

**Town of Dallas  
Agenda  
August 9, 2022  
6:00 PM  
BOARD OF ALDERMEN  
Rick Coleman, Mayor**

**Sam Martin**

**Frank Milton**

**Darlene Morrow**

**Jerry Cearley, Mayor Pro-Tem**

**E. Hoyle Withers**

<b>ITEM</b>	<b>SUBJECT</b>	<b>Page</b>
<b>1.</b>	<b>Invocation and Pledge of Allegiance to the Flag</b>	
<b>2.</b>	<b>Approval of Agenda with Additions Or Deletions</b>	
<b>3.</b>	<b>Approval of Minutes</b>	
	A. July 12 <sup>th</sup> Regular Meeting, July 26 <sup>th</sup> and August 2 <sup>nd</sup> Work Sessions	2
<b>4.</b>	<b>Recognition of Citizens: Time set by Mayor</b>	
	A.	
<b>5.</b>	<b>Consent Agenda (to be acted on collectively, unless removed for further discussion)</b>	
	A. Budget Amendment – 2 <sup>nd</sup> Tranche of ARPA Funds	13
	B. Filming Fee Schedule for Town Facilities	15
	C. Credit Card Fees	16
<b>6.</b>	<b>Public Hearings</b>	
	A. Senate Bill 300 Text Amendments	17
	B. Urban Beekeeping Text Amendment	24
<b>7.</b>	<b>Old Business</b>	
<b>8.</b>	<b>New Business</b>	
	A. Special Event Application – Sons of Confederate Veterans	28
	B. Special Event Application – Cotton Ginning Days Parade	34
	C. ARPA Funds Grant Project Ordinance	40
<b>9.</b>	<b>Manager’s Report</b>	
<b>10.</b>	<b>Closed Session:</b>	

## MINUTES FOR BOARD OF ALDERMEN MEETING

July 12, 2022

6:00 PM

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

The following staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Matt Kanupp, Assistant Fire Chief; Sarah Hamrick, Town Clerk; Jonathan Newton, Finance Director; Robbie Walls Police Chief; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Tom Hunn, Town Attorney; and Brian Finnegan, Planner.

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

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

### **Approval of Agenda:**

The Town Manager added an addition to the agenda concerning adding a daytime work session in August and Alderman Milton added the subject of affordable housing. Alderman Withers motioned to set the agenda with the addition's, seconded by Alderman Milton, and carried unanimously.

### **Approval of Minutes:**

Alderman Cearley motioned to approve the minutes from the June 14th regular Board of Aldermen Meeting. Alderwoman Morrow seconded this motion and it was carried unanimously.

### **Recognition of Citizens:**

The Mayor opened the floor to the Recognition of Citizens.

Mike Fields of 1333 Philadelphia Church Road thanked the Town departments for their hard work at the Fourth of July celebration. Mr. Fields also mentioned some of the recent achievements of Mr. Dewayne Ross and Mr. John Bailey.

Curtis Wilson of 438 S. Gaston Street prayed over the Board of Alderman meeting and congratulated the town employees on the Fourth of July celebration.

Robert Neunzig of 813 Robinson-Clemmer Road commented on the possible crime that could come along with bringing affordable housing to the Dallas area.

### **Consent Agenda:**

#### *Item 5A Budget Amendment for Sale of Town Property-Ollie Way*

At the May 10<sup>th</sup>, 2022 Board of Aldermen Meeting, the Board unanimously approved the sale of 0.2749 acres of Town-owned property located at 3601 Dallas High Shoals highway to Charlotte

Land Group LLC for \$5,000. The approval to accept came after the offer had been advertised in compliance with N.C.G.S §160A-129 for upset bids. Attached is a budget amendment accepting and appropriating funds from the sale of the property (Exhibit 5A-1).

*Item 5B Donation of Brightfield Electric Car Charging Station Equipment*

The charging station located in the parking lot behind Town Hall at 210 N. Holland St. has been inoperable for several years. The owner, BrightField Transportation Solutions, has offered to donate the equipment to the Town. The offer to donate includes all equipment associated with the charging station. Although there will be no cost to the Town, a Bill of Sale is attached and must be approved in order to proceed with the donation. Accepting the donation will allow the Town to work toward replacing the charging station with a workable solution (Exhibit 5B-1).

Both items on the Consent Agenda were approved with a motion made by Alderman Milton and seconded by Alderman Cearley, and carried unanimously.

**Public Hearings:**

*Item 6A Text Amendment- Residential Developments Entrance Requirements*

Alderman Withers made a motion to go into the public hearing, seconded by Alderman Cearley, and carried unanimously.

The Town's Development Standards do not currently reference entrance requirements for residential developments. The attached text amendment has been a general guidance utilized for several years. After discussion between Planning, Engineering, and Public Safety personnel, the following text amendment has been drafted and proposed by Staff to 153.013.8, *Street access, easements, monuments, property lines*. The text amendment was unanimously recommended for approval by the Planning Board at the March 17, 2022 meeting, noting that the text amendment is consistent with the 2003 Land Use Plan in order to regulate and promote safety, as well as better connectivity throughout the Town; therefore, the amendment is deemed reasonable and in the public's best interest. This public hearing has been advertised as required by North Carolina General Statute **§160D-601, Procedure for adopting, amending, or repealing development regulations**. Published notice was provided in the Gaston Gazette on June 29<sup>th</sup> and July 6<sup>th</sup>. Sample Statements of Plan Consistency, as required by North Carolina General Statute **§160D-605**, have been provided in agenda material by Staff (Exhibit 6A, 1-3).

The Development Services Director, Nolan Groce, gave a presentation and answered questions from Mike Fields concerning if the amendment applies to state highways.

Alderwoman Morrow made a motion to go out of the public hearing, seconded by Alderman Milton and carried unanimously.

Alderman Cearley made a motion to approve the amendment with the Consistency Statement in favor of the adoption, seconded by Alderwoman Morrow and carried unanimously.

*Item 6B Text Amendment- BC-1 Zoning District*

Alderman Milton made a motion to go into the public hearing, seconded by Alderwoman Morrow and carried unanimously.

The BC-1 Zoning District was established with the intention of regulating shopping centers within the Town's zoning jurisdiction. Since Shopping Centers house a variety of uses, the table of permitted uses reflects the range of uses permitted in the zoning district. The regulations in section 153.031 have specific restrictions on percentage of coverage, setbacks from street rights of way, and analyses with the intent of successfully regulating shopping center developments. However, in the instance that a property in this district is developed for a single permitted use, the regulations are overly restrictive and keep individual businesses from blending uniformly with the surrounding area. Therefore, the following proposed text amendment was drafted to allow for uniform development in the Town. The text amendment was unanimously recommended by the Planning Board at the May 19, 2022 meeting, noting that the text amendment is consistent with the 2003 Land Use Plan, allowing consistent regulation in the BC-1 district, while promoting overall safety and aesthetic standards, therefore being reasonable and in the public's best interest. This public hearing has been advertised as required by North Carolina General Statute **§160D-601, Procedure for adopting, amending, or repealing development regulations**. Published notice was provided in the Gaston Gazette on June 29<sup>th</sup> and July 6<sup>th</sup>. Sample Statements of Plan Consistency, as required by North Carolina General Statute **§160D-605**, have been provided in the agenda material by Staff (Exhibit 6B, 1-8).

A presentation was given by the Town's Development Services Director, Nolan Groce, and he addressed all questions by the Board.

Alderman Milton made a motion to go out of the public hearing, seconded by Alderwoman Morrow and carried unanimously.

Alderman Milton made a motion to approve the amendment with the Consistency Statement in favor of the adoption, seconded by Alderman Cearley and carried unanimously.

**Old Business:**

There was no old business at this time.

