

MINUTES FOR BOARD OF ALDERMEN MEETING

January 13th, 2015

6:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderwoman Duff, Alderman Huggins, Alderwoman Morrow, and Alderman Withers.

The following staff members were present: Jim Palenick, Interim Town Manager; Maria Stroupe, Administrative Services Director; Town Attorney, Tom Hunn; Gary Buckner, Police Chief; Bill Trudnak, Public Works Director; Earl Withers, Assistant Fire Chief; Doug Huffman, Electric Director. Anne Martin, Recreation Director and Jack Kiser; Development Services Director, were absent.

The Mayor Coleman called the meeting to order at 6:00 pm.

Mayor Coleman opened with the Invocation and the Pledge of Allegiance to the Flag.

Mayor Coleman recognized Mr. Ray McSwain, Boy Scout Leader, and three Scouts that were in attendance at the meeting.

Mayor Coleman asked if there were any additions or deletions to the agenda. Mayor Coleman asked that Item 10A be added under Old Business to address a proposal from the Gaston County Museum concerning management of the renovated Courthouse. Mr. Withers made a motion to approve the agenda with the one addition, seconded by Ms. Morrow, and carried unanimously.

Mr. Huggins made a motion to approve the minutes from the December 9, 2014 regular meeting, seconded by Mr. Cearley, and carried unanimously.

Consent Agenda:

Item 5A was a request to approve the uncollectable accounts for January, 2015 in the amount of \$18,259.33.

Item 5B was a request to transfer Town Property (Christmas Nativity Scene) to John Beaty and Family. The Town of Dallas has, as part of its traditional inventory of Christmas and Holiday outdoor decorations, possessed and displayed a Nativity Scene for at least 30 years. It is unclear precisely when or how the Town acquired the traditional figures, but they were usually displayed on the Town Square for the weeks leading up to Christmas and then removed and stored with the other decorations for the remainder of the year. Within the last several years, the Town has received correspondence from representatives of the "Freedom From Religion Foundation (FFRF)" demanding that the Town either cease displaying the Nativity Scene on public property, or display it alongside multiple other secular holiday symbols in order to comply with established Federal law. For 2014, in order to avoid possible litigation from the FFRF, and so as to not detract from the meaning and integrity of the display, the Board authorized the display be allowed to be set up on the privately-owned, highly visible property of the John Beaty Family at 216 W. Trade St. Mr. Beaty has offered to privately own, maintain, and display the Nativity Scene at his highly-visible location at 216 W. Trade St. going forward so that it can continue to be prominently seen and viewed by motorists without diluting or cheapening the meaning or integrity of the Scene. The Town can transfer its public property without charge, if it is accomplishing another, identified and valuable public purpose in the process. This case certainly qualifies in that it avoids possible attorney's fees and/or judgments for the Town, while assuring the Scene continues to be maintained and seen by the public.

Mr. Withers asked that Item 5B be removed from the Consent Agenda and moved to Old Business, Item 10B. Any item can be moved from the Consent Agenda by the request of a Board Member.

Mr. Withers made a motion to approve the Consent Agenda, consisting of Item 5A; seconded by Ms. Duff, and carried unanimously.

Recognition of Citizens:

Mr. Johnny Walters, 510 N. Poplar St., had previously asked to be included on agenda during this time, but asked that his wife speak on his behalf. Mrs. Walters addressed the Board concerning parking on their street. North Poplar Street is covered under the "No Parking Ordinance" forbidding on street parking. They have problems with people consistently parking on the street. They have called the Police Department, who come out and ask the person/persons to move their vehicles; but they do not write tickets to the offenders. The Walters' would like the ordinance to be enforced. They believe the neighborhood has declined in recent years and believes part of the activity is tied to the sale of drugs. Chief Buckner will address the issue with the Walters'.

