

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

The City Council of the City of Dunn held a Regular Meeting on Thursday, July 6, 2006, at 7:00 p.m. in the Dunn Municipal Building. Present Mayor Pro Tem Donnie Olds, Council Members Buddy Maness, Bryan Galbreath, Billy Tart, Billy R. Godwin, Jr. and Joey Tart. Also present was Interim City Manager Ronnie Autry, Human Resources Officer Moses Gallion, Library Director Mike Williams, Chief Building Inspector Mike Blackmon, City Planner Steven Neuschafer, City Attorney P. Tilghman Pope, Summer Intern Keith Williams, Administrative Assistant Melissa Dudley and Daily Record Reporter Steve Reed.

INVOCATION

Mayor Pro Tem Olds opened the meeting at 7:00 p.m. and asked Council Member Godwin to give the invocation. Afterwards the Pledge of Allegiance was repeated.

Mayor Pro Tem welcomed those in attendance. He asked the councilman if there were any adjustments that might need to be made to the agenda. City Attorney asked the council to consider adding a brief executive session to discuss personnel matters at the end of the meeting.

A motion was made by Council Member Maness and seconded by Council Member Godwin to add an executive session at the end of the meeting to discuss personnel matters. **Motion unanimously passed.**

PUBLIC COMMENT

Mayor Pro Tem Olds opened the floor for a (30) minute public comment period; however, there was no one present who wished to speak.

PUBLIC HEARING

REZONING REQUEST

PZ 05-06

PIN #1516-73-2419

302 Spring Branch Road

The public has been notified that oral and written comments will be heard and received concerning the request by North Beach Trust to rezone a portion of a 4.5 acre parcel located at 302 Spring Branch Road.

This property is currently zoned R-10 Residential District and is requested to be rezoned to C-3 Highway Commercial.

The public hearing was duly advertised on June 13, 2006 and June 27, 2006.

Mayor Pro Tem Olds asked if there was anyone present to speak for or against this rezoning request. Hearing none he moved on to the next item.

ORDINANCE AMENDMENT REQUEST

OA-01-06

Outdoor Advertising (billboards)

The public has been notified that oral and written comments will be heard and received concerning the request by Roy S Tart and Ricky D. Tart to amend the sign regulation specifically relating to outdoor advertising (billboards) including size, location, and construction.

The public hearing was duly advertised on June 3, 2006 and June 27, 2006.

Mayor Pro Tem Olds then asked if there was anyone present to speak for or against this ordinance amendment.

Mr. Roy Tart (1104 Guy Avenue) He informed the council that he had Andy Joiner prepared these drawings which each of them had received; these are his recommendations. The City recommends 400 sq. ft, and the State recommends 1,000 sq. ft. Mr. Joiner says a good mid point would be 782. I went back before the Planning Board and the Planning Board came up with 672. Mr. Tart would like to get all the space he can get as he thinks it will help the City of Dunn and he knows it will help him. He had two (2) signs that blew down that had over 1,000 in each one of them. Mayor Pro Tem Olds asked if there was anyone else that wished to speak regarding the billboard request. Hearing none, he moved on to item #4.

Mayor Pro Tem Olds entertained a motion to close public hearing.

Motion by Council Member Billy Tart and seconded by Council Member Joey Tart to close public hearing. **Motion unanimously approved.**

CONSENT ITEMS

#4 - Minutes – Council considered approval of minutes of the May 23, 2006 Special Call/Budget Work Session Meeting.

#5 - Minutes – Council considered approval of minutes of the June 1, 2006 meeting.

#6 - Minutes – Council considered approval of minutes of the June 15, 2006 Special Call/Budget Work Session Meeting.

Motion by Council Member Joey Tart, seconded by Council Member Galbreath to approve Consent Items 4, 5, and 6 (minutes for May, 23, 2006, June 1, 2006 and June 15, 2006) as presented. **Motion unanimously approved.**

ITEMS FOR DECISION

REZONING REQUEST

PZ 05-06

PIN #1516-73-2419

302 Spring Branch Road

This is a request from North Beach Trust to rezone a portion of a 4.5 acre parcel located at 302 Spring Branch Road.

This portion of property is currently zoned R-10 Residential District and is requested to be rezoned to C-3 Highway Commercial.

