

Town of Dallas
Agenda
June 14, 2022
6:00 PM
BOARD OF ALDERMEN
Rick Coleman, Mayor

Sam Martin

Frank Milton

Darlene Morrow

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

ITEM	SUBJECT	Page
1.	Invocation and Pledge of Allegiance to the Flag	
2.	Approval of Agenda with Additions Or Deletions	
3.	Approval of Minutes	
	A. May 10 th Regular Meeting and May 24 th Work Session	2
4.	Recognition of Citizens: Time set by Mayor	
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5.	Consent Agenda (to be acted on collectively, unless removed for further discussion)	
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9.	Manager’s Report]	
10.	Closed Session: To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. NCGS §143-318-11(3)	

MINUTES FOR BOARD OF ALDERMEN MEETING

May 10, 2022

6:00 PM

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

The following staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Earl Withers, III, Fire Chief; Sarah Hamrick, Town Clerk; Jonathan Newton, Finance Director; Rob Walls, Police Chief; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; 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:

Alderman Milton motioned to set the agenda as presented, seconded by Alderman Cearley, and carried unanimously.

Approval of Minutes:

Alderman Withers motioned to approve the minutes from the April 12th Regular Board of Aldermen Meeting, as well as the minutes from the April 26th Work Session. 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. Mr. Fields also mentioned that Police Appreciation Week is coming up, along with the Summer Concert Series starting this coming weekend and the Mentoring program that is beginning soon directed by Glenn Bratton.

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

Consent Agenda:

Item 5A Budget Amendment for Sale of Town Property

At the April 12th, 2022 Board of Aldermen Meeting, the Board unanimously approved the sale of 5.25 acres of Town-owned property located at 642 W. Carpenter St., previously designated for economic development purposes, pursuant to NCGS §158-7.1.

Pursuant to NCGS §158-7.1, the Town and Gaston Aquatics, Inc. entered into an Economic Development Agreement as part of the sale of the property located at 642 W. Carpenter St. As provided for in the sale agreement, Gaston Aquatics Inc. has deposited their earnest money and all necessary paperwork and agreements have been signed. Attached is a budget amendment accepting and appropriating funds from the sale of the property, as per the Economic Development Agreement (Exhibit 5A-1).

Item 5B Budget Amendment to Accept OSFM Covid-19 Grant

On April 13, 2022, the NC Department of Insurance Office of State Fire Marshal notified the Fire Department that they were the recipient of a \$10,000 2022 Covid-19 Financial Relief Grant. This grant does not require a match from the Town. From the grant, the plan is to purchase a Thermal Imaging Camera, 2 Defibrillators, and traffic cones. Attached is a budget amendment accepting the funds and appropriating the expected expenditures (Exhibit 5B-1).

Alderman Cearley made a motion to approve both Amendments, seconded by Alderman Martin, and carried unanimously.

Public Hearings:

Item 6A Zoning Map Amendment-River Rock Capital Partners (Continued from March BOA Meeting)

A Zoning Map Amendment (rezoning) application was submitted by authorized agent Sean Cullen, on behalf of the property owners of Gaston County Parcels # 171277, 171214, and 306161. The request is to Conditionally Rezone the property from B-2, Highway Business, to CD R-6, Multi-Family, for the development of a 99-unit, ranch-style apartment complex. A detailed staff report, as well as proposed conditions and allowances, are provided in the agenda packet. This public hearing is continued from March 8, 2022. The most significant change in the site plan is to remove the full-movement access at Sunnyfield Ct. and install an emergency access gate instead (Exhibit 6A, 1-19).

Sean Cullen with River Rock Development was in attendance to answer any questions from Board Members or area residents.

Ronnie Bowers of 1540 Eden Glen Drive, neighborhood spokesperson from Eden Glen, was in attendance. He stated that himself and the neighborhood were satisfied with changes in the site plan to install an emergency access gate.

