

**TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
MAY 11, 2023
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 Francisco Rivas-Diaz
Council Member Jason Davis
Council Member Frank Brinkley
Council Member Jeff Carter
Council Member Tasha Herring-Redd

The following members of the Governing Body were absent:
none

Also Present were:

Rob Taylor, Town Manager	Anna H. Herring, Town Attorney (via Zoom)
Jackie Nicholson, Town Clerk	Joseph Trollinger, Finance Director
Jimmy Crayton, Police Chief (via Zoom)	Lisa Cottle, ORC WWTP
Rod Fritz, Planning Director	Joseph Merritt
Taylor Johnson, Director of Fire Operations	

Mayor Jason Wells called the regular meeting to order with a quorum of the governing body members present and Council Member Tasha Herring-Redd gave the invocation.

The Pledge of Allegiance was recited.

Presentations

Mayor Jason Wells administered the Oath of Office to Joseph Trollinger, Finance Director.

Mayor Wells read a Tourette Syndrome Awareness Day Proclamation.

Town Manager Rob Taylor provided some highlights from the FY 2023-2024 Budget. He discussed the department requests, needs and limitations. He proposed few rate increases and no increase to the property tax. The grant funds for code enforcement run out at the end of September and the tax revaluation was not done again this year which made the General Fund very tight. Manager Taylor said that an audit of Stormwater created an additional \$40,000 and investment earnings provided another \$184,000. The Water/Sewer Fund has been steady. He also talked about Capital Projects and debt service.

Adoption of the Agenda

Mayor Wells called for discussion of the Agenda. Town Manger Rob Taylor said that a closed session to consult with the Town Attorney needed to be added. Council Member Frank Brinkley made a motion to adopt the agenda as amended which was seconded by Council Member Jeff Carter and approved by unanimous.

Public Comment Period

none.

Consent Agenda

Mayor Wells called for discussion of the minutes from the April 13, 2023 meeting. There being no additions or corrections Council Member Herring-Redd made a motion to approve the minutes as submitted. The motion was seconded by Council Member Francisco Rivas-Diaz and unanimously approved.

Manager Taylor presented the tax report for the period ending 03/31/2023 with the collection rate at 95.3% compared to last year at 94.66%.

Old Business

Resolution 22.23.15 to Increase Amount of State Revolving Loan for Water Wells

Manager Taylor reminded the Council that bids for the well came in significantly over budget creating an additional loan increase of \$1,214,962. With 1.11% interest the payment will increase about \$70,000 per year. The LGC (Local Government Commission) requires a resolution by the Council.

Council Member Francisco Rivas-Diaz made a motion to adopt a Resolution Accepting State Revolving Loan 22.23-15 that was seconded by Council Member Carter and approved by unanimous vote.

Budget Amendment 23.5 to Increase Expenditures for ABC (Alcoholic Beverage Control) Education

Manager Taylor asked the Council to approve this budget amendment. ABC revenues exceed the budgeted amount of \$13,000 with year to date distribution at \$26,000. The additional funds will pay for a generator and striping on the new trailer.

Council Member Jason Davis made a motion to approve a Budget Amendment 23.5. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

Update Sewer Surcharges

Manager Taylor stated published sewer surcharges were incorrect. A Surcharge Analysis Report was done and new rates will be in the FY 23/24 Budget and reviewed every other year

Council Member Rivas-Diaz made a motion to approve the new rates. The motion was seconded by Council Member Carter and unanimously approved.

Establish Public Hearing for FY 2023-2024 Budget

Manager Taylor asked the Council to establish a public hearing at the next meeting to receive comments regarding the FY 2023-24 Budget.

Council Member Frank Brinkley made a motion to establish a public hearing on June 8, 2023 after 6:00 pm to receive comments on the FY 2023-24 Budget that was seconded by Council Member Herring-Redd and approved by unanimous vote.

Adopt Resolution to Close Street

Town Clerk Jackie Nicholson said that the Council held a public hearing on this matter in August 2022 but the Resolution was never adopted. The property has sold and map recorded.

Council Member Davis made a motion to adopt a Resolution Ordering The Closing Of Approximately 235 Feet Of An Unopened/Unnamed Street Located South Of West Cliff Street and Parallel to South Orange Street with the addition of a map reference. The motion was seconded by Council Member Brinkley and unanimously approved.

New Business

Appoint Deputy Tax Collector and Administer the Oath of Office

Manager Taylor asked the Council to appoint Finance Director Trollinger as the Deputy Tax Collector.

