

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
June 9, 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 (via Zoom)
Jackie Nicholson, Town Clerk	Katherine Bunch, Wallace ABC Board
Jimmy Crayton, Police Chief	Lisa Cottle
Brent Dean, Public Services Director	Ken Floyd, Chamber of Commerce President
Rod Fritz, Planning Director	Jimmy Johnson
Gage King, Airport Manager	Lawrence Kenan
Charles "Twig" Rollins, Code Enforcement	Candace Knowles
Rob Taylor, Finance Director	Chad Wilson, Wallace ABC Board
Joe Bryant	Curtis West

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

The Pledge of Allegiance was recited.

Presentations/Proclamations

Wallace Chamber of Commerce President Ken Floyd asked for Town support for "Christmas at Twilight" on November 19 from 4 pm to 9 pm which would involve closing Main Street. He talked about what has been planned for that event and indicated the downtown merchants did not want the event to be held on the same day as the Christmas Parade in December.

Council Member Brinkley made a motion to support the event that was seconded by Council Member Jason Davis and unanimously approved.

Finance Director Rob Taylor made an Investment of Funds with the North Carolina Cash Management Trust Fund (NCCMT) presentation. He explained the investment principals, legal constraints on investment options, the Town's current investment options and asked the Council to

approve investing some of the Town's funds with NCCMT in order to take advantage of higher interest rates.

Council Member Brinkley made a motion to approve investing funds with NCCMT. Council Member Francisco-Rivas Diaz seconded the motion and it was approved unanimously.

Adoption of the Agenda

Mayor Wells called for adoption of the agenda and asked that an item be added for ABC Board Compensation. Council Member Wannetta Carlton made a motion to adopt the agenda as amended which was seconded by Council Member Jeff Carter and approved by unanimous vote.

Public Comment Period

Lawrence Kenan commented that at a meeting some years ago there was a plan to put a sidewalk from the traffic light from Piggly-Wiggly on Hwy 117 to Tin City. He said it is just not safe to walk that way on Southerland Street. Town Planner Rod Fritz said that an application has been submitted for a grant to help make the Town more pedestrian and bicycle friendly, and there is a North Carolina Department of Transportation (NCDOT) project for a sidewalk there in the Transportation Improvement Program (TIP).

Consent Agenda

Mayor Wells called for discussion of the minutes from the May 12, 2022 meeting and the May 26, 2022 continued meeting. There being no additions or corrections Council Member Carter made a motion to approve the minutes as submitted. The motion was seconded by Council Member Carlton and unanimously approved.

Finance Director Rob Taylor presented the tax reports. Mr. Taylor said past due taxes are in the amount of \$188,668.24 and have been reduced by 45.29%. He believes this year's tax collections will surpass previous years.

PUBLIC HEARING

FY 2022-2023 Budget

Council Member Rivas-Diaz made a motion to open a public hearing that was seconded by Council Member Carlton and approved by unanimous vote.

Town Manager Larry Bergman stated that he made the changes proposed by Council at the May 26 continued meeting. It is a balanced budget totaling \$9,990,213. The General Fund contains \$5,105,013; Water/Sewer Fund \$4,220,000; Airport Fund \$211,000; Stormwater Fund \$454,200. The tax rate would remain at \$0.62/\$1,00 valuation but there will be a 5% water and sewer rate increase for both in-town and out-of-town customers.

There were no comments from the public.

Council Member Carter made a motion to close the public hearing. The motion was seconded by Council Member Carlton and unanimously approved.

Old Business

Action on Rezoning Request #RZ-2022-01 NC Hwy 11

Manager Bergman said the public hearing on this item was held last month. The subdivision plan is for an increased number of residential lots with a small piece of open space to the rear of the property for future, passive recreational use.

Council Member Carter made a motion to approve Rezoning Request #RZ-2022-01 which was seconded by Council Member Carlton and approved by unanimous vote.

Action on FY 2022-2023 Budget

Manager Bergman called Council's attention to the amended Water and Sewer Rates in Appendix A, particularly the High Strength Surcharge – Sewer which was changed from the budget draft.

Council Member Carter made a motion to adopt the 2022-2023 fiscal year budget. The motion was seconded by Council Member Brinkley and unanimously approved.

Adoption of Debt Management Policy and Fund Balance Policy

Manager Bergman stated that the recommended financial policies are referenced in the Annual Budget and will be reviewed and/or renewed annually. Council may recommend changes whenever they deem appropriate.

Council Member Brinkley made a motion to approve Resolution 21-22-11 Debt Management Policy and Fund Balance Policy which was seconded by Council Member Carlton and approved by unanimous vote.