Ms. Lisa Boggs, 2610 Ole Home Trail, addressed the Board on behalf of the Dallas Chamber of Commerce, as the President of the organization. The Chamber supports the purchase of the buildings to be addressed later in the agenda and supports the Board's efforts to make improvements downtown, including the grant program for property owners to revitalize their properties. She and the Chamber commends the Board for all they are doing for Dallas.

Ms. Jamie Shuford, 142 W. Trade St. requested that her dance studio, Heart and Rhythm Dance be allowed to use the Town property behind her business and behind Town Hall to conduct a Porta-Pit Chicken Fund Raiser for costumes for the dancers on Friday, January 30, 2015. As this is public, Town property, the Board must allow the use. Mr. Palenick stated that if the fund raiser was held on private property, it would require no approval by the Board. His recommendation was that Ms. Shuford conduct the sale on private property, as opposed to public property. Ms. Shuford stated that is was more convenient for Porta-Pit to set up their mobile unit at the location she requested, as it was the closest location to her business and it would be easier to transfer the items into the building from that location and to access an electrical outlet. Mr. Cearley made a motion to allow Ms. Shuford to use the Town property behind Town Hall and her business for the setup of Porta-Pit Chicken for a fund raising event, seconded by Ms. Duff, and carried unanimously. Ms. Shuford was informed that in the future, if requesting to use Town property, she would need to fill out a Special Events Request at least 30 days prior to the event for inclusion in the agenda packet for the appropriate Board of Aldermen meeting. She said she was not aware of this requirement, but would remember it for the future.

Mr. Dan Setzer, Property Owner in Dallas, spoke on behalf of the "Dallas Live Nativity" group on Facebook concerning the Nativity Scene. This group urges the Board to put the Nativity Scene back up on the Court Square next year. They are interested to know why the decision was made to move it and what information did the Town have to make the decision.

Mr. Curtis Wilson, 438 S. Gaston St., spoke concerning the Nativity Scene. Three years ago he asked that it be moved to a more prominent place on the Court Square and the Board did that. Now that the Board and Dallas are facing reprisals for the location, he would like to encourage the Board to stand firm and not give in to minority views.

Recognition of Employees:

James ("JJ") Anderson Robbins, Jr. was recognized for 20 years of service with the Town of Dallas. (Exhibit A) JJ was hired on January 21, 1994 as a Maintenance Worker in the Street/Solid Waste Department. On April 9, 1996, he was transferred to the Water/Sewer Department as a Maintenance Worker. JJ was promoted to Street/Sanitation Foreman on May 13, 2003 and then on March 7, 2007 he was transferred to the Foreman position in Water/Sewer, where he continues to serve the Town of Dallas. His commitment and dedication to

serving the Town and its citizens is greatly appreciated. Mayor Coleman presented JJ a framed certificate of appreciation.

Special Events & Requests for In-Kind Services:

None

Public Hearing:

None

Old Business:

Item 10A was the added item to review a proposal from the Gaston County Museum to manage the Courthouse. Based on their proposal, the Museum would handle all rental requests, provide personnel to set up the events, collect the appropriate fees, and market the venue. The Town would provide all maintenance for the building and grounds. Under this arrangement, the Museum would receive 60% of the rental fees and the Town would receive 40%. The Board directed Mr. Palenick to pursue a written agreement, with the parameters presented, to be acted on at the February Board of Aldermen meeting. The agreement would be reviewed after six months.

Item 10B was the item moved from the Consent Agenda concerning placement of the Nativity Scene. Mr. Withers made a motion to table this item until further information could be gathered, seconded by Ms. Duff, and carried unanimously.

