

**TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING**

DATE: June 9, 2020
TIME: 4:00 PM
PLACE: Historic Train Depot, 115 S. Dickerson Street
BOARD MEMBERS PRESENT: Mayor Kenneth Cowan
Mayor Pro-tem Wilfred Robbins
Commissioners Jan Dawson, Bill George, Vernon Harrell, James Murphy
STAFF PRESENT: James Gantt, Town Manager
Kristin J. Wells, Town Clerk
Wendy Pope, Finance Officer
Cody Suggs, Parks & Recreation Director
Zachary Rivenbark, Town Attorney
STAFF PRESENT REMOTELY: Kimberly Rivenbark, Deputy Town Clerk
Alan Moore, Public Works Director
Louis Hesse, Building Code Administrator
Jim Hock, Police Chief
Jim Taylor, Fire Chief
Tiffany Byrd, Deputy Finance Officer
Andrea Correll, Planning Director
MEDIA PRESENT: Unknown
INVOCATION: Reverend Nick Smith
PLEDGE OF ALLEGIANCE: All

The meeting was called to order by Mayor Cowan at 4:00 PM and the invocation was led by Reverend Nick Smith.

Approval of Agenda

Mayor Cowan asked for the following amendments to the agenda: move item 6, *Recognition of Resigning Planning & Zoning Board Member Meg Franklin* before the Public Forum, add 7a, *Ordinance 2020-09 Amending the FY 19-20 budget to increase revenues and expenditures related to the purchase of police protective gear*, under Finance Department, and 8a, *Consideration of street closure request for special event at depot*, under Parks & Recreation Department. Commissioner Harrell made a motion to approve the agenda as amended. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Approval of Consent Agenda

Commissioner Robbins made a motion to approve the consent agenda as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

- A. Approval of the May 12, 2020 Regular Meeting Minutes
- B. Approval of the May 12, 2020 Closed Session Minutes

DEPARTMENTAL ITEMS

Finance Department – Wendy Pope, Finance Officer

Ordinance 2020-08 Amending the FY 19-20 budget to increase revenues and expenditures related to disaster recovery

Ms. Pope explained this ordinance is due to expenses related to Hurricane Florence and Hurricane Dorian. She advised during those times, the town expended salaries, materials, etc. and were paid by town funds. Ms. Pope advised all of these expenses have been applied for reimbursement through FEMA. At this time, we have received reimbursement in the amount of \$158,770.84. Ms. Pope explained this ordinance is to recognize the amount already received from FEMA, as well as appropriation for the remaining not received yet, because it is expected to come in

after the new fiscal year. Commissioner George made a motion to approve Ordinance 2020-08 as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

ORDINANCE 2020-08
AMENDING FISCAL YEAR 2019-2020 ANNUAL BUDGET
Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2019-2020 on June 11, 2019; and

WHEREAS, Hurricanes Florence (2018) and Dorian (2019) were responsible for damages to the Town that were reimbursable by FEMA; and

WHEREAS, the Town advanced all payments for services, equipment and materials for each disaster through a Fund created specifically for Disaster Recovery; and

WHEREAS, the Disaster Recovery Fund is separate from the General Fund and the Enterprise Fund, therefore separate budgeted revenues and expenditures are required; and

WHEREAS, the Town of Burgaw would like to recognize reimbursed funds received thus far from FEMA and appropriate funds to cover expenditures during both Disaster Events into the FY 19-20 budget, therefore, additional revenue and expenditure must be recognized.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:

Section 1: The FY 2019-2020 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUES

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
90-3760-00-200	FEMA reimbursement	\$ 158,770.84
30-2991-00-000	Unrestricted Net Assets	\$ 236,454.16

INCREASE BUDGETED EXPENDITURES

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
90-4100-00-020	Disaster Recovery Salaries & Wages	\$130,000
90-4100-00-050	Disaster Recovery FICA	\$ 6,425
90-4100-00-070	Disaster Recovery Retirement	\$ 6,000
90-4100-00-075	Disaster Recovery 401K	\$ 3,800
90-4100-00-150	Disaster Recovery Buildings & Grounds	\$ 21,000
90-4100-00-210	Disaster Recovery Equipment Rental	\$ 13,000
90-4100-00-330	Disaster Recovery Supplies	\$ 14,000
90-4100-00-450	Disaster Recovery Contract Services	\$201,000

Adopted this the 9th day of June 2020.

