TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING

DATE:	May 14, 2024
TIME:	4:30 PM
PLACE:	Burgaw Town Center 108 E Wilmington St
BOARD MEMBERS PRESENT:	Mayor Olivia Dawson Commissioner William Rivenbark Mayor Pro-tem James Malloy Commissioner Bill George Commissioner Michael Pearsall Commissioner Bill George Commissioner Jan Dawson
BOARD MEMBERS ABSENT:	

1. Call to Order

Mayor Dawson called the meeting to order at 4:30 PM.

2. Invocation

The invocation was led by Reverend Nick Smith.

3. Pledge of Allegiance

The Pledge of Allegiance was said by all.

4. Approval of Agenda

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

5. Approval of Consent Agenda

*Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Board.

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

A. Approval of the March 12, 2024 Regular Meeting Minutes

B. Approval of the March 12, 2024 Closed Session Minutes

C. Ordinance 2024-11 Amending the FY 2023-2024 budget to reflect a fund balance appropriation for a monetary donation to the NC Blueberry Festival Association

D. Resolution 2024-11 Request to Appoint Town of Burgaw Map Review Officer

E. Resolution 2024-12 Support project R-5701 for traffic signal installation and intersection improvements along NC Highway 53 and US Highway 117 Business in the Town of Burgaw

F. Resolution 2024-13 Urging the North Carolina Department of Transportation to Install a Traffic Light at the Intersection of US Highway 117 Bypass and Wilmington Street in the Town of Burgaw

6. Special Requests/Presentations

A. New Hire Introductions

Damon Stanley, Facilities & Grounds Director, introduced new Maintenance WorkerReynaldo Castaneda-Salas.

James Gantt, Town Manager, introduced new employees, Planning Director Ron Meredith, Fire Chief Johnathan Prevatte, IT Manager Dustin McCullen.

B. Street Closure Request - Juneteenth

Mr. Suggs presented an additional street closure request on behalf of the 1865 Society of Pender County regarding the upcoming Juneteenth Celebration. The organization would like to set up a large stage on Fremont Street between Walker Street and Wright Street for the event festivities, and requested closure of Fremont Street beginning at

5:30 PM on June 21, 2024 and would reopen at 7:00 PM on June 22, 2024. Also, they requested closure of Wright Street between Courthouse Avenue and Fremont Street. Commissioner Malloy recused himself prior to voting. Commissioner Pearsall made a motion to approve the street closure request. The motion was seconded by Commissioner Rivenbark and carried by unanimous vote.

7. Departmental Items

A. Public Works Department
Alan Moore, Public Works Director

Mr. Moore advised he currently has three quotes for the sidewalk replacement project discussed at the prior meeting. Two contractors are in the process of getting quotes submitted. The current quotes include three blocks of sidewalk on the west side of the Wright Street between Bridgers Street to Satchwell Street, as well as Courthouse Avenue. The highest bid was $246k and the lowest is $207k. Mr. Moore said the quotes do include a breakdown of costs per block if the board decided to do a block at a time. Commissioner Pearsall asked if there was any portion of the sidewalks that could be grinded down for now. Mr. Moore said Wright Street from Bridgers to Wilmington Street is probably the worst section of the three and it has been grinded in the past. After brief discussion, the board decided to wait on the other quotes and then discuss later to prioritize which block to start with.

Mayor Dawson thanked Public Works for hanging the American Flags around town.

B. Fire Department
Johnathan Prevatte, Fire Chief

Chief Prevatte thanked everyone for the warm welcome received from staff and the board. He said he is excited to work with the town.

Chief Prevatte advised the Fire Department will be hosting leadership training that will begin soon.

I. Fire Protection Agreement

Mr. Gantt advised Attorney Rivenbark and Chief Prevatte have reviewed the Fire Protection Agreement presented to the town by the county. There were many concerns voiced by the Attorney, Chief Prevatte and the board. Attorney Rivenbark commented on all of the concerns he has throughout the agreement. After much discussion, the board agreed to allow Attorney Rivenbark and staff to go through the agreement and rewrite sections that fit Burgaw. Mr. Gantt said the county needs the agreement signed by the town by June 3, 2024. The board agreed to hold a special meeting if needed before that date to review and approve.

C. **Facilities & Grounds Department**
Damon Stanley, Facilities & Grounds Director

Mr. Stanley thanked the board for their prayers and support during a recent family death, as well as a family death for one of his employees.

Mr. Stanley advised Dees Park is still in the design phase and asked the board if they preferred to include stainless steel fixtures or ceramic fixtures for cost purposes. The board agreed for staff to include fixtures that will last.

