

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

DATE: September 12, 2023
TIME: 4:30 PM
PLACE: Burgaw Town Center, 108 E. Wilmington Street
BOARD MEMBERS PRESENT: Mayor Olivia Dawson
Mayor Pro-tem Wilfred Robbins
Bill George, Jan Dawson, and Vernon Harrell
BOARD MEMBER ABSENT: James Malloy
STAFF PRESENT: James Gantt, Town Manager
Kristin J. Wells, Town Clerk
Kimberly Rivenbark, Deputy Town Clerk
Wendy Pope, Finance Officer
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
Jim Taylor, Fire Chief
Damon Stanley, Facilities & Grounds Manager
Jayna Augst, Recreation Coordinator
Zachary Rivenbark, Town Attorney
MEDIA PRESENT: None
INVOCATION: Commissioner Bill George
PLEDGE OF ALLEGIANCE: All

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

Approval of Agenda

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

Approval of Consent Agenda

Commissioner Dawson 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 August 8, 2023 Regular Meeting Minutes
- B. Approval of the August 8, 2023 Closed Session Minutes
- C. Resolution 2023-20 Amending the current Town of Burgaw Personnel Policy to add an eight (8) hour floating holiday in recognition of Juneteenth
- D. Resolution 2023-21 Intent to request state grant assistance for the Burgaw Lead Service Line Inventory project

SPECIAL REQUESTS/PRESENTATIONS

Recognition of Sarah Woolard for achieving the Girl Scout Gold Award – Mayor Dawson

Mayor Dawson presented Sarah Woolard with a Certificate of Achievement for receiving the Girl Scout Gold Award.

Pender High School Homecoming Parade Request – Bailey King

Bailey King with Pender High School was present and requested the temporary closure of streets for the parade to leave the middle school and circle downtown, as the same route from the past, including South Dickerson Street, East Fremont Street, South Wright Street and West Williams Street. There being no concerns, Commissioner Robbins made a motion to approve the street closure requests by Ms. King. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

DEPARTMENTAL ITEMS

Christmas Events – Street Closure Requests – *Cody Suggs, Parks & Recreation Director*

Mr. Suggs requested the following street closures for upcoming holiday events:

Commissioner Robbins made a motion to approve the following street closure for the Christmas Tree Lighting. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Christmas Tree Lighting – November 25, 2023

- *Closure of Wright Street between Fremont Street and Courthouse Avenue between the hours of 5:00 PM to 9:00 PM.*

Commissioner Harrell made a motion to approve the following street closures for the Christmas Parade. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Christmas Parade – December 9, 2023

- *Closure of Industrial Drive from Dickerson Street to Progress Avenue: Starting at 4:30pm*
- *Closure of Dickerson Street from Enterprise Drive to Bridgers Street: Starting at 5:00pm*
- *Closure of Fremont Street from Dudley Street to Walker Street: Starting at 5:00pm*
- *Closure of Wright Street from Bridgers Street to Williams Street: Starting at 5:00pm*
- *Closure of Wilmington Street from Dudley Street to Cowen Street: Starting at 5:00pm*
- *Closure of Walker Street from East Hayes Street to Bridgers Street: Starting at 5:00pm*

Commissioner Dawson made a motion to approve the following street closure for the Christmas on the Square event. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Christmas on the Square – December 16, 2023

- *Closure of Wright Street between Fremont Street and Courthouse Avenue between the hours of 6:00 AM to 5:00 PM.*

Commissioner Harrell made a motion to approve the following street closures for the New Year's Eve Blueberry Drop. The motion was seconded by Commissioner George and carried by unanimous vote.

New Year's Eve Blueberry Drop – December 31, 2023

- *Wright Street from Courthouse Ave to Fremont Street: 4:00pm-9:00pm*
- *Fremont Street from Wright Street to Walker Street: 12:00pm-9:00pm*
- *Dickerson Street from Industrial Drive to Williams Street: 7:00pm-7:30pm (area of the fireworks)*
- *Clark Street from Dudley Street to Dickerson Street: 7:00pm-7:30pm (area of the fireworks)*

Departmental Updates – Department Heads

Public Works Department – Alan Moore, Director

- Working on drainage improvements on South McRae Street, water leaks, sidewalk maintenance, and curb and gutter projects.

Commissioner Dawson asked for an update on the sidewalk and tree project in front of First National Bank on Fremont Street. Mr. Gantt said the plan is to realign the sidewalk and leave the tree in place, adjusting some parking spaces in the area as well. Commissioner Dawson asked why we can't just fix the sidewalk and nothing else. After discussion, Commissioner Robbins made a motion to move forward with fixing the sidewalk as soon as possible. The town will reach out to the property owners to advise them the removal of the tree is their responsibility. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Commissioner Dawson requested to spend as little money as possible to fix the sidewalk because we have other sidewalks that need attention as well.

