

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

DATE: October 10, 2023
TIME: 4:30 PM
PLACE: Burgaw Town Center, 108 E. Wilmington Street
BOARD MEMBERS PRESENT: Mayor G. Olivia Dawson
Mayor Pro-tem Wilfred Robbins
Commissioners Vernon Harrell, Bill George, Jan Dawson,
and James Malloy
STAFF PRESENT: James Gantt, Town Manager
Kimberly Rivenbark, Deputy Town Clerk
Zachary Rivenbark, Town Attorney
Wendy Pope, Finance Officer
Louis Hesse, Building Inspector
Jim Hock, Chief of Police
Jim Taylor, Fire Chief
Cody Suggs, Parks & Recreation Director
Jayna Augst, Recreation Coordinator
Alan Moore, Public Works Director
Damon Stanley, Facilities & Grounds Manager
Gilbert Combs, Planning Director (by web conference)
MEDIA PRESENT: None
INVOCATION: Commissioner James Malloy
PLEDGE OF ALLEGIANCE: All

The meeting was called to order by Mayor Dawson at 4:31 PM and the invocation was led by Commissioner Malloy.

Approval of Old Business Agenda

Mayor Dawson requested the removal of Item 7 from the agenda. Commissioner George made a motion to approve the agenda as amended. The motion was seconded by Commissioner Dawson 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 Harrell and carried by unanimous vote.

- A. Approval of the September 12, 2023 Regular Meeting Minutes
- B. Approval of the September 12, 2023 Closed Session Minutes
- C. Ordinance 2023-27 Amending the FY 23-24 budget to recognize insurance proceeds.

- D. Ordinance 2023-28 Amending the FY 23-24 budget to reflect a fund balance appropriation for expenses associated with the replacement of a portion of sidewalk on South Wright Street.

SPECIAL PRESENTATIONS/REQUESTS

Burgaw Baptist Church Street Closure Request

Laura Hinson requested to close Bridgers Street from Wright Street to Walker Street from 4:45pm to 8:00pm on October 31, 2023 for their annual Trunk-or-Treat. Commissioner Robbins made a motion to approve the street closure request as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Traffic Concerns

Karen Malloy stated that with the elementary school traffic at drop off and pick up, she is unable to get into her driveway. She requested the Board to ask the school to reverse the traffic flow or have a patrol officer direct the traffic. Following a brief discussion by the board, Chief Hock will speak with the principal of the school as well as Mike Taylor, the Operations Director for the school.

Meet our Principals

Brian Allen, the Principal from Burgaw Middle School introduced himself to the Board. Dr. Tiffany Smith, the Assistant Principal from CF Pope introduced herself to the Board.

Fire Prevention Month

Firefighter/Apparatus Operator Marybeth Kratovel made a presentation to the Board regarding Fire Prevention month. *Presentation on file in the Clerks office*

DEPARTMENTAL UPDATES

Public Works Department – Alan Moore, Director

- Working on water leaks, trimming hollies, training the new Utility Technician, drainage work on North Walker Street upcoming, and getting prepared to go through Christmas lights.

Commissioner Robbins requested that the Public Works Department mow the curb going into the crosswalk where the walking trail crosses Hwy 53 and Timberly Lane.

Facilities & Grounds – Damon Stanley, Facilities & Grounds Manager

- LED Conversion project in the Fire Station.
- Made many repairs.

- Continue to work on the asset inventory.

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

- Mike Taylor's bench has arrived this week. Still waiting on the plaque and then the bench will be placed at the Depot.
- Started the Master Plan Update. Two public meetings have been held in Town with only two citizens attending. Approximately 200 responses from the survey have been received.
- Mulch has been completed at the parks.
- Continuing to blow off the sports courts and keep them clear of leaves.
- Was approached by the Blueberry Festival about having a member of the Parks & Recreation Department sit on the festival committee. Mr. Suggs will sit on this committee to help streamline the process between the Town and the Festival.
- In the process of giving PARTF a one-year update on the project. Still awaiting word back from NCDOT Rail Division in regard to the crossing. Plans to put the project out for bid over the winter months for pouring in the spring/summertime next year.
- Preparing for the concert on Thursday (10/19/2023), movie in the park on Friday (10/20/2023), and Autumn Fest on Saturday (10/21/2023).
- Own Your Own restaurant competition has talked with downtown businesses and will be providing parking for those businesses on Saturday (10/21/2023). The competition has met the requirements of the health department as well as the fire department.

