

**TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
July 14, 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 | Michael Blackburn, Depot Commission |
| Jimmy Crayton, Police Chief | Lisa Cottle |
| Brent Dean, Public Services Director | Felix Herring |
| Rod Fritz, Planning Director | Andy Huffman |
| Gage King, Airport Manager | Candace Knowles |
| Charles "Twig" Rollins, Code Enforcement | Jennifer Raynor (via Zoom) |
| Rob Taylor, Finance Director | Tasha Redd |
| Julian and Dayana Gevargis | Steve Paes |
| Andy Honeycutt, MeterSys | Rebecca Whitman, <i>Duplin Times</i> |

Mayor Jason Wells called the regular meeting to order with a quorum of the governing body members present and Council Member Francisco Rivas-Diaz offered the invocation.

The Pledge of Allegiance was recited.

Adoption of the Agenda

Mayor Wells asked if anything needed to be added or deleted from the Agenda. Council Member Frank Brinkley made a motion to adopt the agenda submitted which was seconded by Council Member Wannetta Carlton and approved by unanimous vote.

Public Comment Period

Tasha Redd and Felix Herring both talked about the Backstreet Festival on August 13 and invited everyone to come and participate.

Consent Agenda

Mayor Wells called for discussion of the minutes from the June 9, 2022 meeting. There being no additions or corrections Council Member Carlton made a motion to approve the minutes as submitted. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

Finance Director Rob Taylor presented the tax reports. Mr. Taylor said that outstanding taxes are in the amount of \$175,673 and the current collection rate as of May 31 is 95.54% which is already higher than the past few years.

PUBLIC HEARING

Rezoning Parcels on Hwy 41

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

Planning Director Rod Fritz stated that a request had been submitted to rezone 1.6 acres of a 48 acre parcel on Hwy 41 from RA-20 (residential/agricultural, minimum lot size 20,000 sq.ft.) to HB (highway business). This property is adjacent to Goshen Medical Center. Mr. Fritz added that the Planning Board has met, discussed and recommend approval of this request. A survey map with metes and bounds will be done.

Planning Director Fritz said the Planning Department was requesting a zoning amendment for three (3) parcels located at 110 Eastwood Drive (owned/occupied by Goshen Medical Center) from RA-20 (residential/agricultural, minimum lot size 20,000 sq.ft.) to HB (highway business) in order to be applicable to the current use and maintain consistency in zoning.

There were no comments from the public.

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

Old Business

Action on Rezoning Request #RZ-2022-02 and RZ-2022-03 NC Hwy 41

Council Member Brinkley made a motion to adopt An Ordinance to Amend the Town of Wallace Official Zoning Map Rezoning Case #RZ-2022-03, Statement of Consistency and Reasonableness Statement which was seconded by Council Member Carlton and approved by unanimous vote.

Council Member Carlton made a motion to adopt An Ordinance to Amend the Town of Wallace Official Zoning Map Rezoning Case #RZ-2022-02, Statement of Consistency and Reasonableness Statement. The motion was seconded by Council Member Brinkley and unanimously approved.

Advanced Metering Infrastructure (AMI) Project Proposals – Water Metering System

Andy Honeycutt, President, MeterSys, provided the Council with an overview of the process to select a vendor to upgrade the water meter system and discussed how the project would move forward with Fortline Waterworks Kamstrup meters.

Manager Bergman asked the Council to approve MeterSys Task Order NC6.04.07.22 in the amount of \$294,014 for Implemetation of Services for AMI.

Council Memeber Jason Davis made a motion to approve MeterSys Task Order NC6.04.07.22 which was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Capital Project Ordinance 23.02 Grist Mill Grant

Manager Bergman said the Town was awarded a \$361,880 grant through the NC Department of Natural and Cultural Resources Office of Archives and History State Preservation Office to repar the Grist Mill at Boney Mill Pond with the Town providing A \$3,600 match and asked the Council to adopt a Captial Project Ordinance.

Council Member Davis made a motion to approve Capital Project Ordinance 23-02. The motion was seconded by Council Member Carlton and approved unanimously.

Capital Project Ordinance WWTP (Wastewater Treatment Plant) Stormwater Dike Project

Manager Bergman stated that at the NC Department of Public Safety has awarded a 100% grant to the Town to build an earthen dike around the WWTP and asked the Council to adopt a Captial Project Ordinance.

