

POST OFFICE BOX 1065 • DUNN, NORTH CAROLINA 28335
(910) 230-3500 • FAX (910) 230-3590
www.dunn-nc.org

Mayor
William P. Elmore Jr.
Mayor Pro Tem
Chuck Turnage

Council Members
J. Wesley Sills
April L. Gaulden
Frank McLean
Billy Tart
Dr. David L. Bradham

City Manager
Steven Neuschafer

May 13, 2020

Joint Legislative committee on Local Government
16 West Jones Street
Raleigh, North Carolina 27601
Attention: committee chairs and Assistant

North Carolina Local government commission 3200 Atlantic Avenue
Longleaf Building
Raleigh, North Carolina 27604
Attention: Secretary

Fiscal Research Division
Legislative Office Building
300 North Salisbury Street, Suite 619
Raleigh, North Carolina 27603-5925
Attention: Director

***City of Dunn, North Carolina
Installment Financing***

This is the second letter that includes the certified copy of the City Council's meeting last night where the public hearing was held including findings and where authorization was granted. The City attorney's opinion will follow the Contract with the selected Bank.

The city expects that the Contract will have a term of between 15 and 20 years and that the amount advanced to the City under the Contract will be approximately \$2,200,000 (not to exceed \$2,500,000). The City may pay its obligation under the contract from any source of funds available to it in each year. The City's obligation to make payments under the Contract is a limited obligation of the City, subject to annual appropriation, and will not constitute a direct or indirect pledge of the faith and credit or the taxing power of the City.

The city will request that the Local government commission of North Carolina (the "*Commission*") consider for approval the City's proposal to execute and deliver the contract at the Commission's meeting scheduled for June 2, 2020, or at such other meeting as the city and the Commission may determine.

If you have any further questions please feel free to contact me at (910) 230-3500.

City of Dunn, North Carolina

By: 
Steven Neuschafer
City Manager



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**STATE OF NORTH CAROLINA
COUNTY OF HARNETT**

CLERK'S CERTIFICATION

I, Tammy Williams, City Clerk of the City of Dunn, North Carolina, do hereby certify that the following is a true recording of an excerpt of the minutes of the May 12, 2020 regular meeting of the Dunn City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the City of Dunn, North Carolina, this the 13th day of May, 2020.


Tammy Williams, City Clerk
City of Dunn, North Carolina



-Begin Excerpt:

**Dunn City Council
Regular Meeting
Tuesday, May 12, 2020
7:00 p.m., Dunn Municipal Building**

Minutes

PRESENT: Mayor William P. Elmore Jr., Mayor Pro Tem Chuck Turnage, Council Members J. Wesley Sills, April Gaulden, Frank McLean, Billy N. Tart, and Dr. David L. Bradham. *Public Notice, relating to the Special Meeting Conditions, is incorporated into these minutes as Attachment #1.*

Also present: City Manager Steven Neuschafer, Executive Assistant Connie Jernigan, and City Clerk Tammy Williams. Participating via WebEx: Assistant City Manager Mathew Boone, Finance Director Jim Roberts, Public Utilities Director Heather Adams, Planning Director George Adler, Chief Building Inspector Steven King, and by telephone: City Attorney Tilghman Pope.

CALL TO ORDER AND INVOCATION

Mayor Elmore opened the meeting at 7:00 p.m. and Dr. Len Keever, Pastor at First Baptist Church gave the invocation via WebEx. Afterwards, Council Member Sills led in the Pledge of Allegiance.



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AGENDA ADJUSTMENT AND APPROVAL

Motion by Council Member Turnage and second by Council Member Tart to adopt the May 12, 2020 meeting agenda as presented with changes as listed below:

Remove Approval of Rules and Regulations for the Dunn Erwin Trail and the Minutes of the April 3, 2020 Special Called Meeting from the Consent Agenda and move to Items for Discussion and/or Decision, and that the Council replace the documents related to the Resolution for Tart Park Loan Approval with the documents distributed at the meeting, which included an additional resolution required by the LGC.

Motion unanimously approved.

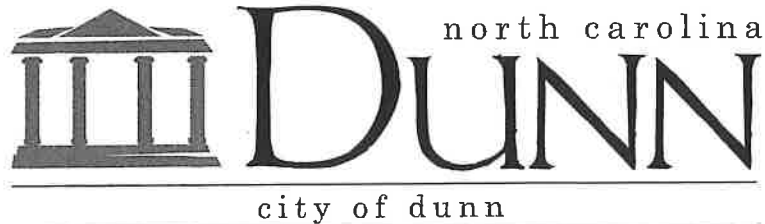
Resolutions for Tart Park Loan

Public Hearing concerning the City of Dunn entering into a financing agreement obligating the City to make installment payments for a principal amount not to exceed \$2,200,000 plus interest in reference to the Clarence Lee Tart Park renovations and construction. The public hearing was duly advertised on April 28, 2020. Mayor Elmore opened the Public Hearing at 7:16 p.m.

Finance Director Roberts presented the request to the Council to approve the resolution to file the application that is needed with the LGC. He also presented the resolution to proceed with the loan process. No additional comments have been received by the City Clerk and with no further comments, the Public Hearing was closed.