Fire Department – Jim Taylor, Fire Chief

- October is Fire Prevention month.
- Ladder 15 is still being repaired.
- Call volume is up 20% this year.
- Station 19 has temporarily been closed by the County.

Building Inspections – Louis Hesse, Building Code Administrator

- Pender County storage building has been permitted and will have a slab inspection soon.
- Pender County Health and Human Services had a General Contractor contact him.
- Public Works expansion has encountered some minor soil issues but has passed the slab inspection.
- Cardinal Foods is still working towards their final inspections.
- Jessica Gray is out at a Flood Manager's Conference.
- Currently have 15 active Minimum Housing cases going on.

Finance Department – Wendy Pope, Finance Officer

- Reviewing time clock options.
- Revamping job descriptions in the Finance Department.

Police Department – Jim Hock, Police Chief

- Added more storage for the Watch Guard camera system.
- Ops Cad has been discontinued and the Police Department is in the process of switching over to a new program.
- With the discussions over the past several weeks regarding traffic and speeding, the department has reviewed several intersections and streets. Six accidents have occurred in the past two months at the intersection of Wright Street and Bridgers Street. Chief Hock requested the Board consider making that intersection a four-way stop.

Following a brief discussion by the Board regarding the request of a four-way stop at the intersection of Wright Street and Bridgers Street, Commissioner George made a motion to approve the request as presented. The motion was seconded by Commissioner Harrell and the motion was carried by unanimous vote.

Mayor Dawson asked about the status of the Jake Brake signs. Chief Hock stated the signs have come in and he has had conversations with NCDOT and waiting for final permission from them to place them on the existing sign poles.

ITEMS FROM THE ASSISTANT MANAGER – Jim Hock, Assistant Town Manager

Chief Hock advised the Board that he expects the contractor to pour the slab soon for the Public Works Expansion. He also stated that fence work at the cemetery had started. Two surplus vehicles were sold and those proceeds will be rolled into new lease vehicles.

Commissioner Dawson asked if the fence will be completed prior to the Ghost Walk. Chief Hock will confirm but believes it will be. There was also a brief discussion regarding loud vehicles. Chief Hock will review the noise ordinance.

BREAK 5:28 PM – 5:42 PM

PUBLIC FORUM

Tony McEwen, Carolina's Director for the America Flood Coalition – Thanked Mayor Dawson for her work as a member of the National Advisory Board. The coalition was able to obtain \$30 Million additional dollars to go directly to local governments in North Carolina.

Daniel Wedlock – Thanked the Town for the additional streetlight. He brought to the attention of the Board the condition of the poles along Bridgers Street in front of his house. He was informed in 2021 by a Duke engineer that the poles were outdated and needed replacement. Mr. Gantt will reach out to Duke Power to conduct an assessment of poles.

John Westbrook – Stated that he has recently noticed the replacement of the sidewalk along Wright Street in front of the former laundry mat. He reminded the Board that the sidewalk along Wright Street is in need of repair.

Matthew Hayes, Pastor at Burgaw United Methodist Church – Requested the street closure of Bridgers Street from Walker Street to Wright Street for a movie night on Saturday October 14, 2023, from 7:30PM to 10:30PM. Commissioner George made a motion to approve the street closure as requested. The motion was seconded by Commissioner Malloy and carried unanimously.

