

## MINUTES FOR BOARD OF ALDERMEN MEETING

November 12<sup>th</sup>, 2013

6:00 PM

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

The following staff members were present: Jim Palenick, Interim Town Manager; Maria Stroupe, Administrative Services Director; Gary Buckner, Police Chief; Bill Trudnak, Public Works Director; Steve Lambert, Fire Chief; Anne Martin, Recreation Director; Doug Huffman, Electric Director; and Town Attorney, Thomas Hunn. David Kahler, Community Services Director was 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 asked if there were any additions or deletions to the agenda. Mayor Coleman stated that Item 10B under New Business needed to be moved to Old Business, Item 9A. Mr. Martin made a motion to set the agenda, including the change, seconded by Mr. Beaty, and carried with a 4 – 1 vote as follows: Yays – Mr. Beaty, Mr. Huggins, Mr. Martin, and Mr. Withers. Nays – Ms. Morrow.

Mr. Beaty made a motion to approve the minutes from the October 8, 2013 regular meeting, seconded by Mr. Withers, and carried unanimously.

### **Consent Agenda:**

Item 5A was a request from Chief Buckner to approve the Gaston County Toy Run for Kids. The Toy Run will be coming through Dallas again this year and making a stop at Ingles on December 7, 2013. The riders will be at Ingles at approximately 12 Noon. There could be as many as 2000 motorcycles participating in the Run. The route will come into Town on East Main St. Ext. and travel Main St. to Ingles. After approximately 45 minutes, the ride will leave Ingles and travel west on Trade St., turning left onto Dallas Bessemer City Hwy going out of Town. Last year the event gave toys to over 1300 children in Gaston County. Town Police Officers traditionally assist with traffic enforcement to the safety of all involved.

Item 5B was a request for approval of uncollectable accounts for November.

Mr. Martin made a motion to approve the Consent Agenda as presented, seconded by Ms. Morrow, and carried unanimously.

### **Recognition of Citizens:**

Mr. Ronnie Maynor, 732 Dallas Spencer Mountain Road, thanked the Mayor, Board of Aldermen, and Town Staff for their contributions and support for Hope 4 Gaston – Dallas. Mr. Maynor presented a plaque of Appreciation to Mayor Coleman.

Ms. Mary Ann Carpenter, 108 W. Church St., thanked the Board members (Mr. Beaty and Mr. Martin) that would be leaving the Board of Aldermen. She appreciates all that they have done for the Town and its citizens. She hopes that the new Board members will follow that example that these men have set.

Mr. Hinkle Rhyne, 502 N. Holland St., asked about the status of the dog ordinance. Mayor Coleman stated that item would be addressed later in the meeting.

Mr. Curtis Wilson, 438 S. Gaston St., added his thanks to those of Ms. Carpenter. He thanked Mr. Martin and Mr. Beaty for their hours of service to the Town of Dallas and for their leadership on the Board.

### **Recognition of Employees:**

Item 7A, was recognition of David Kahler, Development Services Director, for fifteen years of service to the Town of Dallas. October 14, 2103 marked David's 15<sup>th</sup> year of service with the Town of Dallas. David was hired on October 14, 1998 as a Police Officer. On November 13, 2001, David was promoted to Sergeant. David was transferred from the Police Department on October 12, 2005 to the Community Development Department as the Development Services Director. He continues to serve the Town in this capacity. Mayor Coleman presented Mr. Kahler with a framed certificate of appreciation for his years of service and dedication. (Exhibit A)

Item 7B, was recognition of Steve Verrier, Water/Sewer Maintenance Worker for 10 years of service to the Town of Dallas. Steve was hired on October 14, 2003 as a Street/Sanitation Worker. On July 1, 2005, Steve was promoted and transferred to the Water/Sewer Department as a Line Maintenance Worker. He continues to serve the Town in this capacity. Mayor Coleman presented Mr. Verrier with a framed certificate of appreciation for his years of service and dedication. (Exhibit B)

Item 7C, was recognition of four Electric Department employees by Electricities for completion of the Lineman Career Development Program. Mr. Jeff Vaughn, Safety and Training Specialist for Electricities, presented certificates to Mr. Doug Huffman, Mr. Paul Gibson, Mr. Anthony Michaels, and Mr. Tony Walters for their accomplishments. They are the first documented Journeyman Electric Line Workers in Dallas. This is a national certification and they would be recognized as leaders in their field across the country. Also, Mr. Vaughn presented Dallas with the 2012 Municipal Safety Award, for no lost time accidents for the year 2012.