Board members asked if Staff had contacted DOT concerning a traffic light being installed at the entrance to the new development and the Development Services Director, Nolan Groce, stated that Staff had been in contact with DOT concerning the traffic light, but no action had been taken at this time.

Alderman Martin made a motion to go out of the Public Hearing, seconded by Alderwoman Morrow, and carried unanimously.

Alderman Withers made a motion to approve and adopt the zoning map amendment, seconded by Alderman Milton, and carried unanimously.

Item 6B Huss Annexation Petition

Alderman Cearley made a motion to go into the Public Hearing, seconded by Alderwoman Morrow, and carried unanimously. Annexation Petition, 2021-06, was submitted August 5, 2021 by Todd and Gail Huss, property owners of 3615 and 3623 Dallas High Shoals Highway, Dallas, NC 28034, further identified as Gaston County Parcels #170071 and #170059. These parcels are considered contiguous. The two parcels total approximately 2.21 acres and are currently located in Gaston County. The petitioner seeks annexation into the Town of Dallas as part of a Conditional Zoning District, CD R-5, for inclusion in a larger development, known as Summey Creek. Staff was directed to investigate the sufficiency of the annexation petition to determine if it meets the standards of NCGS §160A-31, at the September 14, 2021 Board of Aldermen Regular Meeting. The petition has been deemed sufficient. A public hearing was advertised as required by state statute in the Gaston Gazette on April 19th and 26th. Mailers were sent out to property owners within 500 feet of the property on April 19th. The 2003 Future Land Use Map identifies these parcels as Neighborhood and Community Business, but abuts a large parcel currently Zoned R-5, Single Family Residential (Exhibit 6B, 1-13).

A home-owner of E. Jenkins Road was in attendance and had questions concerning the annexation and asked exactly what it entailed.

Board members had questions concerning how many homes would be included in this new development. The Development Services Director, Nolan Groce, answered these questions with the number of new homes that would be constructed in this development and explained what annexation is.

Alderman Milton made a motion to go out of the Public Hearing, seconded by Alderman Cearley, and carried unanimously.

Alderwoman Morrow made a motion to adopt and approve the Ordinance, (Exhibit 6B, 1-2), and was seconded by Alderman Cearley, and carried unanimously.

Item 6C McCall Annexation Petition

Alderwoman Morrow made a motion to go in the Public Hearing, seconded by Alderman Milton, and carried unanimously.

Annexation Petition, 2021-07, was submitted August 5, 2021 by Colleen McCall, property owner of 3565 Dallas High Shoals Highway, Dallas, NC 28034, further identified as Gaston County Parcel #170097. This parcel is considered contiguous. The parcel is approximately 3.82 acres and is currently located in Gaston County. The petitioner seeks annexation into the Town of Dallas as part of a Conditional Zoning District, CD R-5, for inclusion in a larger development, known as Summey Creek.

Staff was directed to investigate the sufficiency of the annexation petition to determine if it meets the standards of NCGS §160A-31, at the September 14, 2021 Board of Aldermen Regular Meeting. The petition has been deemed sufficient. A public hearing was advertised as required by state statute in the Gaston Gazette on April 19th and 26th. Mailers were sent out to property owners within 500 feet of the property on April 19th (Exhibit 6C, 1-10).

There was no public comment.

Alderman Martin made a motion to go out of the Public Hearing, seconded by Alderman Cearley, and carried unanimously.

Alderman Milton made a motion to accept the Ordinance to extend the town limits, (Exhibit 6C, 1-2), seconded by Alderman Cearley, and carried unanimously.

Item 6D Huss/McCall Conditional Zoning

Alderman Martin made a motion to go into the Public Hearing, seconded by Alderman Cearley, and carried unanimously.