New Business:

Item 11A was a request to amend the Town Personnel Policy, Article VII – Holidays and Leaves of Absence, Section 2 - Holidays. In 2009, the Town adopted a comprehensive Personnel Policy, compiled by the MAPS Group. Within this policy, Article VII, Section 2 read: “The Town will follow the holiday schedule as published by the State of North Carolina each year. The Human Resources Officer will post the holiday schedule for the upcoming fiscal year the beginning of June in each year.” At that time the State schedule called for 2 holiday at Christmas; Christmas Eve and Christmas Day. The State has since expanded their schedule to include a third holiday each year for Christmas. In order to best serve the citizens of Dallas, however, management believes that holidays at Christmas is entirely reasonable and appropriate, but a third holiday interferes with the quality of service provided. The proposed amendment to the Town’s observed holidays lists each holiday to be observed annually, with the clear delineation that just two days will be observed for Christmas. (Exhibit B) Mr. Withers made a motion to approve the amendment to the Personnel Policy, Article VII-Holidays and Leaves of Absence, Section 2-Holidays as presented, seconded by Ms. Duff, and carried unanimously.

Item 11B was a request to declare as surplus a 2005 Ford Crown Victoria Patrol Car and to offer for public sale on GovDeals. The vehicle has 102,207 miles and has become unreliable. It is no longer worth the expected and recurring maintenance necessary to keep it road-worthy, as a front-line patrol vehicle. All proceeds from the sale will be returned to the General Fund. Ms. Morrow made a motion to declare as surplus and offer for public sale the 2005 Ford Crown Victoria as presented, seconded by Mr. Huggins, and carried unanimously.

Item 11C was a request to approve the purchase of real property owned by Thomas Summey. As part of the approved Town Center Plan, the Town has budgeted for the purchase of multiple parcels of real property behind the commercial core area buildings along Trade Street, in order to develop and construct a public parking lot and pedestrian walkway. After negotiations, acceptable terms have been reached for the purchase of property owned by Thomas Summey. The purchase will include the .08-acre parcel of real property at 111 W. Wilkins

St. (Exhibit C-1), which contains a small residential, rental dwelling (currently occupied month-to-month, which will be demolished and removed upon vacancy) PID #132165, PIN #3557077576. Also included in the purchase is a separate, .25-acre parcel of real property at 136 W. Trade St., PID #132158; PIN #3557077446, excluding the primary building at 136 W. Trade St., but including the separately-described approximately 8 ft.-wide building at 134 W. Trade St. (which will be demolished in order to create the pedestrian walkway through to Trade St.). (Exhibit C-2) The total agreed upon purchase price for the two parcels is \$81,500 – representing \$26,000 for PID #132165, which is the appraised value; and, \$55,500 for the portion of PID #132158 excluding the primary building, which is 81% of the current assessed value of the property. Mr. Huggins made a motion to purchase the property at 111 W. Wilkins St. and the 8 ft.-wide building at 136 W. Trade St. from Thomas Summey at the agreed upon price of \$81,500; seconded by Mr. Cearley, and carried unanimously.

Item 11D was a request to approve the purchase of real property owned by Coleen Cloninger. As part of the approved Town Center Plan, the Town has budgeted for the purchase of multiple parcels of real property behind the commercial core area buildings along Trade Street, in order to develop and construct a public parking lot and pedestrian walkway. The minimum needed includes the parcels owned by Thomas Summey and Lamar Stroupe. However, in the process of negotiating and acquiring those parcels, the Town was approached about purchasing the adjacent, building and land at 130 W. Trade St., PID #132159; PIN #3557077389, owned by Coleen Cloninger. (Exhibit D) This parcel would be very helpful and allow additional parking spaces and amenities to be developed, not to mention giving the Town control over the redevelopment of the large, historic, 2-story building (Setzer Building) anchoring the Trade Street frontage. Mrs. Cloninger has offered the Town the property for the currently-assessed tax value of \$76,119. While the Town budgeted \$145,000 within in the Community Development portion of the General Fund Budget for BY2014-15 for purchase of the Summey and Stroupe parcels, funds were not budgeted for this property purchase. At this time, the purchase of the Stroupe property has not been agreed upon, so following the \$81,500 purchaser of the Summey parcels, there is still \$63,500 in the budget allocated toward property purchase—meaning a budget amendment of at least \$13,000 would be needed to cover the Cloninger parcel purchase. In order to continue to provide for the purchase of the Stroupe property in the current budget, an amendment of \$55,000 would be required. (Exhibit E) These funds would come from the current unreserved Fund Balance in the General Fund, which, effective June 30, 2014 totaled \$1,875,887.00. In purchasing the Cloninger Property, the intent is to utilize the land to expand, enhance, and develop the parking lot and walkway, while only owning the actual building long enough to facilitate its redevelopment and resale to an appropriate end-user. This could involve a simple sale, an incentivized sale, or a turn-key redevelopment and lease-back sale; all dependent upon the possible end-user. Mr. Huggins made a motion to purchase the property at 130 W. Trade St. from Mrs. Coleen Cloninger at the agreed upon price of \$76,119, seconded by Ms. Morrow, and carried unanimously. Mr. Withers made a motion to approve a budget amendment for an additional \$55,000 to be added to the land purchase line item in order to continue to pursue purchase of the Stroupe property, seconded by Mr. Cearley, and carried unanimously.

