

**TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
December 8, 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 (arrived late)
- 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:

Rob Taylor, Interim Town Manager	Anna H. Herring, Town Attorney (via Zoom)
Jackie Nicholson, Town Clerk	Dale O. Dixon
Rod Fritz, Planning Director	Ken Floyd
Gage King, Airport Manager	Jimmy Johnson
Bobby J. Batts	Darlene Leysath
Wayne Branch, County Commissioner	Joseph Merritt
Marlane Carcopo (via Zoom)	Tony McEwen, Carolinas Director, Flood Coalition
Bill Carone	Keith Spaulding-Robbins, Strongrock
David Carter	Mark Turnbull
Tony Davis, Strongrock	

Mayor Pro-Tem Wannetta Carlton called the regular meeting to order with a quorum of the governing body members present and the invocation was offered by Council Member Jeff Carter.

The Pledge of Allegiance was recited.

Planning Director Rod Fritz introduced new Zoning and Code Enforcement Officer Donnie Stiles.

Presentations

Planning Director Fritz discussed new development, current and new projects, accomplishments and the numerous activities of the Planning Department. He also talked about what's going on with the employees he supervises in Zoning and Code Enforcement, Houskeeping and Buildings and Grounds.

Tony McEwen, Carolinas Director of the American Flood Coalition, made a brief presentation. The Coalition is a 501(c)3 nonpartisan group of political, military, business and local leaders seeking solutions to flooding and sea level rise.

Adoption of the Agenda

Mayor Pro-Tem Carlton called for discussion of the agenda. A Change to the Depot Rental Policy, resolution and budget amendment for the Valley Protein project were added. Council Member Francisco Rivas-Diaz made a motion to adopt the agenda as amended which was seconded by Council Member Carter and approved by unanimous vote.

Public Comment Period

Joseph Merrit commented on the snowflakes not being put up on the power poles, especially downtown. He asked if the poles on Main Street were going to be taken down and replaced stating that it wouldn't be good for the merchants on Main Street to have the streets and sidewalks blocked off during the holiday shopping season. Interim Town Manager Rob Taylor said he would reach out to Duke Energy and see what he could find out.

Consent Agenda

Mayor Pro-Tem Carlton called for discussion of the minutes from the November 10, 2022 meeting. There being no additions or corrections Council Member Frank Brinkley made a motion to approve the minutes as submitted. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

Interim Town Manager Rob Taylor presented the tax report for the period ending 11/30/2022. Outstanding 2021 taxes stand at \$105,565 and the current collection rate is 68.5% which is a 4% increase over last year.

Chamber of Commerce Request: Time Capsule/Depot Rental Change

Chamber of Commerce President Ken Floyd said that a Duplin Roads Founder's Day Celebration is planned for February 28, 2023. The Chamber would like to bury a time capsule at the Depot that day and asked the Council for approval. He also presented a amended Depot Rental Form. The discussion of the Form was deferred to the January meeting.

Council Member Brinkely made a motion to approve the burrying of a time capsule at the Depot which was seconded by Council Member Rivas-Diaz and unanimously approved.

PUBLIC HEARINGS

Annexation Petition AX-2022-03

Council Member Brinkley made a motion to open the public hearing. It was seconded by Council Member Jason Davis and approved by unanimous vote.

Interim Manager Taylor said that at the November 10 meeting a Certificate of Sufficiency for an annexation application was approved. The property to be annexed is contiguous and will be serviced with municipal water and sewer.

Council Member Davis made a motion to close the public hearing that was seconded by Council Member Brinkley and unanimously approved.

Council Member Davis made a motion to adopt Ordinance AX-2022-03 To Extend The Corporate Limits Of The Town Of Wallace, North Carolina. The motion was seconded by Council Member Brinkley and approved unanimously.

Rezoning Request (RZ#2022-04)

Council Member Brinkley made a motion to open the public hearing that was seconded by Council Member Davis and unanimously approved.