Facilities & Grounds staff have been busy working in the cemetery. Commissioner Dawson asked if there was anything we can do to clean the dark headstones. Mr. Gantt said maintenance of the stones are the families' responsibility.

D. **Parks, Recreation & Tourism Department**
Cody Suggs, Parks & Recreation Director

Mr. Suggs advised the Boy Scouts have requested use of the depot for a fundraiser on June 5, 2024. They will pay the cleaning fee, but have asked for waiver of the rental fee. Commissioner Dawson made a motion to approve the waiver of the rental fee. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

Mr. Suggs advised the second contractor bid for the West Side Trail Project was about $135k cheaper than the first bid received. He advised survey crews will be in the area to begin preparations for the project.

I. Street Closure Request - Blueberry Week Concert

Mr. Suggs provided the board with a handout showing the street closures for the Blueberry Festival and information related to the request to close Fremont Street between Wright Street and Walker Street beginning at 6:00 AM on Thursday, June 13, 2024 for the concert hosted by the Tourism Development Authority. After much discussion, Commissioner Dawson said issues came up last year about this and it seems most favorable to not approve the street closure, so she made a motion for the concert on Thursday, June 13, 2024 to be held on the square and not close the street. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

II. Splash Pad Concept Proposal by the Parks Foundation of Burgaw

Mr. Suggs presented a plan from the Burgaw Parks Foundation regarding a fundraising project for a splash pad at Hankins Park. Mr. Suggs advised a water feature was in the top three things the community wants to see, based on the Parks & Recreation Master Plan survey. Commissioner Dawson said she would like to see the splash pad look as natural as possible. A PARTF grant would be idea for this project since the town already owns the land. After discussion, Commissioner Malloy made a motion to accept the concept presented by the Burgaw Parks Foundation and requested they move forward with their plan. The motion was seconded by Commissioner George and carried by unanimous vote.

E. **Planning Department**
Ron Meredith, Planning Director

I. Ordinance 2024-12 Amending the Town of Burgaw Code of Ordinances to amend Chapter 2 Article II Administration

Mr. Meredith explained the request as described in Ordinance 2024-12. He said the Planning Board and Attorney Rivenbark have reviewed the ordinance and have no issues. Commissioner Rivenbark made a motion to approve Ordinance 2024-12 as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

II. Resolution 2024-14 Authorizing execution of necessary documents to apply for and accept, if awarded, grant funding for Phase 3 of the Resilient Coastal Communities Program through the NC Department of Environmental Quality

Ms. Gray presented information regarding a grant opportunity for Phase 3 of the Resilient Coastal Communities Program. Rain gardens were presented as an option to help with drainage in town. Commissioner Pearsall asked how the locations of the rain gardens would be determined. Ms. Gray advised they would be located either on town property or school property. Commissioner Rivenbark made a motion to approve Resolution 2024-14 as presented. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

III. Pender County Comprehensive Transportation Plan status report

Ms. Gray gave an update on the Pender County Comprehensive Transportation Plan.

F. **Building Inspections Department**
Louis Hesse, Building Code Administrator

Mr. Hesse stated all projects in town are going smoothly at this time.

G. **Finance Department**
Wendy Pope, Finance Officer

I. Contract for Solid Waste Collection Services

Ms. Pope advised the town recently published a Request for Proposals for solid waste collection services. After review of the three proposals received, Wall Recycling was chosen to provide solid waste and recycling services for the town. Included in the agenda packet to the board was the proposed contract from Wall Recycling for the services. Michael McKeithan and Terri Hazelton with Wall Recycling were present and spoke to the board. Commissioner Pearsall asked about the process listed in the contract regarding missed roll carts. Mr. McKeithan said if someone's roll cart is not by the street, the truck drivers will place a door hanger on the residents' home.

There being no further questions or comments by the board, Commissioner Malloy made a motion to approve the contract as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

H. **Police Department**
Jim Hock, Police Chief

Chief Hock said the department has been busy with mutual aid. He also advised Sergeant Byrd recently did a week-long training course. Chief Hock advised Officer Cooper has resigned from the department as a full-time employee, but will remain with the town as a part-time employee. Chief Hock said a conditional offer has been issued to fill a Patrol Officer vacancy and this person will start on May 28, 2024.

8. Public Forum

Prior to Public Forum, Mayor Dawson called for a break between 5:33 PM and 5:44 PM.