Item 11E was a request to approve a budget amendment to the Electric Fund to account for Fiber Optic Infrastructure Improvements. When first developing and seeking approval for the FY 2014-15 Electric Fund Budget, it was contemplated to include an expenditure line-item accounting for expected additions/improvements to the Town’s Fiber Optic network in order to provide adequate broadband data capacity to all Town facilities, including the newly renovated Courthouse. Ultimately, this item was not included because of uncertainties as to the timing and costs of particular improvements. However, as Dallas continues to move away from the high-priced AT&T retail provision of broadband, and as we finalize the much-greater capacity of fiber build-out to the Town’s buildings, we feel more comfortable in knowing the scope of the work and expenditures needed in this current budget year. A budget amendment for \$18,500 has been developed to accomplish this task. (Exhibit M) These funds will come from unreserved Fund Balance in the Electric Fund, which has already grown this year by over \$340,000 due to unexpected “True-Up” revenues. As a result of these improvements, the monthly cost of broadband will continue to decrease, while achieving greater broadband speeds. Mr. Withers made a motion to approve the budget amendment as presented, seconded by Mr. Huggins, and carried unanimously.

Mr. Palenick gave a Manager's Report, noting current projects.

Mr. Withers made a motion to adjourn, seconded by Ms. Duff, and carried unanimously. (7:08)

Rick Coleman, Mayor

Maria Stroupe, Town Clerk

CERTIFICATE OF APPRECIATION

This certificate is awarded to

JAMES ANDERSON ROBBINS, JR.

in recognition of his 20th anniversary with the Town of Dallas on **January 21, 2014**
and in gratitude for his years of dedication and service

TOWN OF DALLAS



Signature

Date

Signature

Date

ARTICLE VII – HOLIDAYS AND LEAVES OF ABSENCE, SECTION 2 – HOLIDAYS

PROPOSED AMENDMENT

The Town will observe the following holidays: New Year's Day, Martin Luther King Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Thanksgiving Friday, Christmas Eve, and Christmas Day. The Human Resources Officer will post the holiday schedule for the upcoming calendar year in December of each year. Each full-time, non-probationary employee will also receive one floating holiday of their choosing, upon approval from their Department Manager.

2015 Holiday Schedule

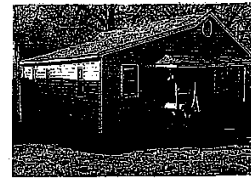
<u>Holiday Name</u>	<u>Date Holiday Observed</u>
New Year's Day	Thursday, January 1, 2015
Martin Luther King's Birthday	Monday, January 19, 2015
Good Friday *	Friday, April 3, 2015
Memorial Day	Monday, May 25, 2015
Independence Day	Friday, July 3, 2015
Labor Day	Monday, September 7, 2015
Veteran's Day	Wednesday, November 11, 2015
Thanksgiving Day	Thursday, November 26, 2015
Thanksgiving Friday *	Friday, November 27, 2015
Christmas Eve Holiday	Thursday, December 24, 2015
Christmas Holiday	Friday, December 25, 2015