Zoning map amendment petition, 2021-05, was submitted in conjunction with annexation petitions on August 5, 2021, by authorized agents Todd Akers and Shawn Santee on behalf of property owners of Gaston County parcels #170097, 170071, and 170059. The request is to rezone three parcels to a Conditional District, CD R-5, for the development of a single family detached subdivision, known as Summey Creek. The main portion of the development, parcel #170057, is currently in Town limits and assigned R-5 zoning. This portion of the project is a by-right development. The Town is conditioning an additional side-yard setback, 6' to 8', on the remaining three parcels, requesting a conditional rezoning. A virtual public involvement meeting was held, per requirement, on August 31, 2021. The recorded meeting is available online at <https://urbandesignpartners.com/rezoning/rezoning-petition-2021-05/>.

A traffic impact analysis has been completed for this project. Report summary is included in this packet. Roadway improvement recommendations are found on page of the report. At their October 21, 2021 meeting, the Planning Board unanimously recommended approval of the zoning, CD R-5. The Zoning is technically inconsistent with the 2003 Land Use Plan's map designation as Neighborhood and Community Business, but abuts property currently zoned R-5. All zoning map amendments must be accompanied by a statement of plan consistency. Sample statements have been provided by staff (Exhibit 6D, 1-16).

Board members had questions concerning the time-line, sidewalks, and entrances and exits.

Sean Santee, with Santee Land Group, was in attendance and gave a presentation with a slide show, show-casing the new development and answered all questions that the Board members had.

Alderman Withers made a motion to go out of the Public Hearing, seconded by Alderwoman Morrow, and carried unanimously.

Alderman Milton made a motion to approve and adopt the zoning ordinance, (Exhibit 6D, 1-2), seconded by Alderman Cearley, and carried unanimously.

Old Business:

There was no old business at this time.

New Business:

Item 8A Comprehensive Land Use Plan Update

The Town of Dallas is in the process of updating the Comprehensive Land Use Plan. Dallas' current Land Use Plan was developed in 2003. The Town utilized the consulting services of the Centralina Regional Council for this project. The plan is being released for public comment on May 10th. Staff will review the purpose of the Comprehensive Land Use Plan, as well as the proposed timeline for adoption (Exhibit 8A, 1-18).

The Development Services Director gave a presentation about updating the Land Use Plan. The deadline to submit this update is July 1st, 2022. There was no action at this time.

Item 8B Rosewood Village Preliminary Plat

Moore & Seagle Holding LLC submitted a preliminary subdivision plat application for Rosewood Village, a major subdivision proposed at 1028 Rosewood Drive. The property was annexed and rezoned to a Conditional District, CD R-6 in November 2021. The plat shows the proposed 56 lot single family residential subdivision with one entrance road off Rosewood Drive. Staff has reviewed several plat submittals and the current submittal meets all subdivision standards found in Chapter 152 of the Town Ordinance, as well as the conditions of approval as part of the conditional district. The Planning Board unanimously recommended approval of the preliminary subdivision plat at their April 21, 2022 meeting (Exhibit, 8B, 1-6).

The Development Services Director gave a presentation on the subdivision plat.

Alderman Withers made a motion to approve the subdivision plat as presented, seconded by Alderman Martin, and carried unanimously.

Item 8C Special Events Requests-Rusty Rabbit

Four Special Events Applications have been received from the Rusty Rabbit to hold Block Parties. All of the events are requested to be held from 5:00 pm to 11:00 pm on the following dates:

Saturday, May 28, 2022

Saturday, July 23, 2022

Saturday, September 3, 2022

Saturday, October 22, 2022

Each event would be open to the public and would feature live music and vendors. They are requesting 10 trash receptacles and closure of the 100 block of E. Main St. (between N. Gaston St. and N. College St.) from 2:00 pm until 2:00 am. Attendance is estimated to be approximately 1000. The application is attached for review (Exhibit 8C, 1-28).

Alderman Milton made a motion to approve all four events for the Rusty Rabbit, seconded by Alderwoman Morrow, and carried unanimously.