Interim Manger Taylor stated that the request is to rezone the property from R-20MH (residential, minimum lot size 20,000 sq.ft.) to RA-20-C (residential/agricultural, minimum lot size 20,000 sq.ft., conditional) to develop a residential community that will be organized as a HOA run community. Comments were made by Bobby J. Batts who said he lives near this property and is not in-town and was wondering if his taxes would increase as a result. He was reassured that his taxes would not be affected. Mark Turnbull asked if there were stop lights planned for the area as the development would impact the amount of traffic. Mr. Robbins and Mr. Davis both indicated they were working with NCDOT to determine the need and location of any traffic lights.

(Mayor Jason Wells Arrived)

Council Member Brinkley made a motion to close the public hearing which was seconded by Council Member Carter and approved by unanimous vote.

Council Member Brinkley made a motion to adopt An Ordinance To Amend The Town Of Wallace, North Carolina Official Zoning Map (RZ-2022-04) and Reasonableness Statement. The motion was seconded by Council Member Carter and approved unanimously.

Administration of Oath of Office

Mayor Wells administered the Oath of Office to Interim Town Manger Robert C. Taylor, Jr..

Discussion of Street Survey

Interim Manager Taylor said this has been worked on for a few months with utilizing CityROVER software and personal observations by staff. Mr. Taylor added that utility maintenance would be another factor in determining what streets to pave. At this point the report is mainly informational.

New Business

Update Town Signators

Interim Manager Taylor asked the Council who they would like to have as an additional signer on Town accounts?

Council Member Davis made a motion to approve Council Member Frank Brinkley as a signator on Town accounts. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Appointments to Boards and Commissions

Council Member Davis made a motion to appoint Mills Bryant to the ABC Board for a three (3) year term to expire in 2025, seconded by Council Member Brinkley and unanimously approved.

Council Member Carlton made a motion to reappoint Cameron Lee, Bill Schuyler and Marian Kelly to the Planning Board for three (3) year terms to expire in 2025, seconded by Council Member Brinkley and unanimously approved.

Council Member Brinkley made a motion to reappoint Franciso Rivas-Diaz and Fred McCoy to the Airport Commission for a three (3) year term to expire in 2025, seconded by Council Member Carlton and unanimously approved.

Council Member Carlton made a motion to reappoint Gary Weaver, Dean Butts, Belind Coates and Carey Boney to the Historic District Commission for four year term to expire in 2026 that was seconded by Council Member Davis and approved unanimously.

Council Member Davis made a motion to reappoint Frank Della Rosa to the Depot Commission for a three (3) year term to expire in 2025. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Council Member Davis made a motion to reappoint Jason Wells, Curt Simpson and Joseph Merritt to the Historic District Protection Committee which was seconded by Council Member Carlton and unanimously approved.

Adoption of 2023 Meeting Schedule

Interim Manager Taylor asked the Council to approve the 2023 Regular Meeting Schedule.

Council Member Carter made a motion to adopt the 2023 Regular Meeting Schedule that was seconded by Council Member Carlton and approved unanimously.

Capital Project Ordinance Approval – Golden Leaf Stormwater System Mapping

Interim Manager Taylor stated that the Town has been awarded a \$175,000 grant from the Golden Leaf Foundation to provide funds to map the Town's stormwater system. This is a 100% grant with no match requirement and asked the Council to approve a Capital Project Ordinance to track the funds and expenditures.

Council Member Davis made a motion to approve CPO 23.09 that was seconded by Council Member Carlton and approved by unanimous vote.

Resolution Accepting ARP Grant and CPO Budget Amendment

Interim Manager Taylor said that the Town was granted \$6,000,000 from the State ARP allocation to construct a sewer line from Valley Proteins/Rose Hill to the Town's WWTP and officially accept the funds with the adoption of a resolution and a budget amendment.

Council Member Davis made a motion to adopt Resolution 22-23-06 Acceptance of American Rescue Plan Grant. The motion was seconded by Council Member Carlton and unanimously approved.

Council Member Davis made a motion that was seconded by Council Member Carlton to adopt Budget Amendment 19.07 to amend CPO 19.07 to account for new source of funds - \$6 million ARP grant and remove unrealized grant from EDPNC of \$4,383,947. It was approved unanimously.

Update from Police Chief

Police Chief Jimmy Crayton brought the Council up to date on a few things. He said that Steven Ellis pled guilty and is making restitution. Johnson Carr (Camino Real stabbing) was sentenced to probation and a financial settlement. The department is investigating a drive by shooting on Powell St. and an incident that occurred on Monday night.

