

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
March 10, 2022
6:00 pm

The Wallace Town Council held its regularly scheduled monthly meeting in the Council Chambers at the Town Hall.

The following Governing Body members were present:

Jason Wells, Mayor
Council Member/Mayor Pro-Tem Wannetta Carlton
Council Member Frank Brinkley
Council Member Jeff Carter
Council Member Jason Davis
Council Member Francisco Rivas-Diaz

The following members of the Governing Body were absent:

None

Also Present were:

Larry Bergman, Town Manager	Anna H. Herring, Town Attorney
Jackie Nicholson, Town Clerk	Jimmie Johnson
Jimmy Crayton, Police Chief	Darlene Leysath
Charles "Twig" Rollins, Code Enforcement	Landon Smith
Rob Taylor, Finance Director	Jimmy Tate, ABC Board Chairman
Jody Brooks, Wallace ABC Board	Curtis West
Katherine Bunch, ABC General Manager	Chad Wilson, Wallace ABC Board

Mayor Jason Wells called the regular meeting to order with a quorum of the governing body members present. Council Member Jason Davis offered the invocation.

The Pledge of Allegiance was recited.

Presentations and Proclamations

Chairman of the Wallace ABC Board, Jimmy Tate, provided an update on the new store. Mr. Tate said that the project wasn't finished yet but taking inventory and moving is planned for April with a grand opening in May. He also shared some financial information with the Council.

Mayor Wells recognized Landon Smith who is working on his Citizenship in the Community merit badge.

Adoption of the Agenda

Mayor Wells called for adoption of the agenda. Council Member Francisco Rivas-Diaz made a motion to adopt the agenda as submitted. The motion was seconded by Council Member Wannetta Carlton and approved unanimously.

Public Comment Period

None

Consent Agenda

Mayor Wells called for discussion of the minutes from the February 10, 2022 meeting and February 18, 2022 Budget Retreat. There being no corrections or additions Council Member Jeff Carter made a motion to approve the minutes as submitted. The motion was seconded by Council Member Frank Brinkley and approved by unanimous vote.

Finance Director Rob Taylor reported that collections were going well with Duplin County collecting. Currently outstanding taxes are 30% lower this year than last.

Mr. Taylor requested release of taxes for Christopher Smith and wife for tax years 2008-2020 in the amount of \$938.90 as they never owned the property (mobile home). Council Member Rivas-Diaz made a motion to approve the tax release which was seconded by Council Member Carlton and unanimously approved.

New Business

Approve 2021-22 Audit Contract

Finance Director Taylor said the Local Government Commission (LGC) requires an annual audit contract. A contract with Thompson, Price, Scott, Adams & Co., P.A. was presented for approval. The contract price is \$1,500 higher than last year; total estimated contract price, \$17,000.

Council Member Brinkley made a motion to approve the proposed audit contract. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Comprehensive Land Use Plan Update

Town Manager Larry Bergman stated that updating the Town's Land Use Plan which was adopted in 2011 has been discussed previously, it is necessary to guide future growth and development and is something we are required to have. Manager Bergman added that a proposal was received from the Cape Fear Council of Governments (CFCOG) and asked that the process get started using \$8,000 from the 2021-22 budget and funding the remaining cost (\$32,000) next year.

The Council took no action on this matter.

Ordinance Ordering Dwelling and Property to be Repaired, Altered, Improved or Demolished-321 N. Duplin Street

Manager Bergman reported that this property owner has been sent an Order to Repair, Improve or Demolish the dwelling and has not made any effort to comply, nor have they submitted an appeal for

said order. The next step in the process is for Council to direct, by ordinance, that the violation be mitigated by either boarding up the house or demolition. Manager Bergman estimated demolition using an outside contractor would be about \$15,000.

Council Member Carlton made a motion to adopt an Ordinance In The Matter Of The 321 N. Duplin Stree Minimum Housing Case Ordering The Planning Director To Cause The Dwelling And Property To Be Repaired, Altered, Improved, Removed or Demolished which was seconded by Council Member Davis and approved by unanimous vote.

Designate North Carolina League of Municipalities (NCLM) Voting Delegate

Manager Bergman said the Council needed to appoint a voting delegate for the NCLM Board of Directors elections. Council Member Rivas-Diaz was currently the Town's delegate and agreed to remain as such.