Commissioner Dawson asked the status of the sidewalk repair in front of the new Lion's Crest Martial Arts building, formerly the cleaners, on Wright Street. Mr. Moore said the section of sidewalk from the Lion's Crest building to Dr. Davis' building will be repaired as soon as the contractor can pour the concrete. Commissioner Dawson requested we have the sidewalk done from the building all the way to Fremont Street. Mr. Gantt advised it would cost approximately \$12,500 to complete the rest of the sidewalk. After some discussion, Commissioner Dawson made a motion to approve the fund balance appropriation of the money to complete the sidewalk on Wright Street from the Lion's Crest Martial Arts building to Fremont Street. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

Commissioner Harrell commented on the run-off issue behind the pocket park on Wright Street, as a result of a recent storm. Mr. Moore will look at the issue.

Facilities & Grounds Maintenance – Damon Stanley, Facilities & Grounds Manager

- Planning & Inspections building roof has been completed.
- Monitoring of parks; plan to meet with the landscaper soon on some issues.
- Working on LED light conversions at the fire department.
- Working on having a window in a bay door replaced.

Commissioner Dawson said there are a lot of weeds behind the Community House and requested the landscaper take care of this.

Fire Department – Jim Taylor, Fire Chief

- 23% higher call volume.
- Ladder 15 is still out of service.
- A committee is working on future truck specs on a new engine that will be coming in the future budget year.

Commissioner Robbins asked how the volunteer program was coming along. Chief Taylor advised the department should be voting on three (3) new volunteers soon. Commissioner Robbins requested Chief Taylor have volunteers come to a future board meeting so the board can show their appreciation.

Parks, Recreation & Tourism Department – Cody Suggs, Director

- Gave an update on upcoming events.
- Gave an update on park improvements with Mr. Stanley, including new tables at the parks, camera systems, and adding gutters at the Rotary Park pavilion.
- Basketball back board has been fixed.
- Survey is currently available for citizens to complete regarding the Parks & Recreation Master Update. Mr. Suggs said two public meetings are scheduled as well.
- Working on the West Side Trail Plan project. The town received approval of the sidewalks and crosswalks, but still waiting on a response from NC DOT Rail division regarding crossing the railroad right-of-way.

Commissioner Dawson asked a question about piping on the town's property near the ballpark for the West Side Trail project. Mr. Suggs said it will not be necessary to do piping at this property.

Commissioner Harrell said he has received a number of complaints regarding the new benches around town. He said the bar along the top is not comfortable for those trying to sit.

Commissioner Harrell requested we do not purchase this type of bench in the future, and find something similar to match.

Building Inspections Department – *Louis Hesse, Building Code Administrator*

- All projects are going smoothly.
- Working on the street light request in the area of Giles Marshburn Road and East Bridgers Street, as previously requested in a meeting.

Commissioner Dawson asked if there was anything the town could do about the unsightly residence on Smith Street. After some discussion, Mr. Combs will look into this.

Planning Department – *Gilbert Combs, Director*

- Asked the board if anyone had any questions or concerns about the items listed in the monthly report. No comments were made by the board.

Commissioner Harrell asked for a status on the proposed Pender Adult Services transportation regular route in town. Mr. Combs said they are still working on the plans.

BREAK 5:25 PM – 5:40 PM

PUBLIC FORUM

Elaine Tyson, 609 S. Bickett Street, asked if there was anything being done about the unsightly property on NC Highway 53 East near Stag Park Road. Mr. Combs advised contact has been made with the property owners, but will follow up with staff on the status of this.

PUBLIC HEARINGS

Public Hearing #1 – *Gilbert Combs, Planning Director*

Consideration of a text amendment to the Unified Development Ordinance requested by staff to amend Section 8.13 Dimensional Requirement and Section 9.3 Traffic Impact Study. The amendment would remove a dimensional standard related to fences and an unnecessary requirement to submit physical copies to NCDOT for traffic impact studies.

Mayor Dawson declared the public hearing open at 5:41 PM.

Mr. Combs presented the text amendment request as described in Ordinance 2023-26. He said this is a code cleanup item to continue the efforts of improving our development ordinance. There are two main parts, including the traffic impact study requirement for physical submission to NCDOT and a fence standard.