### **Public Hearing:**

Mr. Withers made a motion to enter into a public hearing to consider an ordinance amendment to Chapter 90, "Animals", to Add Section 90.10, covering "Dogs in Parks and Public Places", seconded by Mr. Beaty, and carried unanimously.

Many residents of the Town enjoy walking a recreating in Town parks with their dogs. However, in order to provide an atmosphere that allows for those residents to utilize the Parks for this purpose, while at the same time ensuring that those without pets can enjoy the same facilities without being inconvenienced by these pets, a Town Ordinance should exist which addresses this matter. Currently, there is no ordinance to provide for this. In August, the Board of Aldermen requested that the Planning Board meet and discuss rules and regulations concerning dogs in Town Parks and other Public Places. On October 17<sup>th</sup>, the Planning Board met and developed a proposed Ordinance for the Board's consideration. (Exhibit C) Mayor Coleman stated that he has two dogs, but does not believe dogs should be in the Town Parks, due to the small size of the park facilities. Mr. Withers asked who would enforce the ordinance? Mr. Palenick stated that as per usual ordinance enforcement, either the Police Department or Code Enforcement would enforce the ordinance. Mr. Martin stated that he was in favor of the ordinance. He sees people out frequently at shopping centers and other public places with their dogs. He believes that most people view their pet as an extension of their family. Mr. Robert Kendrick, 408 S. Groves St., thinks the Town has too many ordinances to enforce and they can't keep up with ones already in place. Ms. Charlotte Jenkins, 306 W. Main St., stated that she walks the track at Cloninger Park and there is a sign there prohibiting bicycles. She saw someone riding a bike at the park and she addressed the person, pointing out the sign. She believes the signage gives citizens the right to police ordinances such as that, also. Mr. Tommy Lineman, 405 S. Ridge St., asked if children are at a Town facility practicing recreational sports and there is an uncontained dog, who is responsible; the dog owner or

the Town? He agrees with Mayor Coleman that dogs should not be allowed at Town Parks and Public Places. Mayor Coleman apologized to Mr. Hinkle Rhyne that this ordinance does not address the nuisance of barking dogs, as he thought it would when he told Mr. Rhyne earlier in the meeting that his question concerning nuisance dogs would be addressed with this ordinance. Chief Buckner stated that his department had received several calls recently concerning barking dogs, especially due to the water line construction projects around Town. When these calls are received the Police contact the owner of the animal with the complaint. Ms. Martin stated that she has never had a problem with unconstrained dogs at the ballfields and that she is in favor of allowing animals on a leash in the Town Parks. Mr. Huggins asked if dog waste stations had been included in the current budget. Mr. Palenick stated that yes they are provided for in the current budget, but the purchase was delayed when this discussion was begun in August. Mr. Beaty asked if this proposed ordinance cover all public areas within Dallas. Mr. Palenick stated that it does cover all public areas and reiterated that currently there is no ordinance in place with any guidelines on dogs in public places. With the current lack of an ordinance, any problems are referred to Gaston County Animal Control, which is not able to respond in a timely manner. Mr. Withers asked if a dog gets away from its owner and bites someone in a Town Park or Public Place, who is liable? Mr. Hunn stated that the owner of the dog is liable, not the Town of Dallas.

Mr. Beaty made a motion to exit the public hearing, seconded by Mr. Withers, and carried unanimously. Mr. Martin made a motion to adopt the ordinance as presented, seconded by Mr. Beaty, with the following vote: Yays – Mr. Beaty, Mr. Huggins, and Mr. Martin. Nays – Ms. Morrow and Mr. Withers. N.C. G.S. §160A-75 states, "...no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council...", therefore, this ordinance will be brought back for a second reading at the December meeting.

Mr. Martin made a motion to enter into a public hearing to consider an ordinance amendment to Chapter 75, Traffic Schedules, "Schedule II" to add street intersections for stop signs, seconded by Mr. Beaty, and carried unanimously.