Finance Reports

Finance Director Taylor commented on the financial reports that it is still early in the year.

Council Reports

Council Member Rivas-Diaz thanked Chief Crayton for the update.

Council Member Brinkley mentioned the paving that needs to be done on Harrell Street and said there is also a junk car on the corner of E. Murray St. and Harrell St.

Council Member Carter asked how the fund raising was going for the new park, what was going on with the Powell House and was the alley at the old Jim Russ building going to be closed? Interim Manager Taylor did not speak to the funding raising but said he was working with the Town Attorney on the Powell house and that the potential business owner interested in the Jim Russ property had run into some issues and the project was on hold. Mr. Taylor stated that the Town Attorney had recommended the property owner have a title search done to determine whether the alley was public or private.

Mayor's Report

Mayor Wells said he appreciated the update from the Chief. He indicated he has gotten some complaints about the "petting zoo" at the old VFW on Hwy 117 N. (Zoning & Code Enforcement will look into it.)

Town Manager's Report

Interim Manager Taylor said that his report included the status of numerous projects and a few other items for the Council's information.

Closed Session

Council Member Davis made a motion to go into closed session to discuss acquisition of real property that was seconded, seconded by Council Member Brinkley and approved unanimously (G.S.143-318.11(a)(5))

The four (4) properties discussed have been appraised and had a review appraisal. Both have been reviewed and approved by NCDOT (North Carolina Department of Transportation) and an amount for just compensation has been determined. The Council approved offering the property owners the recommended just compensation amounts.

Council Member Davis made a motion to end the closed session with a second by Council Member Brinkley and approved by a unanimous vote.

Council Member Brinkley made a motion to offer just compensation as discussed in closed session to the the property owners. The motion was seconded by Council Member Carlton and unanimously approved.

With there being no other business to discuss at this time, Council Member Brinkley made a motion to adjourn. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

Respectfully submitted,

Jason Wells, Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk

**STATE OF NORTH CAROLINA
TOWN OF WALLACE**

CAPITAL PROJECT ORDINANCE

23-09

WHEREAS, the Town of Wallace has been awarded a grant from the Golden Leaf Foundation in the amount of \$175,000 to fund the mapping of the Town’s stormwater system, 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 23-09 is hereby established and adopted:

Section 1: The Project authorized is for the mapping of the Town of Wallace’s stormwater system.

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:

39-2309-080 Professional Services	\$ 175,000.00
Total	<u>\$ 175,000.00</u>

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

39-2309-001 Grant Award – Golden Leaf Foundation	\$ 175,000.00
Total	\$ 175,000.00

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 8th day of December 2022.

Jason Wells, Mayor

Attest:

Jackie Nicholson, Town Clerk

{SEAL}

**STATE OF NORTH CAROLINA
TOWN OF WALLACE**

**RESOLUTION 22-23-06
ACCEPTANCE OF AMERICAN RESCUE PLAN GRANT**

WHEREAS, the Town of Wallace has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of Six Million Dollars (\$6,000,000) to perform work detailed in the submitted application, and

WHEREAS, the Town of Wallace intends to perform said project in accordance with the agreed scope of work.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLACE:

That Town of Wallace does hereby accept the American Rescue Plan Grant offer of \$6,000,000.

That the Town of Wallace does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Robert C. Taylor, Jr Interim Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 8th day of December 2022

Jason Wells, Mayor

Jacqueline Nicholson, Town Clerk

{seal}

TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT
FOR CPO 19.07

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the budget for Capital Project Ordinance 19.07			
Section I:	WATER AND SEWER CAPITAL PROJECT FUND		
Expenditures			
Account Number	Account Description	Debit	Credit
36-3000-000	Grant Funds- ARP Funds		\$6,000,000.00
36-8300-800	Construction	\$1,616,053.00	
36-3000-000	Grant Funds- EDPNC	\$4,383,947.00	
	General Fund Totals	\$6,000,000.00	\$6,000,000.00

To amend capital project ordinance 19.07 to account for new source of funds - \$6 million ARP grant and remove unrealized grant from EDPNC of \$4,383,947

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 December 8, 2022

Attest:

Jackie Nicholson
Town Clerk

Jason Wells
Mayor