Ordinance 2020-09 Amending the FY 19-20 budget to increase revenues and expenditures related to the purchase of police protective gear

Ms. Pope advised this ordinance is requested by the Chief Hock in light of the recent occurrences around the nation. Funds were available to go ahead and purchase the equipment for it to be shipped as soon as possible due to the current circumstances. Ms. Pope advised this ordinance is for a fund balance appropriation for \$11,127 to cover the purchase of the equipment. Commissioner Harrell asked how many officers will the equipment cover; Mr. Gantt advised there has been enough equipment purchased to cover all 14 officers. Commissioner George made a motion to approve Ordinance 2020-09 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ORDINANCE 2020-09
AMENDING FISCAL YEAR 2019-2020 ANNUAL BUDGET
Increasing Revenues and Expenditures

WHEREAS, the Town of Burgaw Board of Commissioners passed an ordinance adopting a budget for FY 2019-2020 on June 11, 2019; and

WHEREAS, unfortunate events are taking place in our geographic area and require that police have special protective gear; and

WHEREAS, the Chief of Police has asked that these items be purchased expeditiously and the department's uniform vendor has the items in stock; and

WHEREAS, an appropriation from General Fund fund balance is required to complete the purchase of the protective gear in the FY 19-20 budget, therefore, additional revenue and expenditure must be recognized.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT:

Section 1: The FY 2019-2020 budget be altered to reflect the following changes:

INCREASE BUDGETED REVENUE

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
10-3900-00-900	Fund Balance Appropriation	\$11,127

INCREASE BUDGETED EXPENDITURE

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
10-5100-10-360	Uniforms	\$11,127

Adopted this the 9th day of June 2020.

Parks & Recreation Department – *Cody Suggs, Director*

Naming of the new pocket park on South Wright Street – Discussion

Mr. Suggs updated the board of the recent improvements to the pocket park. He advised this item is to start discussion on what the board would like to name the park. Mayor Cowan commented the NC Blueberry Festival Association has requested the board to allow the festival board to make a presentation of consideration of naming the park Blueberry Festival Park. He advised the festival board would add blueberry plants, etc. He also advised there is a member on the festival board that is a landscape architect and would work along with NC State. He commented the design of the park would require soil analysis, etc. Commissioner Robbins confirmed with Mayor Cowan the festival board would monetarily improve the park. Mayor Cowan commented the festival board would ask the town to furnish irrigation for the park. Commissioner Harrell commented it is a good option, but is open to others as well. Commissioner Harrell asked about the possibility of expending the pipe to capture more land. There was discussion about this topic. Attorney Rivenbark advised the Army Corp of Engineers would have to be involved if the board wanted to do something like this. It was the consensus of the board that they like the idea of the festival board taking over the park and requested to discuss this item further at the next town board meeting.

Mayor Cowan commented on an Adopt-a-Park program. Commissioner Harrell commented he brought this topic up a couple of years ago with the possibility of individuals creating park landscape designs that would be acceptable by the board. Mr. Suggs advised he would research this matter and bring it back to the board.

Consideration of street closure request for special event at depot

Mr. Suggs advised he has received a special events application for a rally that an organization would like to hold at the depot dock on June 20, 2020. The organization has requested to close South Dickerson Street between Wilmington Street and Fremont Street, as well as close Courthouse Avenue, between the hours of 5:45 PM and 8:00 PM. There was much discussion about this matter and the concern for the times of the event. Mr. Suggs advised the organization has not submitted a rental application for the depot at this time, but has only submitted a special events application to request the street closures. Commissioner Harrell commented he has no problem with potentially closing the streets as requested as long as the organization rents the space. Commissioner Harrell made a motion to close the two streets as requested and give Mr. Gantt the ability to change the closure times if event times can be adjusted by the organizer. The motion was seconded by Commissioner Murphy and carried by unanimous vote.

Commissioner Robbins commented the laundry mat next to the depot is packed on Saturdays. Mr. Suggs advised he and Chief Hock have discussed this, and it is the responsibility of the applicant to notify effected businesses. Commissioner Harrell commented this is another reason the event should be a little earlier.