After Mr. Combs presentation, Commissioner Harrell asked Mr. Combs for clarification on defining the measurements from the point of intersections/rights-of-way, that is listed in the proposed amendment. Mr. Combs explained.

Mayor Dawson declared the public hearing closed at 5:49 PM.

Resolution 2023-22 Adopting a statement of consistency regarding text amendments of the Town of Burgaw Unified Development Ordinance requested by town staff to Section 8.13 Dimensional Requirement to remove a dimensional standard related to fences and Section 9.3 Traffic Impact Study to remove an unnecessary requirement to submit physical copies to the North Carolina Department of Transportation for traffic impact studies.

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

Ordinance 2023-26 A requested text change amendment of the Town of Burgaw Unified Development Ordinance requested by staff of the Town of Burgaw to amend Section 8.13 Dimensional Requirement to remove a dimensional standard related to fences and Section 9.3 Traffic Impact Study to remove an unnecessary requirement to submit physical copies to the North Carolina Department of Transportation for traffic impact studies.

Commissioner Dawson made a motion to approve Ordinance 2023-26 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Public Hearing #2 – *Gilbert Combs, Planning Director*

Consideration of a wall mural project that would be placed on the western facing side of a structure at 111 East Fremont Street. The applicant is Leo Andrades representing Pender Line, LLC.

Mayor Dawson declared the public hearing open at 5:50 PM.

Mr. Combs presented the requested wall mural project submitted by Leo Andrades on behalf of Pender Line, LLC. The presentation included an image of the proposed wall mural, which represented the North Carolina state flag, with simple artwork of the courthouse, as well as the Burgaw water tower. Commissioner Harrell asked about the material being used for the sponsor panels. Mr. Andrades said they would be metal or plastic and said the panels would consist of sponsor logos along both sides of the mural. Commissioner Robbins asked if Mr. Andrades would consider adding a historical plaque to the mural. Mr. Andrades agreed to do this. After some discussion on the artwork, the board agreed to request the applicant to make the painted grey area of the courthouse resemble a brick building. It was also agreed upon for the applicant to include images of blueberries on the water tower. Mr. Andrades agreed to make the requested changes.

Mayor Dawson declared the public hearing closed at 6:02 PM.

Commissioner George made a motion to approve the wall mural as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Departmental Updates – *Continued*

Finance Department – Wendy Pope, Finance Officer

- Working on the insurance claim that was filed regarding the damage of a town fire hydrant because of a motor vehicle accident.
- Working on the workers compensation audit.
- Advised the town's property and liability insurance company will be doing property surveys at no cost to the town in efforts to update files.

Commissioner Dawson asked Ms. Pope on the status of the recent penalty invoices to Cardinal Foods. Ms. Pope said the town's pretreatment coordinator is responsible for invoicing for violations. The town will receive notice once a payment has been made to the town. Mr. Gantt, Ms. Pope, Mr. Moore and Attorney Rivenbark will meet about this matter soon.

Human Resources – Kimberly Rivenbark, Human Resources Director

- The Utility Technician position and the Streets & Landscape Maintenance Worker position has been filled.
- Currently advertising for a full-time Firefighter/Apparatus Operator position, as well as a part-time Grounds Maintenance Worker position.

Police Department- Jim Hock, Police Chief

- New officers Williams and Mathon have completed their field training and are now working solo on patrol and doing great.
- Captain Fuller leaves soon for his 10 weeks at National Academy.
- Officer Vann will be leaving soon for a one-year military leave.
- Three (3) mutual aid events over the past month.
- Officer Kling recently took a First Line Supervision class.

ITEMS FROM ASSISTANCE MANAGER – Jim Hock, Assistant Town Manager

Chief Hock advised Mr. Stanley's new truck is being outfitted and will be ready to use soon. He also said two surplus vehicles have been picked up and waiting on evaluations.

Chief Hock said he and Mr. Gantt met with a NC DOT representative regarding various signs in town that need attention. He added the jake break signs are in and waiting for a response from NC DOT regarding installing the signs on the current town limit signs at the entrances to town. There was also brief discussion regarding NC DOT and the curve new Lewis Sausage on North Wright Street. Chief Hock said this will be evaluated in the traffic impact study when the process starts for the new jail on Old Savannah Road.

Chief Hock advised the new fence as previously discussed for the cemetery will be installed in the coming weeks.

Chief Hock said work has begun at the Public Works facility regarding the expansion project.

ITEMS FROM MANAGER – *James Gantt, Town Manager*

Update on current town projects

Mr. Gantt said there were no major issues from the recent storm. There was discussion about flooding and drainage, including the area of Village on Eighteen. Mr. Gantt reminded the board that the stormwater master plan that is coming up will include studying drainage around town.