Michael Pearsall – Questioned when work is performed on the street by contractors, who reviews the work they have performed. He explained that Durham Village had two of the streets repaired following a storm and contractors installed drainage under the streets and they are draining the wrong way. Mr. Moore and the Public Works Department will be correcting the drainage issue. He also has been approached by a homeowner, the Beacham's, questioning erosion along one side of the canal behind their home and why it would not be fixed. Mr. Gantt stated that Highway 53 is an NCDOT road, and any work completed in their right of way has to be completed by them. He further explained that the rest of the area that has been repaired was completed through the Emergency Watershed Protection Program grant. Any work performed in the canal must be permitted and is costly. Mr. Gantt stated that the Town will look at the area to see if the erosion is in the right-of-way. Mr. Gantt also stated that the Town was just awarded grant funding for a Storm Water Master Plan that will address the entire Town and with that plan, the Town can identify all the needs and prioritize those needs.

Dawn Johnson, Burgaw Area Chamber of Commerce Executive Director – She introduced herself to the Board. The Chamber office is open Monday through Wednesday 8AM-4PM, Thursday 8AM – 2PM, and closed on Friday.

PUBLIC HEARING

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

Consideration of a text amendment to the Unified Development Ordinance requested by Carolyn Moser of Pender County Health and Human Services to amend section 8.13 Dimensional Requirements; Table of Area, Yard, and Height Requirements. The amendment would increase the maximum height for Office Use in the Office & Institutional Zoning District from 35 feet to 45 feet.

Mayor Dawson declared the public hearing open at 6:10 PM.

Mr. Combs presented the text amendment request as described in Ordinance 2023-23. He stated that Pender County has requested a text amendment to increase the building height limit for office use in the O&I district from 35 feet to 45 feet.

Applicant Representative, Wes Stuart, DSS Director, stated that the design for the Pender County Health and Human Services building is still in the preliminary design phase. The need for the 45-foot height limit is for a two story building with equipment on the roof.

Mr. John Westbrook spoke against the proposed text change stating he felt there would be other ways to permit this building without increasing the height limit to 45 feet for all of the O&I district.

Commissioner Malloy stated that the Board needs to understand that Burgaw will not stay the same and change is coming. He stated that the Board needs to think forward and understand that a tax base is needed in Burgaw. There are a lot of needs for our community including facilities for our youth and it will only come by industry and accepting some change.

Following a brief discussion by the Board, Commissioner Robbins made a motion to continue the Public Hearing.

Mr. Rivenbark stated that once Mr. Combs returns to the office, he will speak with him and see if there is a way for this project in this location to move forward without increasing the height limit across the entire O&I district.

Mr. Combs stated that when the County approached the Planning Department, he mentioned three options for this project. One was a variance, one was a text amendment, and the last was a Conditional District Rezoning. A Conditional District Rezoning would be site specific and is a legislative process.

The motion was seconded by Commissioner Harrell and carried by unanimous vote.

ITEMS FROM THE MANAGER

Update on current town projects

NCDOT Carbon Reduction Program Grant – Mr. Gantt stated he received information from the COG on the process in joining in an agreement with NCDOT to move forward with that project.

Storm Water Master Plan Grant – Mr. Gantt stated that the scope of the project is still being finalized and once complete it will be bid out through an RFQ process that will be for a consulting and engineering firm to develop an asset and inventory of our storm water system as well as to complete the Storm Water Master Plan.

State Budget – Mr. Gantt stated that the state budget was approved, and the Town of Burgaw will receive 10.6 million dollars for water and sewer upgrades and repairs as well as an additional \$240,000 for public safety capital items. He will be working with Representative Smith's office on how those funds will be received.

Digital Agenda Project – Mr. Gantt stated that he is working with the software vendor in implementing the agenda software that will run the meetings, minutes, and agendas.

Burgaw Town Center – Mr. Gantt advised that he is still trying to get the engineer to finalize the plans for the parking lot. The engineer has been out of state causing the delays. Once plans are finalized, the project will be out for bid. Mr. Gantt has also reached out to sign vendors and he

is waiting on samples of signs and what they can do. Mr. Gantt stated that he would like to have an open house for the building but would like to have the parking lot finished first. Ideas are needed for the dedication wall in the lobby. The Board agreed to discuss following the closed session.

