

MINUTES FOR BOARD OF ALDERMEN MEETING

April 8th, 2014

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; Gary Buckner, Police Chief; Bill Trudnak, Public Works Director; Steve Lambert, Fire Chief; Doug Huffman, Electric Director; and Town Attorney, Thomas Hunn. Anne Martin, Recreation Director, and David Kahler, Community Development 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 asked if there were any additions or deletions to the agenda. Mr. Palenick stated that there would be a discussion during the Manager's Report concerning purchase of a building for the Public Works facility. Mr. Withers made a motion to approve the agenda, seconded by Mr. Huggins, and carried unanimously.

Ms. Duff made a motion to approve the minutes from the February 25, 2014 work session and the March 11, 2014 regular meeting, seconded by Ms. Morrow, and carried unanimously.

Consent Agenda:

Item 5A was a request to approve a resolution declaring May 11-17, 2014 as "Respect for Law Week". This designation is made each year. (Exhibit A) Mayor Coleman stated that he appreciated the Police Department and the work they do in Dallas.

Mr. Withers made a motion to approve the consent agenda, seconded by Ms. Morrow, and carried unanimously.

Recognition of Citizens:

Mr. Daniel Britton, 4202 Springview Dr., stated that a Community Pep Rally is being scheduled for Saturday, August 16, 2014 to kick off the new school year for North Gaston High School. He requested that N. Holland St. be closed from W. Trade St. to W. Main St. and that W. Main St. be closed from S. Gaston St. to N. Holland St. from 3:00 pm until 7:30 pm. Ms. Duff made a motion to approve the street closure as requested, seconded by Mr. Cearley, and carried unanimously. Mr. Britton also asked that Police Department be present, that the Fire Department provide a truck for children to explore, that the Town provide porta-jons, and that the Town give a \$1000 donation to defray costs of the event. Mr. Britton did not say that North Gaston High School or the Gaston County School system was in any way sponsoring the event. Mayor Coleman told Mr. Britton that he would need to provide a written request outlining all that he was asking for. This request could then be considered by the Town and a decision could be made concerning the Town's involvement. Without this written request, outlining all items, the request cannot be approved. Mr. Britton said he will complete the request.

Jim Lowery, Commander of the William A. Stowe, Camp 2142, of the Sons of the Confederate Veterans requested Town approval to conduct a Memorial Day service on the Town Square grounds, in front of the Courthouse building, on Saturday, May 24, 2014 beginning at 2:00 pm. This is a recurring yearly event that

typically lasts less than 1 hour and does not require extra support from the Town. The current renovation construction at the Courthouse should not inhibit this activity. Mr. Huggins made a motion to approve the event as requested, seconded by Ms. Duff, and carried unanimously.

Ms. Dottie Brooks, 3201 Cloninger Road, spoke on behalf of Ms. Charlotte Jenkins, who could not be present. A reception is being held on Friday, May 16, 2104 from 6 – 8 pm in honor of Dr. Weerakoon, who is retiring in June. Ms. Brooks extended an invitation to the Town Board and Officials.

Mr. Curtis Wilson, 438 S. Gaston St., expressed his thoughts on the policy for the electronic reader board sign at the March work session. He does not think that a non-profit organization should be charged for a notice placed on the sign. He also does not think, as a business owner, that he would like to pay an advertising fee for an ad that does not provide 100% coverage of all cars passing due to the rotating messages. He would particularly like the proposed fee for non-profits to be reconsidered.

Recognition of Employees:

Item 7A was recognition of Charles Richard “Rick” Cook for Thirty Years of Service with the Town of Dallas. Rick was hired on March 6, 1984 in the Street and Sanitation Department. Over the years he has been a driver, supervisor, and currently serves as crew leader for Solid Waste. (Exhibit B)

Item 7B was recognition of Gerald David Thornburg, Jr. for Five Years of Service with the Town of Dallas. Gerald was hired on March 23, 2009 and has served the Town since as a maintenance employee within the Water and Sewer Department. (Exhibit C)

Public Hearing:

Mr. Withers made a motion to enter into a public hearing to consider an ordinance to establish and assign zoning classification to recently-annexed lots along Lower Dallas Highway. The Planning Board held a public hearing on March 20, 2014 and voted to recommend assigning B-1, Neighborhood Business zoning classification to the lots. The adjacent lots that have been annexed into the Town are also all zoned B-1, Neighborhood Business, so this zone will be consistent with the plan for, and character of, the adjacent property. (Exhibit D)

Mr. Huggins made a motion to exit the public hearing, seconded by Ms. Duff, and carried unanimously. Mr. Huggins made a motion to approve the ordinance establishing zoning classification as presented, seconded by Ms. Morrow, and carried unanimously.