**New Business:**

*Item 8A CERRI Plan Adoption*

In November 2021, the Town began a Community Economic Recovery and Resiliency Initiative (CERRI) with the NC Main Street & Rural Planning Center, a division of the NC Department of Commerce. A local workgroup was formed comprised of elected officials, Town staff, business owners, citizens, and county stakeholders. Workgroup meetings were held monthly through March 2022. Mr. Jeff Emory, Community Economic Development Planner Southwest Prosperity Zone NC Department of Commerce, facilitated the project and meetings. Mr. Emory presented the final report and plan at the May 24<sup>th</sup> Board of Aldermen Work Session for review by the

Board. Attached is a copy of the final report and plan. The plan is now presented for final approval (Exhibit 8A, 1-25).

The Town Manager gave a presentation. She and the Community Economic Development Planner, Jeff Emory, answered questions concerning the adoption, from the Board.

Alderman Cearley made a motion to approve the adoption, seconded by Alderman Milton and carried unanimously.

*Item 8B Leonard Greene Apartment Bonds*

Leonard Greene is a new construction family apartment development to be located at approximately 119 Evans Lake Road in Dallas. The project will be co-developed by The Woda Group, Inc. and Woda Cooper Development, Inc. The development will contain three 3-story buildings with a total of 120 units. There are projected to be 36 1-bedroom units, 72 2-bedroom units, and 12 3-bedroom units. Project design includes a number of handicap accessible units, as well as units specifically equipped for sight/hearing impaired occupants. There will also be a community building with a management/leasing office, multipurpose space, laundry facility, and fitness room. Exterior amenities will include a playground, covered picnic area with tables and grills, and additional benches located throughout the development. The Gastonia Housing Authority has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$14,500,000 to assist in financing the project. The Town of Dallas must approve the issuance of these bonds by the Authority in order for the bonds to be utilized. Approval of the issuance of the bonds does not obligate the Town of Dallas financially to the project, only signifies the Town's approval of the project within the Town limits. Attached is documentation outlining the project, as well as a Resolution approving the project and the financing (Exhibit 8B, 1-7).

A representative from Mullen Holland & Cooper Attorneys at Law, Nancy Paskell, and Dennis Blackburn, with The Woda Group, Inc., were both in attendance to answer any questions from the Board.

Alderman Milton made a motion to approve the agenda item with the Resolution, seconded by Alderman Withers and carried unanimously.

*Item 8C Re-Appointment of John O'Daly, Jr. to the Planning Board*

Planning Board and Board of Adjustment member, John O'Daly, Jr.'s term has expired. Mr. O'Daly has expressed interest in continuing to serve in this role for the Town of Dallas. He has requested to be re-appointed to the Planning Board and Board of Adjustment for another three-year term. Mr. O'Daly has been an engaged member of both boards throughout his previous three-year tenure. Development Services Director Nolan Groce is recommending that Mr. O'Daly be re-appointed to the Planning Board and Board of Adjustment.

Alderman Cearley made a motion to approve the re-appointment of John O'Daly, Jr. to the Planning Board and Board of Adjustment for another 3-year term, seconded by Alderwoman Morrow and carried unanimously.

*Item 8D Special Event Application-Dallas Minister's Association*

The Dallas Minister's Association has submitted a Special Events Application to hold a Back-to-School Worship & Clothing Drive in conjunction with the Dallas Police Department's Back-to-School event on August 8, 2022. The event would run from 5:30 pm to 6:30 pm at Cloninger Park. Area churches will be distributing clothing for back to school and will hold a Community Worship service, all of which will be open to the general public. There are no road closures being requested. They are requesting two trash cans and use of electrical power for amplified sound. This group was approved for a Community Worship event in May that could not be held due to weather. They are requesting that the event fee paid for the previous event be transferred to this event due to not holding the previously scheduled event (Exhibit 8D, 1-5).

Alderman Cearley made a motion to approve the event and the transfer of fees, seconded by Alderwoman Morrow and carried unanimously.

*Item 8E Adding Additional Work Session in August*

The Town Manager requested that a second Work Session be scheduled for August during the day to discuss several up-coming projects.

The Board agreed to schedule the meeting for Tuesday, August 2<sup>nd</sup> at 10:30 a.m.

Alderman Cearley made a motion to approve the Work Session, seconded by Alderman Milton and carried unanimously.

*Item 8F Bringing Affordable Housing to Dallas*

Alderman Milton expressed his concerns to the Board about the need for affordable housing in the Town of Dallas. The Board agreed there is a need for this type of housing in this area as the cost of living and housing is continuing to rise.

**Manager's Report:**

The Town Manager reminded the Board of the up-coming events for the National Night Out on Tuesday August 2<sup>nd</sup> at 5:30 p.m. at Cloninger Park and the Tools for Schools Event held on Monday August 8<sup>th</sup> at 5:30 p.m. at the gym. She also reminded the Board of the Affordable Housing Seminar through the School of Government held in Marion, NC on Friday, August 26<sup>th</sup>.

Alderwoman Morrow made a motion to adjourn, seconded by Alderman Cearley and carried unanimously (7:07).

---

Rick Coleman, Mayor

---

Sarah Hamrick, Town Clerk

## MINUTES FOR BOARD OF ALDERMEN WORK SESSION

July 26, 2022

5:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderman Milton, Alderman Withers, and Alderman Martin. Alderwoman Morrow was absent.

The following Staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Robbie Walls, Police Chief; Jonathan Newton, Finance Director; Brandon Whitener, Parks and Recreation Director; Bill Trudnak, Public Works Director; and Earl Withers, Fire Chief.

Mayor Coleman called the meeting to order at 5:00 pm.

The Mayor then opened with the Pledge of Allegiance to the Flag.

At this time, the Mayor asked if there were any changes to be made to the agenda. Alderman Cearley made a motion to approve the agenda with no additions or deletions, seconded by Alderman Martin, and carried unanimously.

### **New Business:**

#### *Item 3A Filming at Franklin Gym*

In the past six months there has been interest in using the Dennis Franklin Gym for filming by two production companies. Currently, all uses of the Gym must be approved by the Board of Aldermen, in an effort to protect our aging facility. This discussion was to determine if the decision to allow filming at the Franklin Gym could be delegated to Staff. Usually, the filming schedules are fluid and an approval from the Board may be difficult to obtain in a timely manner based on Board meeting schedules.

Through discussion the Board is in favor of delegating the approval of use of the Franklin Gym for filming movies, commercials, or other similar productions to staff. Also discussed was use of the Historic Courthouse, Courthouse Grounds, and the recreation fields. An item will be presented at the August 9<sup>th</sup> Board of Aldermen meeting delegating the approval of filming requests by production companies to Staff, along with recommended fees and other requirements.

#### *3B Credit Card Fees*

Beginning June 1, 2021, the Town began charging a \$2.50 transaction fee for payments made with debit or credit cards. At the time, the fee should have covered the amount of service charges being assessed to the Town from the card payment processing vendor. Prior to June 2021, the Town had been paying the assessed fees with no pass-through to the customers using the cards as their payment method, but the costs were ever increasing and the decision was made to pass the fee on to the customer. Since instituting the fee, the card payment processing vendor

has increased and modified their fee structure, and a number of large customers have begun making their payments electronically. This combination has resulted in a loss to the Town for FY 2021-22 of \$27,933.41. Finance Director, Jonathan Newton presented potential options for discussion to address the gap in fees received versus fees charged.

Option 1 – Consider adopting the same fee schedule as the vendor.

Transaction amounts \$0.00 to \$85.01	\$2.50 per transaction
Transaction amounts \$85.02 +	2.95% per transaction

Option 2 – Consider adopting a 3-tiered fee schedule.