Council Member Davis made a motion to approve Captial Project Ordinance 23-04 to track the grant funds and expenditures that was seconded by Council Member Carlton and unanimously approved.

AWOS (Automated Weather Observing System) Installation Bid Award

Airport Manager Gage King said advertisements for bids to construct and prepare an AWOS site and installation of the equipment had been done with a recommendation to award the bid to DPH General Conractors.

Council Member Davis made a motion to award the bid for the project to DPH General Contractors as the lowest, responsive, responsible bidder, in the amount of \$207,665 which was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

They Council did not take action on approval of the construction contract. Waiting for further clarification of contract language related to liquidated damages.

Airport Capital Projects Budget Ordinance Amendments

Manager Bergman asked the Council to approve a Capital Project Budget Amendment for the construction grant for the AWOS and for the road relocation.

Council Member Carlton made a motion to approve Capital Project Ordinance Amendment 23.06 for the AWOS. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

Council Member Davis made a motion to approve Capital Project Budget Amendment 23.07 for the road relocation which was seconded by Council Member Carlton and approved unanimously.

WWTP (Wastewater Treatment Plant) Independent Evaluation

Manager Bergman presented an Agreement with Highfill Engineering to evaluate the current operation, ensure the current capacity of the plant is maintained and to begin looking at expansion.

No action was taken on this item.

Well 15/16 Phase 2 Engineering Agreement and Amendment

Manager Bergman said that the initial project estimates have been impacted by supply chain issues, material price increases and inflation. Phase 2 includes designing pumps, well houses and connecting to the current system. The proposed amendment increase is \$80,955 for engineering.

No action was taken on this item.

New Business

Wallace Depot Commission Appointments

Manager Bergman said that he had been contacted by Depot Commission Chair Michael Blackburn about the appointees and indicated that the Commission should have fifteen (15) members. Mr. Blackburn asked that Paul Izzo and Henry Stevens IV be appointed for three (3) year terms.

Council Member Rivas-Diaz made a motion to appoint Paul Izzo and Henry Stevens IV to the Depot Commission. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Valley Proteins Engineering Request for Qualifications (RFQ) Process Results

Manager Bergman stated that the only firm to respond the the RFQ was Stroud Engineering. He added that since they have been heavily involved with the preliminary work it makes sense to continue using their services.

No action was taken on this item.

Financial Reports

Finance Director Taylor presented the financial reports through the end of May. He said that the General Fund was in good shape, the Stormwater Fund and Airport Fund are where they need to be but the Water and Sewer Fund was a bit off.

Council Reports

Council Member Carter said there's a storm drain on College St. and Main St. that is not draining and a hole in the street on Boney.

Council Member Davis asked what was decided about the Library hours. Manager Bergman said the new hours will be Monday through Friday from 8 am to 6 pm which will begin when school starts. Council Member Davis stated that the sidewalks and shrubs on Hwy 117 look terrible. He asked about the water for new development in the Town of Teachey and the house across the street from Pizza Corner.

Council Member Carlton said customers were dropping their trash on the ground because there are no trash cans outside at the fast food restaurants.

Town Manager's Report

Manager Bergman said that for the community center project an architect would have to be hired for structural changes and recommended USDA (United States Department of Agriculture) do an architectural review of the public safety building and the Town apply for a loan to get started.

Council Member Brinkley made a motion to continue the meeting next Thursday, July 21, 2022 at 6:00 pm. 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-2022-03**

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 Planning Department (with permission from Owner) has requested an amendment of the Zoning Ordinance of the Town of Wallace by rezoning three (3) parcels of property, more particularly described below, located at 110 Eastwood Drive, Wallace North Carolina from RA-20 Residential/Agricultural to HB Highway Business; and

WHEREAS, the applicant is seeking to amend the Zoning Map to the correct use of the property;

WHEREAS, the purpose of the **HB - Highway Business Zoning District** is to accommodate a diverse range of retail, service, and office uses that provide goods and services to the residents and businesses in the community at large – e.g., shopping centers, convenience stores, and retail sales establishments;

