

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

The City Council of the City of Dunn held a Regular Meeting on Tuesday, February 10, 2009, 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 Works Director Billy Addison, Public Utilities Director Dean Gaster, Recreation Director Perry Hudson, Code Enforcement Officer Steven King, 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 Reverend Dennis Manuel to give the invocation. Afterwards, the Pledge of Allegiance was repeated.

Mayor Harris yielded to Mayor Pro Tem Robinson to preside over the meeting.

AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Joey Tart and seconded by Council Member Turnage to adopt the February 10, 2009 meeting agenda with changes, if any, as listed below.

Items Added to the Agenda:

- none

Agenda Items Removed:

- none

Motion unanimously approved.

PUBLIC COMMENT PERIOD

Mayor Pro Tem Robinson opened the floor for a (30) minute public comment period.

Ms. Hayes Snipes, 905 W. Pope Street, Dunn, addressed the Council to give an update on the recycling efforts of "Waste Not". She explained that additional education is needed for the citizens to begin utilizing the recycling bins at Tyler Park. She pointed out the following:

- Awareness and responsibility – Citizens need to be educated on how to recycle. Ten (10%) or less of the citizens are using these recycling bins. The bins are not being used to their potential and they are not intended to be used as a dump site.
- Funding – She presented illustrations of the recycling bins at Tyler Park and requested that the City provide the funds to pour a concrete pad for the bins to sit on and to install fencing around the bins.

Hearing no further comments, the public comment period was closed at 7:11 p.m.

PUBLIC HEARINGS

**ALLEY CLOSURE
BETWEEN N. ORANGE AVE. AND
N. ELLIS AVE. RUNNING FROM W.
BARRINGTON ST. ON THE NORTH TO
W. GRANVILLE ST. ON THE SOUTH**

Mayor Pro Tem Robinson stated that the public has been notified that oral and written comments will be heard and received concerning the request by adjoining property owners to permanently close the public alley between N. Orange Avenue and N. Ellis Avenue running from W. Barrington Street on the north to

W. Granville Street on the south.

The public hearing was duly advertised on January 16, 23, 30 and February 6, 2009.

Mr. Robinson asked if there was anyone present to speak for or against this alley closure.

Attorney Billy R. Godwin, Jr., representing the clients that petitioned for the alley closure, stated that he could answer any questions the Council may have with reference to this alley closure. None were heard.

Hearing no further comments, the public hearing was closed.

**DEMOLITION OF HOUSE
906 S. MCKAY AVENUE**

Mayor Pro Tem Robinson stated that the public has been notified that oral and written comments will be heard and received concerning the demolition of the dwelling owned by Alexander Williams and located at 906 S. McKay Avenue.

The public hearing was duly advertised on January 26, 2009 and February 2, 2009.

Mr. Robinson asked Code Enforcement Officer Steven King to give information about this property. Mr. King stated that a letter was mailed to Mr. Williams at his last known address in Richmond, Virginia, in August, 2008, and it was found that he was deceased. The letter was also posted on the house and published in the local newspaper. Another letter was mailed in November, 2008, giving 60 days to repair the structure. To date, the Inspections Department has not heard from anyone with reference to this dwelling.

Mr. Robinson asked if there was anyone present to speak in opposition of this demolition.

Hearing no further comments, Mr. Robinson closed public hearings at 7:15 p.m.

CONSENT ITEMS

Minutes-Council considered approval of minutes of the January 13, 2009 Council meeting.

Tax Releases/Refunds – Council considered approval of Tax Releases/Refunds #148 - #153. *Copies of Tax Releases/Refunds are filed in the office of the Tax Collector.*

Tax Liens Advertisement-Council considered approval for the Tax Collector to advertise tax liens on March 17, 2009 for outstanding 2008 taxes on real property and advertising fees remain at \$5.00 per parcel.

