

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

DATE: June 6, 2023
TIME: 4:30 PM
PLACE: Historic Train Depot, 115 S. Dickerson Street
BOARD MEMBERS PRESENT: Mayor Olivia Dawson
Mayor Pro-tem Wilfred Robbins
Bill George, Jan Dawson, Vernon Harrell, and James Malloy
STAFF PRESENT: James Gantt, Town Manager
Wendy Pope, Finance Officer
Kimberly Rivenbark, Deputy Town Clerk
Jim Hock, Police Chief/Assistant Town Manager
Louis Hesse, Building Code Administrator
Alan Moore, Public Works Director
Cody Suggs, Parks & Recreation Director
Gilbert Combs, Planning Director
Clay Jasper, Deputy Fire Chief
Jessica Grey, Community Development Coordinator
Zachary Rivenbark, Town Attorney
MEDIA PRESENT: None
INVOCATION: Reverend Nick Smith
PLEDGE OF ALLEGIANCE: All

The meeting was called to order by Mayor Dawson at 4:30 PM and the invocation was led by Reverend Smith.

Approval of Agenda

Commissioner Dawson made a motion to approve the agenda as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

Approval of Consent Agenda

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

- A. Approval of the May 9, 2023 Regular Meeting Minutes
- B. Ordinance 2023-18 Amending the FY 2022-2023 budget to recognize film revenue
- C. Ordinance 2023-19 Amending the FY 2022-2023 budget to recognize revenues received in the Police Community Involvement Fund
- D. Ordinance 2023-20 Amending the FY 2022-2023 budget to recognize Pender County's share of the School Resource Officer costs

- E. Resolution 2023-15 Resolution to surplus and dispose of real property located at 210 S. Durham Street, Burgaw, NC

SPECIAL REQUESTS/PRESENTATIONS

Blueberry Week Proclamation – Mayor Dawson

Mayor Dawson read the Blueberry Week Proclamation aloud.

Ghost Walk 2023 – Pender County Tourism

Stephanie Key with Pender County Tourism was present and advised this year's Ghost Walk event would be one day only, held on October 28, 2023. She requested closure of North Walker Street from East Ashe Street to East Wallace Street, as well as East Wallace Street from North Wright Street to North Cowan Street, from 3:00 PM to 11:00 PM. Ms. Key said Cowan Street would remain open. She also requested a fee waiver for the use of the picnic shelter at Hankins Park from 2:00 PM to 11:00 PM the day of the event. Cemetery will be used for the event with the use of luminaries to line the paths. Commissioner Robbins made a motion to approve the requests presented by Ms. Key for the Ghost Walk event. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

DEPARTMENTAL ITEMS

Parks, Recreation & Tourism Department – *Cody Suggs, Director*

Public Funding Requests

Mr. Suggs presented a draft policy for organizations requesting funds from the town for special events or projects. Attorney Rivenbark suggested a memorandum of understanding would be sufficient. The board was in agreement with the suggested time frame proposed by Mr. Suggs. They requested the time frame for turning in receipts to be changed from 45 days to 60 days. The board agreed to put the information on the town's website. There was discussion on placing a cap on the funds. After brief discussion, Commissioner Harrell made a motion to approve the Public Funding Requests policy. The motion was seconded by Commissioner George and carried by unanimous vote.

Planning Department – *Gilbert Combs, Director*

Resolution 2023-16 Opposition to Senate Bill 675 “Land Use Clarification and Changes”

Mr. Combs presented Resolution 2023-16 regarding the opposition of Senate Bill 675 “Land Use Clarification and Changes.” Commissioner Harrell made a motion to approve Resolution 2023-16 as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Departmental Updates – *Department Heads*

Police Department- Jim Hock, Police Chief

- New Hires: Danielle Mathon and Demetria Williams

Fire Department – Clay Jasper, Deputy Fire Chief

- New Hire: Mary Beth Kratovel
- Lots of calls.

Public Works Department – Alan Moore, Director

- Working on water/sewer taps.
- Preparing for the Blueberry Festival.

Commissioner Dawson asked about the cars in the impound area where the new Public Works addition is going. Chief Hock advised 5 out of the 6 cars have been removed.

Inspections Department – *Louis Hesse, Building Code Administrator*

- All projects going smoothly.

Planning Department – *Gilbert Combs, Director*

- Pender County Health and Human Services plans are in the early stages.
- Still waiting to hear if the town was accepted for the NC Main Street program.