Mr. Gantt gave an update on the state-owned roads in town that will be paved soon.

Mr. Gantt gave an update on the grant process with NC DOT on the Wilmington Street project. According to the Council of Government representative, the project has been added to the STIP list and the project will be moving along shortly.

Mr. Gantt said the engineer for the parking plan at the Burgaw Town Center is currently out of town, but will be progressing with the project once he returns.

The documents for the surplus property on Durham Street is now with the county and is moving forward with the surplus process.

Mr. Gantt gave an update to the board regarding the agenda software. Staff is working with the software and will be implementing digital agendas for the board in the coming months.

Mr. Gantt advised he is working with Erik Harvey on upgrades and server and computer replacements.

Mayor Dawson and Mr. Gantt met with county staff about the courthouse grounds master plan. The County Manager has agreed to attempt to push some of the projects through for the FY 24-25 budget.

Mr. Gantt advised the census paperwork is progressing and will bring back a cost to the board for consideration of the town completing their own census, as discussed in a prior meeting.

There was discussion about paving priorities. Mr. Gantt said he will have a map to the board in the near future.

Mayor Dawson and Mr. Gantt attending a rail meeting in Wilmington recently. There was discussion about the railroad coming back through Burgaw and the impacts it would have on the community.

Commissioner Harrell asked Mr. Gantt to include a brief description of what he plans to talk about under “Items from the Manager” on future agendas.

Commissioner Dawson asked for an update on the digital sign for the corner of Walker Street and Wilmington Street. Mr. Gantt said he is working on getting quotes for this project.

ITEMS FROM ATTORNEY – *Zachary Rivenbark, Town Attorney*

Attorney Rivenbark stated he only had items for closed session.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Items from Mayor and Board of Commissioners

Speed reduction consideration in residential neighborhoods

Mr. Gantt presented the final results from the speed limit reduction survey. The majority of the results indicated there was a desire to reduce the speed limit on town-owned streets in residential neighborhoods from 35 MPH to 25 MPH. There was much discussion amongst the board, as well as comments in support of the reduction by resident Elaine Tyson, who was present at the meeting. Commissioner Robbins commended the great work of the Burgaw Police Department and suggested the department come up with a plan to enforce the speed limit we have now and write more tickets. Mr. Gantt and Chief Hock spoke on the matter. Commissioner Dawson said her concern is the children in the neighborhoods.

After much discussion, Commissioner George made a motion to amend the town ordinance to move forward with transitioning all town-owned residential streets (not including state-owned streets, nor streets within the downtown business district) from 35 MPH to 25 MPH speed limit. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Consideration of appointment to fill one (1) vacancy on the Police Advisory Board

Commissioner Dawson made a motion to appoint Edmond Lettinhand to fill the vacancy on the Police Advisory Board. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Other items from the Mayor and Board of Commissioners

Commissioner Harrell said we need to make sure we are following up with citizens who make requests during Public Forum.

Commissioner Harrell said he would like the board to consider using the green space next to the Burgaw Town Center as a rotating art display. Commissioner Dawson suggested we look at this once the digital sign is installed.

Commissioner Robbins said Dees Park needs a park sign like the other parks in town. After some comments, Commissioner Robbins made a motion to instruct Mr. Suggs to purchase a matching park sign for Dees Park. The motion was seconded by Commissioner George and carried by unanimous vote.

Mr. Suggs said Richard Johnson has reached out about putting a temporary gazebo at Dees Park. It would be 12 foot by 20 foot for concerts, etc. and can be moved when needed. Commissioner Robbins asked the status of the pavilion with restrooms that was previously discussed. Mr. Gantt said Mr. Stanley and Mr. Suggs are working on this project.

Mayor Dawson said Pender County Arts Council is planning to use Dees Park on September 30, 2023 for an Art in the Park event.

Mayor Dawson commented on the idea of painting the town blueberry logo on the water tower when it is time for the tower to be repainted.

There was brief discussion about having a meeting regarding adding some mixers to our water to improve water quality.

CLOSED SESSION – 7:22 PM

Commissioner Dawson made a motion to go into closed session pursuant to NC GS 143-318.11(a)(3) Attorney/Client Privilege and NC GS 143-318.11(a)(6) Personnel. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

OPEN SESSION – 8:56 PM

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

ADJOURNMENT

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

The meeting was adjourned at 8:56 PM.

G. Olivia Dawson, Mayor

Attest: _____
Kristin J. Wells, Town Clerk