

Town of Dallas
Agenda
October 10, 2023
6:00 PM
BOARD OF ALDERMEN
Rick Coleman, Mayor

Sam Martin

Frank Milton

Darlene Morrow

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

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MINUTES FOR BOARD OF ALDERMEN MEETING

September 12, 2023

6:00 PM

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

The following Staff members were present: Maria Stroupe, Town Manager; Brian Finnegan, Development Services Director; Robbie Walls, Police Chief; Lanny Smith, Electric Director; Jonathan Newton, Finance Director; Bill Trudnak, Public Works Director; David Lingafelt, Code Enforcement Officer; and Tom Hunn, Town Attorney.

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:

Alderman Withers made a motion to approve the agenda with three additions, seconded by Alderwoman Morrow and carried unanimously.

Approval of Minutes:

Alderman Milton motioned to approve the minutes from the August 8th regular meeting, the August 22nd work session, and the August 25th special meeting, seconded by Alderman Cearley and it was carried unanimously.

Recognition of Citizens:

The Mayor opened the floor to the Recognition of Citizens.

Curtis Wilson of 438 S. Gaston Street prayed over the Board of Alderman meeting.

Mike Fields of 1333 Philadelphia Church Road thanked the Fire Dept. and the Rescue Squad for a job well done for the 9/11 Memorial Service. Mr. Field's suggested to make it a permanent event each year and he thanked Town Staff for all their hard work.

Melissa Melvin of 108 E. Trade Street, owner of the Dallas Historic Jail, suggested making the Town's Halloween event bigger and broader with costume parades, festivals, etc. and suggested having the event on a Saturday verses Halloween night.

Consent Agenda:

Item 5A Budget Amendment- Jagers Park Basketball Court Improvements

At the August 22nd Work Session, the Board discussed quotes received for filling and sealing cracks on the basketball courts. As this was not included in the current budget, a budget amendment is necessary to appropriate funds for the repair. Attached is a budget amendment for filling and sealing cracks on the basketball courts at Jagers Park (Exhibit 5A-1).

Alderman Martin made a motion to approve the consent agenda item, seconded by Alderman Milton and carried unanimously.

Public Hearings:

Item 6A Chapter 75 Text Amendment- No Trucks Allowed

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

During the July 25th Work Session, the Board directed Staff to look into adding a section of S. College Street to Schedule VIII in Chapter 75 of the Town Code of Ordinances. Staff investigated the area and determined the main destinations for tractor trailer trucks, and proposed adding S. College St., from E. Webb St. to E. Jenkins St., and E. Carlton St., from S. Gaston St. to S. College St., to Schedule VIII to limit large vehicle traffic in the surrounding community. Further discussion at the August 22nd work session resulted in adding E. Holly St., from S. Rhyne St. to S. Davis St. The proposed text amendment includes all areas the Board has requested be included in the Chapter 75 schedule. Attached is a draft of the proposed language recommended for adoption, as well as an area map showing which sections of the three streets will no longer be accessible to trucks. Tonight's public hearing was advertised as required by North Carolina General Statute 160D-601. Notice of the public hearing was placed in the Gaston Gazette once per week for two successive calendar weeks, on Friday, August 25th and Friday, September 1st (Exhibit 6A, 1-3).

The Development Services Director went over the text changes in regards to No Trucks Allowed on certain streets. Alderman Cearley made mention of Holly Street needing better signage for trucks. There was no discussion from the audience.

Alderman Martin 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 text amendment, seconded by Alderman Milton and carried unanimously.

Old Business:

There was no old business at this time.

New Business:

Item 8A Trick or Treat at the Park

At the August 22nd Work Session, Chief Rob Walls and Recreation Director Nick Daniello asked if the Board would consider moving Trick or Treat on the Square to Cloninger Park. As the event has grown in size and scope over the years, moving the event to Cloninger Park would increase safety for the children and allow greater control over the environment.

After discussion concerning several aspects of the event, Staff was asked to develop a sketch plan for a potential layout to the event if moved to Cloninger Park, to be discussed at the September 12th Board Meeting. Attached is a sketch that would have all participants park on the field and use their vehicles to either raise trunks or lower tailgates to give out candy. This way, the vehicles could be decorated and stay parked until the event is over and pedestrian traffic cleared from the field. In the event of wet ground, the vehicles could park in the lower parking lot of the park as a contingency plan. Pastor Ervin of First United Methodist Church has advised Chief Walls that the church does not plan to give away hot dogs this year, but does plan to continue the hayrides. They would still conduct the hayrides from the front of the church as usual (Exhibit 8A-1).