Parks, Recreation & Tourism Department – Cody Suggs, Director

- Four events coming up that staff is working on.
- Adult Prom went well.
- Working with Pender County on getting a bus for summer camp.
- Depot repairs are finished.
- Encroachment requests were completed with the state for the crosswalks within the West Side Trail.
- Parks Foundation is going well.

Finance Department – Wendy Pope, Finance Officer

- Working on year-end items.

Human Resources Department – Kim Rivenbark, Director

- Still advertising for Street & Landscape Maintenance Worker and Water & Sewer Maintenance Worker.

ITEMS FROM ASSISTANCE MANAGER – *Jim Hock, Assistant Town Manager*

Chief Hock gave an update on the addition to the Public Works facility and advised it is moving forward with expectations of the project being completed by October 2023.

There was brief discussion on the slats being placed in the fencing at the cemetery.

Commissioner Dawson said there is a collapsed drain next to the last driveway in the cemetery that needs to be looked at.

BREAK 5:22 PM – 5:37 PM

PUBLIC FORUM

Michael Pearsall, 213 S. Bodenheimer Street, said the speed humps that were installed on Satchwell Street are working great. He also said there are still issues with the trash at the house on the corner of Satchwell Street and Fremont Street.

PUBLIC HEARINGS

Public Hearing #1 – *James Gantt, Town Manager*

Consideration of Adoption of the FY 2023-2024 Budget for the Town of Burgaw

Mayor Dawson declared the public hearing open at 5:43 PM.

Mr. Gantt presented the proposed FY 2023-2024 budget as described in Ordinance 2023-21. He reviewed highlights of the budget as shown in the presentation attached.

Commissioner Harrell commented on the replacement of older pipes. He asked if there was a specific amount of money allotted for this. Mr. Gantt said an amount is budgeted for ongoing maintenance every year. He also said a request was submitted to our Representative Carson Smith with the state to see if the town could receive funding for these types of projects. Mr. Gantt said he will check on the status of this with Representative Smith.

Commissioner Robbins asked what streets are included in the \$120k budget for paving. Mr. Gantt said the two main priority streets are South McRae Street and Bickett Street. Mr. Moore advised the quote received for Bickett Street between Fremont Street and Walker Street was \$126,600 and the quote received for South McRae was \$17k. Mr. Gantt said there is approximately \$120k budgeted for powell bill and will have approximately \$20k left over from the current budget year. Commissioner Dawson requested we go head and get these two streets paved.

There being no further questions or comments, Mayor Dawson declared the public hearing closed at 6:15 PM.

Ordinance 2023-21 Adoption of the FY 2023-2024 Budget for the Town of Burgaw

Commissioner Dawson made a motion to approve Ordinance 2023-21 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Public Hearing #2 – *Jessica Gray, Community Development Coordinator*

Consideration of a text amendment to the Unified Development Ordinance requested by staff, to amend Chapter 12, Minimum Housing Codes. This amendment would streamline procedures for enforcement of standards for habitable dwellings.

Mayor Dawson declared the public hearing open at 6:17 PM.

Ms. Gray presented the text amendment request as described in Ordinance 2023-22. Attorney Rivenbark advised he met with staff to review this proposed change, and decided it would be handled in-house and will not go to Attorney Rivenbark unless there is an appeal. Commissioner Harrell commented on a clean-up item regarding the referrals to the “boards” throughout the ordinance. He also voiced a concern regarding section 12.16. He asked how long do the people have to vacate the house. Mr. Hesse said we have never had to evict anyone, but have had to threaten before. He and Ms. Gray further explained the process. After some discussion, Commissioner Harrell requested wording be placed in the ordinance that staff will work with the tenants to find resources. Attorney Rivenbark and Mr. Combs suggest a brochure to hand out in cases like this, instead of modifying the ordinance to fit this language. This would be more of an internal process, rather than modifying the ordinance.

Mayor Dawson declared the public hearing closed at 6:32 PM.

Resolution 2023-17 Adopting a statement of consistency regarding text amendments of the Town of Burgaw Unified Development Ordinance requested by Town of Burgaw staff to amend Chapter 12. Minimum Housing Codes to streamline procedures for enforcement.

Commissioner Harrell made a motion to approve Resolution 2023-17 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Ordinance 2023-22 Approving a text change amendment to the Town of Burgaw Unified Development Ordinance requested by staff of the Town of Burgaw to amend Chapter 12. Minimum Housing Codes to streamline procedures for enforcement.

Commissioner Harrell made a motion to approve Ordinance 2023-22 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Public Hearing #3 – *Gilbert Combs, Planning Director*

Consideration of a text amendment to the Unified Development Ordinance requested by staff, to amend Section 9.27.3 Tree Preservation and Replacement During Development. This amendment would better define tree mitigation and create a tree improvement fund.