On January 1, 2006, the NCGS 160A383 requires written statement on all rezoning and amendments, decisions such as adoption and rejection; requires that statements address plan consistency, reasonableness and public interest furthered.

The Planning Board met on June 20, 2006 and recommended approval of this request.

City Planner Neuschafer explained in that there are existing highway business districts immediately surrounding this area and at that intersection of Spring Branch and that small secondary road that's right there. The corridor down towards Jackson Road is identified more as the residential area but there is no real line between the two. Noting that there is already an established node of highway business at that immediate area; that would consistent with just continuing the current land use in that area. That speaks too more of already established nodes of commercial use. The plan does identify that back area as being residential.

Councilman Godwin asked, what about access. There was a comment about access, but on our map he did see any direct access to Spring Branch Road. City Planner Neuschafer explained that the front part of the parcel is already C-3. So, they'd use that same access.

A motion by Council Member Galbreath, seconded by Council Member Joey Tart to approve the request by North Beach Trust to rezone a portion of 302 Spring Branch Road from R-10 Single Family Residential District to C-3 Highway Commercial and to attach the following justification and amendments on items 1, 2, and 3. **Motion unanimously passed.**

ORDINANCE AMENDMENT REQUEST

OA-01-06

Outdoor Advertising (billboards)

This is a request from Roy S. Tart and Ricky Tart to amend the sign regulations specifically relating to outdoor advertisement (billboards) including size, location, and construction.

A request was received for a sign area greater than the 672 sq. ft. On January 1, 2006, the NCGS 160A383 requires written statement on all rezoning and amendments, decisions such as adoption and rejection; requires that statements address plan consistency, reasonableness and public interest furthered.

The Planning Board met on June 20, 2006 and recommended approval of this request as presented by the Planning Department. There is some additional information for your consideration submitted by the Planning Department.

Motion by Council Member Godwin, seconded by Council Member Galbreath to approve recommendation of the Planning Board to amend the Division 4 of Section 22 of our ordinance as presented and state findings that the proposed amendment is consistent with our Land Use Plan, that it is reasonable, and that the public interest will be furthered by the adoption of this amendment. **Motion unanimously passed.**

#11 - MINOR SUBDIVISION FINAL PLAT

MONTE ALTO, LLC

JOSE ZALAVARRIA

This request is to approve a 5 lot minor subdivision located along 220 Pope Road.

There is no requirement for infrastructure improvements at this location. The subdivision meets all of minimum standards in the Subdivision Ordinance.

The Planning Board met on June 20, 2006 and recommended approval of this request as presented to the Planning Board.

Motion by Council Member Galbreath to approve the request to grant the subdivision approval for the five lots located on Pope Road as presented by the applicant, seconded by Council Member Godwin. **Motion unanimously passed.**

INSURANCE RESOLUTION

WORKERS COMPENSATION

City Attorney Pope explained that each councilman should have in front of them a resolution for their consideration to approve the workers compensation insurance renewal through Snipes Insurance Service. As you will recall from prior years, state statutes require the council's consideration in specific resolution and approval of this. The only thing that would appear different from resolutions you have approved in prior years is the amount of the renewal premium. The amount of the commission to be received by Snipes Insurance, both which are as stated in the resolution and an additional preamble.

The City did request a competitive bid from the North Carolina League of Municipalities which was higher than the proposal submitted by Snipes Insurance. If you're in approval of renewing the workers compensation, you will need to approve this resolution. It will be noted by our auditors and our financial statements and it will be posted and updated quarterly here at city hall for public inspection as stated in the resolution.

Motion by Council Member Godwin, seconded by Council Member Billy Tart to approve the resolution approving workers compensation renewal through Snipes Insurance Company. Motion unanimously passed. *A copy of the Resolution (R2006-13) authorizing the City of Dunn to renew worker's compensation through Snipes Insurance is incorporated into these minutes as Attachment #1.*

BOARD APPOINTMENT PLANNING BOARD

We have received an application for appointment to the Advisory Board for the City of Dunn from Jamie Adkins to be considered as a member of the Dunn Planning Board.

There is one vacancy on this board.