At the October Board of Aldermen meeting, the Board voted to add intersections of streets within the Alder Ridge subdivision to Chapter 75, Section II, Stop Signs. Upon investigation into the ordinance for the addition of stop signs in Alder Ridge, it was determined that intersections in Eden Glen, Spencer Mountain Village, and Summey Knoll subdivisions had not formally been added to the ordinance, although stop signs are in place at these intersections. (Exhibit D)

Mr. Beaty made a motion to exit the public hearing, seconded by Ms. Morrow, and carried unanimously. Mr. Beaty made a motion to approve the ordinance amendment as presented, seconded by Mr. Withers, and carried unanimously. The ordinance amendment passes on the first reading in accordance with N.C.G.S. §160A-75 which states, "...no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council. For purposes of this section, an ordinance shall be deemed to have been introduced on the date the subject matter is first voted on by the council."

### **Old Business:**

Item 9A, originally Item 10B, was a discussion to consider the disposition of \$66,835.36 in FY2011-2012 amended "True-Up" funds to be received from Duke Energy for wholesale over-payments. Ms. Sherry Brown, consultant for a group of Duke municipal customers, to which Dallas belongs, found discrepancies in billings from Duke that results in a refund of overpayments. This refund will be in the amount of \$66,835.36 for billings from Duke during FY 2011-2012 that caused Dallas to overpay for electrical purchases. Mayor Coleman had spoken to Mr. Palenick about the possibility of contributing this refund to the Dallas Historic Courthouse Foundation toward the courthouse renovation project. Mr. Palenick agreed that this was a possible use of the monies, particularly since this amount was not budgeted toward Town expenditures and reflected payments made two years prior, not the current fiscal year. Currently, the Dallas Historic Courthouse

Foundation has approximately \$585,000 now. The addition of the “True-Up” funds will bring this total to \$651,000. Mr. Beaty made a motion to give \$66,835.36 in “True Up” funds plus an additional \$200,000 from the Electric Fund fund balance in order to proceed with bidding the building renovation project, seconded by Mr. Martin, and carried by the following vote: Yays – Mr. Beaty, Mr. Huggins, Mr. Martin, and Mr. Withers. Nays – Ms. Morrow. Ms. Charlotte Jenkins, Dallas Historic Courthouse Foundation President was present and voiced her thanks to the Board. Mr. Palenick thanks Ms. Jenkins for the Foundation’s efforts that have brought the project to this point.

Item 9B, originally Item 9A, the Town of Dallas, much like virtually every municipality within the State of North Carolina, provides for so-called “Civil Leave” within its personnel policies governing Town employees. Essentially, this refers to how the time taken by employees to serve as either a court witness or juror is treated by the employer. Dallas has taken a position different than almost every other employer within the state or nationally on this matter. While it is almost universally provided that employees who are compelled to serve as a witness or juror within a State or Federal system are provided leave with pay for the time spent on such involuntary efforts, Dallas has a current policy which requires the employee to use accumulated leave, or to the extent they have exhausted such leave, to serve unpaid. Mr. Palenick stated that this policy is unreasonable, unfair, and entirely inconsistent with the State of North Carolina Human Resources manual and common practice. (Exhibit E) As it currently stands, the Personnel Policy would strongly encourage employees to do whatever possible to avoid jury duty, or, if ultimately called, to risk substantial financial harm if required to serve for any length of time. This is not the way anyone should approach a rare, but important civic duty. A proposed policy was presented by Mr. Palenick to compensate employees if called to perform this duty. (Exhibit F) Mr. Huggins made a motion to approve the “Civil Leave” policy revision as presented, seconded by Mr. Withers, and carried unanimously.

Item 9C, originally Item 9B, was a discussion regarding the installation of light improvements at the Carr School Fields, along with an update on the status of negotiations with Gaston County Public Schools regarding a long-term property use agreement. Mr. Hunn stated that negotiations were moving forward favorably. There is a tentative agreement enter into a 5-year lease with full Board approval expected at their meeting on November 20<sup>th</sup>. The previous agreement was essentially for only six months. Mr. Palenick stated that the Town has been reluctant to make improvements to the facility with no long term lease or control of any kind at the property. A 5-year lease would be much more conducive to the Town making certain improvements to the lighting at the fields. Mr. Huggins made a motion to move forward with any budgeted improvements if the School Board approves the 5-year lease at their next meeting, seconded by Mr. Beaty, and carried unanimously.