Adoption of Five Year Capital Improvement Plan (CIP)

Manager Bergman asked for approval of the Capital Improvement Plan which helps plan for capital improvements that will be included future budgets in order to meet long term goals. It will be updated annually and only the current year of the CIP becomes part of the annual budget.

Council Member Carlton made a motion to adopt Resolution 22-23-01 Five Year Capital Improvement Plan. The motion was seconded by Council Member Rivas-Diaz and approved unanimously.

Expansion of ABC Board and Appointments

Manager Bergman stated that at the last meeting the Council filled two (2) vacancies on the Board and discussed expand the Board from three (3) members to five (5) members. GS 18B-700 allows expansion if the appointing authority, which is the Council, determines to do so. The newly appointed members will serve 3 year terms.

Council Member Carter made a motion expand the ABC Board to five (5) members that was seconded by Council Member Carlton and unanimously approved.

The Council discussed potential appointees and Council Member Brinkley made a motion to appoint Tasha Redd and Charles Rollins. The motion died for lack of a second. Discussion continued.

Council Member Carlton made a motion to appoint Gwen Austin and Charles Rollins to serve terms of 3 years. The motion was seconded by Council Member Carter and approved by a 4:1 vote with Council Member Davis voting no.

ABC Board Compensation

Acting ABC Board Chair Chad Wilson asked the Council to reduce the monthly compensation for Board members from \$175.00 to \$105.00 so the budgeted amount for compensation will not have to be adjusted due to the additional Board members.

Council Member Carter made a motion to approve the requested reduction in compensation for the ABC Board which was seconded by Council Member Carlton and approved by unanimous vote.

Capital Project Ordinance 22-11 Golden Leaf Stormwater Grant

Manager Bergman reported that the Town was awarded a \$250,000 Golden Leaf Grant to do a ditch project along Currie and Duplin Streets and asked for approval of the Capital Project Ordinance to track the grant and expenditures.

Council Member Carter made a motion to approve Capital Project Ordinance 33-11. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

Capital Project Ordinance 22-12 StRAP Stormwater Grant

Manager Bergman said the Town was awarded a \$110,000 Streamflow Rehabilitation Assistance Program (StRAP) through the Soil and Water Conservation Commission to rehabilitate approximately 600 linear feet of the drainage ditch along Stevens Street. This grant requires a \$10,000 match that will come from the Stormwater Fund and will be tracked in the Stormwater Capital Project Fund.

Council Member Brinkley made a motion to approve Capital Project Ordinance 22-12 which was seconded by Council Member Carlton and approved unanimously.

New Business

Approval of Work Authorization 22-01 for Road Relocation Final Design and Bidding

Airport Manager Gage King stated this Work Authorization includes surveys, design, and wetland delineation. When this work is complete the Town will be ready to seek bids for construction of the road. Mr. King said that the IFE (Independent Fee Assessment) still had to be done so approval would be contingent upon that. He added that this is 100% funded with no local match.

Council Member Brinkley made a motion to approve Work Authorization 22-01. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Discussion of Application for Additional Golden Leaf Stormwater Grant

Manager Bergman stated that this is related to the Goldenleaf Grant that has been awarded for Duplin and Currie Streets extending the repairs and improvements upstream. Initial estimates are approximately \$300,000 with the Town match at \$83,000. This is just to approve the submittal of an application and if the cost increases a decision could be made not to accept the grant. The Council approved submitting an application for the grant by consensus.

Establish Public Hearing for Rezoning Request RZ-2022-02 NC Hwy 41

Planning Director Rod Friz asked the Council to establish a public hearing for a rezoning request for 1.6 acres of property on NC Hwy 41 from RA-20 (residential/agricultural, minimum lot size 20,000 sq.ft.) to HB (highway business).

Council Member Carlton made a motion to establish a public hearing on Thursday, July 14, 2022 after 6 pm for this rezoning request. The motion was seconded by Council Member Brinkley and approved unanimously.

Request for Street Closing

Manager Bergman indicated that he received a request from Woodmen of the Word to close an unimproved roadway/right-of-way adjacent to their property at 419 W. Cliff Street. They would like to sell the property and there is a right-of-way encroachment in the form of a building with concrete flooring and electricity. Rather than closing it entirely, closing a portion would leave enough of a setback.

Council Member Davis made a motion to adopt a Resolution Declaring The Intention Of The Town Council Of The Town Of Wallace To Close Approximately 235 Feet Of An Unopened/Unnamed Street Located South Of West Cliff Street And Parallel To South Orange Street. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Financial Reports

Finance Director Taylor presented the financial reports through the end of April.