Old Business:

None

New Business:

Item 10A was a request to appoint two members to the Fire Board. Due to the death of Earl Withers and the resignation of Dr. Thomas Will, there are two vacant seats on the Fire Board that must be appointed by the Board of Aldermen. Mr. Earl Hoyle Withers, II and Mr. Terrell Scott Martin have indicated their interest in serving and each has been involved with the Fire Department over a number of years. The terms are indefinite, with members serving until resignation or replacement. Mr. Huggins made a motion to appoint Mr. Earl Hoyle Withers, II and Mr. Terrell Scott Martin to fill the two vacant seats on the Fire Board, seconded by Mr. Cearley, and carried unanimously.

Item 10B, was consideration of an Electronic Variable Message Board Sign (EVMBS) Policy. Now that the Town has fully installed the EVMBS along Trade Street in the Court Square, the need exists for a policy which will govern the use and programming of the sign for display of messages, announcements, and advertising. A draft policy was presented and discussed at length at the March 25th Board of Aldermen Work Session. (Exhibit E) The EVMBS Policy established a three-tiered hierarchy of priority of displaying messages, with Town of Dallas messages being of the 1st priority; other governmental and non-profit messages having the 2nd priority; and finally, commercial advertising for businesses located within the 28034 zip code possessing the 3rd, or lowest, priority. Prohibited messages/advertising would include; individual church messages; political candidate or issue advocacy; and advertising of alcohol, tobacco, gambling, prescription drugs, or adult entertainment. Fees would be charged for non-profits at 25 cents per view, and for commercial business advertising at 75 cents per view. All programming would be by application to the Town and on a priority and first-come, first-served basis. There was some discussion concerning the charges for non-profits. Mayor Coleman reiterated that without a policy, there is no basis to place any announcements on the sign. Once a policy is established, if changes to the policy are deemed necessary, that can be accomplished as the need arises. Ms. Duff made a motion to approve the policy as presented, seconded by Mr. Huggins, and approved by the following vote: Yays – Alderman Cearley, Duff, Huggins, and Morrow. Nays – Alderman Withers.

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

Mr. Palenick discussed the purchase of a new storage facility for the Public Works complex. This item was to be addressed in the upcoming budget, as there is a serious need for secure storage at the complex. The Town was presented with an opportunity to purchase a 50’ x 100’ building at a reduced cost from a manufacturer that had been commissioned to build this building for a customer that then changed their mind. (Exhibit F) A decision had to be made quickly. The Board was contacted and a consensus was obtained to move forward with the purchase within the necessary time frame. By taking advantage of this opportunity, Dallas will be able to accomplish this storage facility at approximately one half of the originally projected costs. This year Dallas is projected to receive approximately \$150,000 in Electric True-Up Refund from Duke Energy. These funds could be used to accomplish this project completely. Mr. Withers made a motion to approve the purchase and outfitting of this storage facility as described, seconded by Mr. Cearley, and approved by the following vote: Yays – Alderman Cearley, Huggins, Morrow, and Withers. Nays – Alderwoman Duff.

As Phase II and Phase III of the Waterline Construction Project continues Town Officials and Staff are receiving multiple complaints concerning the contractor, Advanced Development Concepts, particularly in respect to maintenance of cuts in the roadways. By consensus, the Board decided that if the complaints continue after contact by Town Staff, that future payments will be held until a contractor representative addresses the Board concerning resolution of the situation.