Transaction amounts \$0.00 to \$85.01	\$2.50 per transaction
Transaction amounts \$85.02 to \$500.00	\$3.25 per transaction
Transaction amounts \$500.01 +	2.95% per transaction

Option 3 – Consider adopting a 2-tiered fee schedule up to \$500.00.

Transaction amounts \$0.00 to \$85.01	\$2.50 per transaction
Transaction amounts \$85.02 to \$500.00	\$4.00 per transaction
Transaction amounts \$500.01 +	Only allow cash or check payments

While many people use card payments as a matter of convenience; the Town still accepts cash, money order, and check payments in-person, through the US Mail, or the two available drop boxes that do not result in any processing fees for the Town or the customer. The Town also offers bank draft for bill payment, at no charge to the customer.

After discussion, the Board asked that an item authorizing Option 2 be placed on the August 9<sup>th</sup> Board Meeting agenda for action.

### *3C Senate Bill 300 Text Amendments*

Senate Bill 300 was approved in Fall 2021 and became effective December 1, 2021. This bill predominately focused on criminal justice reform, but also included changes to the enforcement of local ordinances. Under the new statutory language, local governments must amend local ordinances to specifically identify violations that may be enforced criminally. The language also limits the amount of allowable fees a local government may impose. The fees proposed in the text amendment are the maximum allowed statute. (Exhibit 3C, 1-6).

Upon review, the proposed text amendments will be brought to the August 9<sup>th</sup> Board Meeting as a public hearing for discussion and possible adoption.

### *3D Urban Beekeeping Text Amendment*

While reviewing ordinance update for Senate Bill 300, Development Services staff examined the Urban Beekeeping Ordinance 90.02. Staff is recommending several modifications to the ordinance in relation to minimum setback requirements, screening, and general upkeep. (Exhibit 3D,1-3).

Upon review, the proposed text amendment will be brought to the August 9<sup>th</sup> Board Meeting as a public hearing for discussion and possible adoption, with the addition of a provision to grandfather existing beekeeping sites to the current ordinance requirements.



*3E COVID Protocols for Board Meetings*

North Carolina Governor Roy Cooper has announced that the current State of Emergency declared for the COVID-19 pandemic will be ending on August 15, 2022. Currently, all attendees at Board Meetings go through a pre-screening process and seating is limited within the room. This discussion was to determine whether to end the current process or extend it beyond the ending of the State of Emergency.

As of the meeting date, Gaston County and surrounding areas are experiencing a resurgence in virus cases. Based on the immediate situation, the consensus was to leave the current procedures in place and assess on a month to month basis.

The Town Manager reminded the Board of up-coming events for the Town.

Alderman Withers made a motion to adjourn, seconded by Alderman Milton, and carried unanimously (5:44).

---

Rick Coleman, Mayor

---

Sarah Hamrick, Town Clerk

**MINUTES FOR BOARD OF ALDERMEN WORK SESSION**  
**August 2, 2022**  
**10:30 AM**

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

The following Staff members were present: Maria Stroupe, Town Manager; Brian Finnegan, Planner; Jonathan Newton, Finance Director; Brandon Whitener, Parks and Recreation Director; Bill Trudnak, Public Works Director; and Earl Withers, Fire Chief.

Mayor Coleman called the meeting to order at 10:30 am.

The Mayor then opened with the Pledge of Allegiance to the Flag.

Town Manager, Maria Stroupe, gave a Power Point Presentation covering the following items, with discussion on each item after the presentation. (Exhibit 1, 1-22)

*Item 1 CMAQ Grant Update*

In 2013 the Town began work to apply for a CMAQ grant. After several changes and modifications, the Town was awarded a CMAQ grant for a sidewalk project to provide walkability to the US Post Office, Gaston College, and Gaston County Park in May 2018. In May 2020, grant projects were put on hold due to budget shortfalls with NC DOT, until further notice. At this time, the Town has not received any information about being able to proceed with the project. Within the last couple of weeks, the Town has received information that based on the original grant agreement, the project is to be completed by May 2023. We are exploring the possibility of an extension or a change to the scope of work, due to anticipated cost increases from the original cost estimates. These increased costs would have to be absorbed by Dallas, as the grant funding is set.

Discussion was held on the possible options, but until further information is received from NC DOT on what is allowable a direction could not be identified. Once we receive information concerning possible scope of work changes or an extension from NC DOT, the final decisions will be made on further steps.

*Item 2 Concept Drawing from Architect*

Provision was made in the FY22 budget to have an architect develop concept drawings and cost projects for three projects of interest to the Town: 1) Renovation of 208 N. Holland St., 2) Bathroom facilities at Cloninger and Jaggars Parks, and 3) A museum addition to the Fire Department to display two antique fire trucks. After many meetings between Staff and the architect, drawings and rough projections on cost are ready for review.

After discussion, it was determined to explore cost saving options on the bathroom facilities due to concerns over potential cost. Renovation of 208 N. Holland St. has been provided for within the current year Economic Development Fund budget, with \$100,000 of the cost being covered

by a State Construction and Infrastructure Grant (approximately 60% of the cost). Discussion was held concerning funding the Fire Department Museum addition. Possible funding options are forming a 501c3 foundation in order to conduct a fund raising campaign and seeking state funding assistance.

*Item 3 Hardin Road/High Shoals Water Project*

Town Staff has been in discussions with the Gaston County Economic Development Commission about possible extension of the Town's water line to Hardin Road and to the City of High Shoals to facilitate economic development along that corridor.

The Board of Aldermen were in agreement to continue pursuing this project.

*Item 4 Water Plant Capacity*

As Dallas continues to grow, the capacity of the Water Treatment Plant will need to be increased. Preparations need to be in the near future to address the anticipated needs and position Dallas to meet those needs.

The Water Plant is currently operating at approximately one half of the permitted capacity of 1MGD. In order to increase production additional plant operators will be required in order to run the plant up to 24 hours per day 7 days per week. This is the first step and will be needed within the next year. Also, steps need to be initiated to increase the amount the plant is permitted to produce. Once the increased permit is in place, construction can begin to increase the output.

*Item 5 ARPA Update and Potential Projects*

After many months of attending training and waiting for final guidance from the US Treasury, Staff is able to provide an update on allowable uses of ARPA (American Rescue Plant Act) funds. Potential projects to begin utilizing these funds to the benefit of Dallas citizens will also be presented.

Dallas is receiving \$1,528,91.64 in ARPA funds. Four potential projects were presented for consideration: 1) Upgrade the Dallas/Stanley Highway Pump Station, as the current pump station is nearing capacity, 2) Make repairs to the Water Treatment Plant facility to correct cracking walls and foundational issues in order to stabilize and preserve the building, 3) Install an automatic bar screen at the Waste Water Treatment Plant on the recommendation of the NC Department of Environmental Quality, and 4) Install a restroom facility at one of the Town's public parks. Projects 1,2, and 3 were deemed as the first projects to complete; with Project 4 being determined as not necessary at this time.

*Item 6 Future Public Utilities Facility*

A very preliminary meeting has been held between Town Staff and a builder to gain information on planning for a future facility for Public Utilities.

Renderings of facility in Gaston County were shown for information purposes. There was interest in setting up a tour of the facility to gain further knowledge to guide planning for a future facility for Dallas.

*Item 7 Summary of Potential Projects Town-Wide*

Finally, the items were summarized to show potential financial effects in each of the Town's major operating funds.

The Town Manager reminded the Board of up-coming events for the Town.

Alderman Withers made a motion to adjourn, seconded by Alderwoman Morrow, and carried unanimously (1:03).