Council Member Davis made a motion to appoint Joseph Trollinger Deputy Tax Collector which was seconded by Council Member Rivas-Diaz and approved unanimously.

Mayor Wells administered the Oath of Office.

Update Town Signators

Manager Taylor stated that with the hiring and appointment of Mr. Trollinger as Finance Director he be added as an official signator. He recommended that Council Member Brinkley be removed and replaced with Trollinger.

Council Member Brinkley made a motion to remove himself as a signator and add Finance Director Trollinger. The motion was seconded by Council Member Davis and approved by unanimous vote.

Resolution of Intent to Close Unnamed/Unopened Public Right-Of-Way and Establish a Public Hearing

Planning Director Rod Fritz asked the Council to adopt a Resolution of Intent to Close a Public Right-Of-Way with a date change to July 13, 2023 for the public hearing. Mr. Fritz said the request is being made as a condition of an offer to purchase.

Council Member Carter made a motion to adopt a Resolution of Intent that was seconded by Council Member Rivas-Diaz and unanimously approved.

Financial Reports

Manager Taylor said that there were no Financial Reports prepared.

Council Reports

Council Members Herring-Redd, Davis, Carter and Rivas-Diaz all commented on the success of the Carolina Strawberry Festival.

Council Member Carter asked that the speed trailer be set up on Main Street.

Council Member Brinkley said that there was some graffiti on the bridge by Boney Mill and that Harrell Street is still a mess and he also commented on the messy house across the street.

Mayor's Report

Mayor Wells also commented on the Strawberry Festival and said the large number of sponsors really made a difference.

Town Manager's Report

Manager Taylor said it was a great Festival. He mentioned that there were volunteers from all Town departments helping out and he reported on the ongoing projects.

Closed session

Council Member Herring-Redd made a motion to go into closed session (G.S.143-318.11(a)(3)) to consult with the Town Attorney that was seconded by Council Member Rivas-Diaz and unanimously approved.

The Manager, Town Council and Attorney discussed the draft of a settlement agreement. Part of the agreement includes conditions for advertising and/or creating a mural on one side of the building. The Council agreed to offer the proposed amount and conditions.

Council Member Brinkley made a motion to end the closed session. The motion was seconded by Council Member Carter and approved by unanimous vote.

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

Respectfully submitted,

Jason Wells, Mayor

Jacqueline Nicholson, MMC, NCCMC
Town Clerk

STATE OF NORTH CAROLINA
TOWN OF WALLACE

RESOLUTION ACCEPTING STATE REVOLVING LOAN

Resolution 22-23-15

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the costs of construction of wastewater treatment works, wastewater collection systems and water supply systems, water conservation projects; and

WHEREAS, the North Carolina Department of Environmental and Natural Resources had originally offered a State Revolving Loan in the amount of \$966,000 for the construction of two water wells to the Town; and

WHEREAS, project bids came in \$1,214,962 over estimates; and t

WHEAREAS, the North Carolina Department of Environmental and Natural Resources has agreed to increase the original loan offer by the amount of the increased costs of construction; and

WHEREAS, the Town of Wallace intends to construct said project in accordance with the approved plans and specifications,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Wallace North Carolina,

That the Town does hereby accepts the State Revolving Loan increased offer of \$1,214,962, for a total loan amount of \$2,180,962.

That the Town does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the Funding Offer, Section II – Assurances will be adhered to.

That the Town Manager and successors is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

This resolution is effective upon its adoption this 11th day of May 2023

Jason Wells, Mayor

Attest:

Jackie Nicholson, Town Clerk

{SEAL}

Date _____

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT #5
GENERAL FUND
Fiscal Year 22-23**

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, 2023

Section I:	General Fund		
Account Number	Account Description	Increase	Decrease
10-5100-550	ABC Education Expense	\$3,000.00	
10-2470-030	ABC Revenues - Education		\$3,000.00
	TOTALS	\$3,000.00	\$3,000.00

Increase expenditure line related to ABC education and offset with additional revenues received for same purpose. Increase to cover additional costs upfitting Police Trailer used for educational purposes.