Proclamation-Council considered approval of a Proclamation recognizing the month of February as Black History Month. Council Member Maness read the Proclamation. *A copy of Black History Month Proclamation (P2009-03) is incorporated into these minutes as Attachment #1.*

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

ITEMS FOR DECISION

**CONSIDERATION OF RESOLUTION
AND ORDER TO PERMANENTLY
CLOSE THE PUBLIC ALLEY BETWEEN
N. ORANGE AVE. AND N. ELLIS AVE.
RUNNING FROM W. BARRINGTON ST.
ON THE NORTH TO W. GRANVILLE ST.
ON THE SOUTH**

The Resolution of Intent to close this alley was adopted by the City Council on January 13, 2009 and the public hearing was held tonight.

Motion by Council Member Maness and seconded by Council Member Turnage to adopt the Resolution and Order to close the alley between N. Orange Ave. and N. Ellis Ave. running from W. Barrington St. on the north to W. Granville St. on the south. **Motion unanimously approved.** *A copy of Resolution and Order (R2009-06) permanently closing the alley is incorporated into these minutes as Attachment #2.*

**CONSIDERATION OF ORDINANCE
TO DEMOLISH HOUSE
906 S. MCKAY AVENUE**

Motion by Council Member Galbreath and seconded by Council Member Billy Tart to adopt the ordinance directing the Building Inspector to proceed with the demolition of the dwelling located at 906 S. McKay Avenue. **Motion unanimously approved.** *A copy of Ordinance (O2009-01) to demolish 906 S. McKay Avenue is incorporated into these minutes as Attachment #3.*

SAFETY POLICY AMENDMENT

Manager Autry explained that the Council is being asked to make the following changes to the current safety policy adopted by the City Council on September 7, 1995.

- Under Section II. Safety Organization and Responsibilities, C. Safety Steering Committee: Quorum: Not requiring a quorum of the Safety Steering Committee (4 members) to be present for site inspections due to logistics and scheduling conflicts.
- The addition of a subsection for the Planning/Inspections Department under Section VI. Supplemental Rules & Procedures.

Motion by Council Member Billy Tart and seconded by Council Member Joey Tart to adopt the amendments to the Safety Policy as presented. **Motion unanimously approved.** *A copy of the Safety Policy amendments is incorporated into these minutes as Attachment #4.*

**CERTIFICATION OF MUNICIPAL
ORDINANCE DECLARING SPEED
LIMIT MODIFICATIONS AND REQUEST
FOR CONCURRING ORDINANCE BY
DEPARTMENT OF TRANSPORTATION-
US 421**

Manager Autry explained that the Department of Transportation is recommending that the City Council declare speed limit modifications on US 421 to provide motorists with a uniform speed limit from Erwin Road to the northern corporate limits of Dunn.

The following recommendations are before the Council for consideration:

Declare the following speed limit:

45 mph on US 421 from Erwin Rd. northward to a point 0.97 mile north of Powell Ave.

Rescind the following speed limit:

45 mph on US 421 – NC 55 from Erwin Rd. northward to the northern corporate limits, a point 0.62 mile north of Powell Ave. in Dunn

55 mph on US 421(Cumberland St.) from the western corporate limit, approximately 0.62 west of Powell Ave., to Powell Ave.

Motion by Council Member Galbreath and seconded by Council Member Billy Tart to approve the certification of municipal ordinance declaring speed limit modifications on US 421 as presented. **Motion unanimously approved.** *A copy of Ordinance (O2009-02) to declare speed limit modifications on US 421 from Erwin Rd. to the northern corporate limits of Dunn is incorporated into these minutes as Attachment #5.*

**AUTHORIZATION FOR POLICE DEPARTMENT
TO SUBMIT AND ACCEPT GOVERNOR'S 2009
HIGHWAY SAFETY EQUIPMENT PROJECT
GRANT**

Chief Jones explained that the Dunn Police Department is requesting to apply for (4) refurbished digital in-car video systems in the amount of \$20,313.00. The Governor's Highway Safety Program requires a 50% cash match commitment (\$10,156.50) from non-federal funds before the 2009 grant pre-application can be submitted. All pre-applications and signature pages must be submitted by March 31, 2009.

