and 21, 2008.

Mayor Harris asked if there was anyone present to speak for or against this ordinance amendment.

Hearing no comments, the public hearing was closed.

**ORDINANCE AMENDMENT OA-10-08
CHAPTER 13. OFFENSES AND MISCELLANEOUS PROVISIONS
PROPOSED AMENDMENT TO CURFEW ORDINANCE**

The public has been notified that oral and written comments will be heard and received concerning the request by the City of Dunn to amend Chapter 13, Article V, Section 13-70 (Curfew Ordinance).

The public hearing was duly advertised on October 23 and 30, 2008.

Mayor Harris asked if there was anyone present to speak for or against this ordinance amendment.

Jeremy Bass, 101 Lilly Street, Dunn – He spoke in favor of this amendment. He spoke during the public hearing on September 9, 2008 in opposition of the wording of the curfew amendment that did not address other schools at that time. He thanked the Council for their reconsideration of this amendment to further define a school day to include children who attend schools outside Harnett County School District.

Hearing no further comments, Mayor Harris closed public hearings at 7:43 p.m.

CONSENT ITEMS

Minutes-Council considered approval of minutes of the October 14, 2008 Council meeting.

Finance Department - Destruction of Records - Council considered approval of destruction of records that have exceeded the required retention time pursuant to the Municipal Disposition Schedule. *A list of those records that have exceeded the required retention schedule and approved for destruction is incorporated into these minutes as Attachment #5.*

Solid Waste Contract Amendment – Council considered approval of an amendment to the solid waste contract between the City of Dunn and Republic Waste Services for the provision of two-eight cubic yard containers for comingled recyclables @ \$489.00/mth. and two-eight cubic yard containers for the collection of OCC (old corrugated containers) @ 95.00/mth. *A copy of the solid waste contract amendment between the City of Dunn and Republic Waste Services for the collection of recyclable containers is incorporated into these minutes as Attachment #6.*

Motion by Council Member Maness and seconded by Council Member Billy Tart to approve all consent items. **Motion unanimously approved.**

ITEMS FOR DECISION

CONDITIONAL USE PERMIT CU-06-08 PIN #1516-48-1656.000 711 W. BROAD ST.

A request was received from Donald Addison to allow the operation of a Beach Bingo Business in an existing building.

This property is currently zoned C-3; Highway Commercial District and a Conditional Use hearing is required in the Zoning Ordinance, for this type of use.

The Planning Board met on November 6, 2008 reviewed the request and asked for comments from the public. After hearing the comments from the public and the request from the applicant, the Planning Board recommended to approve this request with an additional condition to limit the occupancy to 35.

Mayor Harris entertained discussion and/or motion on conditions, if any, to impose on this Conditional Use Permit.

Motion by Council Member Turnage and seconded by Council Member Joey Tart to approve CU-06-08 based on the following findings of fact:

1. The use requested is listed among the conditional uses in the district for which the application is made. *Per the zoning ordinance Article IX Division 1 (7)J, The Conditional Use is listed in the ordinance.*
2. The requested use is essential or desirable to the public convenience or welfare of the community.
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare.
4. The requested use will be in conformity with the land development plan. The location of this request is an established retail/commercial business area along an average minor thoroughfare; the issuance of this permit will be appropriate with the anticipated growth pattern of future commercial development identified in the Land Use Plan.
5. All facilities are available at this location which has been in place for many years The issue of parking for the number of possible people on site will not impact other businesses in a negative manner.
6. The condition recommended by the Planning Board for a maximum occupancy of 35 persons and accepted by the applicant.

ORDINANCE AMENDMENT OA-09-08 ARTICLE I DEFINITIONS, ARTICLE III DISTRICTS, ARTICLE IX CONDITIONAL USES OF THE ZONING ORDINANCE CHAPTER 22 (AMEND DEFINITIONS FOR GROUP CARE FACILITY, FAMILY CARE HOME, TRANSITIONAL HOUSING FACILITY & HANDICAPPED PERSONS)

This amendment will change existing definitions and add new definitions for group care facility, family care home, transitional housing facility, and handicapped persons. This amendment will also set the districts and condition by which they are allowed.