* Due to the discrepancy in holiday hours (10 hours for Public Works/Electrical per day versus 8 hours per day for all other Town employees-resulting in 24 extra hours of holiday time and pay annually), Public Works/Electrical employees will not receive the Good Friday and Thanksgiving Friday holidays. Though these employees will not work these days, they will also not receive extra holiday pay. This will bring the difference down to 4 hours.

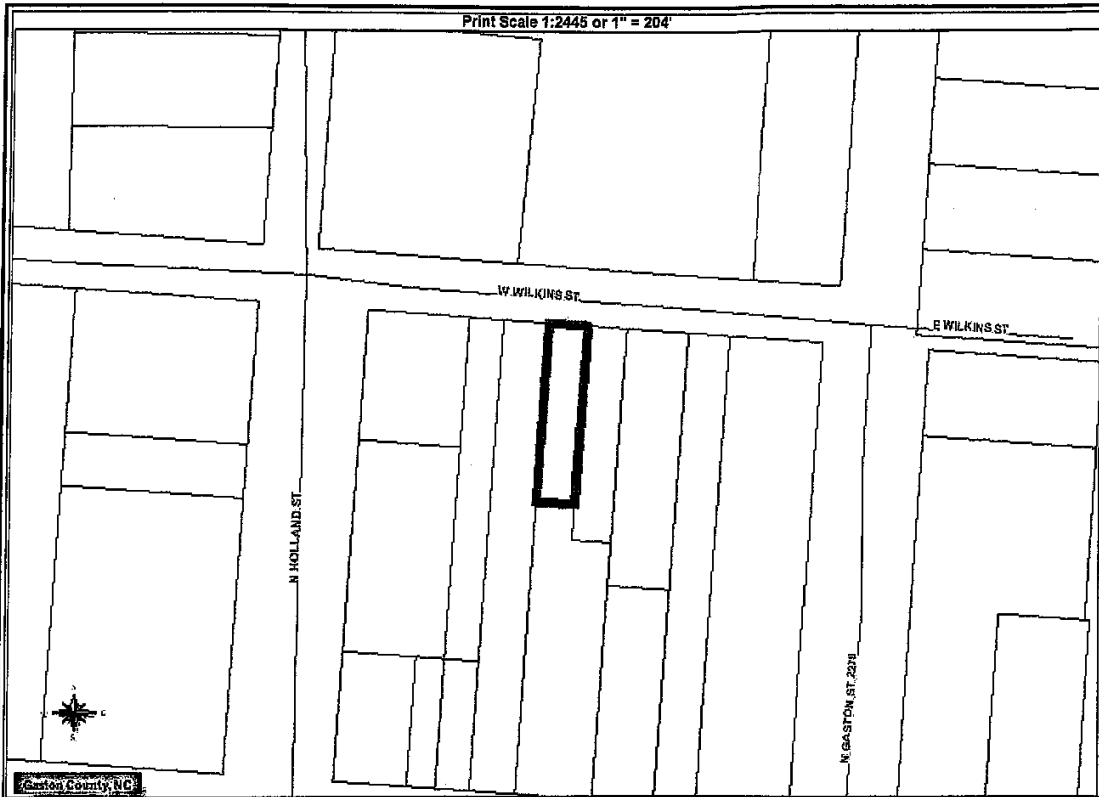
In addition, each employee may choose one floating holiday per year once they have completed probation. This is a day of their choosing, upon approval from their Department Manager.