Department Head Reports

Police Chief Jimmy Crayton reported on two (2) medical calls they responded to because Duplin County EMS was out of place. One was heart related and the other was an overdose.

Public Services Director Brent said the Armory should be ready for move in around July 1 and the new asphalt hot box is working well.

Council Reports

Council Member Carlton said that some flags should have been placed around Town for July 4 and the memorial fountain needs to be upgraded. Ms. Carlton mentioned some overgrown lots and blind spots at intersections. She also indicated that some areas need more police presence because of negative activity.

Council Member Davis said the streetlight at E. Westbrook and N. Harrell is out and it's dark at that intersection.

Council Member Brinkley said he thought hiring an engineer and sharing the cost with other towns would help move some of the Town's projects along more quickly. He would like this to be discussed at some point.

Mayor's Report

Mayor Wells asked about the 830 project and the Valley Proteins project. Manager Bergman stated that the design should be finished within the next week and obtaining easements is progressing. He added that he easement work can continue while the permitting process is in progress. Survey work along the route is ongoing and a project agreement is in the works with Valley Proteins.

Town Manager's Report

Manager Bergman reported that he is looking at a grant to build a dike around the Wastewater Treatment Plant. The water meter proposals have been reviewed and narrowed down to three (3).

With there being no other business to discuss at this time, Council Member Carter made a motion to adjourn. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Respectfully submitted,

Jason Wells., Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk

**AN ORDINANCE TO AMEND THE TOWN OF WALLACE, NORTH CAROLINA
OFFICIAL ZONING MAP**

Rezoning Case No. RZ-2022-01

THAT WHEREAS, in order to promote the public health, safety and general welfare and to promote the best interests of the Town and community, it is necessary from time to time for the Planning Board and Town Council to consider appropriate revisions, modifications and updates to the Town of Wallace Official Zoning Map; and

WHEREAS, the Brian Fler c/o Joseph Bryant has requested amendment of the Zoning Ordinance of the Town of Wallace by rezoning of the property located at W/S NC 11 HWY, Wallace North Carolina from RA-20 Residential/Agricultural to RA-20-C Conditional Residential/Agricultural; and

WHEREAS, reclassification of land to a conditional zoning district allows a landowner to propose, and the Town to consider, additional conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations applicable in the parallel base zoning district;

WHEREAS, the applicant is seeking to develop the property for a housing development;

WHEREAS, pursuant to N.C. General Statutes and Town ordinances, a public hearing, properly noticed, was held on May 12, 2022, where public comment was heard and considered by the Town Council regarding this zoning amendment; and

WHEREAS, the Planning Board hereby recommends adoption of the proposed UDO Text Amendments to the Town Council and finds that the amendments are consistent with the Town's 2011 Land Use Plan (Land Use Plan 2011-2030), for the following reasons:

- The **RA-20 district** is designed to accommodate agricultural uses and residential development at a density of up to two units per acre. There are currently 166 acres of land within the Town limits zoned RA-20, while 1,188 acres of the ETJ have this zoning designation, for a total of approximately 1,354 acres in the zoning jurisdiction as a whole.
- This accounts for about 10% of the land within the Town limits, nearly 23% of the land in the ETJ and slightly less than 20% of the land in the Town's entire zoning jurisdiction.
- Areas currently zoned RA-20 include the area along NC 11 south of Tin City and the area along NC 41 east of Tin City towards I-40.
- The proposed zoning map amendment is consistent with the adopted Wallace Land Use Plan 2011 – 2030 because the primary asset in this area is the roads and ability for residential development. The applicant is requesting the rezoning to have the entire property zoned Conditional RA-20 – Residential District which is consistent with the current zoning designation and would be consistent with other properties in the area.

WHEREAS, the Town Council for the Town of Wallace hereby finds that the proposed Zoning Map is consistent with the Town's 2011 Land Use Plan (Land Use Plan 2011-2030) for the reasons stated above;

WHEREAS, the Town Council for the Town of Wallace hereby finds that the proposed

Zoning Map amendment is also consistent with the Town's 2011 Land Use Plan (Land Use Plan 2011-2030) in that it preserves and protects residential neighborhoods by allowing for the opportunity to develop a residential neighborhood.

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

1. The Town of Wallace Official Zoning Map is hereby amended by rezoning the following described tract from RA-20 Residential/Agricultural to RA-20-C Conditional Residential/Agricultural;

Being that 12.00 acres tract located in the Town of Wallace, Duplin County, North Carolina and located at Duplin County Parcel Number: 09-777 and Duplin County PIN Number: 330500694194. This also being one of the tracts described in Deed Book 1659, Page 644, Duplin County Registry.