Mayor Harris asked Mr. Neuschafer about the source of these amendments and how they were brought forward.

Mr. Neuschafer responded that the amendment was brought forward by the Planning Department and Planning Board in discussions during a workshop about concerns for actual definitions and the locations of these type facilities in the community. During the November 6, 2008 Planning Board meeting, they approved the stipulation and changes with one change. Under the R-7 single family dwelling district, the Planning Board removed e. Group Care Facility and f. Transitional Housing Facility from the conditional uses for this district. Other than this change, the Planning Board unanimously approved the amendments.

Motion by Council Member Maness and seconded by Mayor Pro Tem Robinson to approve the proposed amendment to Article I Definitions, Article III Districts and Article IX Conditional Uses of the Zoning Ordinance Chapter 22 of the City of Dunn Code of Ordinances and to concur with the Planning Board to strike e. and f. under R-7 single family dwelling district. **Motion unanimously approved.** *A copy of Ordinance (O2008-15) changing existing definitions and add new definitions for group care facility, family care home, transitional housing facility and handicapped persons is incorporated into these minutes as Attachment #7.*

ORDINANCE AMENDMENT OA-08-08
CHAPTER 13. OFFENSES AND MISCELLANEOUS PROVISIONS
PROPOSED AMENDMENT TO CURFEW ORDINANCE
(Tabled 9-9-08)

This ordinance amendment was proposed at the September 9, 2008 Council meeting; however, based upon comments heard during the public hearing, it was tabled to allow Attorney Pope to propose an additional curfew amendment to further define a school day.

Motion by Council Member Joey Tart and seconded by Mayor Pro Tem Robinson to approve the proposed amendment to Chapter 13, Article V, Section 13-70 (curfew ordinance). **Motion unanimously approved.** *A copy of Ordinance (O2008-16) amendment to the curfew ordinance is incorporated into these minutes as Attachment #8.*

ORDINANCE AMENDMENT OA-10-08
CHAPTER 13. OFFENSES AND MISCELLANEOUS PROVISIONS
PROPOSED AMENDMENT TO CURFEW ORDINANCE

The following additional revisions are being proposed to the Curfew Ordinance adopted July 8, 2008 to further define a school day:

There shall be added to Sec. 13-70(d) the following:

(6) Any Juvenile that attends a private school, a public school other than the public schools of Harnett County, or any other school other than the public schools of Harnett County, shall not be in violation of Sec. 13-70(c)(7), if the school which said Juvenile attends is not scheduled for student attendance on that date, as confirmed by a representative of such Juvenile's school or by the parent of such Juvenile.

(7) Any Juvenile that is home schooled shall not be in violation of Sec. 13-70(c)(7) if such Juvenile possesses a note from their parent or guardian allowing such Juvenile to be at an Establishment or Public Place during the applicable time period or if the parent or guardian of such Juvenile confirms their permission for such Juvenile being at such Establishment or Public Place.

Motion by Council Member Galbreath and seconded by Mayor Pro Tem Robinson to approve the proposed amendment to Chapter 13, Article V, Section 13-70 (curfew ordinance). **Motion unanimously approved.** *A copy of Ordinance (O2008-17) amendment to the curfew ordinance is incorporated into these minutes as Attachment #9.*

**CONSIDERATION OF RESOLUTION
DIRECTING THAT THE 700 &
800 BLOCK OF N. LAYTON AVE.
CURB AND GUTTER PROJECT
BE UNDERTAKEN**

The public hearing was held earlier tonight to address any matters contained in the Preliminary Assessment Resolution to install curb and gutter along the 700 & 800 block of N. Layton Avenue.

After the public hearing, the governing body adopts an assessment resolution directing that the project or portions thereof be undertaken. This resolution describes the project in general terms together with a general description of the boundaries of the area benefited, percentage of the cost to be specially assessed and the terms of payment.