Motion by Council Member Tart and second by Council Member Bradham to adopt the Resolutions authorizing the filing of an application of a Financing Agreement and to authorize the Mayor and City Manager to execute any and all documents to proceed with the loan. **Motion unanimously approved.** *A copy of the Resolution (R2020-07) is incorporated into these minutes as Attachment #5 and Resolution (R2020-08) as Attachment #6.*

-End Excerpt:



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RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the City of Dunn City Council, Dunn, North Carolina desires to renovate Clarence Lee Tart Park (the "Project") to better serve the citizens of Dunn; and

WHEREAS, The City of Dunn desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Dunn, North Carolina, meeting in regular session on the 12th day of May, 2020, make the following findings of fact:

1. The proposed contract is necessary to renovate Clarence Lee Tart Park.
2. The proposed contract is preferable to a bond issue for the same purpose because the method of financing proposed best allows the City to expedite construction of the facility, and will allow the City to pay for the facility of a shorter period of time. Further the relative small amount to be financed would not justify the cost of a bond issue.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the construction contract will be awarded to the lowest bidder who will perform the contract in a qualified manner, and the financing contract will be awarded to the financial institution that submits the most favorable proposal.
4. The City of Dunn's debt management procedures and policies are good because it fully complies with all statutory requirements involving debt management.
5. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be 2 cents per \$100 valuation and is not deemed to be excessive.
6. The City of Dunn is not in default in any of its debt service obligations.
7. The attorney for the City of Dunn will render an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

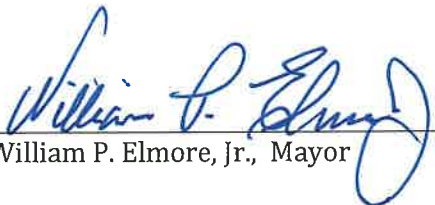
NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Manager is hereby authorized to act on behalf of the City of Dunn in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

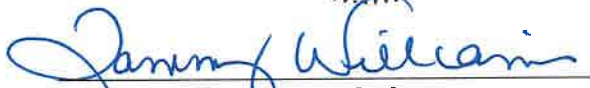
This resolution is effective upon its adoption this 12th day of May, 2020.

The motion to adopt this resolution was made by Council Member Tart, seconded by Council Member Bradham and passed by a vote of 6 to 0.

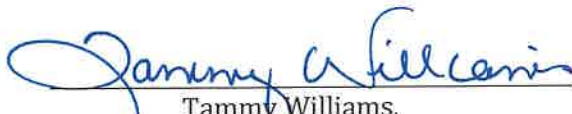
ATTEST:




William P. Elmore, Jr., Mayor


Tammy Williams, City Clerk

This is to certify that this is a true and accurate copy of Resolution No. 2020-7 adopted by the Dunn City Council on the 12th day of May, 2020.


Tammy Williams,
City Clerk

5/13/2020
Date



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**A RESOLUTION BY THE CITY OF DUNN
AGREEING TO PROCEED WITH LOANS FOR THE COMPLETION OF CLARENCE LEE
TART PARK CONSTRUCTION AND RENOVATIONS**

WHEREAS, the governing body of the City of Dunn desires to proceed with borrowing in the amount of \$2,120,000 for the renovation, construction, and development of Clarence Lee Tart Park.

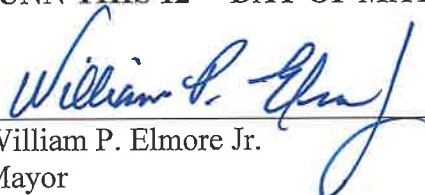
WHEREAS, the interest rate will not exceed 3.5% for terms of fifteen years for the total project and will not have a repayment schedule exceeding \$190,000 per year.

WHEREAS, the governing body of the City of Dunn authorizes the Mayor and the City Manager to sign all documents relating to the loans and/or grants.

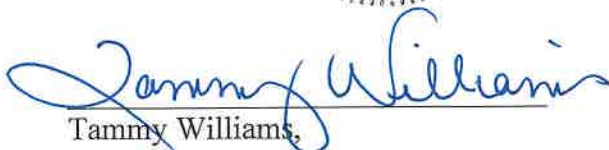
THEREFORE BE IT RESOLVED this Resolution will become part of the official minutes of the City Council meeting held on May 12, 2020.

ADOPTED BY THE CITY COUNCIL OF DUNN THIS 12TH DAY OF MAY, 2020.