Item 9D, originally Item 9C, was a discussion on the recently amended Solid Waste collection and billing procedures that were approved in the current budget year. Mayor Coleman stated that he had no issue with charging for tire removal and that hazardous materials need to be disposed of properly by the property owner. He did question the \$50 non-refundable cart fee and what is considered bulk for the \$10 bulk trash pick up fee. He believes it is okay to charge to pick up furniture and demolition materials, but wonders how it is determined what constitutes bulk trash. He understands that there has been no change in the procedures for the Town to pick up yard waste. Mr. Palenick explained that the Town is selling large, yellow trash bags for \$1.00 for anything that will not fit into the regular 96 gallon cart. If an items or items will fit into the yellow bag, it only one additional dollar. Also, the Town has recently committed to purchase a 1-arm solid waste truck that is automated and a crew is required for extra pick up. He understands the difficulty in making size determinations for bulk trash charges, but the goal is to change customer behavior by not allowing everything to be picked up curb-side for no additional fees or charges. This will improve the appearance of Dallas. Mayor Coleman asked how much is Solid Waste losing annually by not being self-supporting? Even with the additional fees for bulk and extra bag pick up, the department will be losing approximately \$30,000 per year. Without the additional fees, the department will be losing approximately \$50,000 per year. Mayor Coleman asked if the \$50 cart fee was assessed each time a service was started. Mr. Palenick explained that only new addresses are assessed the fee for the initial purchase of the cart and start of service. This fee does not cover the entire cost of the new

cart. The fee is not assessed to existing addresses when a new customer moves in. The only time an existing address would have to pay that fee would be if the cart that is assigned to that address is destroyed and must be replaced. Mr. Beaty made a motion to table this discussion until the January Board of Aldermen meeting, seconded by Mr. Martin, and carried unanimously.

**New Business:**

Item 10A was a request to declare as surplus a 1997 Chevrolet, 2-ton diesel truck assigned to the Water/Sewer Department. The Town purchased this vehicle new on January 1, 1998. It is now surplus and can be disposed of by sale on GovDeals, the online government auction site. This unit is no longer reliable enough or of enough function to serve the Town's needs, but could be of continuing use to someone else. A minimum reserve will be placed on the unit to avoid any potential sale that would not yield appropriate value back to the Town. Mr. Withers made a motion to declare as surplus the 1997 Chevrolet C6500 Diesel Truck with 65,387.5 miles (designated as Unit #103) and place this vehicle for sale on GovDeals, seconded by Ms. Morrow, and carried by the following vote: Yays – Mr. Huggins, Mr. Martin, Ms. Morrow, and Mr. Withers. Nays – Mr. Beaty

Item 10B, originally Item 10C, was a request to approve a letter of engagement for the professional services to produce a downtown improvement plan. The Town has recently adopted an Economic Incentive Plan aimed, in large measure, at spurring private sector investment in the traditional Downtown Core Area around the Town Square. In addition, the Town has recently produced plans for Downtown Parking Lots, as well as for landscape improvements at the Town Square, and are pursuing possible plans for traffic and signalization upgrades along Trade St. There has not been a singular, comprehensive Downtown Improvement Plan which shows all of these concepts together. Mr. Palenick has obtained from Mr. Jack Kiser, the former long-tenured Director of Planning for the City of Gastonia (now a private Land Use Planning & Development Consultant) a proposed letter of engagement to produce a comprehensive plan on the Town's behalf. The proposal would cost \$4,750, plus any possible out-of-pocket expenses (estimated not to exceed \$300). (Exhibit G) These costs can easily be funded from the identified funds approved for the T.O.P. T.I.E.R. Incentive Program and will aid in its implementation. Mr. Beaty made a motion to approve the letter of engagement as presented, seconded by Mr. Martin, and carried unanimously.

Mr. Palenick gave a Manager's Report, noting current projects. Several items reported on resulted in actions.

At the previous meeting, the T.O.P. T.I.E.R. program was approved at \$90,000. Mr. Palenick asked that the policy be revised from 25% to 12.5% to keep consistency and a basis for year to year funding. This change would keep the funding for the current year in the approximately \$90,000 range. Mr. Beaty made a motion to approve changing the approved policy calculation from 25% to 12.5% as requested, seconded by Mr. Huggins, and carried unanimously.