Ms. Duff made a motion to adjourn, seconded by Mr. Withers, and carried unanimously. (7:11)

Rick Coleman, Mayor

Maria Stroupe, Town Clerk

The Town of Dallas
210 N. Holland Street
Dallas, NC 28034
704-922-7681 Fax 704-922-4701

Resolution:

Passed April 8, 2014

Resolution for Respect for Law Week

Whereas, The Board of Alderman has for many years observed National Respect for Law Week, and;

Whereas, The Town of Dallas recognizes and appreciates the dedication of those serving in Law Enforcement, and;

Whereas, Citizens of every nation recognize the dangers faced by officers every day, and;

Whereas, We realize that these public servants are recognized too seldom for the services performed.

Therefore be it resolved that – We the Board of Alderman of the Town of Dallas declare the week of May 11, 2014 Respect for Law Week and thank the above listed public servants who work behind the badge, and all supportive staffs for their work and loyal dedication.

Be it ordained by the Town Board of the Town of Dallas.

Ayes _____

Nays _____

Abstains _____

Richard C. Coleman
Mayor of Dallas

Attest: _____
Maria Stroupe
Town Clerk

CERTIFICATE OF APPRECIATION

This certificate is awarded to
CHARLES RICHARD COOK

in recognition of his 30th anniversary with the Town of Dallas on **March 6, 2014**
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

GERALD DAVID THORNBURG, JR.

in recognition of his 5th anniversary with the Town of Dallas on March 23, 2014
and in gratitude for his years of dedication and service

TOWN OF DALLAS



Signature

Date

Signature

Date

AN ORDINANCE ASSIGNING ZONING CLASSIFICATION

WHEREAS, the question of assigning a zoning classification was referred to the Planning Board of the Town of Dallas to hold a public hearing thereon, and

WHEREAS, a public hearing was held on March 20, 2014 at 7 pm before the Planning Board of the Town of Dallas after due public notice in the manner provided by Law, and

WHEREAS, the Planning Board of the Town of Dallas made a report recommending that the property described below be zoned B-1, Neighborhood Business, and

WHEREAS, a public hearing was held on April 8, 2014 at 6 pm before the Board of Aldermen of the Town of Dallas, after due public notice in manner provided by law.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF DALLAS, NORTH CAROLINA:

The property described below that was voluntarily annexed in the Town of Dallas effective April 9, 2014 be zoned B-1, Neighborhood Business:

Lying and being in the Dallas Township of Gaston County, North Carolina and being more particularly described as follows:

BEGINNING at an iron pin set marking the common front corner of DWH Management & Services Co., Inc. (Deed Book 4649 Page 2406) and Med Group, LLC (Deed Book 4187 Page 775) in the eastern margin of Lower Dallas Highway (NC Hwy #279), said iron pin set also South 78 degrees 47 minutes 20 seconds East 99.06 feet from a right of way monument and running thence with the southern line of Med Group South 74 degrees 58 minutes 53 seconds East, crossing an existing 2" pipe at 204.60 feet, a total distance of 404.36 feet to an existing 1/2" rebar; thence South 03 degrees 42 minutes 57 seconds West, crossing an existing 1/2" rebar at 205.17 feet, a total distance of 407.58 feet to a point in the centerline of Long Creek; thence along the centerline of Long Creek as it meanders the following courses and distances: (1) South 73 degrees 46 minutes 35 seconds West 24.94 feet, (2) North 71 degrees 14 minutes 15 seconds West 85.96 feet, (3) South 79 degrees 46 minutes 53 seconds West 76.87 feet, (4) North 86 degrees 26 minutes 33 seconds West 15.50 feet; thence leaving Long Creek and running North 04 degrees 19 minutes 43 seconds East 18.38 feet to a point; thence North 81 degrees 39 minutes 00 seconds West 116.91 feet to a point; thence North 22 degrees 30 minutes 59 seconds East 4.92 feet to a point; thence North 46 degrees 23 minutes 43 seconds West 90.51 feet to an iron pin set; thence North 02 degrees 43 minutes 54 seconds West 60.88 feet to an iron pin set; thence South 88 degrees 06 minutes 53 seconds West 36.09 feet to an iron pin set in the eastern margin of Lower Dallas Highway; thence with the eastern margin of Lower Dallas Highway a curve to the right having a radius of 984.23 and an arc distance of 335.78 feet to a point in the eastern margin of Lower Dallas Highway (the chord of this call is North 07 degrees 53 minutes 18 seconds East 334.16 feet); thence With the eastern margin of Lower Dallas Highway North 17 degrees 39 minutes 43 seconds East 11.13 feet to an iron pin set, said point of beginning.

