

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
August 12, 2021
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:

Charles C. Fariior, Jr., Mayor
Council Member/Mayor Pro-Tem Wannetta Carlton
Council Member Jeff Carter
Council Member Frank Brinkley (arrived late)
Council Member Francisco Rivas-Diaz
Council Member Jason Wells

The following member of the Governing Body was absent:

None

Also Present were:

Larry Bergman, Town Manager	Anna H. Herring, Town Attorney
Jackie Nicholson, Town Clerk	Twig Rollins, Zoning & Code Enforcement
David Bizzell, Parks & Recreation Director	Rob Taylor, Finance Director
Jimmy Crayton, Police Chief	Jason Davis
Brent Dean, Public Services Director	Helen Satchell
Rod Fritz, Planning Director	Joseph Merritt
Gage King, Airport Manager	Kathy Wallace
Sharon Robison, Library Director	Curt Simpson, <i>Duplin Times</i>

Mayor Charley Fariior called the regular meeting to order with a quorum of the governing body members present and Council Member Jason Wells gave the invocation.

The Pledge of Allegiance was recited.

Adoption of the Agenda

Mayor Fariior called for discussion of the agenda and said it had been brought to his attention that item #6 is a Capital Project Ordinance for runway rehabilitation not AWOS. Mayor Fariior added that the ordinance and supporting material is correct. There being no other changes or additions. Council Member Wells made a motion to adopt the agenda as corrected. The motion was seconded by Council Member Jeff Carter and approved by unanimous vote.

Public Comment Period

Kathy Wallace had some questions about the paving on Satchell Street. Manager Bergman responded that the edges would be paved as the sod didn't work.

Evelyn Davis wanted to know if somebody was going to come and take care of the loose dogs on Dafford Heights. Animal Control will see what they can do.

(Council Member Frank Brinkley arrived)

Consent agenda

Mayor Fariior called for discussion of the minutes. There being no corrections or additions Council Member Wannetta Carlton made a motion to approve the minutes as submitted. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Finance Director Rob Taylor said that Duplin County has billed taxes for this year. Mr. Taylor stated that \$244,156.42 in past due property tax is outstanding, bank accounts were garnished in the amount of \$28,117.98 and \$20,916.33 was collected as of August 6. He spoke briefly on foreclosures and the Council asked for someone to Zaccheus to come to the next meeting to answer some questions.

Council Member Carter made a motion to approve the following tax releases:

Account #	Name	Reason	Amount
1362	Moises Rapalo & wife	Incorrect value (partially out-of-town)	\$4,632.31

The motion was seconded by Council Member Brinkley and approved unanimously.

Council Member Wells made a motion to approve Budget Amendment FY22-1 for use of ABC Funds collected in FY 2021 for educational expenditures. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Old Business

Creation of and Appointments to Women's Club Advisory Committee

Town Manager Larry Bergman said that the Council had agreed to create an advisory committee to guide the use and preservation of the Women's Club building and Wanoca Theater as it becomes an community event center. He presented a resolution to establish a Commission consisting of 11 members serving three (3) year terms without compensation. The Mayor and Council discussed individuals to appoint and agreed upon the following people: Susan Carter, Emily Lee, Candace Knowles, Marney Crayton, Meredith Perritt, Tasha Redd, Jackie Nicholson, Darlene Leysath, Tabitha Wells. All appointment will be made, with terms, when all places are filled.

Council Member Wells made a motion to adopt a Resolution Establishing a Wallace Community Center and Historic Woman's Club Commission which was seconded by Council Member Brinkley and approved by unanimous vote.

Budget Amendment for Capital Project Ordinance 21-06 Fire Truck Change Order

Finance Director Rob Taylor said a Capital Project Ordinance was approved for purchasing these apparatus in FY 2021 but with delivery being delayed and the change order the budget amendment for the Capital Project Ordinance became necessary.

Council Member Wells made a motion to approve Budget Amendment/Capital Project Ordinance 21-06. The motion was seconded by Council Member Carter and approved unanimously.