Motion by Mayor Pro Tem Robinson and seconded by Council Member Joey Tart to adopt the Resolution Directing that the 700 & 800 block of N. Layton Ave. Curb & Gutter Project be Undertaken. **Motion unanimously approved.** *A copy of Resolution (R2008-22) Directing that the Curb & Gutter Project be undertaken is incorporated into these minutes as Attachment #10.*

**CONSIDERATION OF RESOLUTION
DECLARING COST AND SETTING
TIME FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT
ROLL FOR THE 700 BLOCK OF
E. DIVINE STREET CURB AND GUTTER PROJECT**

Upon completion of the 700 block of E. Divine Street curb and gutter project, the Council ascertains the total cost, exclusive of the costs incurred at street intersections and adopts a resolution ordering preparation of the Preliminary Assessment Roll and setting the time and place for the Public Hearing on the Preliminary Assessment Roll.

Motion by Council Member Galbreath and seconded by Council Member Turnage to adopt the Resolution Declaring Cost for the 700 block of E. Divine Street Curb and Gutter Project, Exclusive of Costs Incurred at Street Intersections, and ordering Preparation of the Preliminary Assessment Roll, and setting a Public Hearing for December 9, 2008 at 7:00 p.m. in the Dunn Municipal Building for the purpose of hearing all interested persons who appear with regard to the Preliminary Assessment Roll. **Motion unanimously approved.** *A copy of Resolution (R2008-23) Declaring Cost for the 700 block of E. Divine Street Curb and Gutter Project is incorporated into these minutes as Attachment #11.*

**CONSIDERATION OF RESOLUTION
AUTHORIZING THE DISPOSITION
OF PERSONAL PROPERTY**

Manager Autry explained that this resolution authorizes the City Manager to dispose of personal property owned by the Police Department, by any means allowable pursuant to the North Carolina General Statutes.

Motion by Council Member Billy Tart and seconded by Council Member Turnage to adopt the resolution authorizing Manager Autry to dispose of personal property by any means allowable. **Motion unanimously approved.** *A copy of Resolution (R2008-24) authorizing the disposition of personal property is incorporated into these minutes as Attachment #12.*

**ACCEPTANCE OF RURAL CENTER
SUPPLEMENTAL GRANT**

During the December 6, 2007 City Council meeting, the Council authorized an application to be filed on behalf of the City of Dunn for a \$500,000 supplemental grant by the NC Rural Center to implement wastewater system improvements, including flow equalization facilities at the WWTP and expansion of the capacity of the Eastside pumping system. The Council also adopted a Resolution to adopt the budget for this supplemental grant along with the Clean Water Management Trust Fund Grant on August 21, 2008.

The Council is being asked to formally accept the \$500,000 supplemental grant and authorize Mayor Harris to execute the attached agreement between the City of Dunn and the Rural Economic Development Center, Inc.

City Engineer Ed Powell explained that the City received a 2.950 million Clean Water Management Trust Fund Grant and in August, 2008 the Council approved the budget for this project that included a \$500,000 supplemental Rural Center grant.

Mr. Powell stated that in working with staff, they have determined that there is a lot of work that needs to be done at the waste treatment plant ahead of future expansions; therefore, on behalf of the City, they are applying for a second supplemental grant from the Rural Center which they will submit application for in January, 2009 and receive award in June, 2009. They also have determined eligibility for some state revolving loan funds to help with the rest of this project which they could receive in the form of a long term (20 year) 2.1% loan to help the City move ahead with additional improvements to the plant. He added that some of the work to be done relates to rehabilitation and some miscellaneous sewer systems which will be delayed in this overall process until they receive the additional \$500,000.00 supplemental grant and then they will move with the rehabilitation of some of the northern outfall as well as the downtown redevelopment program. They are also moving ahead with the flow equalization project but due to the funding process, it has been delayed; however, they anticipate they will have plans and specifications completed and submitted for approval in January, 2009, advertise the project in March, begin construction in May, 2009 with a projected completion date of July, 2010. The first step in this project is for the council to formally accept the first \$500,000.00 supplemental grant tonight.