Gaston County, NC
Office of the Director of Revenue, GIS Division
 Disclaimer: The information provided is not to be considered as a Legal Document or Description. The Map and Parcel Data is believed to be accurate, but Gaston County does not guarantee its accuracy.
 Values based on last general reappraisal - 2007
Print Date: 1/2/115



132165 03/13/2014



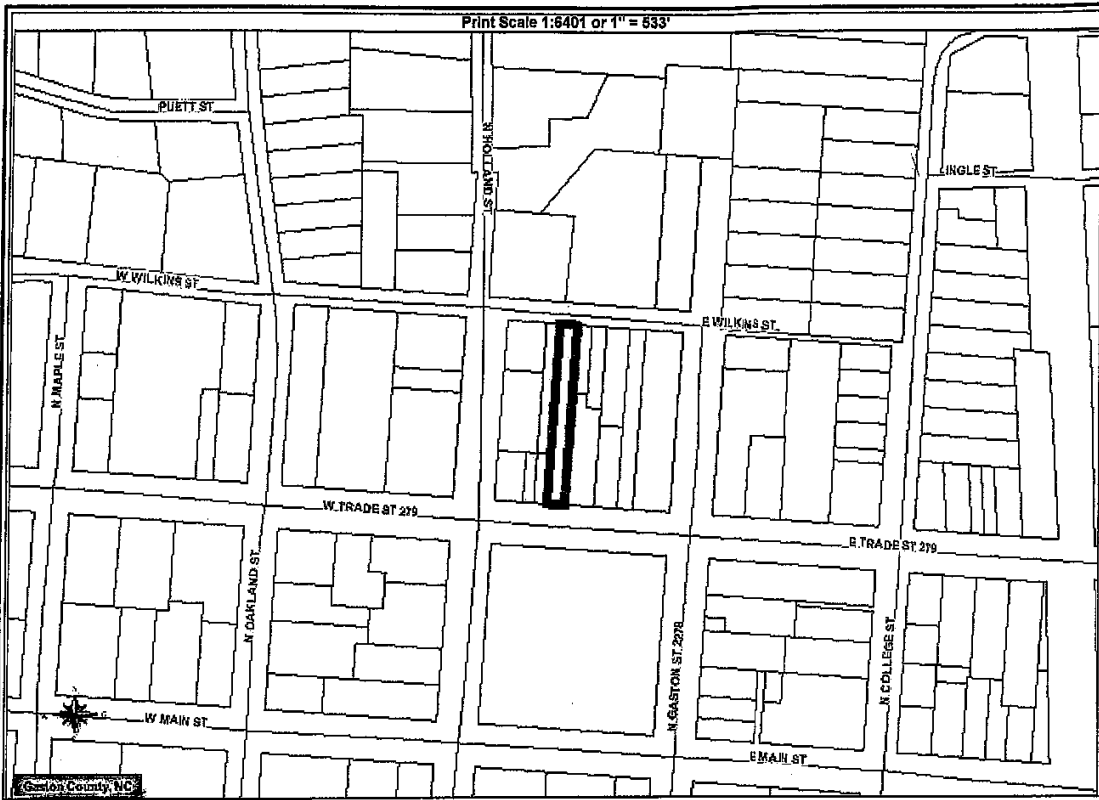
PARCEL INFORMATION		
PID #: 132165 PIN #: 3557077576 NEIGH.HOOD #: DA001 NEIGH.HOOD NAME: DOWNTOWN DALLAS	PROPERTY ADDRESS: 111 W WILKINS ST DEED BOOK: 097E DEED PAGE: 0441 DEED TYPE: WB SALES AMOUNT: 0 DEED RECORDING DATE: 03/15/1997 PLAT BOOK: PLAT PAGE: LEGAL DESC 1: LEGAL DESC 2:	BASEMENT: NO # BEDROOMS: 2 # BATHS: 1 MULTI-STRUCTURES: NO ACREAGE: 0.08
OWNER ID #: 03984477 CURRENT OWNER 1: SUMMEY THOMAS REGINALD & OTHERS CURRENT OWNER 2: MAILING ADDRESS 1: PO BOX 125 MAILING ADDRESS 2: CITY: CHERRYVILLE STATE: NC ZIP CODE: 28021-0125 JAN1 OWNER 1: SUMMEY THOMAS REGINALD & OTHERS JAN1 OWNER 2:	STRUCTURE CODE #: R1 STRUCTURE TYPE: RESIDENTIAL 1 STORY YEAR BUILT: 1926 SQ FT: 764	TAX DISTRICT: TOWN OF DALLAS TOWNSHIP CODE: 13 TOWNSHIP DESC: DALLAS TOWNSHIP VOLUNTARY AG DIST: No LAND VALUE: \$11,761 IMPV. VALUE: \$10,427 TOTAL VALUE: \$22,188 PRESENT USE VALUE ASSESSMENT: NO