Capital Project Ordinance for Airport Runway Rehabilitation Design

Airport Manager Gage King said that a 91/10 matching grant for runway rehabilitation design from NCDOT in the amount of \$136,396 requires a local match of \$18,810 which will be split between the Town and Pender County. The Town has funds in its airport capital reserve fund. The Capital Project Ordinance will track revenues and expenditures for the project.

Council Member Wells made a motion to approve Capital Project Ordinance 22-03 which was seconded by Council Member Carlton and approved by unanimous vote.

Capital Project Ordinance for Public Safety Building

Finance Director Taylor stated that the Town has entered into a contract with Stewart Cooper and Newell to evaluate the needs and design a new Public Safety Building. The Capital Project Ordinance to track project costs for the initial evaluation and preliminary design work.

Council Member Wells made a motion to approve Capital Project Ordinance 22-02. The motion was seconded by Council Member Brinkley and approved unanimously.

New Business

Establish Public Hearing for Updating Chapter 4 of the Unified Development Ordinance, Flood Damage Prevention Section 4.9 A 1. Statutory Authorization and 4.9 C 2. General Provisions

Manager Bergman asked the Council to establish a public hearing at the next regular meeting to revise the Unified Development Ordinance (UDO) as required by the North Carolina Environmental Management Risk Section Planner to comply with the recent 160-D updates.

Council Member Carter made a motion to establish such a public hearing after 6:00 pm on Thursday, September 9, 2021 which was seconded by Council Member Brinkley and approved unanimously.

Establish Public Hearing for Rezoning of Public Services Property

Manager Bergman asked the Council to establish a public hearing at the next regular meeting for a rezoning request for the Public Services property at 311 East Murphy Street from R-10 (residential, minimum lot size 10,000 sq. ft.) to HB (highway business) as no residential use is permitted on the property.

Council Member Francisco Rivas-Diaz made a motion to establish a public hearing on this matter after 6:00 pm on Thursday, September 9, 2021. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Establish Public Hearing for Rezoning Property off Old Wilmington Road Located in the Town's Extra Territorial Jurisdiction (ETJ)

Manager Bergman asked the Council to establish a public hearing at the next regular meeting for a rezoning request for property in the Town's ETJ off Old Wilmington Road directly behind and adjacent to 938 Old Wilmington Road from R-6 (residential, minimum lot size 6,000 sq. ft.) to R6-MH (residential, minimum lot size 6,000 sq. ft. mobile homes allowed)

Council Member Carlton made a motion to establish this public hearing after 6:00 pm on Thursday, September 9, 2021. The motion was seconded by Council Member Wels and approved by unanimous vote.

Consideration of a FEMA (Federal Emergency Management Agency) Debris Management Plan

Manager Bergman said the Debris Management plan is an administrative tool to better prepare the Town for dealing with disaster related debris clean up, speed up reimbursements and potentially increase the percentage of reimbursements. He asked the Council to approve a resolution to adopt the proposed plan.

Council Member Wells made a motion to approve A Resolution Of The Town Council Of The Town Of Wallace, North Carolina Adopting A Debris Management Plan For The Town Of Wallace that was seconded by Council Member Brinkley and approved unanimously.

Approve Work Order No. 21-01 Design & Bidding for Runway Pavement Rehabilitation

Airport Manager Gage King said the Town was awarded a grant in May 2021 to design a runway rehabilitation and overlay. This work order is for Runway Pavement Rehabilitation Design and Bidding in the amount of \$185,282.00.

Council Member Wells made a motion to approve Work Order No. 21-01. The motion was seconded by Council Member Brinkley. The motion was seconded by Council Member and approved by unanimous vote.

Discussion and Adoption of Special Events Ordinance

Manager Bergman stated that Council had reviewed a previous version of this ordinance and was in favor of adopting such an ordinance in order to manage staff time and other Town resources for certain special events to help them be more successful and safe.

Council Member Wells made a motion to adopt Town of Wallace Code of Ordinances, Chapter 99: Special Events that was seconded by Council Member Brinkley and approved unanimously.