Mayor Dawson declared the public hearing open at 6:33 PM.

Mr. Combs presented the requested text amendment as described in Ordinance 2023-23. There was brief discussion regarding trees on the courthouse square. Mr. Combs and Mr. Gantt reviewed the process of when a diseased tree is removed and when a developer removes trees for development.

Mayor Dawson declared the public hearing closed at 6:44 PM.

Resolution 2023-18 Adopting a statement of consistency regarding a text change amendment of the Town of Burgaw Unified Development Ordinance requested by staff of the Town of Burgaw to amend Section 9.27.3 of the Unified Development Ordinance to better define tree mitigation and create a tree improvement fund.

Commissioner George made a motion to approve Resolution 2023-18 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Ordinance 2023-23 Approving a text change amendment of the Town of Burgaw Unified Development Ordinance requested by staff of the Town of Burgaw to amend Section 9.27.3 of the Unified Development Ordinance to better define tree mitigation and create a tree improvement fund.

Commissioner George made a motion to approve Ordinance 2023-23 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

ITEMS FROM MANAGER – James Gantt, Town Manager

Update on current town projects

Mr. Gantt advised a portion of the bank on the canal within the Emergency Watershed Protection Project has collapsed and is being repaired. He said there will be an additional warranty period on the repair.

There was brief discussion on the name of the new building. Commissioner Dawson made a motion to name the new building “Burgaw Town Center.” The motion was seconded by Commissioner Robbins and carried by unanimous vote. Mr. Gantt will work on a design for placing the name on the front of the building.

There was discussion on finalizing the building. Mr. Gantt advised power should be on shortly and a cleaning crew has been scheduled to clean the building. Commissioner Robbins said the landscaping that has been planted will die due to the heat. He suggests the landscaping be redone after summer; he added the cedars and boxwoods will grow to be too tall for that building. There

was also discussion about the memorial wall in the lobby of the building. Ms. Rivenbark and Chief Hock are working on this project.

Commissioner George commented on the digital format the board is going to transition to soon; he asked if the board would prefer iPads or laptops. The board agreed iPads would be fine.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner Harrell asked Mr. Gantt on the status of the sidewalk issue in front of First National Bank. Mr. Gantt will continue looking at the best options for this issue.

Commissioner Harrell commented on the cemetery ordinance that was recently adopted by the board. Due to removal of items on his nephew's grave, he would like to look at readdressing section 10-10(B) regarding ornaments, vases, etc. on gravesites. Commissioner Harrell would like mementos to be allowed in our ordinance since it is part of the grievance process by family members. Commissioner Malloy said some things left on gravesites take away from the look of the entire cemetery. He asked how can we do this, but keep the cemetery looking neat. Commissioner Robbins said it's hard to mow around things on gravesites and ants form in vases, etc. No action was taken on this matter at this time.

Commissioner Harrell said the 2030 Comprehensive Land Use Plan discussion is coming up soon and would like citizens and property owners to be involved.

Commissioner Harrell asked staff to advertise for the filing period for municipal elections coming up this year.

Commissioner Dawson commented on dead grass along the curb on McNeil Street. She asked if we could edge these areas instead of spraying the grass on the curbs.

Commissioner Robbins asked about the revenues from "Welcome to Flatch." Mr. Gantt advised those monies are still allocated for the Wilmington Street project.

Commissioner Robbins asked about the progress of placing a bench in honor of the former Librarian, Mike Taylor, at the Pender County Library. Mr. Suggs will handle getting this done; Commissioner Robbins will meet with Mr. Suggs in July on the best location for the bench. Mr. Suggs also added the bench at the corner of Cowan Street and Walking Street needs to be replaced. It is currently dedicated to someone.

Commissioner Malloy commented on grass clippings. Mr. Combs said this issue was presented at the last meeting. He will work with Ms. Wells on advertising this information in the newsletter.

Commissioner Malloy asked if staff has looked at a "second chance" program when trying to fill vacancies in the hiring process. Mr. Gantt said staff met and talked about the potential of this. There was brief discussion by staff on the hiring process, criminal background checks and drug screenings.

CLOSED SESSION – 7:27 PM

Commissioner Robbins 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 – 7:50 PM

Commissioner Robbins made a motion to return to open session. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

ADJOURNMENT

Commissioner Harrell made a motion to adjourn. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

The meeting was adjourned at 7:50 PM.

G. Olivia Dawson, Mayor

Attest: _____
Kimberly Rivenbark, Deputy Town Clerk