Motion by Council Member Godwin, seconded by Joey Tart to nominate and appoint Jamie Adkins to fill the vacancy on the planning board. **Motion unanimously passed.**

BULKY ITEM AND ALLEYWAY PICK UP

Interim City Manager Autry asked that this item be tabled until the August meeting so that he will be able talk with the city attorney involving some issues with this.

Motion by Council Member Joey Tart, seconded by Council Member Godwin to table Bulky Item and Alleyway Pick Up. **Motion unanimously passed.**

CONFLICT OF INTEREST POLICY

Interim City Manager Autry explained the documents in front of them. The City of Dunn has a \$10,000 grant towards the installation of a chlorination tank that we received a grant during this past fiscal year. We were not able to construct the tank at that time. Since that time to continue the grant to be available to us Senate Bill 622 had some changes of the reporting requirements so they have asked us to include a new form that would be signed by Mayor and City Clerk, a conflict of interest policy is required to be submitted to them and an application form to be attached to our grant application. One of the documents is a certification on the overdue tax debts that is required. That is one section that is required to be adopted by the City Council and authorize the Mayor and City Clerk to sign it and the other one is the notarization of the Conflict of Interest Policy.

City Attorney Pope said that he has reviewed this, made a few minor changes to it prior to it being presented to council this evening. It is substantially if not entirely consistent with what is already in place. I think it is more of a formality to make us eligible for these grant monies.

Motion by Council Member Tart, seconded by Council Member Maness to accept Conflict of Interest Policy. **Motion unanimously passed.**

Set Special Call Meeting Date for City Manager Interviews
Suggested dates for interviews – July 12 and 13th

Mayor Pro Tem Olds said as many of you know we're in the process of interviewing a prospective City Manager. We have some suggested dates, July 12 and July 13. I believe on your desk there is a list indicated those two dates and the time that we would interview the various individuals. Mayor Pro Tem Olds entertained a motion to accept this schedule.

City Attorney Pope suggested that council make a motion at the end of this meeting to recess until 1 p.m. on July 12th which is the first scheduled time for interviews. At that point vote to go into closed session in order to conduct those interviews that would alleviate the necessity of actually calling special called meeting on these of these two consecutive dates. The dates are obviously and will be public. It would just alleviate some administrative necessity if you chose to do it in that manner. In which case, you would not have to take any action at this time. At the end of the meeting rather than adjourning, you would simple move to recess until 1 p.m. on July 12th.

Mayor Pro Tem inquired if they would still need to adopt this item. City Attorney Pope said “No, Sir”. You don’t necessarily have to adopt that particular item. You would just recess until 1 p.m. on July 12, 2006. Then once you went into executive session, you would process as presented to you.

It was determined that 1 p.m. on July 12 and 13, 2006 were fine as no one objected.

Administrative Reports

Mayor Pro Tem Olds entertained a motion to adopt the administrative reports as presented.

Motion by Council Member Maness, seconded by Council Member Galbreath to accept the administrative reports as presented. **Motion unanimously passed.**

Mayor Pro Tem Olds said that at this time we’ll hear from various council members if we have no more business.

Council Member Godwin complimented our Planning Director for the way the information is presented in our packets on the rezoning items. The color maps are really helpful and he appreciates Steven taking the time to put those in there.

Council Member Galbreath – Thanked the pastor and members of St. John’s Missionary Baptist Church for hosting the 2 annual Out of School Block Party on June 16th.

Councilman Maness thanked the Public Works Department, Ronnie Autry and Billy Addison. The cleaning up of the storm debris continues and is ongoing. Areas in ward 1 were severely impacted and they’re getting cleaned up and starting to get back to normal. Just wanted to thank them for all their hard work and all the efforts and extra efforts they’ve made to pick up that debris.

ADJOURNMENT

Mayor Pro Tem Olds entertained a motion to go into a brief executive session.

Motion by Council Member Godwin, seconded by Joey Tart to go into executive session pursuant to the NC open meetings law to discuss a personnel related matter. **Motion unanimously passed.**

EXECUTIVE SESSION

Motion to approve the minutes of closed session was made by Council Member Godwin, seconded by Councilman Joey Tart. **Motion unanimously passed.**

Motion to recess until 1 p.m. on July 12, 2006 at council chambers was made by Council Member Godwin, seconded by Council Member Maness.

J. Dal Snipes
Mayor

Attest:

Melissa Dudley
Administrative Assistant