The Board discussed that the lack of advertisement to move the event, the safety of the pedestrians walking from the Courthouse to the Park, and animals at the Park prior to the event, would cause some issues. The Mayor stated that he was against allowing animals to be at the Park from the very beginning. The Board decided to leave the event at the Courthouse for another year.

Alderman Milton made a motion to leave the event as is, seconded by Alderman Cearley and carried unanimously.

Item 8B Netting Installation at Jagers Park

At the July 25th Work Session, the Board requested cost projections for extending the netting down the first base side of the ballfield to prevent foul balls from landing across the street and for filling/sealing cracks in the basketball courts. Quotes were requested for both projects. At the August 22nd Work Session, the Board discussed quotes received for the basketball court repairs, but at that point only one quote had been received for netting. Attached are two quotes to extend netting 140 ft. at 16 ft. high down the first base side of the baseball field. Also attached is a budget amendment for the lowest quote. By approving the budget amendment, staff can move forward in making the improvement (Exhibit 8B, 1-3).

The Town Manager presented the quotes for the netting installation to the Board. Alderman Martin and Alderman Cearley suggested awarding the bid to Gaston Fence, as they do a large amount of work for the Town. Alderman Withers asked how many people use the park and is against the high cost of the netting. Alderman Martin and Alderman Milton suggested to also improve the look of the field so it can be used for games.

Alderman Milton made a motion to have the netting installed by Gaston Fence and seconded by Alderman Cearley.

Alderman Withers asked if there was a conflict of interest of Alderman Cearley seconding the motion, since he is related to the owner of Gaston Fence. Clarity was made that Alderman Cearley receives no funds from Gaston Fence, and therefore is not a conflict of interest.

The motion was approved with 4 yays and 1 nay.

Item 8C Request for Annexation Site Removal from Dallas' Sphere of Influence

The City of Gastonia has received an annexation petition for parcels located within the Sphere of Influence of Dallas. They are requesting that Dallas release the parcels from the sphere of influence so they will be eligible to be annexed into Gastonia. These parcels are part of a proposed development that Dallas could serve with electricity due to proximity of our electric lines. Attached is supporting documentation identifying the parcels and the current agreement. In order to release the parcels, a resolution or ordinance must be approved by the Board of Aldermen. Attached is a draft resolution for review (Exhibit 8C, 1-22).

Item 8D Bid Award for Transformer Purchase

Requests for Proposals were sent out for the purchase of transformers for upcoming expansion at American Insulated Glass were opened on August 31st. Sunbelt Solomon Solutions was the lowest, responsible, responsive bidder. Attached is the bid tab sheet and recommendation letters to award the bid. Attached is a budget amendment in relation to this purchase, as it was not included in the budget preparation process for FY2023/24 (Exhibit 8D, 1-4).

Alderman Withers made a motion to award the contract to Sunbelt Solomon Solutions, seconded by Alderwoman Morrow and carried unanimously.

Item 8E Proclamation for Mr. Froneberger

Mr. Kenneth B. Froneberger served W.C. Friday Junior High School from 1971 until 1981 as a Varsity Assistant Football Coach, a Varsity Head Basketball Coach, and Athletic Director. The Town of Dallas recognizes and appreciates the contributions of Mr. Kenneth B. "Coach" Froneberger in positively impacting the lives of students and athletes at W.C. Friday Junior High School and joins with his former students to honor his influence in the Dallas community and beyond (Exhibit 8E-1).

Alderman Milton read the proclamation aloud and mentioned he would go to the event held in Mr. Froneberger's honor on September 23rd and present the proclamation to him on the Town's behalf.

Alderman Milton made a motion to approve the proclamation, seconded by Alderman Withers and carried unanimously.

Item 8F Special Event Change

The Town Manager presented a change for the VDubbs event. The beginning time will change from 10am to 9am and they will also need electric access.

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

Item 8G Discussion on Gym Floor Repairs

The Town Manager reported to the Board of the progress of the repair and what the next steps are. Alderman Martin made mention that the repairs should have been started earlier in the summer. No action was taken at this time.

Manager Report:

The Town Manager gave information to the Board concerning up-coming events.

Alderman Martin made a motion to adjourn, seconded by Alderman Cearley and carried unanimously (7:15).