WHEREAS, pursuant to N.C. General Statutes and Town ordinances, a public hearing, properly noticed, was held on July 14, 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 **Highway Business (HB)**, which is a district designed for high density commercial development, account for the largest percentage of the Town's land area zoned for commercial purposes. Currently, there are approximately 316 acres of land zoned as HB within the Town limits and approximately 369 acres zoned HB outside of the Town limits, for a combined acreage of approximately 685 acres. This represents 19.5% of the total land within the Town, 7.1% of the land in the ETJ and 10% of land within the Town's entire zoning jurisdiction. 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.
- Large areas of HB zoning are found along US 117, on NC 41 at Tin City and at the interchanges of I-40 and NC 41 and NC 11.
- One of the recommendations for this area in the Town's Land Use plan is to encourage the creation of a hub for commercial growth close to the I-40 interchange.
- The proposed zoning map amendment is consistent with the adopted Wallace Land Use Plan 2011 – 2030, because the primary asset in this area is S NC 41 Hwy and the

potential for future commercial growth. Furthermore, part of the property is currently being used for a commercial purpose.

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;

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 tracts from RA-20 Residential/Agricultural to HB Highway Business.

TRACT ONE and TRACT TWO:

Being that 0.73 acre tract and 0.32 acre tract located in the Town of Wallace, North Carolina, and more particularly described as follows:

BEING ALL of Tract G (containing 0.73 acres) and G-1 (containing 0.32 acres), as shown on map entitled “Map of Revision for Eastwood Commons”, prepared by Robert H. Goslee & Associates, PA, Land Surveyors, dated July 18, 2007, and recorded in Map Book 22, Page 153, of the Duplin County Registry, reference to which map is hereby made for a more accurate description of said tract.

Duplin County Parcel ID: 09-E 270 and 09-E271
Duplin County PIN Number: 331600242663 and 331600243534
Duplin County Deed Reference: Deed Book 1673, Page 727
Property Address: 110 Eastwood Drive, Wallace, North Carolina 28466.

TRACT THREE:

Being that 1.07 acres tract located in the Town of Wallace, North Carolina, and more particularly described as follows:

BEING all of Tract H, Containing 1.07 acres more or less, as shown on a map of “A Revision of Maps Recorded in Map Book 21, Page 73 and Map Book 21, Page 372, of the Duplin County Registry”, recorded in Map Book 22, Page 153, of said registry.

Duplin County Parcel ID: 09-E269
Duplin County PIN Number: 331600241759
Duplin County Deed Reference: Deed Book 1674, Page 744

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 14th day of July, 2022.

Adopted this the 14th day of July 2022.

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

Jason Wells, Mayor

Attested to:

Jacqueline Nicholson, Town Clerk

**AN ORDINANCE TO AMEND THE TOWN OF WALLACE, NORTH CAROLINA
OFFICIAL ZONING MAP
Rezoning Case No. RZ-2022-02**

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, Julian and Dayana Gevargis have requested an amendment of the Zoning Ordinance of the Town of Wallace by rezoning a portion of the property located at 5412 S NC 41 HWY, Wallace, North Carolina from RA-20 Residential/Agricultural to HB - Highway Business; and

WHEREAS, the purpose of the **HB - Highway Business Zoning District** is to accommodate a diverse range of retail, service, and office uses that provide goods and services to the residents and businesses in the community at large – e.g., shopping centers, convenience stores, and retail sales establishments;

WHEREAS, the applicant is seeking to develop a portion of the property for a farm to market restaurant;

WHEREAS, pursuant to N.C. General Statutes and Town ordinances, a public hearing, properly noticed, was held on July 14, 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 **Highway Business (HB)**, which is a district designed for high density commercial development, account for the largest percentage of the Town's land area zoned for commercial purposes. Currently, there are approximately 316 acres of land zoned as HB within the Town limits and approximately 369 acres zoned HB outside of the Town limits, for a combined acreage of approximately 685 acres. This represents 19.5% of the total land within the Town, 7.1% of the land in the ETJ and 10% of land within the Town's entire zoning jurisdiction. 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.
- Large areas of HB zoning are found along US 117, on NC 41 at Tin City and at the interchanges of I-40 and NC 41 and NC 11.
- One of the recommendations for this area in the Town's Land Use plan is to encourage the creation of a hub for commercial growth close to the I-40 interchange.

- The proposed zoning map amendment is consistent with the adopted Wallace Land Use Plan 2011 – 2030, because this amendment would potentially help promote commercial development 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;

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 HB Highway Business.