Mr. Gantt also commented if the event is only taking place on the depot dock, the closure of Dickerson Street between Courthouse Avenue and Wilmington Street should be sufficient so that traffic can still travel down Courthouse Avenue and turn left onto Dickerson Street.

ITEMS FROM THE ATTORNEY – *Zachary Rivenbark, Town Attorney*

Attorney Rivenbark stated Commissioner Dawson had requested he look into any possible town easements behind Center Court for a ditch running from Bickett Street to Highway 117. He advised the ditch in this area needs

cleaning out, but from his research, there is not a town easement. Ms. Correll advised there is a current request about some property off of Whrens Street that an easement for the back of it could be done for the town. Attorney Rivenbark stated he would prefer the town get one surveyor to complete the easements in its entirety. There was some discussion regarding the trees in the middle of the ditch. Attorney Rivenbark asked the board if anyone had an objection to Horace Thompson surveying the property. Mayor Cowan and Commissioner Robbins commented the town needs to have their own surveyor. Commissioner Harrell stated he is not against doing this at all, but there are a lot of ditches in town that need cleaning out. He commented the town is opening themselves up to complaints for ditches already owned by the town. Commissioner Dawson made a motion to direct Attorney Rivenbark to move forward with this and hire Horace Thompson to survey the property. The motion was seconded by Commissioner George and carried by unanimous vote.

Commissioner Harrell requested Mr. Gantt to keep a list of complaints that come in regarding ditch cleaning.

ITEMS FROM THE MANAGER – *James Gantt, Town Manager*

EMS Building Renovation Project

Mr. Gantt gave an update on the project and advised Mr. Guidry is continuing to work on the final construction plans. Mr. Gantt also commented that Mr. Suggs and Ms. Correll both recently worked on a PARTF grant to help pay for the renovations of the building.

Mr. Gantt brought up discussion about naming the building. Mayor Cowan commented he had been contacted by founding members of the rescue squad and requested the board to consider naming the building in honor of the Pender County Rescue Squad. Commissioner Dawson commented on the conversation from the last board meeting about the property originally being owned by the town and was the location of the Burgaw Town Hall and Fire Department. Commissioner Dawson commented that she liked the name “Burgaw Town Center” and to place a nice sign in honor of the rescue squad members to the front of the building. Commissioner George asked how we could find out the names of the charter members. Mayor Cowan commented about a plaque thanking the group that donated the land to the town when Pender EMS & Fire moved to Ridgewood Avenue. Commissioner Robbins said he believes it is the consensus of the board for the building to be in honor of the rescue squad, but has reservations calling it “Pender County Rescue Squad Building” because people may get confused with the locations. He would like the inside to be dedicated to the people of Pender County since they were the ones that established the rescue squad. There was discussion about the past BBQ fundraisers hosted to raise money for the rescue squad. Commissioner Dawson commented, when the building comes to fruition, it would be good for the town to have a nice BBQ fundraiser to reflect what the rescue squad members and volunteers used to do.

Wilmington Street Traffic Calming

Mr. Gantt gave an update regarding the request from the board to look at “traffic calming” on Wilmington Street. After discussion with NC DOT, Mr. Gantt advised they will study the area, do traffic counts, and get an average speed of travelers. Once this is complete, NC DOT will give the town options and cost estimates as to what can be done on the street. NC DOT will not be able to fund this project, but will go ahead and do the studies so the town can know the cost estimates and solutions for the future.

Mr. Gantt also gave an update on the rapid flashing beacons that NC DOT was going to install on South Walker Street. He said NC DOT advised their funds for this project are frozen and they do not know when they will get them installed.

Commissioner George commented on the chalk art that someone in town has done on the trail sidewalk. He said it is wonderful to see this.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner Murphy asked if staff followed up with the nuisance complaint received on Dudley Street. Mr. Gantt advised Ms. Correll has made contact and has sent letters. He also commented on the grass at the property across from his church on North Wright Street. Commissioner Murphy also commented about grass on the corner property

at Bridgers Street and McNeil Street. Commissioner Dawson said there is the same problem with one of her neighbors.

Mr. Gantt gave an update on the dilapidated houses and letters have been sent out.