The foregoing property described containing 4.061 acres more or less and being taken from a survey prepared by John Lineberger Surveying and Mapping on the 19 August, 2013 entitled "Survey Made at the Request of: Med Group, LLC & DWH Management & Services Co

Motion by to adopt the foregoing ordinance and seconded by in Public Hearing, duly assembled, this 8th day of April 2014 and voted on by the following,

AYES: Aldermen:

NAYS: Aldermen:

Mayor Rick Coleman

ATTESTED:

APPROVED AS TO FORM:

Town Clerk

Town Attorney

Planning Board Recommendation for Action

The amendment to the Zoning Map has been approved by the Planning Board, and is consistent with all of the objectives and policies for growth and development contained in the Town of Dallas Land Use Plan for the following reason(s):

1. Parcel ID #s 172562
172527
212687
221895

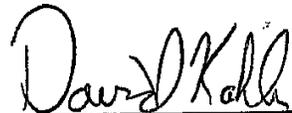
Have been assigned the Zoning Classification of B-1, Neighborhood Business, because this classification matches that of the surrounding parcels that are within the Town of Dallas in that area.

This report reflects the recommendation of the Planning Board, this 20th day of March 2014

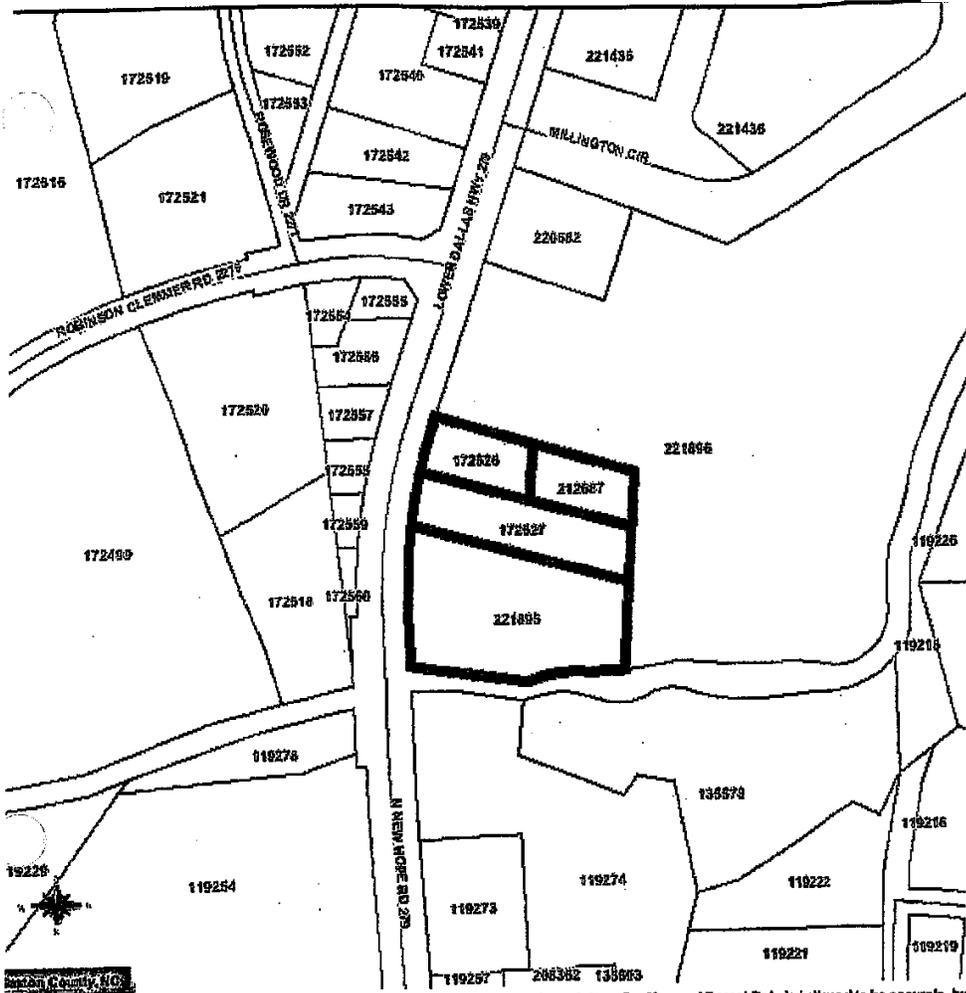
Attest:



Planning Board Chair



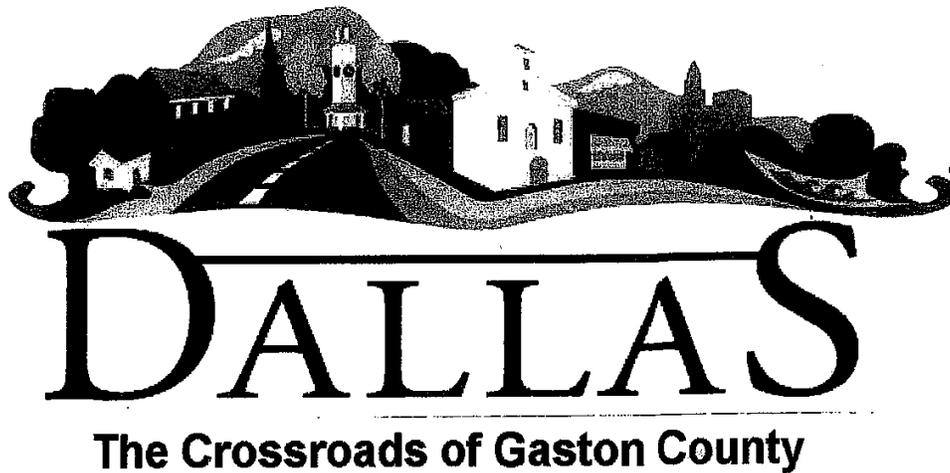
Planning Director



- Legend**
- Selected Features
 - County_Line
 - Parcel Numbers
 - Parcel Lines

Gaston County, NC

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 the accuracy of this information.



Electronic Variable Message Board Sign Policy

The Town of Dallas owns and operates an electronic variable message board sign (EVMBS) located in the Town Square along Trade Avenue. The posting of messages, information, notices, and/or advertisements on the EVMBS shall be subject to the following criteria, regulations, and prioritization:

- I. **First-Priority Messages/Postings:**
 - A.) The primary purpose and priority of the EVMBS, which shall supercede all other uses, is the posting of notices, events, and/or activities which are run, supervised, and/or sponsored by the Town of Dallas, including, but not limited to, public meetings; festivals; concerts; parades; fund-raisers; recreational activities, games, or tournaments; elections; emergency warnings and/or alerts; activities being held in the adjacent Courthouse-Community center; and/or other items or notices of general community interest or public service, safety, or convenience.
 - B.) The Town of Dallas may also regularly post any one of, or in combination, the then-current day, date, time, or temperature on a recurring basis.
 - C.) There shall be no fees required for the posting of Town of Dallas-initiated and generated messages.
- II. **Second-Priority Messages/Postings:**
 - A.) The secondary purpose and priority of the EVMBS, which shall only be accommodated when and if same are not in conflict with any "first-priority messages/postings" as defined herein, shall consist of the posting of notices, events, and/or activities which are

run, supervised, and/or sponsored by any one, or a combination of: The U.S. Government; The State of North Carolina; Gaston County, or political subdivisions thereof; The Gaston County Schools; Gaston College; The Dallas Chapter of the Gaston regional Chamber of Commerce; or other not-for-profit, organizations or foundations whose primary focus is civic, fraternal or community service, and whose efforts serve the general public of the Town of Dallas on a non-discriminatory basis. Religious or faith-based groups or churches are not eligible to post messages regarding events, activities, or fund-raisers exclusive to their individual church or denomination. Only non-denominational events, activities, or fund-raisers which represent the collective Dallas faith community shall be eligible hereunder.