A public hearing is requested for December 10, 2013 in reference to three lots on Lower Dallas Highway at the Long Creek Apartments. Mr. Beaty made a motion to set a public hearing for December 10<sup>th</sup>, seconded by Mr. Martin, and carried unanimously.

There have been recent discussions concerning a sewer interconnect with Gastonia. Estimates have been prepared and it is time to move forward toward developing a Memorandum of Understanding. Mr. Huggins made a motion to direct Mr. Palenick and Staff to move forward with the development of a MOU with terms not to exceed 75% of costs to Dallas, seconded by Mr. Martin, and carried unanimously.

Mr. Martin made a motion to adjourn, seconded by Mr. Huggins, carried by the following vote: Yays – Mr. Huggins, Mr. Martin, Ms. Morrow, and Mr. Withers. Nays – Mr. Beaty. (7:39)

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Rick Coleman, Mayor

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Maria Stroupe, Town Clerk

# CERTIFICATE OF APPRECIATION

This certificate is awarded to

**DAVID MARTIN KAHLER, JR.**

in recognition of his 15th anniversary with the Town of Dallas on **October 14, 2013**  
and in gratitude for his years of dedication and service

**TOWN OF DALLAS**



Signature

Date

Signature

Date

# CERTIFICATE OF APPRECIATION

This certificate is awarded to

**STEVEN ANTHONY VERRIER**

in recognition of his 10th anniversary with the Town of Dallas on **October 14, 2013**  
and in gratitude for his years of dedication and service

**TOWN OF DALLAS**



Signature

Date

Signature

Date



**An Ordinance Amending Chapter 90 "Animals" of the Compiled Code of Ordinance of the Town of Dallas to Add Section 90.10 "Dogs in Parks and Public Places" to that Chapter.**

**Whereas,** Following a properly noticed public hearing before the Board of Aldermen of the Town of Dallas on November 12, 2013 and in consideration of the information received and reviewed.

**Now Therefore be it Ordained that the Compiled Code of Ordinances of the Town of Dallas is amended as follows:**

90.10 Dogs in Parks and Public Places

It shall be unlawful for any person to carry, take or bring a dog into a Public Park within the Town of Dallas except under the following regulations:

1. All dogs must be on a leash or lead. The maximum length of the leash or lead shall be 6 feet.
2. It shall be unlawful for any owner to fail to provide current rabies inoculation for any dog 4 months or older. The metal tag shall be securely fastened to the dog's collar.
3. It shall be unlawful for any person in charge of a dog to fail to pick up and properly dispose of feces deposited by the dog on publicly owned property.
4. Puppies brought to the Parks must be a minimum of 4 months old.
5. Acts of aggression by a dog against other dogs or people are prohibited.
6. No more than three (3) dogs are allowed per handler.
7. Close adult supervision is required for all children under the age of twelve handling a dog.
8. Females dogs in heat are prohibited within Parks while in such condition.
9. Handlers must stop dogs from digging and must fill any hole created by their dogs.
10. No littering. Place all trash in proper receptacles.

**Yeas:**

**Nays:**

**Attest:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

**An Ordinance making Amendments to Chapter 75 Traffic Schedules, Schedule II Stop Signs**

Whereas, Following a properly noticed public hearing before the Board of Aldermen of the Town of Dallas on November 12, 2013 and in consideration of the information received and reviewed,

Now Therefore be it Ordained that the Compiled Code of Ordinances of the Town of Dallas is amended as follows, to add the following intersections to Chapter 75 Schedule II Stop Signs:

(The below intersections are in the Spencer Mountain Village, Eden Glen and Summey Knoll subdivisions.)

<b>Sign on Street</b>	<b>Entering Street</b>
Heather Ridge Lane	Eastway Dr.
Spencer Springs Dr.	Eastway Dr.
Tall Oaks Dr. (both sides)	Eastway Dr.
Meadow Creek Dr.	Eastway Dr.
Village Center Dr. (both sides)	Eastway Dr.
Westbury Dr. (both sides)	Eastway Dr.
Sunny Field Ct	Eden Glen Dr.
Spring Hill Ct	Eden Glen Dr.
Summey Farm Dr.	Dallas-Cherryville Highway
Carole Summey Dr.	Summey Farm Dr.
Ayrshire Lane	Summey Farm Dr.
Jersey Blvd.	Summey Farm Dr.
Hereford Lane	Summey Farm Dr.
Longhorn Dr.	Hereford Lane
Ayrshire Lane	Longhorn Dr.
Guernsey Ct.	Ayrshire Lane
Jersey Blvd.	Holstein Dr.
Richard Stevens Dr.	Holstein Dr. (both ends)
Richard Stevens Dr.	Summey Barker Dr.
Longhorn Dr.	Carole Summey Dr.