Downtown Parking – Mr. Gantt advised that he and Mayor Dawson met with the Presbyterian church regarding use of their parking lot for court staff and law enforcement. The church is not against the idea but would like to review the agreement the Town has with the Methodist church. Commissioner Dawson requested that Mr. Rivenbark review the agreement with the Methodist church.

Sidewalk Projects – Mr. Gantt stated that the sidewalk on Fremont Street is going in. Mayor Dawson stated that she let the bank know that they would be responsible for removing the tree and at this point they plan to leave the tree. Mr. Gantt stated that he would move forward with getting a quote for the repair of the sidewalk in that area.

Parks Camera and Access Control System – Mr. Gantt stated that everything is ready to go with the installation of cameras at Hankins Park and Harrell Park. We are just waiting on the contractor.

Other items

Mr. Gantt stated that he received an email regarding the updated Census numbers. The corrected population from the 2022 Population Estimates for the Town of Burgaw is now 4,145. This number includes the prison.

ITEMS FROM THE ATTORNEY

Attorney Rivenbark informed the board that he had nothing at this time.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

A250 Planning – Mayor Dawson stated that the A250 celebration will take place in February of 2026. There have been funds approved in the budget that communities could take advantage of for this celebration.

Drainage at Village on Eighteen & Golf Course – Mayor Dawson discussed what could be done in order to improve the drainage in this area. Contact has not been made with the golf course property owner yet. Mr. Rivenbark will try to make contact with the property owner before the next meeting. Mr. Gantt stated that there are beaver dam issues in the large ditch. Due to this being on private property, permission and an easement will be needed to get on the property to remove the beaver and the dam.

Dees Park Project & Funding – Mayor Dawson stated that currently there is a gazebo built on the property. Mr. Suggs stated that the deck boards will be completed this week and power has been

set. Since the gazebo is nice, he requested that it stay and the town consider adding bathrooms. The cost to the Town for this project was approximately \$2,000. Commissioner Malloy stated the need for bathrooms in the downtown area and questioned if the money could be appropriated to build them. Mr. Gantt stated that Mr. Stanley and Mr. Combs are working on design work and pricing for the bathrooms. Mr. Suggs expressed the constant maintenance needs of the current bathrooms in town. Following further discussion, Mr. Gantt expressed that staff would continue to look for ways to move forward with the design and pricing of the bathrooms, but should go through the prioritization and budget process so we are not continually pulling funds from the fund balance.

Westside Trail Updates & Funding – Mayor Dawson reminded the Board that the Town will need to fund the entire amount of the Westside Trails project. Mr. Suggs stated that it will be around \$800,000 for the entire project and wait for reimbursement after the completion of the project.

Erosion and culvert needs in town – Mr. Malloy stated that erosion is terrible on Hayes Street and Walker Street and believes box culverts are needed in both locations. Mr. Malloy made a motion to move forward with replacing those pipes with box culverts at Hayes Street and Walker Street. The motion was seconded by Commissioner Robbins. Mr. Gantt stated that the culvert near the parks on Walker Street is not a controlled stream and can be changed, however Hayes Street is a controlled stream and would require No Rise Certifications and engineering and would be costly. The Board voted unanimously to move forward with the process of replacing the culverts and beginning the design and engineering work.

Other Items to be Announced

Mayor Dawson stated that there will be a Rail Symposium on October 24, 2023 at 6:00PM at the Depot. The symposium will be discussing how the Town will be impacted by the rail.

CLOSED SESSION – 7:25 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 – 8:30 PM

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

Discussion regarding dedication wall in the lobby of the Burgaw Town Center

The Board briefly discussed the plaques and photos they would like to see on the wall in the lobby area as a dedication to the Pender County Rescue Squad.

Other Items

Commissioner Harrell announced that he is arranging a meeting of the west side property owners to discuss the 2030 Land Use Plan in regards to that side of town being high density.

ADJOURNMENT

With no further business, Commissioner Harrell made a motion to adjourn. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

The meeting adjourned at 8:47 PM.

G. Olivia Dawson, Mayor

Attest: _____
Kimberly Rivenbark, Deputy Town Clerk