- B.) All requests for postings shall be submitted to the Town of Dallas using authorized application forms provided by the Town, and received at least seven (7) calendar days in advance of the event or activity being noticed/advertised. In addition, any and all fees required hereunder shall be paid in full prior to any such messages/postings appearing on the EVMBS. The Town of Dallas reserves the right to edit messages or text, and to limit such text in order to assure readability and to fit the EVMBS format.
- C.) Individual candidates for elected office, or those supporting or promoting said individual candidates, or individuals or groups advocating for or lobbying on behalf of, public policy issues, shall not be eligible to use the EVMBS to post messages in support, advocacy for, or endorsement of said candidates or issues.
- D.) Typically a message/posting will be displayed on the EVMBS as an uninterrupted "view", lasting not less than eight (8) seconds, or more than thirty (30) seconds, and will be programmed with multiple other "views" in rotation. "Views" may be programmed to run in rotation at selected, designated times, or twenty-four-hours per day, however, fees shall only be charged for "views" appearing between the hours of twelve-o'clock (12:00) a.m., and six-o'clock (6:00) a.m.
- E.) Fees for Second-Priority Message/Postings shall be: Twenty-Five Cents (\$.25) Per "View"

III. Third-Priority Messages/Postings – "Advertisements":

- A.) The tertiary purpose and priority of the EVMBS, which shall only be accommodated when and if same are not in conflict with any "first-priority" and/or "second-priority" messages/postings, as defined herein, shall consist of the posting of commercial advertisements which advertise, promote, or encourage the sale of goods or services which meet the following criteria:
 1. Are provided by a business with a physical location within the 28034 Zip Code.
 2. Postings/Advertisements for tobacco, alcohol, gambling, prescription drugs, and/or "adult" products or services shall be prohibited.
 3. Logos, brand designations, or other trademarked or copyrighted graphics may be used only if the business is authorized to display same, and if said business provides Town with said graphic(s) in a format readily useable with the EVMBS programming software. (jpg; bmp; png; tiff; gif) e-mail to: dallasgis@dallasnc.net

4. All third-priority postings/advertisements shall be programmed on a "first-come/first-served" basis.
5. The Town shall reserve the right to edit, alter, or outright refuse to accept and program any advertisement or posting which contains content, text, or graphics which is/are determined to be inconsistent with generally-accepted values in the Town of Dallas for propriety, decency, respectfulness and courtesy.
6. Fees for Third-Priority Message/Postings shall be: Seventy-Five Cents (\$.75) Per "View".

- The attached application form shall be used for any requests to program "Views" on the Town of Dallas EVMBS.

Name of Organization/Business: _____

Name of Applicant: _____

Address: _____

Phone #: _____ **E-mail:** _____

Requested Dates For Programming of "Views": Beginning: _____

_____ **Through:** _____

Timing of "Views": _____

Total Requested Number of Programmed "Views": _____

Fees:

Not-For-Profit: 25 cents per-view x _____ views = \$ _____

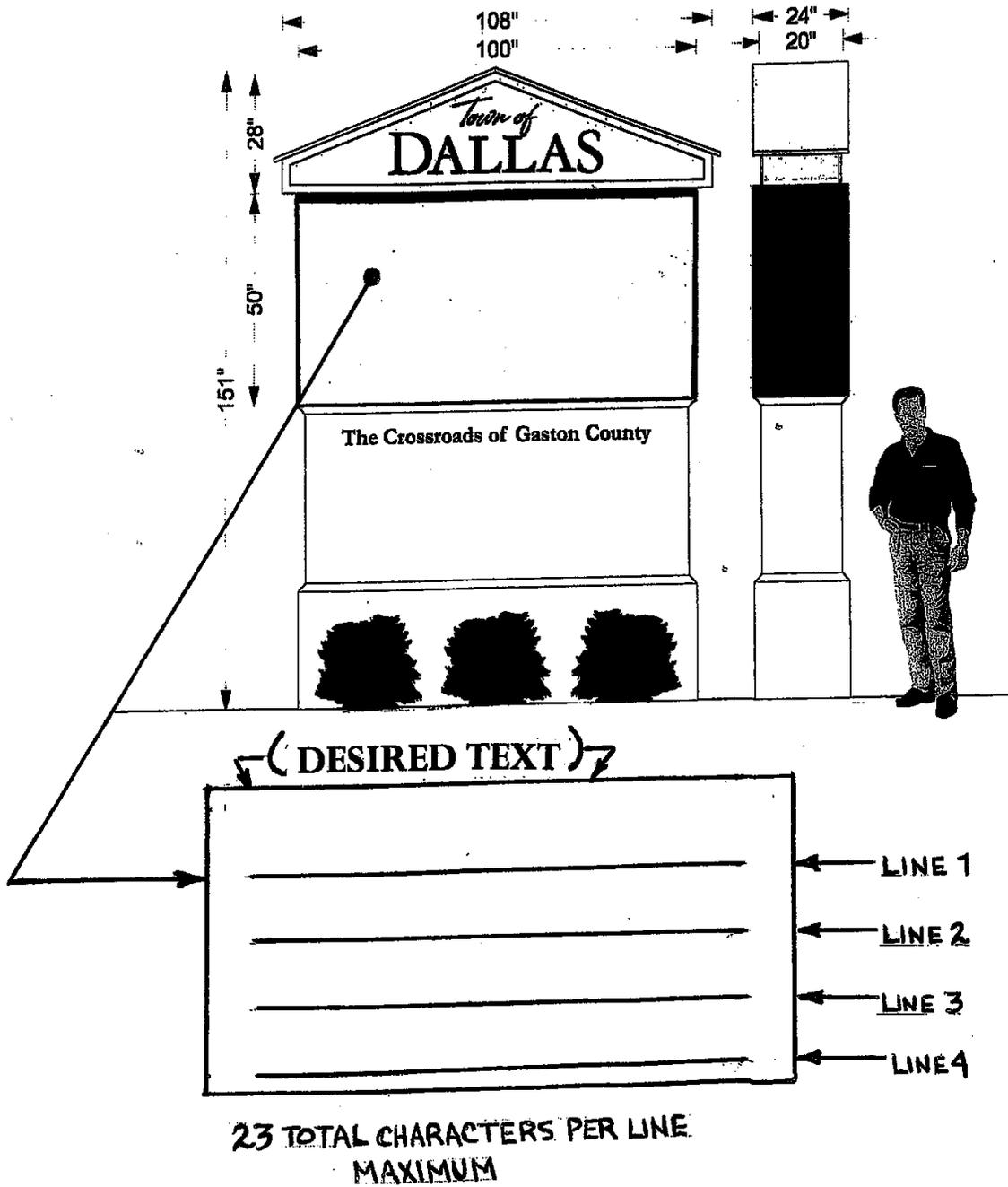
For-Profit Business: 75 cents per-view x _____ views = \$ _____

Town of Dallas Use Only:	
Approved By: _____	Date: _____
Total Fees: \$ _____	Received By: _____ Date: _____

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TOWN OF DALLAS

ELECTRONIC VARIABLE MESSAGE BOARD SIGN



36

Pre-Engineered, Steel Storage Building
Coastal Steel Structures (Boca Raton, FL.)

Specifications:

50' W x 100' L ; 12' sidewall height; steel panel walls over pre-engineered, bolt-together steel structure.

Open clear span – gable roof

Originally ordered and spec'ed for Duke University

- **Upgrades:** "galv-alum" roof – maintenance-free, 25-year warranty roof
- Hardware package – zinc fasteners, carbon steel shafts, lifetime warranty.
- "PBR" panel package – extra 1 ¾" overlap on each panel to assure moisture-free.
- Industrial-grade steel rod, x-bracing.
- Still have choice of colors – panels & trim.
- Includes entry door and can still specify openings for frame-out of overhead doors/ windows.

Duke University contracted at \$57,850.00 plus freight charges. (Paid \$20,000 down).

Price to Dallas (Delivered): \$32,720.00

Approximate delivery-date: July 1, 2014.

Required Down Payment upon purchase commitment: \$6,500.00

Additional Costs:

- Concrete slab floor:
- Overhead doors & windows
- Simple plumbing & electrical
- Finish-out interior office/ work space for meter division.
- Grading & site prep.
- Actual building erection
- Landscaping.

Entire Project should be Completed at or below: \$100,000.00