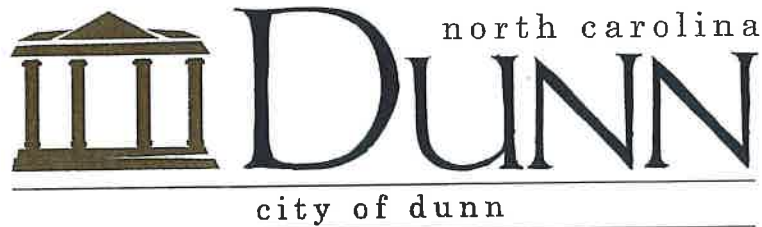

William P. Elmore Jr.
Mayor

ATTEST:


Tammy Williams,
City Clerk



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PUBLIC NOTICE related to Regular Council Meeting

The public is hereby notified that the City Council of the City of Dunn will hold their regular meeting on Tuesday, May 12, 2020 at 7:00 p.m. in the Council Chambers of the Dunn Municipal Building, 401 E. Broad Street, Dunn, NC. *Some members of the Council may participate electronically.*

SPECIAL NOTICE REGARDING MEETING ACCESS DUE TO STATE OF EMERGENCY

In an effort to abide with the Governor's Executive Order and to reduce the spread of Covid-19, in-person access to the Council meeting is limited to a total of 10 people to include our Council and needed staff.

The Council Meeting will be available for live public viewing on Facebook – The City of Dunn, NC page or the Public can call in to listen – contact the City Clerk at 910-230-3501 or twilliams@dunn-nc.org prior to **Monday, May 11, 2020, 1:00 p.m.** for instructions.

Public access will be limited to 1 person at a time to make comments for the Public Comment Period and Public Hearings Only. Audio will be available while waiting outside Council Chambers.

Public Comment Period can be called or emailed in to the Clerk by **Monday, May 11, 2020, 1:00 p.m.** to be read at the meeting. The person must abide by all rules related to the Public Comment Period, provide name and address and abide by the 3-minute time limit. The person may also call into the meeting to give their comments but they must call the City Clerk to sign up and receive instructions by the above stated time.

Public Hearing – Comments can be called in or emailed to the Clerk by **Monday, May 11, 2020, 1:00 p.m.** and they will be read at the meeting during the Public Hearing. The call and email should include Name, Address of the person filing the comments and the Public Hearing that the comments are in reference to. The person may also call into the meeting to give their comments but they must call the City Clerk to sign up and receive instructions by the above stated time.

Tammy Williams
City Clerk
910-230-3501
twilliams@dunn-nc.org



where community matters

AFFP

Renovation of Tart Park

Affidavit of Publication

STATE OF NORTH SS
CAROLINA }
COUNTY OF HARNETT }

City of Dunn
Notice of Public Hearing
Installment Financing Agreement
for Renovation of Tart Park

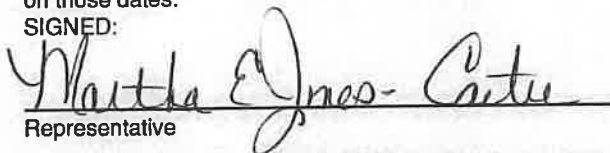
The Undersigned, being duly sworn, says:

That she is Representative of the The Daily Record, a daily newspaper of general circulation, printed and published in Dunn, Harnett County North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

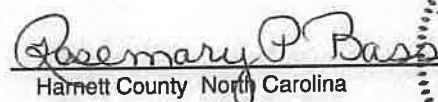
April 28, 2020

That said newspaper was regularly issued and circulated on those dates.

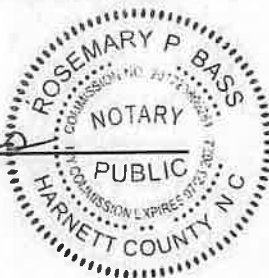
SIGNED:


Representative

Subscribed to and sworn to me this 28th day of April 2020.


Harnett County North Carolina

My commission expires: July 23, 2022



The City Council of the City of Dunn will hold a public hearing on May 12, 2020 at 7:00 p.m. in the courtroom of the Dunn Municipal Building, 401 E. Broad Street, Dunn, NC. It is the desire of the Dunn City Council to enter into an installment financing agreement (the "Agreement") pursuant to Section 160A-20 of the General Statutes of North Carolina obligating the City to make installment payments thereunder in a principal amount not to exceed \$2,200,000 plus interest thereon. The Agreement is for the purpose of providing funds, together with any other available funds to pay the cost of Clarence Lee Tart Park renovations and construction (the "Project"). Section 160A-20(g) of the General Statutes of North Carolina requires that the City hold a public hearing prior to entering into the Agreement. If the City Council so determines, an application will be submitted to the Local Government Commission of North Carolina for approval of the Agreement.

All persons desiring to be heard either for or against the proposed item set forth above are requested to follow the following procedures due to COVID-19:

Public access will be limited to 1 person at a time for in person comments.

Comments for or against the proposed item will be read during the Public Hearings, if received by the Finance Director by 1:00 p.m. on May 11. Comments can be called in, emailed or mailed.

To call in your comments during the public hearing, contact the Finance Director no later than 1:00 p.m. on

May 11 for instructions.

The meetings can be viewed – Facebook Live – City of Dunn NC page and will be able to be heard outside chambers for any presenting in person.

Written comments may be addressed to: City of Dunn, 401 E. Broad St., PO Box 1065, Dunn, NC 28335, Attention: Jim Roberts, Finance Director or to jroberts@dunn-nc.org.

4/28/2020

00022733 00183921

CITY OF DUNN
P.O. BOX 1065
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