If approved, the cash match of \$10,156.50 will be allocated in the FY 2009-2010 budget.

Motion by Council Member Galbreath and seconded by Council Member Joey Tart to authorize the Police Department to submit and accept the Governor's 2009 Highway Safety Equipment Project Grant with a cash match of 50% (\$10,156.50). **Motion unanimously approved.**

FINANCIAL REPORT

Finance Director Mark Stephen provided the following financial update to the Council:

- The City as of December 31, 2008 had \$2,588,353 in cash in the General Fund and \$2,215,137 in the Water and Sewer Fund.
- Investment earnings are in the 2.5% - 0.5% range.
- The December sales tax distribution was \$122,189. Currently we are at 33.16% of budget. The City should be at 33.33% collected.
- Utility Franchise revenue as of December 31 was \$269,197. Currently we are at 57.28% of budget. The City should be at 50.00% collected.
- Building Permit Fees are \$32,649 or 38.36% of budget. The City should be at 50.00% collected.
- The property tax collection thru January 23, 2009 was 88.06% collected. The same time last year the City had collected 87.06%.
- Water and sewer revenues were \$2,082,676 or 49.94% of budget. The City should be at 50.00% of budget.
- Fuel cost per gallon have fallen from a high of \$3.94 a gallon in July, 08 to \$1.47 a gallon in December, 08.
- As of December 31, 2008, we were 49.68% spent in the general fund and 47.28% in water/sewer fund. This takes into account one-time expenditures that are paid in one amount (ie, debt payments, property, liability and workers comp. premiums). The City should be at 50.00% spent.
- Because of the economy, other local governments are looking at a possible 10% reduction in their sales tax revenue for the 2009/2010 fiscal year. This would equate to a \$150,000 reduction in the City of Dunn's sales tax revenue.
- The investment earnings are anticipated to be reduced by \$50,000 due to the reduction in Fed Fund rates.

- In total, we are looking at a possible \$200,000 reduction in the sales tax revenue and investment earnings for the upcoming 2009/2010 fiscal year.

Mayor Harris asked Mr. Stephens for a projection of savings for fuel costs through the end of the fiscal year. Mayor Harris asked Mr. Stephens to provide to the Manager and Council, a dollar value amount on property liens that were served notice in 2009 as compared to 2008.

Motion by Council Member Joey Tart and seconded by Council Member Turnage to accept the Financial Report. **Motion unanimously approved.**

ADMINISTRATIVE REPORTS

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

Mayor Harris asked that each department head or the person responsible for the Tax, Building and Police Report, to make their presentation to the Council over the next three to four months. He added this would be beneficial to the Council.

EXECUTIVE REPORTS

Per Council consensus and based upon organizational structure, Mayor Harris stated that should there be any issues within the City or within any department, he asked that Council members inform the City Manager prior to making announcements to the general public.

Council Member Galbreath announced that the Harnett County Branch of the NAACP will be celebrating their 100th year birthday on Thursday, February 12, 2009 at 7:00 pm at Dunn Chapel Free Will Baptist Church, 607 E. Edgerton Street, Dunn. President of the Harnett County NAACP Carolyn McDougal, has requested the presence of the City Council for this event.

Manager Autry informed the public that during the Council Planning Retreat on Friday, February 6, 2009, the Council implemented Stage I Continuous water conservation which encourages conservation measures without restrictions. Prior to adopting Stage I, the Council had enacted Modified Stage 2 Voluntary Water Conservation measures at their meeting on April 10, 2008.

Mayor Harris asked that the Council adjourn this meeting in appreciation and honor of the contributions made by the Harnett County NAACP.

With no further business to discuss, Mayor Pro Tem Robinson adjourned the meeting at 7:43 p.m. **Motion unanimously approved.**

Oscar N. Harris
Mayor

Attest:

Debra G. West
City Clerk