Rick Coleman, Mayor

Sarah Hamrick Ballard, Town Clerk

MINUTES FOR BOARD OF ALDERMEN WORK SESSION
September 26, 2023
5:00 PM

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

The following Staff members were present: Maria Stroupe, Town Manager; Brian Finnegan, Development Services Director; Robbie Walls, Police Chief; Sarah Ballard, Town Clerk; Lanny Smith, Electric Director; Jonathan Newton, Finance Director; Katie Tomassoni, Assistant Parks and Rec Director; Bill Trudnak, Public Works Director; Earl Withers III, Fire Chief; Paul Gibson, Electric Supervisor; and David Lingafelt, Codes Enforcement Officer.

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 additions or deletions to the agenda. The Town Manager asked to add a Closed Session at the end of the meeting. Alderman Martin made a motion to approve the agenda with the one addition, seconded by Alderwoman Morrow, and carried unanimously.

New Business:

Item 3A Smyre-Pasour Property Update

The Smyre-Pasour property has recently been placed under contract by David and Christina Cockey with the Averly Group. They are planning to renovate the existing structure under historic preservation guidelines to create a multi-use site to promote the third space concept in the downtown area. Averly Group has partnered with Jefferson Ellinger, an Associate Professor at UNC Charlotte. Professor Ellinger will be working on the design phase of this project with one of his graduate classes in order to give the students a chance to work on a real project. Part of the design will also include a park concept on the adjacent Town property. Development Services staff has had an initial kickoff meeting with the students and developer on August 30th to discuss the process and encourage design to enhance the Courthouse grounds. Creating a park on this property will be a great way to begin working on the Town goals established in the Comprehensive Land Use Plan to establish a formalized plaza in the downtown and to promote more walkability. Attached is an aerial photo of the area and two pages from the adopted Comprehensive Land Use Plan for reference (Exhibit 3A, 1-3).

The Development Services Director presented the item to the Board. The Board asked if the Town would be under any obligation to UNC for the project and Staff assured them that the Town is under no type of contract or commitment for this project. No action was taken.

Item 3B Tents Allowed on Courthouse Grounds

Discussions have been held in the past concerning allowing tents to be placed on the Courthouse Grounds by individuals or groups renting the facility. No decision was previously made and staff would like to have this discussion again.

In order to protect the grounds and the underground utilities, staff would like to recommend that a designated area be determined for tent placement and that tents only be anchored by cement blocks or water barrels, with no spikes allowed. Attached is the current Facility Rental Agreement for reference (Exhibit 3B, 1-8).

The Town Manager presented this item to the Board for discussion. After discussion, the Board asked Staff to bring pack a proposal for this policy.

Item 3C Dennis Franklin Gym Floor Repairs

In the current FY23/24 Budget provision was made to have the floor at Dennis Franklin Gym replaced due to suspected termite and water damage. Upon having the floor assessed for termite damage, it was determined that a water problem had contributed to the termite damage. The current wooden gym floor has been totally removed and the water issue has been assessed. A discussion of how to proceed with water remediation and floor replacement needs to be held to determine the best course of action.

The Town Manager presented this item to the Board for discussion. The Town Manager said Staff has also found water damage to the bleachers along with the floors. The Staff and Board discussed the different options of types of vapor barriers and finished floors to go back with. The up-coming Basketball season was also brought up for discussion with different options that could be considered to hold the season in a different location. The Board decided to recess the Work Session until Thursday September 27th at 3pm to go over information gathered by Staff from different sources for options for the season.

Manager's Report:

The Town Manager gave a report on up-coming events to the Board.

Closed Session:

Alderman Withers made a motion to enter into closed session to discuss personnel matters as provided for in N.C.G.S. §143-318.11, seconded by Alderman Martin and carried unanimously (5:31).

No action was taken.

Alderman Withers made a motion to go out of the closed session, seconded by Alderman Martin and carried unanimously (5:40).

Alderman Cearley made a motion to recess until Thursday September 28th at 3pm, seconded by Alderman Milton and carried unanimously (5:41).

Reconvened September 28th at 3pm.

The Town Manager gave the Board information concerning possible space/spaces to hold this season's basketball games and practices. The Board discussed the possibilities and decided to move forward. The Board asked Staff to draft a detailed letter explaining the reasons for the changes for this season to give out when the sign-ups start.

Alderman Martin made a motion to adjourn, seconded by Alderwoman Morrow and carried unanimously (3:15).