---

Rick Coleman, Mayor

---

Sarah Hamrick, Town Clerk

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Budget Amendment -- 2<sup>nd</sup> Tranche ARPA Funds

AGENDA ITEM NO. 5A

MEETING DATE: 08/09/2022

### BACKGROUND INFORMATION:

On March 11, 2021, Congress approved the American Rescue Plan Act (ARPA) in response to the COVID-19 global pandemic. The plan included funds to be appropriated to local governments. Dallas received the first tranche in July 2021 with the second tranche to be received in 12 months.

For the first tranche Dallas was estimated to receive \$700,000, for a total of \$1.4M over the two years. A budget amendment was approved in June 2021 based on the estimated figures. In July 2021, Dallas actually received \$764,395.82. Therefore, the second tranche will also be \$764,395.82.

Attached is a budget amendment accepting and appropriating funds from the second tranche, as well as the additional \$64,395.82 received in the first tranche, so that the total amount received is accepted and appropriated before any of the money is obligated.

---

**MANAGER RECOMMENDATION:** Approve the budget amendment to accept and appropriate ARPA funds, as presented.

---

**BOARD ACTION TAKEN:**

**Town of Dallas**  
**Budget Amendment**

Date: August 9, 2022

Action: American Rescue Plan Fund Amendment

Purpose: To Receive ARP Funds - 2nd Allotment and Adjusted 1st Allotment

Number: ARP-002

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
80	3380	0000	ARP Allotment	\$700,000	\$1,528,792	\$828,792
80	8000	7500	CO: Construction	\$700,000	\$1,528,792	\$828,792

---

Approval Signature  
(Town Manager)

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Filming at Franklin Gym

AGENDA ITEM NO. 5B

MEETING DATE: 08/09/2022

### BACKGROUND INFORMATION:

In the past six months there has been interest in using the Dennis Franklin Gym for filming by two production companies. Currently, all uses of the Gym must be approved by the Board of Aldermen, in an effort to protect our aging facility.

Staff would like to propose, in the event of a request for use of the Gym by a filming production company, that a fee be set by the Board of Aldermen and the approval of the use be delegated to the Recreation Director and Town Manager. Usually, the filming schedule is fluid and an approval may be difficult to obtain in a timely manner based on the Board meeting schedule.

If the ability to approve use of the Gym by a production company is delegated, we would like to propose that the daily fee to use the Dennis Franklin Gym be set at \$1,200 per day and the production company must provide a W-9 and a certificate of insurance naming the Town of Dallas as insured in an amount no less than \$1M.

This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session. In addition to setting a filming rate for use of the Franklin Gym, discussion was held concerning filming rates for the Historic Courthouse/Grounds and the ballfield facilities.

A proposed fee structure for all Town facilities for production filming on a daily basis follows:

Dennis Franklin Gym	\$1200 per day
Courthouse and Grounds	\$1800 per day
Carr School & Jagers Park Ball Fields	\$1400 per day per field
Cloninger & Jagers Parks	\$700 per day (ballfields not included)

Rentals would require a certificate of insurance naming the Town of Dallas as insured in a amount no less than \$1M. Use of Carr Ballfields would also require the permission of Gaston County Schools.

---

**MANAGER RECOMMENDATION:** Approve the fee schedules as proposed for use of Town facilities for production filming, with approval of use to be delegated to Town Staff, as presented.

---

**BOARD ACTION TAKEN:**

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Credit Card Fees

AGENDA ITEM NO. 5C

MEETING DATE: 08/09/2022

### BACKGROUND INFORMATION:

Beginning June 1, 2021, the Town began charging a \$2.50 transaction fee for payments made with debit or credit cards. At the time, this fee should have covered the amount of service charges being assessed to the Town from the card payment processing vendor. Until that time, the Town had been paying the assessed fees with no pass-through to the customers using the cards as their payment method, but the costs were ever increasing and the decision was made to pass the fee on to the customer.

Since instituting the fee, the card payment processing vendor has increased and modified their fee structure, and a number of large customers have begun making their payments electronically. This combination has resulted in a loss to the Town for FY 2021-22 of \$27,933.41. The card fees paid by the Town during this period totaled \$90,080.91, while only \$62,147.50 was collected in customer fees.

While many people use card payments as a matter of convenience; the Town still accepts cash, money order, and check payments in-person, through the US Mail, or the two available drop boxes that do not result in processing fees for the Town or the customer. Also, the Town offers bank draft for payments at no charge to the customer.

This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session. From that work session, the following option is recommended for approval, to be effective October 1, 2021 to allow time to inform customers of the change in fees:

Transaction amounts \$0.00 to \$85.01	\$2.50 per transaction
Transaction amounts \$85.02 to \$500.00	\$3.25 per transaction
Transaction amounts \$500.01 +	2.95% per transaction

**MANAGER RECOMMENDATION:** Approve the change in transaction fees for debit/credit card transactions, as presented, to be effective October 1, 2022.

**BOARD ACTION TAKEN:**



# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Senate Bill 300 Text Amendment

AGENDA ITEM NO. 6A

MEETING DATE: 08/09/2022

### BACKGROUND INFORMATION:

Senate Bill 300 was approved in Fall 2021 and became effective December 1, 2021. This bill predominately focuses on criminal justice reform, but also included changes to the enforcement of local ordinances. Under the new statutory language, local governments must amend local ordinances to specifically identify violations that may be enforced criminally. The language also limits the amount of allowable fees a local government may impose. For example, violation of a parking ordinance may not exceed fifty dollars (\$50), which can be seen in the amendment to Chapter 72.99. The fees proposed in the text amendment are the maximum allowed by statute.

This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session.

Attached is the proposed text amendment.

---

MANAGER RECOMMENDATION: Approve the text amendment, as presented, to comply with Senate Bill 300.

---

BOARD ACTION TAKEN:

## Changes For Compliance:

### Per NCGS 14-4.b:

#### § 10.99 GENERAL PENALTY.

~~Any~~ Unless otherwise prohibited through North Carolina General Statute, any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 \$500 and/or, when permitted by general statute, imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

(G.S. § 14-4(a))

(G.S. § 14-4(b-c))

#### *Statutory reference:*

*Enforcement of ordinances, see G.S. § 160A-175*

---

#### § 72.99

(A) *Generally.* Any person violating any of the restriction on stopping, standing or parking of motor vehicles imposed by ordinance of the town may, within 15 days of the time that a written notice for the violation was attached to his or her vehicle, pay to the official designated as a penalty for and in full satisfaction of the violation the sum of \$2. Upon failure to make the payment heretofore designated, a written notice shall be mailed to the person, and if payment not be made within 48 hours after the time of mailing of the notice, the person shall be subject to ~~punishment not to exceed \$50 or by imprisonment not to exceed 30 days~~ a fine not to exceed \$50.00. Each day past the 48 hour window payment to satisfy the penalty is not received shall be considered a separate and distinct offense subject to the above penalty.

(Prior Code, § H-IV-19)

(B) *Prima facie proof.* In any prosecution charging violation of any ordinance of the town governing the stopping, standing or parking of a motor vehicle, without a driver, proof that the particular vehicle was parked in violation of the ordinance, together with the proof that the defendant was at the time of the parking the registered owner of the vehicle, shall be prima facie proof of the fact that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

(Prior Code, § H-IV-20)

(Ord. passed 7-11-1978)

---

## Per § 160-75A-175.b1

### § 110.99

(A) (1) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(2) ~~The violation of any provision of this chapter shall be a misdemeanor punishable by a fine of \$100 plus cost and/or confinement in the County Jail for a term of not to exceed 30 days.~~ Violation of any provision of this chapter shall be punishable by a fine not to exceed \$500. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty. In addition, the town specifically reserves the right to proceed in any court of competent jurisdiction for the purposes of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with §§ 110.01 through 110.10. The existence of this penalty is in addition to any and all provisions for business registration certificate revocation as detailed herein.