**Civil Leave****Contents:**Non-Job Related Civil LeavePolicyEmployees CoveredJury DutyShift EmployeesJob Related Civil LeavePolicy – Official Job DutiesEmployees Covered – Official DutiesCourt Attendance – Official DutiesCourt Attendance – Official DutiesShift Employees – Official Duties**NON-JOB RELATED CIVIL LEAVE****Policy**

Leave with pay is provided to employees when serving on a jury or when subpoenaed as a witness. It is the responsibility of the employee to inform the supervisor when the duty is scheduled and the expected duration.

**Covered Employees**

Employees with a full-time or part-time (half-time or more) permanent, probationary, trainee, or time-limited appointment are covered for non-job related civil leave.

Employees with a temporary, intermittent or part-time [less than half-time] appointment are not eligible for non-job related civil leave but are eligible for job-related civil leave and other job-related proceedings.

**Jury Duty**

An employee who serves on a jury is entitled to:

- leave with pay,
- regular compensation, and
- fees received for jury duty.

The employee:

- should report back to work as soon as jury duty is completed, and
- must report back to work the day following completion of the duty.

Civil Leave and Job Related Proceedings

## Civil Leave

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Note: If jury duty occurs on a scheduled day off, the employee is not entitled to additional time off. Time on jury duty is not included in total hours worked per week.

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### Shift Employees

When a second shift employee serves on a jury, the employee will not be required to work on the day that jury duty occurs. When a third shift employee serves on a jury, the employee will not be required to work the third shift that begins on the day prior to the day that jury duty occurs. This applies to all employees, regardless of the length of the shift.

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### Court Attendance

When an employee is subpoenaed or directed by proper authority to appear as a witness, the employee may choose one of the following options:

Option 1	Option 2
<ul style="list-style-type: none"> <li>• charge no leave, and</li> <li>• turn fees received in to the agency</li> </ul>	<ul style="list-style-type: none"> <li>• use vacation leave, and</li> <li>• retain any fees received</li> </ul>
<p>In either case, the time is not considered as work time and is not included in the total hours worked per week.</p>	

**Advisory Note:** An employee who is a party (plaintiff or defendant) in a court procedure is not considered as a "witness"; therefore, vacation leave must be used, or leave without pay, for purpose of attending court.

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## JOB-RELATED CIVIL LEAVE AND OTHER JOB RELATED PROCEEDINGS

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### Policy

Leave with pay is provided to an employee to attend court or a job-related proceeding in connection with official job duties.

## Civil Leave

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### Employees Covered

In addition to employees with a full-time or part-time (half-time or more) permanent, probationary, trainee or time-limited appointment, an employee with a temporary, intermittent or part-time (less than half-time) appointment is also included.

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### Court Attendance – Official Duties

When an employee attends court in connection with official duties:

- no leave is required, and
- fees received as a witness shall be turned in to the agency.

Note: If court is on a day that is normally an off-day, the time is working time and included in the total hours worked per week.

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### Shift Employees

When a second or third shift employee is required to attend court or a job-related proceeding in connection with official job duties, management shall determine the amount of time off regular duties as may be necessary.

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**TOWN OF DALLAS**

**Personnel Policy: Section 25. Civil Leave**

**Current Text:**

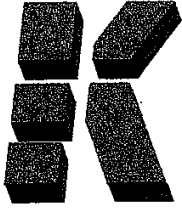
"A Town employee called as a court witness on behalf of the Town of Dallas for the federal or state governments, or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated leave. A Town employee called for jury duty will charge accumulated leave for the time absent from work. If no accumulated leave is available, the employee will only receive the compensation awarded by the court system, with no additional compensation from the Town. The employee may keep fees and travel allowances received for jury or witness duty in addition to regular compensation; except, that employees must turn over to the Town any witness fees or travel allowances awarded by that court for court appearances in connection with official duties. While on civil leave, benefits and leave shall accrue as though on regular duty."