Mayor Harris asked Mr. Powell if the City has received commitment for the \$1,440,000 from the Division of Water Quality State Revolving Loan. He responded yes, the City has approximately six million dollars available through the State Revolving Loan; however, he is recommending that the City prepare for this because those items will be required when they are directed to expand and upgrade the treatment capacity; the volume and the degree of treatment which will take place around 2010-2013. They are proceeding with the preliminary engineering report that identifies those improvements that are ultimately going to be needed. They are asking the Council to proceed with the design of this project which will help the City position itself for future money by completing the report. As a result, they not only have monies to do the headworks and the sludge work but in the future they will be in line for the upgrade of the treatment facilities. They are positioning for the next 10-15 years in work that needs to be done at the treatment plant.

Mr. Powell commended the Council in adjusting the rates and as a result, they are seeing the benefits of paying down existing debt while building up revenue in the water and wastewater department that will assist in making payments on future debt.

Mayor Harris asked Mr. Powell if he was saying that the City had six million dollars available upon request from the State Revolving Loan Fund and this is just a part of the request. Mr. Powell responded they are recommending that the City do it in phases since the preliminary engineering report is being completed for the entire project. Once the final plans are approved, he recommends completion of phase one and delay phase two until the City can pay off additional debt and be in a better position to pay for it.

Motion by Mayor Pro Tem Robinson and seconded by Council Member Joey Tart to accept the Rural Center Supplemental Grant. **Motion unanimously approved.** *A copy of the Agreement between the City of Dunn and the Rural Economic Development Center, Inc. for wastewater system improvements in an amount of \$500,000.00 is incorporated into these minutes as Attachment #13.*

RENTAL HOUSING CODE

Attorney Pope stated that the Mayor has requested that he provide the Council with an update following the special call meeting concerning the rental housing code. The Mayor and City Manager have requested that he meet with Judge Wiley Bowen to give him an opportunity to present any concerns or suggested changes that he would like to see to the rental housing code. That meeting has been scheduled. Once that meeting is held, he will present to the council, at the December meeting, the requests that Mr. Bowen has made on behalf of his clients as well as his suggestions as to whether or not the Council should accept those requests and ask the Council to provide him with direction as to how they wish to address or not address whatever those concerns might be as well as any additional concerns that the Council may have that are not brought

up as a result of that meeting. Based on feed-back from the Council, he will prepare any necessary ordinance amendments, if required, for consideration at the January, 2009 Council meeting.

Based upon the suggestion made by Mayor Harris at the October 30, 2008 special call meeting, motion by Council Member Turnage to formally suspend the execution of the rental housing ordinance until the Council can study potential amendments brought forward by the City Attorney. **Motion died for lack of second.**

ADMINISTRATIVE REPORTS

Motion by Council Member Galbreath and seconded by Council Member Joey Tart to accept the Administrative Reports. **Motion unanimously approved.**

EXECUTIVE REPORTS

Council Member Joey Tart wished everyone a Happy Thanksgiving.

Council Member Maness wished everyone a Happy Thanksgiving and spoke of the sacrifices being made by the Armed Forces.

Mayor Pro Tem Robinson wished everyone a Happy Thanksgiving. He expressed his concern about the rental housing ordinance and encouraged the Council to expedite this matter because it is a serious issue. He commended local merchant Carlie C. McLamb for his positive contribution to the community by his employment of so many young citizens.

Council Member Galbreath thanked Police Chief Jones for the work they continue to do with the Explorer Scout Program. He also thanked the Public Works Street Department for their expeditious manner in resolving an issue on S. Little Avenue and N. Wilmington Avenue.

Manager Autry reminded the Council of the Harnett Local Government meeting scheduled for tomorrow in Erwin.

Mayor Harris provided the following reports:

- He and Mayor Pro Tem Robinson appeared before the Harnett County Board of Commissioners on behalf of the City of Dunn with reference to the Harnett High Property
- December 6th Christmas parade at 3:00 pm

With no further business to discuss, a motion was made by Council Member Billy Tart and seconded by Council Member Joey Tart to adjourn the meeting at 8:11 p.m. **Motion unanimously approved.**

Oscar N. Harris
Mayor

Attest:

Debra G. West
City Clerk