(B) (1) Violation of any of the provisions of § 110.21 by any person shall constitute a misdemeanor and, upon conviction, a violator shall be punished by a fine not to exceed \$50 or imprisoned for not more than 30 days.

(2) Each and every violation of § 110.21 shall constitute a separate and distinct offense.

(Prior Code, § J-VII-5) (Ord. passed 10-10-2015)

---

### § 112.99

Violation of any of the provisions of this chapter by any person shall ~~constitute a misdemeanor and, upon conviction a violator shall be punished by a fine not to exceed \$50 or imprisoned for not more than 30 days.~~ ~~or~~ ~~imprisoned for not more than 30 days.~~ Each and every violation shall constitute a separate and distinct offense. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty.

(Prior Code, § J-III-9)

---

### § 115.99

The violation of any provision of this chapter shall be a ~~misdemeanor~~ punishable by a fine not to exceed \$50 ~~and imprisonment of up to 30 days.~~ ~~or~~ ~~imprisonment of up to 30 days.~~ The existence of this penalty is exclusive of civil remedies for enforcement as otherwise provided by law. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty.

(Prior Code, § O-I-14(D))

---



## § 116.99

The violation of any provision of this chapter shall be a ~~misdemeanor~~ punishable by a fine not to exceed ~~\$50~~ \$500. and imprisonment of up to 30 days. The existence of this penalty is in addition to any and all provisions for permit revocation as detailed herein. **Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty**

(Ord. passed 4-14-2015)

---

## § 153.002

**HOME, CUSTOMARY OCCUPATION.** A customary home occupation is an occupation or profession which is conducted entirely within a residential dwelling provided:

(1) The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the character of the district of which it is a part.

(2) Use of the dwelling for this purpose shall be limited to 25% of one floor of the principal building.

(3) The home occupation shall be confined entirely to the principal building, and no accessory building or outside storage shall be used in connection with the home occupation.

(4) Employment shall be limited to members of the family and one employee must reside in the dwelling. In no case shall more than two members of the family be engaged in home occupation.

(5) No internal or external addition, alteration or remodeling of the dwelling is permitted in connection with the home occupation.

(6) Chemical, mechanical, or electrical activities that creates odors, light emission, noises, or interference in radio or television reception detectable outside of the dwelling shall be prohibited.

(7) No display of products shall be visible from the street, and only articles made on the premises may be sold;

(8) Instruction in music, dancing and similar subjects shall be limited to two students at a time.

(9) Only vehicles used primarily as passenger vehicles (i.e., passenger automobiles, passenger vans and passenger pick-up trucks) shall be permitted in connection with the customary home occupation. No more than two vehicles shall be used in conjunction with the customary home occupation. No on-street parking shall be allowed. Parking in association with the customary home occupation shall only take place in the driveway, carport or garage.

(10) The activity conducted as a home occupation shall be limited to the hours between 8:30 a.m. and 8:30 p.m.

(11) One sign may be used to identify the customary home occupation. Such sign shall not exceed one and one-half square feet in area. No such sign shall be illuminated. Signs are also permitted on vehicles associated with the customary home occupation (also see division (9)).

(12) The following uses are permitted as customary home occupation:

(a) Accountant.

(b) Appraiser.

(c) Architect.

(d) Attorney.

(e) Beauty salon, barber shop. Limited to two chairs; all parking provided off-street and must meet respective state Board's requirements.

(f) Bookkeeper.

(g) Broker or agent: real estate, insurance, etc.

(h) Clock/watch repair.

(i) Commission merchant (Craig's list, Ebay, One Man's Junk, etc.). Mailing address and office only; takes order only; direct shipment factory to customers only; no stock in trade permitted.

(j) Computer and data processing.

(k) Contractor's office. Employees may not report in person to contractor's home for work assignments or to do work therein connected with the contracting business. No storage of supplies or equipment permitted.

(l) Consultant (financial, marketing, business, etc.).

(m) Dance studio.

(n) Detective.

(o) Drafting service, blueprint. No reproduction equipment permitted.

(p) Dressmaker, tailor, alterations. No manufacture for stock in trade. No cleaning dyeing, or pressing by mechanically operated equipment,

(q) Engineer.

(r) Fine arts studio. Creation of individual works of art only; no production works.

(s) Insurance agent.

(t) Interior decorator. Office and mailing address only; studio not permitted,

(u) Janitorial service office. Employees not to report in person to home for work assignments.

(v) Landscape garden office. Employees not to report in person to home for work assignments. No storage of supplies or equipment for the landscape business permitted.

(w) Mail order business. Office and mailing address only; take orders only direct shipment from the factory to customers only; no stock in trade permitted in the residence.

(x) Music recording studio. No sound audible from outside the residence is allowed.

(y) Music instruction or tutoring voice or instrument. No more than two students at one time.

(z) Photography studio.

(aa) Professional planner (weddings, special events, held off-site only).

(bb) Tax Preparation, CPA, Financial advisor/investor.

(cc) Travel agent.

(dd) Tutoring and classroom instructions, craft related (knitting, crocheting, jewelry making, etc.), limited to five persons per class.

(13) The Development Services Director shall have the authority to allow a customary home occupation that is not listed above, provided the Director determines that the proposed use will be in harmony with all existing and potential nearby residential uses and meets all the criteria associated with the customary home occupation listed herein.

(14) A special permit issued by the Development Services Director is required for the conduct of any home occupation. The fee for such special permit shall be \$50. A special permit for a home occupation is not transferable. A new permit must be applied by each applicant and shall be subject to a new permit fee of \$50.

(15) *Abatement.* When any home occupation results in an undesirable condition interfering with the general welfare of the surrounding residential area, said home occupation may be terminated and the special permit revoked.

(16) According to Town of Dallas Code § [10.99](#), General Penalty, any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed ~~\$50~~ **\$500** or imprisonment not to exceed ~~30 days~~, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

## Changes to Update Fines

### § 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) Failure to comply with the provisions of § 90.02 may result in the revocation of a beekeeping permit in addition to the imposition of prescribed civil penalties.

(2) Violations of any of the provisions of § 90.02 shall subject the offender to a civil penalty in the amount of ~~\$50~~ **\$150**. In the event there is more than one violation in any 30-day period, then the civil penalties shall be increased for each additional violation over one during the period as follows: ~~\$100~~ **\$300** for a second offense; ~~\$150~~ **\$500** for a third and subsequent offenses during a 30-day period. The date of the initial violation shall serve as the beginning for the initial 30- day period. **Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty.** The Town Attorney or designee may initiate litigation on behalf of the town to collect any unpaid citations including but not limited to interest, court costs and attorney's fees. Appeals of any citation issued under § 90.02 may be appealed in writing to the Town Manager or designee within 72 hours of the citation.

(3) Section 90.02 may also be enforced through equitable remedies, including but not limited to nuisance abatement procedures as issued by a court of competent jurisdiction.

(Ord. passed 7-9-2013)

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Urban Beekeeping Text Amendment

AGENDA ITEM NO. 6B

MEETING DATE: 08/09/2022

### BACKGROUND INFORMATION:

While reviewing ordinance updates for Senate Bill 300, Development Services staff examined the Urban Beekeeping Ordinance, 90.02. Staff is recommending several modifications to the ordinance in relation to minimum setback requirements, screening, and general upkeep.

This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session.

Attached is the proposed, updated text amendment.

---

**MANAGER RECOMMENDATION:** Approve the text amendment, as presented, to update the Urban Beekeeping Ordinance.

---

**BOARD ACTION TAKEN:**



## Beekeeping Updates

### § 90.02 URBAN BEEKEEPING.

(A) *Purpose.* The purpose of this section is to encourage persons who keep bees to properly maintain hives, comply with state regulatory requirements and be considerate of neighbors.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APIARY.** An area where bees, comb, hives or colonies are kept, located or found.