Council Member Carlton made a motion to appoint Council Member Rivas-Diaz as the voting delegate. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Depot/Farmer's Market Discussion

Manager Bergman stated that the Chamber of Commerce has proposed holding a Farmer's Market at the Depot beginning April 9th through the end of June and, if it is successful, resuming again in the fall. Closing a portion of SW Railroad Street while the "market" is open is anticipated and the Depot would be unavailable for rent at that time. Additionally, the Chamber would like to re-establish office hours in the Depot. Manager Bergman said a lease or memorandum of understanding would be drafted if the Council agreed, which they did.

Council Member Brinkley made a motion to approve use of the Depot for a Farmer's Market as proposed. Council Member Rivas-Diaz seconded the motion which was unanimously approved.

Designation of Applicant's Agent

Manager Bergman explained that Jerry James is working on a FEMA Hazard Mitigation Grant for a permanent generator at the Armory/Public Services Operations Center. The Town's current form on file requires an update.

Council Member Rivas-Diaz made a motion to update the Designation of Applicant's Agent. The motion was seconded by Council Member Brinkley and approved unanimously.

Financial Reports

Finance Director Taylor presented the financial reports through January 31 and indicated that nothing particularly stands out and that the numbers are on track.

Council Reports

Council Member Davis asked about the old Jim Russ building? There is nothing new to report. He also asked about patching pot holes. Manager Bergman said that some new equipment had been purchased and Public Services started using it on utility cuts first.

Mayor's Report

Mayor Wells asked the Council if they would approve sale of alcoholic beverages at the Carolina Strawberry Festival?

Council Member Brinkley made a motion to allow alcohol sales at the Strawberry Festival that was seconded by Council Member Carter and unanimously approved.

Mayor Wells mentioned that there was some debris left from work on the Garden Train at the Depot and indicated that the Depot needs to be painted. Manager Bergman it will be put in the 2022-23 budget.

Mayor Wells reminded the Council that the Chamber of Commerce has requested a contribution from the upcoming budget. He said they are planning a mini concert series and they do have a budget a plan.

Town Manager's Report

Manager Bergman reported that the second round of junk vehicle towing letters has gone out and appeal hearings were scheduled for next week.

With there being no other business to discuss at this time, Council Member Carlton made a motion to continue the meeting on March 23 at 6 pm. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Respectfully submitted,

Jason Wells., Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk



THE TOWN OF WALLACE ORDINANCE IN THE MATTER OF THE 321 N. DUPLIN STREET
MINIMUM HOUSING CASE ORDERING THE PLANNING DIRECTOR TO CAUSE THE
DWELLING AND PROPERTY TO BE REPAIRED, ALTERED, IMPROVED, REMOVED OR
DEMOLISHED.

THAT WHEREAS, pursuant to N.C.G.S. § 160D-1205 AND Section 8.2 (P) of the Town of Wallace Unified Development Ordinance, the Town of Wallace may impose a Minimum Housing Code; and

WHEREAS, in order to further promote the public's best interest and promote the public health, safety, and/or welfare of the citizens of the Town of Wallace, the Town Council, with authority from N.C.G.S. § 160D to establish and enforce minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, and for all abandoned structures, as expressly authorized by N.C.G.S. § 160D-1205; and

WHEREAS, the owner of the property and dwelling located at 321 N. Duplin Street, Wallace, NC has been dutifully served with an Order to Repair or Demolish the dwelling at that location on January 27th, 2021 both by Certified and First Class Mail defining a compliance time period of 30 days; and

WHEREAS, the owner has failed to comply with the order, and has not made an appeal to the Order to Repair or Demolish as of the current date.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Wallace that:

1. The Planning Director and Town Manager are hereby ordered to Cause the dwelling to be repaired, improved, removed or demolished and to place a placard on the dwelling as provided by N.C.G.S. § 160D-1203 and Section 8.2(P) of the Town of Wallace Unified Development Ordinance.
2. **Severability** - If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such

holdings shall not affect the applicability thereof to any other person, property or circumstances

4. **Inclusion in code** - It is the intention of the Town Council entered as hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town of Wallace Code of Ordinances; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section, or "Article" or other word.
5. **Effective Date** - This ordinance shall be effective upon adoption this the 10th day of March, 2022.
6. Adopted this the 10th day of March, 2022.

Adopted by motion of Council Member Carlton, seconded by Council Member Davis, and approved by vote of 5 in favor and 0 against.

Jason Wells., Mayor

Jacqueline Nicholson, MMC, NCCMC