Karen Harding, 318 S. Walker Street, spoke against the idea of public toilets on Courthouse Avenue. She said she thinks this is her fourth trip to the podium. She said she is unaware of any vote being taken that we need these bathrooms on Courthouse Avenue. Ms. Harding said the business community is not aware that there is any consideration of toilets being put on Courthouse Avenue. She said the location in her opinion is not safe or a good choice for public bathrooms. She said we have so many toilets in town already; if there is a need of public bathrooms, there are bathrooms in the Burgaw Town Center, in the Community House, at the Depot, and the Courthouse. She added all of the food and drink businesses have toilets. Ms. Harding said she does not see the public toilets on Courthouse Avenue benefiting the tax payer community of

Burgaw, so she asked why are they being put there. She is concerned with people parking on Courthouse Avenue and staying there because there are toilets. She said she does not think the police department has time to be checking the toilets all of the time. She said the toilets would be right behind twelve businesses. She has a concern about them being checked regularly. Ms. Harding said she previously came before the board and was told there was no money in the budget and there would be no toilets for 24-25, so she said she was guessing something was changed during the budget meeting. She said if the town really wanted this project to benefit the town, the board would be letting people know their intentions.

After Ms. Harding spoke, Mayor Dawson said there is a concept and design in the works to come, but there needs to be more conversation by the board on that and the budget has not been approved yet. Ms. Harding asked if the businesses would be notified. Mayor Dawson said yes, and the board would take all of those steps once they decide what they wanted to do.

9. Items from Assistant Manager

Chief Hock said the funds were received by the town from the state budget as previously discussed in prior meetings.

Chief Hock said he spoke with NC DOT about the striping for parallel parking along Walker Street between Wilmington Street and Fremont Street in result of the paving by NC DOT recently. There was a mistake with the contractor in painting the lines with diagonal markings instead of straight lines to indicate parallel parking. This should be corrected in the near future. Chief Hock said the issue resulted in the markings on the pavement from previous Blueberry Festivals with markings of "NP" on the pavement with spray paint. The painting contractor for NC DOT assumed it meant "no parking" so that is why diagonal lines were placed in the area for what was thought to be a no parking zone. The "NP" sprayed on the pavement by the festival indicated "non-profit" vendor spaces. Chief Hock advised he will make sure the festival uses chalk in the future. Spray painting state owned streets is a violation of the agreement from the state to allow the street to be closed for a festival. He will also be informing the festival, that no spray paint should be placed on town streets or sidewalks as well.

10. Items from Manager

A. Update on current town projects

Mr. Gantt said there has been a weather delay with the paving of the Burgaw Town Center parking lot. Once the paving is done, crews will stripe the parking lot, as well as placing lines back for parking at First National Bank. There was discussion about the signage for the front of the Burgaw Town Center. Mr. Suggs will reach out to them to make sure it gets done as soon as possible. There was also discussion about hanging the dedication wooden flag and plaques at the Burgaw Town Center. Mr. Stanley will see this gets taken care of.

11. Items from Attorney

12. Items from Mayor and Board of Commissioners

Commissioner Malloy commented on ditches that need cleaning out on the NC DOT right-of-way. Mr. Gantt will look into this.

Mayor Dawson spoke about the Police Advisory Board and reminded the board they were going to revisit discussion about the future of the board. Chief Hock briefly shared the efforts made to enhance the participation of the Police Advisory Board since the last discussion by the board. Commissioner Dawson asked Chief Hock to continue with the advisory board at this time and let the town board know when a quorum can not be met.

Mayor Dawson briefly commented on a few things happening in town, including tax appraisers in the area and filming in town. She also advised she would be attending the flood coalition in Washington, DC soon.

A. Consideration of reappointing Parks & Recreation Advisory Committee members

Ms. Wells advised Trisha Newton has resigned from the committee. Commissioner Dawson made a motion to reappoint Jen Buttery, Daniel Price and Jennifer Matthews to the Parks & Recreation Advisory Committee and allow Ms. Wells to advertise for one vacancy. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

B. Consideration of appointments to the Tourism Development Authority

Mayor Dawson advised two applications were received for consideration. She stated the application says the applicant must reside within the city limits. One applicant does not reside in town, therefore was determined by the board to be non-eligible for consideration. Commissioner Dawson made a motion to approve appointment of Alex Shevchuk to the Tourism Development Authority. The motion was seconded by Commissioner Pearsall and carried by unanimous vote.

13. Closed Session

Commissioner Dawson made a motion to enter into closed session at 6:37 PM 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 Rivenbark and carried by unanimous vote.

Commissioner Rivenbark made a motion to return to open session at 7:01 PM. The motion was seconded by Commissioner Malloy and carried by unanimous vote.

14. Adjournment

Commissioner George made a motion to adjourn the meeting at 7:02 PM. The motion was seconded by Commissioner Malloy and carried by unanimous vote.