Discussion and Adoption of Nuisance Vehicle Ordinance

Manager Bergman said that Chapter 96: Nuisances, Abandoned, Junked, and Health or Safety Hazard Vehicles was re-written to strengthen measures of enforcement. He added that if the Council would like more time to review it that it could wait to a second meeting this month and asked that questions be directed to Anna, Rod, Twig or himself. Town Attorney Anna Heath said the Council could establish a public hearing prior to adopting this ordinance but one is not required.

Financial Reports

Finance Director Rob Taylor presented the financial reports through the end of the fiscal year. Mr. Taylor said that Duplin County should be sending a check every thirty (30) days for Town taxes collected.

Council Reports

Council Member Carlton thanked Town Manager Bergman and Public Services Director Brent Dean for helping with the vaccination clinic at Adoram Baptist Church.

Council Member Wells said he thought there should be some specific information on the Town's website about projects at the Airport.

Council Member Carter asked where we stood with Dr. Robinson. Mayor Fariior responded that Dr. Robinson will choose an engineer to do a one-time evaluation of his property related to drainage and the Town will pay for it.

Mayor's Report

Mayor Fariior informed the Council that a foreclosure occurred near property that is part of the 830 project but will not affect it.

The Council agreed to continue the meeting on August 26, 2021 at 6 pm.

Department Head Reports

Jason Wells reported that Pumper Tanker 9 is now in-service. The department has been busy answering calls and providing mutual aid.

Rod Fritz, Planning Director, reported the Cape Fear Council of Governments (CFCOG) had been contacted about updating the Town's Land Use Plan, he had solicited bids for cleaning up the yard on Duplin/Cavanaugh Street that burned last year and for carpet cleaning of the Town Hall. Mr. Fritz said the Duplin/Cavanaugh yard is scheduled to be cleaned up on August 16 and Town Hall carpets cleaned August 27.

Gage King, Airport Manager, said three (3) appraisals are complete and two (2) more are due. At the meeting next month a closed session to discuss just compensation will be needed. He reported that NCDOT (North Carolina Department of Transportation) will be funding the AWOS (Automated Weather Observing System) and anticipates installation by year end.

Jimmy Crayton , Police Chief, reported the a Police Department Risk Assessment is going to be done by NCLM (North Carolina League of Municipalities). Chief Crayton said they would look at everything including policies and procedures.

David Bizzell, Parks & Recreation Director, talked about Special Needs Basketball which is scheduled for every Saturday in August. He said last Saturday there were about 20 participants and he is expecting more next time.

Sharon Robison, Library Director, expressed her thanks to Tom Spencer for pressure washing the Library. He is now painting the trim and will install a new back door. Ms. Robison talked about Library hours and said upon request staff will accommodate individuals outside of public access hours.

Brent Dean, Public Services Director stated that the gate is being installed at the WWTP and talked about the possibility of losing the inmate labor again. He water meters are requiring a lot of re-reads by hand. Mr. Dean added that Well 14 is down and it may have to be closed.

Jackie Nicholson, Town Clerk said she has been busy with a lot of Human Resources matters and she is trying to prepare ahead for the Worker's Comp Audit.

Rob Taylor, Finance Director, reported that Renee Walker started last month and he is working on Audit items.

Town Manager's Report

Manager Bergman reported that ARP (American Rescue Plan) funds were received \$615,564.12 which is more than expected. Mr. Bergman said some of these funds could be used for Armory Renovations to the extent that they relate to the water system. State ARP money is bolstering existing grants and creating new ones. Instead of leasing something for office space for Public

Services, the office will be in the Rose house, temporarily. Mr. Bergman added that based on estimates the Armory renovations will not have to be formally bid.