**APIARY DENSITY.** The density of an apiary which is determined by the colony's foraging range and the coverage area it encompasses (it is the amount of foraging that determines the success of the colony, not the size of the lot on which the apiary is located).

**APIARY INSPECTOR.** The person designated by the State Department of Agriculture to inspect all bees and hives within the state.

**BEES.** Eggs, larvae, developing bees and adult bees.

**BEEKEEPER.** A person who keeps and raises bees and harvests honey.

**CERTIFICATE OF INSPECTION.** A document from State Department of Agriculture Apiary Inspector certifying the health of the bees and approval of any equipment to keep bees.

**FORAGING.** A normal honeybee behavior which consists of bees actively flying to collect nectar, pollen, water, or propolis (a compound created by the bees to use as a coating to build their hives).

**FORAGING BEHAVIOR FOR HONEYBEES.** An average forage area is between a 2.5 to five mile radius from their hive.

**FRONT YARD.**

(a) The area extending across the full length of a lot from side lot line to side lot line and lying between the abutting street right-of-way or easement line and the building line; or

(b) In the case of a lot abutting more than one street, the **FRONT YARD** shall include all areas extending across the full length of a lot from property line to property line and lying between the abutting street right-of-way or easement and building line.

**HEALTH CERTIFICATE.** The periodic health inspection conducted by the State Department of Agriculture.

**HIVES.** The wooden frame boxes used to house bees.

**PERMIT.** A one-time permit fee of \$50 for the keeping of more than five hives.

(C) *Urban beekeeping requirements.*

(1) No more than ~~50~~ **5** hives may be permitted/allowed on any parcel unless the parcel is larger than ~~one-acre~~ **two acres** in size. No more than 100 hives may be placed on any single parcel regardless of size.

(2) The area wherein the hive(s) are located shall be screened from view by either an opaque (“non see-through”) fence of at least four feet in height, and/or an equivalent screening of vegetation. If a vegetative screen is used, such vegetation shall be installed at a minimal height of four feet upon planting. In no case shall a hive be visible from a public street or sidewalk.

(3) No hive shall be located in the front yard (between the front of the house and the street). All hives shall be located a minimum of ~~five~~ **ten** feet from side and rear yard property lines. In the event a side or rear yard abuts vacant and undeveloped property, the setback may be reduced to ~~zero~~ **five** feet, as long as there is written consent expressly given from the adjacent property owner. ~~Should any complaint arise from the adjacent property owner.~~ Should any complaint arise from the adjacent property owner who originally gave written consent, the setback will revert to the ~~five-foot~~ **ten feet** minimum setback requirement.

(4) All beekeeping equipment and hives must be maintained in good condition.

(5) All hives shall be placed at ground level or securely attached to an anchor or stand. If the hive is securely attached to an anchor or stand, the town may permit the anchor or stand to be permanently attached to a roof surface.

**(6) A clean water source must be provided on the same property the hive is located.**

**(7) When placed less than twenty (20) feet from the property line, all hives must be surrounded by a fence 6 feet in height equipped with screen or netting designed as a flyover barrier.**

(D) *Permitting and inspection requirements for urban beekeeping.*

(1) It shall be unlawful for any person within the town limits of Dallas to keep bees (more than five hives) without first obtaining a permit from the town.

(2) *Permit.* A one-time permit fee of \$50 for the keeping of more than five hives on a single property. **Any existing permitted hive within the town limits shall be subject only to the regulations set forth at the time the permit was granted, and not to any regulation adopted after the date the permit was issued, unless otherwise stated in this ordinance.**

(E) *Sale of honey and beeswax-related products on site.* The sale of honey and related products on site shall be considered to be in the same category and definition as “sales of agricultural products grown on-site” and shall follow the following regulations:

(1) Sales may occur on any lot upon which hives are kept, regardless of the underlying zoning district.

(2) Such sales shall be allowed during daylight hours only.

(3) Sales at ~~an~~ one site are allowed a ~~mzximum~~ **maximum** of 180 consecutive days during any calendar year.

(4) One yard sign shall be allowed, up to a maximum size of 24 inches by 24 inches. Sign needs to be placed on private property, outside of the right-of-way.

(Prior Code, § K-III-2) (Ord. passed 7-9-2013; Am. Ord. passed 9-27-2016; Am. Ord. passed 1-10-2017) Penalty, see § 90.99

## **NCGS:**

### **§ 160D-906. Bee hives.**

Restrictions on bee hives in local development regulations shall be consistent with the limitations of G.S. 106-645. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

### **§ 106-645. Limitations on local government regulation of hives.**

(a) Notwithstanding Article 6 of Chapter 153A of the General Statutes, no county shall adopt or continue in effect any ordinance or resolution that prohibits any person or entity from owning or possessing five or fewer hives.

(b) Notwithstanding Article 8 of Chapter 160A of the General Statutes, a city may adopt an ordinance to regulate hives in accordance with this subsection. The city shall comply with all of the following:

- (1) Any ordinance shall permit up to five hives on a single parcel within the land use planning jurisdiction of the city.
- (2) Any ordinance shall require that the hive be placed at ground level or securely attached to an anchor or stand. If the hive is securely attached to an anchor or stand, the city may permit the anchor or stand to be permanently attached to a roof surface.
- (3) Any ordinance may include regulation of the placement of the hive on the parcel, including setbacks from the property line and from other hives.
- (4) Any ordinance may require removal of the hive if the owner no longer maintains the hive or if removal is necessary to protect the health, safety, and welfare of the public.

(c) For purposes of this section, the term "hive" has the same definition as in G.S. 106-635(15). (2015-246, s. 8.)

---

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Special Event Request – Sons of Confederate Veterans Memorial Service

AGENDA ITEM NO. 8A

MEETING DATE: 08/9/2022

### BACKGROUND INFORMATION:

Jim Lowery and Tim Leonhardt of the Col. William A. Stowe Camp 2142 of the Sons of Confederate Veterans have submitted a request to conduct a memorial service on the Courthouse grounds on Saturday, September 17, 2022. The service would begin at 1:00 pm and last approximately one hour. They are requesting to hold the service on the front lawn in front of the memorials.

They have requested to use electric connections next to the monuments for a small microphone and amplifier. No street closures or trash receptacles are being requested.

---

MANAGER RECOMMENDATION: Require a meeting with Electrical Staff a minimum of 5 business days prior to the event to determine exact electrical needs, if approved.

---

BOARD ACTION TAKEN:



## Special Events/ Activities Application

Town of Dallas  
210 North Holland Street  
Dallas, NC 28034-1625  
(704) 922-3176  
Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Refer to the Special Events Policy and Town of Dallas Fee Schedule for all Special Events requirements. Applicants are responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. **A COMPLETE application must be submitted by no later than the first Tuesday of the month for consideration at the next Board of Aldermen meeting. Events must be approved at least 14 days in advance of the event.**  
**INCOMPLETE APPLICATIONS WILL BE RETURNED.**

### APPLICATION INFORMATION

Name of Event:	Confederate Memorial Service		
Facility Requested:	The front lawn in front of the memorials		
Applicant Name:	Col. William A. Stowe Camp # 2142 Sons of Confederate Veterans		
Organization:	Jim Lowery and Tim Leonhardt / Col. William A. Stowe Camp #142		
Mailing Address:	705 Old Willis School Rd		
City / State / Zip:	Dallas, N.C. 28034		
Daytime Phone:	704-648-6321	Cell: 704-922-0550	E-Mail: _____
Description of the Event:	45min to 1hr service honoring the confederate veterans who enlist on the Dallas carthouse grounds		
Does the event have a Facebook, Twitter, or other social networking page:	<input type="checkbox"/> No		
If yes, please list URL(s):	_____		
Date (s) Requested for Event:	SEPT. 17 <sup>TH</sup> OR SEPT. 24 <sup>TH</sup> 2022		
Event Start Time:	Sept 17th @ 1 PM	Event End Time:	2 PM
Road Closure Time Begins (if applicable):	N.A.	Road Closure Time Ends:	N.A.
Set Up Begins:	1:00 p.m.	Set Up Ends:	2 PM
Preferred Date & Time of Inspection (if required):	_____		
Estimated Attendance:	50 + 100		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			
THERE WILL BE NO VENDORS OR EXHIBITORS.			