Being that 1.60 acres of the 39.77 acres tract located in the Town of Wallace, Duplin County, North Carolina and located at Duplin County Parcel Number: 09-511 and Duplin County PIN Number: 331600159757. This also being a 1.60 acres portion of the 39.77 acres tract described in Deed Book 1991, Page 877, of the Duplin County Registry.

Property Address: 5412 S NC 41 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 14th day of July, 2022.

Adopted this the 14th day of July 2022.

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

Jason Wells, Mayor

Attested to:

Jacqueline Nicholson, Town Clerk

STATE OF NORTH CAROLINA
TOWN OF WALLACE
CAPITAL PROJECT ORDINANCE

23-02

WHEREAS, the Town of Wallace has been awarded a \$361,880 grant from the North Carolina Department of Natural and Cultural Resources Office acting through the North Carolina State Historic Preservation Office to make repairs the historic Grist Mill at Boney Mill Pond, 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 23-02 is hereby established and adopted:

Section 1: The Project authorized is repairs to the Grist Mill at Boney Mill Pond.

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 | \$ 307,080.00 |
| Engineering | <u>58,400.00</u> |
| Total | \$365,480.00 |

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

| | |
|-----------------------------|-----------------|
| Contributions – NC DNCR | \$ 361,880.00 |
| Contributions – Local Match | <u>3,600.00</u> |
| Total | \$365,480.00 |

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 14th day of July 2022

Jason Wells, Mayor

Attest:

Jackie Nicholson, Town Clerk

{SEAL}

STATE OF NORTH CAROLINA
TOWN OF WALLACE
CAPITAL PROJECT ORDINANCE

23-04

WHEREAS, the Town of Wallace has been awarded a \$1,166,490 Emergency Management Disaster Relief and Mitigation Grant from the North Carolina Department of Public Safety to build an earthen dike around the Town’s Wastewater Treatment Plant, 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 23-04 is hereby established and adopted:

Section 1: The Project authorized is construction of earthen dike at the Town’s WWTP.

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 | \$ 845,900.00 |
| Administration & Other | 68,000.00 |
| Engineering | 50,000.00 |
| Contingencies | <u>202,590.00</u> |
| Total | \$1,166,490.00 |

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

| | |
|-----------------------|-----------------|
| Contributions – NCDPS | \$ 1,166,490.00 |
|-----------------------|-----------------|

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 14th day of July 2022

Jason Wells, Mayor

Attest:

Jackie Nicholson, Town Clerk

{SEAL}

TOWN OF WALLACE
 BUDGET ORDINANCE AMENDMENT
 AIRPORT CAPITAL PROJECT
 BUDGET AMENDMENT 23.06

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the Airport Capital Project Ordinance- AWOS

| Section I: | | Airport Fund | |
|-----------------------|----------------------------|---------------------|-----------------|
| Account Number | Account Description | Increase | Decrease |
| 63-3025-100 | Town of Wallace Match | \$100.00 | \$ - |
| 63-3025-125 | Pender County Match | \$935.00 | \$ - |
| 63-3025-350 | NPE Grant | \$205,785.00 | \$ - |
| 63-7525-106 | Construction | \$207,665.00 | \$ - |
| | Totals | \$414,475.00 | \$ - |

Increase AWOS Capital Project budget for construction grant provided by State. Matching funds provided from Airport Reserve Fund.

Section II: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this July 14, 2022

Attest: _____
 Jackie Nicholson
 Town Clerk

 Jason Wells
 Mayor

TOWN OF WALLACE
 BUDGET ORDINANCE AMENDMENT
 AIRPORT CAPITAL PROJECT
 BUDGET AMENDMENT 23.07

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the Airport Capital Project Ordinance- AWOS

| Section I: | | Airport Fund | |
|-----------------------|----------------------------|---------------------|-----------------|
| Account Number | Account Description | Increase | Decrease |
| 63-3030-325 | STI Grant | \$418,455.00 | \$ - |
| 63-7530-101 | Administration | \$1,500.00 | \$ - |
| 63-7530-102 | Preliminary Expense | \$389,915 | \$ - |
| 63-7530-104 | Engineering | \$27,040.00 | \$ - |
| | Totals | | \$ - |

Increase road relocation budget for additional

Section II: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this July 14, 2022

Attest:

 Jackie Nicholson
 Town Clerk

 Jason Wells
 Mayor