With there being no other business to discuss at this time, Council Member Wells made a motion to continue the meeting on Thursday, August 26, 2021 at 6:00 pm in the Council Chambers. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Respectfully submitted,

Charles C. Farior, Jr., Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT #1
FOR BUDGET 2021-2022**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the budget for the fiscal year ending June 30, 2022:

Section I:	General Fund		
Account Number	Account Description	Increase	Decrease
10-5100-550	ABC Education Expenses	\$13,000.00	
10-2990-050	Fund Balance Restricted -Police ABC Education		\$13,000.00
	Grand Total	\$13,000.00	\$13,000.00

Use of ABC Funds Collected in FY 20-21 for Education Expenses.

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 the 12th day of August, 2021

Attest: _____

Jacqueline Nicholson, Town Clerk

Charles C. Farrior, Jr., Mayor

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT
CAPITAL PROJECT ORDINANCE 21-06**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the capital project fund:

Section I:	General Fund		
Account Number	Account Description	Increase	Decrease
15-2106-740	Capital Outlay – Fire Trucks	\$21,586.00	
15-2106-003	Transfers In – Local Funds		\$21,586.00
	Grand Total	\$21,586.00	\$21,586.00

Increase to cover change orders to fire trucks and transfer from general fund to cover.

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 the 12th day of August, 2021

Attest: _____
Jacqueline Nicholson, Town Clerk

Charles C. Farrior, Jr., Mayor

**CAPITAL PROJECT ORDINANCE
22-03**

WHEREAS, the Town of Wallace has been granted a 90/10 grant from the North Carolina Department of Transportation, Division of Aviation for the design and engineering worked required for the rehabilitation of the Town’s airport runway; and

WHEREAS, the Town has available funds in its airport capital reserve fund to meet the matching requirement; 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 22-08 is hereby established and adopted:

Section 1: The Project authorized is the design of the rehabilitation of airport runway.

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:

Administration	\$ 1,500.00
Preliminary Expenses	\$ 49,027.00
Professional Services – Engineering	<u>\$136,580.00</u>
Total	\$187,107.00

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

Local Match - Wallace – Airport Capital Reserve Fund	\$ 9,335.50
Local Match - Pender – Airport Capital Reserve Fund	\$ 9,335.50
Grant – NCDOT DOA	<u>\$168,396.00</u>
Total	\$187,107.00

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 12th day of August 2021

Charley Farrior, Mayor

Attest:

Jackie Nicholson, Town Clerk

CAPITAL PROJECT ORDINANCE

22-02

WHEREAS, the Town of Wallace desires to build a new public safety building to house its police and fire departments; and

WHEREAS, the Town has entered into a contract with the architect firm of Stewart, Newell and Cooper to assist in evaluating the Town’s needs as well as designing the facility;

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 22-08 is hereby established and adopted:

Section 1: The Project authorized is the evaluation, design and construction of a new public safety building.

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:

Professional Services \$ 70,000.00

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

Transfers from General Fund \$ 70,000.00

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 12th day of August 2021

Charley Farris, Mayor

Attest:

Jackie Nicholson, Town Clerk

TOWN OF WALLACE CODE OF ORDINANCES, CHAPTER 99: SPECIAL EVENTS

THAT WHEREAS, the Town of Wallace has enacted a set of ordinances in order to promote the health, safety, and welfare of the citizens within the Town's incorporated and extraterritorial jurisdiction areas; and

WHEREAS, pursuant to N.C.G.S. § 160A-174, the Town may by ordinance define, prohibit, regulate, or abate acts or omissions or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town, and may define and abate nuisances;

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 wishes to adopt a new ordinance for special events, entitled the ***Town of Wallace Code of Ordinances, Chapter 99: Special Events.***

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

1. The ***Town of Wallace Code of Ordinances, Chapter 99: Special Events*** is hereby adopted and adds the following language as set forth in the attached document labeled "Exhibit A."
2. **Repeal of Conflict Ordinances** - All parts of the Town of Wallace Code of Ordinances conflicting or inconsistent with the provisions of this ordinance Amendment are hereby repealed.
3. **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 12th day of August, 2021.

Adopted this the 12th day of August, 2021.

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

Charles C. Farris, Jr., Mayor

Attested to:

Jacqueline Nicholson, Town Clerk