Commissioner Dawson thanked Mr. Hesse for the list of dilapidated houses sent to the commissioners. She also thanked Chief Hock and all first responders for a good job at the recent protest. Commissioner Dawson commented she has not seen mosquito spraying on her street and requested Mr. Moore to see this gets done.

Commissioner Harrell thanked Chief Hock regarding the recent protest. He asked Chief Hock if it would be beneficial for the officers to have training on how to facilitate non-violent protests. Chief Hock advised they had started the week COVID-19 caused things to be cancelled, but have started it back up recently and will continue moving forward with the training.

Mayor Cowan commented William Smith asked he share there would be a COVID-19 testing site held at the Middle District building soon.

CLOSED SESSION – FIRST SESSION – 5:03 PM

Commissioner Dawson made a motion to go into closed session pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

OPEN SESSION – 5:31 PM

Commissioner Harrell made a motion to go back into open session. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

SPECIAL PRESENTATION

Recognition of Resigning Planning & Zoning Board Member Meg Franklin

Mayor Cowan recognized and presented a plaque to Meg Franklin in honor of her service to the town. Mrs. Franklin thanked the town for the recognition. A plaque was also placed on a bench in the new pocket park on South Wright Street in honor of Mr. and Mrs. Franklin for their service to the town.

PUBLIC FORUM

There were no speakers online or by phone during public forum, nor were any comments received by email to the Town Clerk.

PUBLIC HEARING

Public Hearing #1 – James Gantt, Town Manager

FY 2020-2021 Annual Budget Presentation

Mayor Cowan opened the public hearing at 5:39 PM and Mr. Gantt presented the proposed FY 2020-2021 operating budget to the board. *Presentation attached.*

During and after the presentation, there were several topics of discussion.

- Commissioner Dawson spoke about the removal of cemetery land fees out of the fee schedule since the town no longer sells lots. Ms. Pope will take care of the removal of this fee.
- Commissioner Dawson asked how many of the employees are at the top of their salary range. Mr. Gantt believes there are two employees that are close to the top of their range. Mr. Gantt advised the minimum and maximum salaries on the pay scale are adjusted whenever a COLA is approved by the board.

Commissioner Harrell asked when a new employee comes in, does the scale go back down. Mr. Gantt advised the range would stay the same, but depending on the qualifications, they may or may not start at the bottom of the range. There was some discussion regarding pay and COLA rates compared to other municipalities.

- Commissioner Robbins voiced his concerns on the proposed merit increases. He commented when the merits were first proposed a few years ago, he was in favor, but now that we are in the middle of a recession and not knowing what revenues we will have this year, he feels like giving merit increases at this time is not a prudent move.
- Commissioner Dawson commented she also has reservations on the merit increases for this year. She stated it is a tough year and we are going to have to make some tough decisions.
- Commissioner Harrell stated he is in favor of the merit increases. He suggested we hold off giving the raises until after the first of the calendar year so if things take a serious downturn, the money would be available if needed.
- Mayor Cowan commented the employees are our greatest asset. Commissioner Dawson stated over the past couple of years, we have fought hard to give substantial raises to employees, such as the Police Department and Public Works Department.

Mayor Cowan closed the public hearing at 6:02 PM.

Ordinance 2020-10 Approval of FY 2020-2021 Annual Budget

Commissioner Robbins made a motion to approve the FY 2020-2021 budget as presented with direction to the Town Manager not to issue merit raises until a financial assessment can be done after January 1, 2021. The motion was seconded by Commissioner Harrell and carried by unanimous vote. *Due to length, Ordinance 2020-10 is on file in the Clerk's office.*

CLOSED SESSION – SECOND SESSION – 6:04 PM

Commissioner Dawson made a motion to go into closed session pursuant to NC GS 143-318.11(a)(6) Personnel. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

OPEN SESSION – 6:45 PM

Commissioner Harrell made a motion to go back into open session. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

ADJOURNMENT

Commissioner Robbins made a motion to adjourn. The motion was seconded by Commissioner Murphy and carried by unanimous vote.

The meeting was adjourned at 6:45 PM.

Attest: _____
Kristin J. Wells, Town Clerk

Kenneth T. Cowan, Mayor