Applicant's Signature: Tim Leht / Jim Lowery Date: 7-12-22

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

## TENTS / CANOPIES / MEMBRANE STRUCTURES

Will tents/canopies/membrane structures be used? (Circle one) Yes / **(No)** (if no, proceed to next section)

# of Canopies	<input type="text"/>	(fabric structure that is open without sidewalls on 75% or more of perimeter)
# of Tents	<input type="text"/>	(fabric structure that is enclosed with sidewalls on more than 25% of perimeter)
# of Membrane structures	<input type="text"/>	(air supported or air inflated structure)
Other type of structure (provide description)		

\*Notes\*

## VOICE / MUSIC AMPLIFICATION

Will amplified sound be used during the event? (Circle one) **(Yes)** / No (if no, proceed to next section)

If yes, state the number of stages, number of bands and type of music:

Number of stages:  Number of Bands:  *Small Microphone and amp.*

Type(s) of music:

Indicate times of amplified sound. Start Time:  Finish Time:

Will sound checks be conducted prior to the event?  Yes  No

If yes, please indicate times: Start Time:  Finish Time:

\* Must comply with Town of Dallas general entertainment and noise ordinance.

## HAZARDOUS MATERIALS (helium, propane, butane, gasoline, etc.)

Will hazardous materials in tanks/cylinders be used? (Circle one) Yes / **(No)** (if no, proceed to next section)

If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any portable heaters?  Yes  No

Will there be any deep fat fryers?  Yes  No

Will there be any fireworks, lasers, torches, candles or pyrotechnics?  Yes  No

Will generators be used?  Yes  No

Electric Connections requested?  Yes  No *\*If yes, provide load/location.*

In the case of extraordinary use or hookups, extra fees may apply. *Next to CONFEDERATE MOUND EVENT*

## RIDES / ATTRACTIONS

Will mechanical rides or similar attractions be used? (Circle one) Yes / **(No)** (if no, proceed to next section)

If yes, company name?

Company address:

List details, if any:

**\*\*Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas as additional insured on general liability.**

**ALL rides must be inspected and approved by The Department of Labor.**

## VENDORS

*A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services*

Will the event include any vendors? (Circle one) Yes / **(No)** (if no, proceed to next section)

If the event will have food vendors, please check the following that apply:

Served     Sold     Catered     Prepared Outdoors

Does the event include food concession and/or cooking areas?     Yes     No

If yes, please list each food vendor and specify cooking method (Gas, Electric, Charcoal, etc.)  
*(Use additional sheet if necessary)*

Vendor Name	Address	Phone Number	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department  
**Event organizers are responsible for arranging health inspections for their event.**

*List all other vendors who will be present during the event (serving, selling, sampling, or displaying).*

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

### EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be complete  
**(Use additional sheet of paper if necessary)**

DATE	TIME	ACTION	ADDITIONAL NOTES

### SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

## SERVICES

The Town of Dallas does not provide amenities such as portable toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as clean up, traffic control, etc.

### TRASH CONTAINERS

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages?  Yes  No

If yes, in what containers will they come packaged in?

aluminum cans  glass bottles/jars  plastic bottles/jugs/jars

How many trash cans are you requesting for trash?

Delivery Location?

Date and Time for trash cans to be picked up?

**\*\*Applicants are responsible for cleaning and restoring the site after the event.**

**Clean-up fees may be incurred due to applicant's failure to clean and/or restore the site following the event.**

### PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

### SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)

Stage Security  Event Area Security  Road Closure Security

Other

Overnight Security From  :  To  :

Dates & Times security will be on site:

*OK by Dallas Police Chief*

Security provided by:

Number of Security Personnel:

## ROUTE AND TRAFFIC PLAN

PARADE (Includes floats, vehicles, and persons)

BICYCLES

MARCH OR WALK (persons only)

FOOT RACE

VEHICLES ONLY (Includes motorcycles)

OTHER (Description: )

Number of Persons:

% Children:

Number of Vehicles:

Vehicle Types:

Number of Animals:

Kinds:

**DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Ex: A "RUN" may include a 5k, a 10k, and a Fun Run).**




## ROAD CLOSURES

If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

**Please Note:** All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

**DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.**

Applicant's Signature:

Tim Lebeck / Tim Harvey

Date:

7-12-22

\*Once approved, a Special Event Fee will be assessed based on the current Town of Dallas Fee Schedule. The event fee is due and payable **NO LATER THAN five (5) business days** prior to the event. Events will be cancelled if fees are not paid when due.

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: Special Event Request – Cotton Ginning Days Parade

AGENDA ITEM NO. 8B

MEETING DATE: 08/9/2022

### BACKGROUND INFORMATION:

Jeff Hovis of the Gaston Agriculture, Mechanical, and Textile Restoration Association (GAMTRA) is requesting permission of the Annual Cotton Ginning Days Tractor Parade through Town on Friday, October 7, 2022. The parade would follow the same route as in previous years, beginning at 9:00 am at Dallas Park and ending at approximately 10:00 am back at Dallas Park. They are anticipating approximately 35 tractors in the parade.

---

MANAGER RECOMMENDATION: Approve the request, as presented.

---

BOARD ACTION TAKEN:



## Special Events/ Activities Application

Town of Dallas  
 210 North Holland Street  
 Dallas, NC 28034-1625  
 (704) 922-3176  
 Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Refer to the Special Events Policy and Town of Dallas Fee Schedule for all Special Events requirements. Applicants are responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. **A COMPLETE application must be submitted by no later than the first Tuesday of the month for consideration at the next Board of Aldermen meeting. Events must be approved at least 14 days in advance of the event.**  
**INCOMPLETE APPLICATIONS WILL BE RETURNED.**

### APPLICATION INFORMATION

Name of Event:	Annual Cotton Ginning Days Parade		
Facility Requested:			
Applicant Name:	Jeff HOVIS - President		
Organization:	GAMTRA organization		
Mailing Address:	308 Oakwood Dr.		
City / State / Zip:	Mt. Holly NC 28120		
Daytime Phone:	7049134672	Cell:	7049134672
		E-Mail:	jhovis@eastgastontown.com
Description of the Event:	Tractor Parade		
Does the event have a Facebook, Twitter, or other social networking page:			
			YES - Facebook
If yes, please list URL(s):	Heritage and Harvest Days - Prev. Cotton Ginning Days		
Date (s) Requested for Event:	Oct. 7, 2022		
Event Start Time:	9:00 am	Event End Time:	10:00 am
Road Closure Time Begins (if applicable):		Road Closure Time Ends:	
Set Up Begins:	—	Set Up Ends:	—
Preferred Date & Time of Inspection (if required):			
Estimated Attendance:			
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			
Must be approved by GAMTRA or Gaston County Parks and Rec.			