Property Address: W/S NC 11 HWY, Wallace, North Carolina 28466.

2. This action shall be shown on the Official Zoning Map for the Town of Wallace.
3. **Effective Date** - This ordinance shall be effective upon adoption this 9th day of June, 2022.

Adopted this the 9th day of June, 2022.

Adopted by motion of Council Member _____, seconded by Council Member _____, and approved by vote of ____ in favor and ____ against.

Jason Wells, Mayor

Attested to:

Jacqueline Nicholson, Town Clerk

RESOLUTION 21-22-11

**ADOPTING DEBT MANAGEMENT POLICY AND FUND BALANCE POLICY
TOWN OF WALLACE, NORTH CAROLINA**

WHEREAS, The Town of Wallace, in order to practice responsible fiscal management, desires to update in writing the Town's guidelines governing the issuance of debt by the Town and required minimum fund balance of the General Fund; and

WHEREAS, The management of the Town has developed and presented to Council policies based on best practices;

NOW, THEREFORE, BE IT RESOLVED this 9th day of June 2022 by the Town Council of Wallace, that the Debt Management Policy and the Fund Balance Policy are hereby adopted.

Adopted this the 9th day of June 2022.

Jason Wells, Mayor

Attest:

Jacqueline Nicholson, Town Clerk

**RESOLUTION 22-23-01
RESOLUTION OF FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

WHEREAS, the Town Council of Wallace, North Carolina has reviewed the Five-Year Capital Improvement Plan (CIP) as presented by staff; and

WHEREAS, the Council desires to formally adopt the plan,

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of Wallace, North Carolina that the Town's Five-Year Capital Improvement Plan effective July 1, 2022 is hereby approved and adopted.

This Resolution shall take effect immediately upon its passage.

Adopted this the 9th day of June 2022.

Jason Wells, Mayor

Attest:

Jacqueline Nicholson, Town Clerk

**CAPITAL PROJECT ORDINANCE
22-11**

WHEREAS, the Town of Wallace has been awarded a \$250,000 grant from the Golden Leaf Foundation to make needed stormwater drainage repairs, and

WHEREAS, the Town desires to establish a capital project ordinance to track the revenues and expenditures for the project;

NOW, THEREFORE BE IT ORDAINED by the Town Council of Wallace that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance 22-11 is hereby established and adopted:

Section 1: The Project authorized is repairs to the stormwater ditch along.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, and the budget contained herein.

Section 3: The following initial amounts are appropriated for the project:

Construction	\$ 220,000.00
Engineering	10,000.00
Contingency	<u>20,000.00</u>
Total	\$250,000.00

Section 4: The following revenues are anticipated to be available to complete this project:

Contributions – Golden Leaf	<u>\$250,000.00</u>
Total	\$250,000.00

Section 5: The finance officer is hereby directed to maintain within the capital project fund enough specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

BE IT FURTHER ORDAINED by the Town Council of Wallace that this ordinance shall become in full force and effective upon adoption.

Adopted this the 9th day of June 2022

Jason Wells, Mayor

Attest:

Jackie Nicholson, Town Clerk

{SEAL}

**CAPITAL PROJECT ORDINANCE
22-12**

WHEREAS, the Town of Wallace has been awarded a \$110,000 grant from the North Carolina Soil and Water Conservation Commission's StRAP program to make needed stormwater drainage repairs, and

WHEREAS, the Town desires to establish a capital project ordinance to track the revenues and expenditures for the project;

NOW, THEREFORE BE IT ORDAINED by the Town Council of Wallace that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance 22-11 is hereby established and adopted:

Section 1: The Project authorized is repairs to the stormwater ditch along Stevens Street.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, and the budget contained herein.

Section 3: The following initial amounts are appropriated for the project:

Construction	\$ 110,000.00
Engineering & Permits	<u>10,000.00</u>
Total	\$120,000.00

Section 4: The following revenues are anticipated to be available to complete this project:

Contributions – StRAP Grant	\$ 110,000.00
Contribution – Town	<u>10,000.00</u>
Total	\$120,000.00

Section 5: The finance officer is hereby directed to maintain within the capital project fund enough specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

BE IT FURTHER ORDAINED by the Town Council of Wallace that this ordinance shall become in full force and effective upon adoption.

Adopted this the 9th day of June 2022

Jason Wells, Mayor

Attest:

Jackie Nicholson, Town Clerk

{SEAL}