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 Values based on last general reappraisal - 2007
Print Date: 1/2/115



132158 02/14/2014

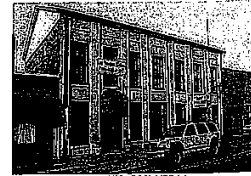


PARCEL INFORMATION

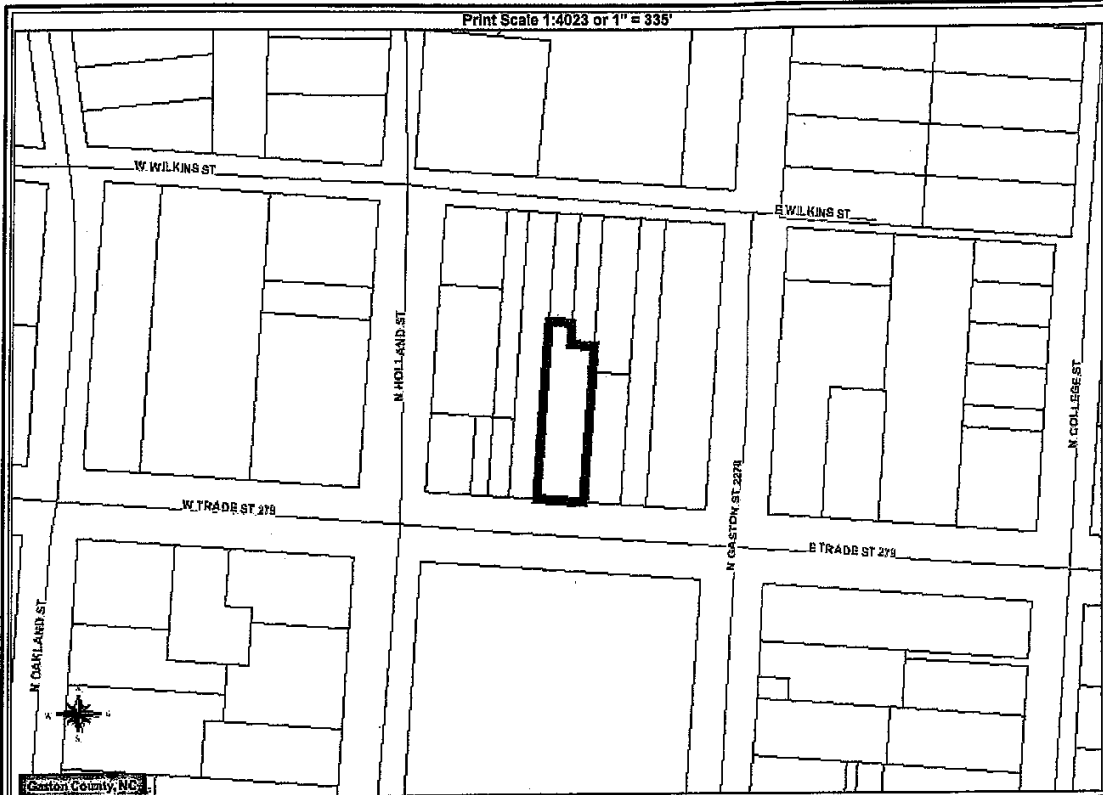
PID #: 132158 PIN #: 3557077446 NEIGH.HOOD #: DA001 NEIGH.HOOD NAME: DOWNTOWN DALLAS	PROPERTY ADDRESS: 136 W TRADE ST DEED BOOK: 097E DEED PAGE: 0441 DEED TYPE: WB SALES AMOUNT: 0 DEED RECORDING DATE: 03/15/1997 PLAT BOOK: PLAT PAGE: LEGAL DESC 1: LEGAL DESC 2:	BASEMENT: NO # BEDROOMS: 0 # BATHS: 0 MULTI-STRUCTURES: NO ACREAGE: 0.25
OWNER ID #: 03984477 CURRENT OWNER 1: SUMMEY THOMAS REGINALD & OTHERS CURRENT OWNER 2: MAILING ADDRESS 1: PO BOX 125 MAILING ADDRESS 2: CITY: CHERRYVILLE STATE: NC ZIP CODE: 28021-0125 JAN1 OWNER 1: SUMMEY THOMAS REGINALD & OTHERS JAN1 OWNER 2:	STRUCTURE CODE #: RET01 STRUCTURE TYPE: RETAIL GENERAL YEAR BUILT: 1920 SQ FT: 2626	TAX DISTRICT: TOWN OF DALLAS TOWNSHIP CODE: 13 TOWNSHIP DESC: DALLAS TOWNSHIP VOLUNTARY AG DIST: No LAND VALUE: \$35,751 IMPV. VALUE: \$38,812 TOTAL VALUE: \$74,563 PRESENT USE VALUE ASSESSMENT: NO