**Proposed, Amended Text:**

"A Town employee called for jury duty or as a court witness for the federal or state governments, or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated paid leave or accumulated compensatory time. The employee may keep fees and travel allowances received for jury or witness duty in addition to their regular compensation; except, that employees must turn over to the Town any witness fees or travel allowances awarded by that court for court appearances in connection with their official duties. While on civil leave, benefits and leave shall accrue as though on regular duty."

Adopted This \_\_\_\_\_ Day of \_\_\_\_\_, 2013

\_\_\_\_\_  
Town Clerk, Maria Stroupe



## KISER PLANNING & DEVELOPMENT

JAMES L.(JACK) KISER, AICP  
PRESIDENT

704-616-1862  
1211 OAKWOOD AVE.  
GASTONIA, NC 28052  
JACK@KISERPLANNING.COM

November 4, 2011

Mr. James M. Palenick  
Interim Town Manager  
Town of Dallas  
210 North Holland Street  
Dallas, NC 28034

Dear Mr. Palenick:

This is a proposal to provide planning services to the Town of Dallas for the preparation of a downtown plan. This project will primarily be an assemblage of existing plans and ideas (as well as new concepts) and will be presented in color map format with an accompanying brief report. Therefore, it will not involve a complete planning process of economic analysis, evaluation of alternative strategies and traditional public involvement. In essence, this project will provide a visualization and communication tool to initiate a series on downtown initiatives, which the Town has been considering. The Town will also generate its own downtown development incentives program.

The area covered by the plan map will include generally the historic courthouse square, the streets bordering it and properties facing those street segments, and will extend northward to Wilkins Street. The plan will be prepared in color on approximately 20" x 30" size. Additional supplemental documentation will also be provided as needed. The plan will be prepared over a subdued aerial photo base at an appropriate scale to show necessary details (1" = 50' to 1"=75'). The following will be included in and shown on the plan (items will be shown on either plan view over the subdued aerial photo base or as "satellite" images surrounding the plan map, as appropriate):

- Generalized depiction of the Historic Dallas Courthouse Master Plan as prepared by Site Solutions.
- Identify the Courthouse as the William C. Friday Center, including changeable message sign for the Center.
- Parking lot plan for northeast corner of Trade and Gaston Streets as prepared by Diamond Engineering.
- Parking lot plan for E. Wilkins Street (inner block area between Trade and Wilkins) as prepared by Diamond Engineering.
- Photoshop depiction of 100 Block of West Trade Street storefronts showing concept of restoration and/or renovation.
- Enhanced crosswalks (brick pattern pavement) on W. Trade at Gaston and Holland Intersections.

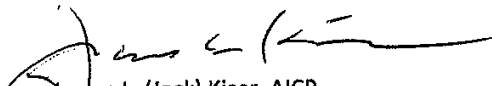
- Cross-sections showing new signal masts and arms on W. Trade at Gaston and Holland Intersections.
- Images of replacement historic style street lights.
- Other images of the historic square as appropriate, and as good layout principles permit.
- Brief text describing various graphics and images on the plan, as needed.

In addition to the plan map, a brief report will be prepared including goals, objectives and specific strategies to be carried out. This will also include an implementation table showing each action (project) to be undertaken, timing for projects, and estimated costs. Other related work, prepared by the Town can also be incorporated into this report. Ten copies of the plan map and accompanying brief report will be provided to the Town.

The Town will be responsible for furnishing to the consultant an aerial photograph image of the plan area (obtainable from Gaston County Planning or GIS office) in both JPEG and PDF formats. The Town Manager and/or Town Planner will be available to meet with the consultant as needed during the process of completing the project. The Town will be responsible for the review and adoption processes with the Board of Aldermen and/or other bodies as may be desired. However, the consultant is available to perform and/or assist with the adoption at additional fee on an hourly basis.

The cost of this project will be \$4,750 including my time and graphic design, plus out-of-pocket expenses estimated to be \$300 (mostly color map printing and a small amount of auto mileage). Billing will be at the time the work is delivered in final form. I can begin work immediately upon written approval and notice to proceed (purchase order) and can complete work within 60 days. If you have questions, please contact me at 704.616.1862. I look forward to providing this service to the Town of Dallas.

Sincerely,  
KISER PLANNING AND DEVELOPMENT, LLC

  
James L. (Jack) Kiser, AICP  
President