Rick Coleman, Mayor

Sarah Hamrick Ballard, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Proclamation Recognizing Jasmine Celeste Malaker Day of Caring

AGENDA ITEM NO. 5A

MEETING DATE: 10/10/2023

BACKGROUND INFORMATION:

Stacey Malaker Thomas has asked for a proclamation recognizing December 5, 2023 as Jasmine Celeste Malaker Day of Caring on what would have been Jasmine's 35th birthday. Ms. Thomas conducted the last Day of Caring on December 5, 2022. Ms. Thomas plans to present the Dallas Rescue Squad with a monetary donation for their great work in taking care of her daughter, as well as a donation to the Dallas Christian Ministry. She also says she plans to conduct roadway cleanup on the adopt a highway roadway and Jagers Park. Her goal is to give back to the community and honor her daughter's legacy of giving.

Attached is a proclamation recognizing December 5th as Jasmine Celeste Malaker Day of Caring.

MANAGER RECOMMENDATION: Approve the proclamation, as presented.

BOARD ACTION TAKEN:



Proclamation Recognizing Jasmine Celeste Malcker Day of Caring 2023

WHEREAS, on December 5, 2023, Jasmine Celeste Malcker would have celebrated her 35th birthday; and

WHEREAS, Jasmine battled a very rare bone disease since the age of 12, but lost her life to the disease on January 17, 2017; and

WHEREAS, Jasmine was an honor student all of her years in school and each school she attended presents a Jasmine Celeste Malcker award annually to a student with high academic achievement; and

WHEREAS, throughout her illness, Jasmine remained positive, faithful, and caring; and

WHEREAS, in her memory the Malcker family and friends, along with friends from Highland School of Technology; plan to provide service to the Dallas community by picking up trash along her adopt a highway roadway and Jagers Park, making a donation to the Dallas Rescue Squad, and donating food to the Dallas Christian Ministry.

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF ALDERMEN OF THE TOWN OF DALLAS, that the Town of Dallas recognizes the efforts of the Malcker family and others to provide a Day of Caring in the Dallas community in honor of Jasmine Celeste Malcker.

Adopted this the 10th day of October, 2023 at Dallas, North Carolina.

Attested By:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

(SEAL)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Uncollectable Accounts in the Amount of \$22,923.66 to be Submitted to NC Debt Set Off

AGENDA ITEM NO. 5B

MEETING DATE: 10/10/2023

BACKGROUND INFORMATION:

For authorization, are uncollectable accounts from the months of April – July 2023. These accounts have been notified of their outstanding status in writing that if not paid within the notified timeframe that they would be forwarded to the NC Debt Setoff Program and that this debt would be taken from any State Income Tax Refund they are due, until the debt is satisfied.

(The individual account listing that generates the total uncollectable amount due is considered by State statute to be confidential information, and therefore is not public record.)

MANAGER RECOMMENDATION: Authorize uncollectable accounts totaling \$22,923.66 be submitted to the NC Debt Setoff Program.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Donation of 2010 Jeep Cherokee to Dallas Rescue Squad

AGENDA ITEM NO. 8A

MEETING DATE: 10/10/2023

BACKGROUND INFORMATION:

Pursuant to G.S. §160A-279, donations may be made to non-profit organizations that carry out a public purpose. The Town of Dallas currently owns a 2010 Jeep Cherokee that will be taken out of service in the Police Department within the next coming weeks, to be replaced with a new 2023 Dodge Durango. Dallas Rescue Squad has a need for vehicle being taken out of service.

Attached is a resolution authorizing donation of the 2010 Jeep Cherokee to Dallas Rescue Squad. Once police equipment is removed from the vehicle, the Jeep would be donated in as is condition.

MANAGER RECOMMENDATION: Approve the Resolution donating the 2010 Jeep Cherokee to Dallas Rescue Squad.

BOARD ACTION TAKEN:



Resolution Authorizing Donation of Personal Property to Dallas Rescue Squad, a Non-Profit Organization

WHEREAS, the Town of Dallas, North Carolina (the "Town") desires to donate personal property to the Dallas Rescue Squad, a non-profit organization; and

WHEREAS, G.S. §160A-279 permits the Town to donate personal property to non-profit organizations that carry out a public purpose; and

WHEREAS, records of all donated property will be maintained by the Town.

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF ALDERMEN OF THE TOWN OF DALLAS THAT:

The Town desires to donate a 2010 Jeep Cherokee, SN 1J4PR4GK8AC129486 to the Dallas Rescue Squad for public purpose.

This Resolution shall become effective upon adoption.

Adopted this the 10th day of October, 2023 at Dallas, North Carolina.

Attested By:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

(SEAL)