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Print Date: 1/21/15



132159 02/14/2014



PARCEL INFORMATION

PID #: 132159 PIN #: 3557077389 NEIGH.HOOD #: DA001 NEIGH.HOOD NAME: DOWNTOWN DALLAS	PROPERTY ADDRESS: 130 W TRADE ST DEED BOOK: 1880 DEED PAGE: 0704 DEED TYPE: WD SALES AMOUNT: \$12,000 DEED RECORDING DATE: 10/19/1987 PLAT BOOK: PLAT PAGE: LEGAL DESC 1: . LEGAL DESC 2:	BASEMENT: NO # BEDROOMS: 0 # BATHS: 0 MULTI-STRUCTURES: NO ACREAGE: 0.25 TAX DISTRICT: TOWN OF DALLAS TOWNSHIP CODE: 13 TOWNSHIP DESC: DALLAS TOWNSHIP VOLUNTARY AG DIST: No
OWNER ID #: 1448922 CURRENT OWNER 1: CLONINGER COLEEN H CURRENT OWNER 2: MAILING ADDRESS 1: 104 W CAROLINE ST MAILING ADDRESS 2: CITY: DALLAS STATE: NC ZIP CODE: 28034-0000 JAN1 OWNER 1: CLONINGER COLEEN H JAN1 OWNER 2:	STRUCTURE CODE #: RET01 STRUCTURE TYPE: RETAIL GENERAL YEAR BUILT: 1920 SQ FT: 6080	LAND VALUE: \$50,615 IMPV. VALUE: \$25,504 TOTAL VALUE: \$76,119 PRESENT USE VALUE ASSESSMENT: NO

Town of Dallas
Budget Amendment

Date: January 13, 2015

Action: Acquisition of Land for Downtown Improvements

Purpose: Correctly Budget for Purchase of Land Behind Town Hall for Improvements

Number: GF - 010

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
10	4110	7500	Capital Outlay: Land	\$145,000	\$200,000	\$55,000
10	3999	0000	Fund Balance Appropriated	\$466,891	\$521,891	\$55,000

Totals	\$611,891	\$721,891	\$110,000
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Approval Signature
(Town Manager or Administrative Services Director)