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 May 11, 2023

Attest:

Jackie Nicholson
Town Clerk

Jason Wells
Mayor

Street Closing Order

Resolution Ordering the Closing of Approximately 235 Feet of An Unopened/Unnamed Street Located South of West Cliff Street and Parallel to South Orange Street

Whereas, on the 9th day of June 2022 the Town Council, Wallace, NC directed the Town Clerk to publish the Resolution of Intent of the Town Council to close a 235 feet portion of an unopened/unnamed Street located south of West Cliff St. and parallel to South Orange St. in the *Duplin Times* once a week for consecutive weeks, such resolution advising the public that a meeting would be conducted on August 11, 2022 after 6:00 pm in the Council Chambers at the Town Hall; and

Whereas, the Town Council, Wallace, NC on the 9th day of June 2022 directed the Town Planner to notify all person owning property abutting that portion of the unopened/unnamed Street south of W. Cliff St. and parallel to S. Orange St. by registered mail, enclosing such notification a copy of the Resolution of Intent; and

Whereas, the Town Planner sent a letter to each of the abutting property owners advising them of the day, time and place of the meeting, enclosing a copy of the Resolution of Intent and advising abutting property owners that the question as to the closing of that portion of the unopened/unnamed Street south of W. Cliff St. and parallel to W. Cliff St. would be acted upon, said letters having been sent by registered or certified mail; and

Whereas, adequate notices were posted on the applicable street as required by G.S. 160A-299; and

Whereas, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on August 11, 2022; and

Whereas, it now appears to the satisfaction of the Town Council, Wallace, NC that the closing of said street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street will as a result of the closing be thereby deprived of a reasonable means of ingress or egress to their property;

Now, Therefore Be It Resolved That:

(1) The 235 portion of an unopened/unnamed Street located South of West Cliff Street and Parallel to South Orange Street within the boundaries of adjacent property and does not cut off access to any other property, is hereby ordered closed, and all right, title and interest that may be vested in the public to said area for street purposes is hereby released and quitclaimed to the abutting property owners in accordance with the provisions of G.S. 160A-299.

(2) The Mayor and Town Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all right, title and interest in those persons owning lots or parcels of land adjacent to the street, such title, for the width of the abutting land owned by them, to

extend to the centerline of the herein closed street (with provision for reservation of easements to the Town of Wallace for utility purposes in accordance with the provisions of G.S. 160A-299).

(3) The Town Clerk is hereby ordered and directed to file in the Office of the Register of Deeds of Duplin County a certified copy of this resolution and order.

Upon motion duly made by Council Member Davis and duly seconded by Council Member Rivas-Diaz the above resolution was duly adopted by the Town Council, Wallace, NC at a meeting held on the 11th day of May 2023 in the Council Chambers at the Wallace Town Hall.

Jason Wells, Mayor

Jacqueline Nicholson, MMC, Town Clerk

NORTH CAROLINA
DUPLIN COUNTY

I hereby certify that the foregoing is a true and accurate copy of a resolution duly adopted by the Town Council of the Town of Wallace, North Carolina, at a meeting held May 11, 2023 at the Town Hall in the Town of Wallace.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official corporate seal of said Town to be affixed, this the ____ day of _____, 2023.

Jacqueline Nicholson, MMC, Town Clerk

NORTH CAROLINA
DUPLIN COUNTY

I _____, a Notary Public, do hereby certify that Jacqueline Nicholson, Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and seal this ____ day of _____, 2023.

Notary Public

My Commission expires: _____

Resolution of Intent

A RESOLUTION DECLARING THE INTENTION OF THE TOWN COUNCIL OF THE TOWN OF WALLACE TO CONSIDER THE CLOSING OF AN UNOPENED/UNAMED PUBLIC RIGHT-OF-WAY ADJACENT TO 106 EAST BONEY SREET AND A PORTION OF SE RAIROAD STREET

WHEREAS, G.S. 160A-299 authorized the Wallace Town Council to close streets and public alleys; and

WHEREAS, the Wallace Town Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of the unopeded/unnamed public right-of-way adjacent to 106 East Boney Street and a portion of SE Railroad Street and between the Harold Wells properties.

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

1. A meeting will be held after 6 pm on Thursday July 13, 2023 in the Council Chambers at the Town Hall, 316 E. Murray St., Wallace, NC 28466 to consider a resolution closing the public right-of-way.
2. The Town Clerk is hereby directed to publish the Resolution of Intent once a week for four consecutive weeks in the *Duplin Times*.
3. The Planning Director is hereby directed to transmit by registered or certified mail to each property owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
4. The Planning Director is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Upon motion duly made by Council Member Carter and duly seconded by Council Member Rivas-Diaz, the above resolution was duly adopted by the Wallace Town Council at the meeting held May 11, 2023, in the Town Hall.

Upon call for a vote the following Council Members voted in the affirmative:

Council Members Brinkley, Carter, Davis, Herring-Redd, Rivas-Diaz and the following Council Members voted in the negative: none.

This the 11th day of May, 2023.

Mayor, Jason Wells

Attest:

Jacqueline Nicholson, Town Clerk