Applicant's Signature: Jeff Hovis Date: 8-15-2022

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

## TENTS / CANOPIES / MEMBRANE STRUCTURES

Will tents/canopies/membrane structures be used? (Circle one)      Yes / No      (if no, proceed to next section)	
# of Canopies	<input type="text"/> (fabric structure that is open without sidewalls on 75% or more of perimeter)
# of Tents	<input type="text"/> (fabric structure that is enclosed with sidewalls on more than 25% of perimeter)
# of Membrane structures	<input type="text"/> (air supported or air inflated structure)
Other type of structure (provide description) <input type="text"/>	

\*Notes\*

## VOICE / MUSIC AMPLIFICATION

Will amplified sound be used during the event? (Circle one)      Yes / No      (if no, proceed to next section)	
If yes, state the number of stages, number of bands and type of music:	
Number of stages: <input type="text"/>	Number of Bands: <input type="text"/>
Type(s) of music: <input type="text"/>	
Indicate times of amplified sound.      Start Time: <input type="text"/> Finish Time: <input type="text"/>	
Will sound checks be conducted prior to the event? <input type="text"/> Yes <input type="text"/> No	
If yes, please indicate times:      Start Time: <input type="text"/> Finish Time: <input type="text"/>	

\* Must comply with Town of Dallas general entertainment and noise ordinance.

## HAZARDOUS MATERIALS (helium, propane, butane, gasoline, etc.)

Will hazardous materials in tanks/cylinders be used? (Circle one)      Yes / No      (if no, proceed to next section)	
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.	
Will there be any portable heaters?	<input type="text"/> Yes <input type="text"/> No
Will there be any deep fat fryers?	<input type="text"/> Yes <input type="text"/> No
Will there be any fireworks, lasers, torches, candles or pyrotechnics? <input type="text"/> Yes <input type="text"/> No	
Will generators be used?	<input type="text"/> Yes <input type="text"/> No
Electric Connections requested?	<input type="text"/> Yes <input type="text"/> No <b>*If yes, provide load/location.</b>
<b>In the case of extraordinary use or hookups, extra fees may apply.</b>	

## RIDES / ATTRACTIONS

Will mechanical rides or similar attractions be used? (Circle one)      Yes / No      (if no, proceed to next section)	
If yes, company name? <input type="text"/>	
Company address: <input type="text"/>	
List details, if any: <input type="text"/>	
<b>**Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas as additional insured on general liability.</b>	
<b>ALL rides must be inspected and approved by The Department of Labor.</b>	

## VENDORS

*A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services*

Will the event include any vendors? (Circle one)      Yes / No      (if no, proceed to next section)	
--	--

If the event will have food vendors, please check the following that apply:  
 Served     Sold     Catered     Prepared Outdoors

Does the event include food concession and/or cooking areas?     Yes     No

If yes, please list each food vendor and specify cooking method (Gas, Electric, Charcoal, etc.)  
*(Use additional sheet if necessary)*

Vendor Name	Address	Phone Number	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department  
**Event organizers are responsible for arranging health inspections for their event.**

*List all other vendors who will be present during the event (serving, selling, sampling, or displaying).*

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

### EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be complete  
**(Use additional sheet of paper if necessary)**

DATE	TIME	ACTION	ADDITIONAL NOTES

### SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

## SERVICES

The Town of Dallas does not provide amenities such as portable toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as clean up, traffic control, etc.

### TRASH CONTAINERS

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages?  Yes  No

If yes, in what containers will they come packaged in?

aluminum cans  glass bottles/jars  plastic bottles/jugs/jars

How many trash cans are you requesting for trash?

Delivery Location?

Date and Time for trash cans to be picked up?

**\*\*Applicants are responsible for cleaning and restoring the site after the event.**

**Clean-up fees may be incurred due to applicant's failure to clean and/or restore the site following the event.**

### PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

### SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)

Stage Security  Event Area Security  Road Closure Security

Other

Overnight Security From  :  To  :

Dates & Times security will be on site:

Security provided by:  Number of Security Personnel:

## ROUTE AND TRAFFIC PLAN

PARADE (Includes floats, vehicles, and persons)

BICYCLES

MARCH OR WALK (persons only)

FOOT RACE

VEHICLES ONLY (Includes motorcycles)

OTHER (Description: Tractors)

Number of Persons:  % Children:

Number of Vehicles:  Vehicle Types:

Number of Animals:  Kinds:

**DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Ex: A "RUN" may include a 5k, a 10k, and a Fun Run).**

Start Leisure Lane. Right onto West Trade. Rt onto North Gaston Street. Rt onto West Main. Left onto South Pine Street. Rt on West Carpenter Street. Right into Ingles Parking Lot. Left onto West Trade. Left onto Leisure Lane. End.

## ROAD CLOSURES

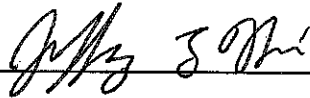
If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

**Please Note:** All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

**DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.**

Applicant's Signature: \_\_\_\_\_



Date: \_\_\_\_\_

7-15-2020

\*Once approved, a Special Event Fee will be assessed based on the current Town of Dallas Fee Schedule. The event fee is due and payable **NO LATER THAN** five (5) business days prior to the event. Events will be cancelled if fees are not paid when due.

# TOWN OF DALLAS, NORTH CAROLINA

## REQUEST FOR BOARD ACTION

DESCRIPTION: ARPA Funds Grant Project Ordinance

AGENDA ITEM NO. 8C

MEETING DATE: 08/9/2022

### BACKGROUND INFORMATION:

In order to proceed with obligating and spending American Rescue Plan Act (ARPA) funds, a Grant Project ordinance must be approved. Based on US Treasury guidance, these funds must be obligated by December 31, 2024 and fully expended by December 31, 2026.

Following is the Grant Project Ordinance for approval.

As these funds are expended, or the remaining unassigned balance is obligated and spent, further budget amendments will be presented, as per US Treasury guidance.

---

**MANAGER RECOMMENDATION:** Approve the ARPA Grant Project Ordinance, as presented.

---

**BOARD ACTION TAKEN:**





**Grant Project Ordinance for the Town of Dallas American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds**

**BE IT ORDAINED** by the Board of Aldermen of the Town of Dallas, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLFRF). The Town of Dallas (Town) has received the first tranche in the amount of \$764,395.852. The total allocation is \$1,528,791.64, with the remainder to be distributed to the Town within 12 months of the first tranche. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

**Section 2:** The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and pends all its SLFRF funds for the provision of government services.

**Section 3:** The following amounts are appropriated for the project and authorized for expenditure:

<b>Internal Project Code</b>	<b>Product Description</b>	<b>Expenditure Category</b>	<b>Cost Object</b>	<b>Appropriation of CSLFRF Funds</b>
WS-01	Water/Sewer Maintenance Services for period of July 1, 2022 through June 30, 2023	6.1	Salaries	\$373,800
WS-02	Waste Water Treatment Services for period of July 1, 2022 through June 30, 2023	6.1	Salaries	\$112,200
WS-03	Water Treatment Services for period of July 1, 2022 through June 30, 2023	6.1	Salaries	\$100,000
	Unassigned			\$942,791.64
	<b>TOTAL</b>			\$1,528,791.64



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

<b>ARP/CSLFRF Funds:</b>	\$1,528,791.64
<b>Total:</b>	\$1,528,791.64

**Section 5:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and Town's Uniform Guidance Allowable Costs and Principles Policy.

**Section 6:** The Finance Officer is hereby directed to report the financial status of the project to the Board of Aldermen on a quarterly basis.

**Section 7:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer, and to the Town Clerk.

**Section 8:** This grant ordinance expires on December 31, 2026, or when all of the ARP/CSLFRF funds have been obligated and expended by the Town, whichever comes first.

Motion by \_\_\_\_\_ to adopt the Grant Project Ordinance for ARP/CSLFRF funds, seconded by \_\_\_\_\_, and carried by the following vote:

Ayes:

Nays:

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor Rick Coleman

Attested: \_\_\_\_\_  
Sarah Hamrick, Town Clerk