Item 8D Offer to Purchase Town-Owned Parcel #170058

Shawn Santee and Todd Akers submitted an offer on behalf of Charlotte Land Group LLC to purchase a portion of Town-owned land located at 3601 Dallas High Shoals Highway, further identified as Gaston County Parcel #170058. The land consists of 11,974 square feet, or 0.2749 acres. The submitted offer is for \$5,000. The offeror intends to include this property in the larger development known as Summey Creek. Subject property would need to be recombined and rezoned to accomplish this. At the April 12, 2022 meeting, the Board proposed to accept the offer. The offeror then deposited five percent (5%) of the with the Town Clerk and a public notice was provided in the Gaston Gazette on April 21, 2022, N.C.G.S. §160A-269 as outlined below:

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers.

Having received no further bids on the property, the Board of Aldermen may accept or reject the offer (Exhibit 8D, 1-3).

Alderman Martin made a motion to approve the sale of the property for \$5000.00, seconded by Alderman Cearley, and carried unanimously.

Item 8E EV Charging Station Grant Applications

At the April 26, 2022 Board of Aldermen Work Session, information was distributed outlining possible grants for installation of new, or replacement of existing, electric vehicle (EV) charging stations. There are existing charging sites at the Historic Courthouse, 131 N. Gaston St., and the Public Parking Lot at 210 N. Holland St. While there is not an existing site at the Public Parking Lot at 102 E. Trade St., provision was made during construction and infrastructure put in place in

the event charging stations were ever installed. Attached is a summary of the grant funding currently available that the Town can apply for, but there are no guarantees of receipt of these funds. Staff is seeking formal approval to apply for the funding currently available (Exhibit 8E-1).

Alderman Cearley made a motion to approve applying for grant funding, seconded by Alderwoman Morrow, and carried unanimously.

Manager's Report:

The Town Manager reminded the Board of the 1st concert of the Summer Concert Series beginning this Saturday, May 14th and of the 100 year Anniversary of the Dallas Fire Department that is coming up on May 28th from 1:00pm until 3:00pm with a guest speaker and light refreshments. She also stated that there is a notice of a Public Hearing set May 17th for Gaston County, concerning renovating the historic jail.

Alderman Withers made a motion to adjourn, seconded by Alderman Cearley, and carried unanimously (7:03).

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

MINUTES FOR BOARD OF ALDERMEN WORK SESSION
May 24, 2022
5:00 PM

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

The following Staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Sarah Hamrick, Town Clerk; Robbie Walls, Police Chief; Jonathan Newton, Finance Director; Bill Trudnak, Public Works Director; Doug Huffman, Electric 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 Withers motioned to approve the agenda with no additions or deletions, seconded by Alderman Milton, and carried unanimously.

New Business:

Item 3A CERRI Presentation

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. He will present the final report and plan. Attached is a copy of the final report and plan for review (Exhibit 3A, 1-25).

There was discussion and questions between the Board and Mr. Jeff Emory. The Board asked to bring this topic back in the July agenda.

3B Comprehensive Land Use Plan Presentation

The Town of Dallas is in the process of updating the Comprehensive Land Use Plan. Dallas' current Land Use Plan was developed in 2003. The Town utilized the consulting services of the Centralina Regional Council for this project. Representatives from Centralina Regional Council will be in attendance to conduct the presentation of the draft plan. The plan has been released for public comment through May 27th. An Open House event will be held at the Historic Courthouse on Thursday, May 26th from 6:00 – 8:00 pm. Attached is a copy of the draft plan for review (Exhibit 3B, 1-66).

3C Proposed Budget

Town Staff is proud to present the proposed budget for the 2022-2023 Fiscal Year. The proposed budget totals \$18,247,221. This budget represents emerging from COVID, dealing with unprecedented inflation, and continuing to provide outstanding service to our community; all while remaining fiscally responsible with Town resources. Attached are sheets highlighting each fund and department. Each of the attached sheets will be discussed during the work session (Exhibit 3C, 1-8).

There was discussion and questions between the Board and the Town Manager. The Budget will be up for adoption at the June 14th Board meeting.

The Town Manger reminded the Board of up-coming events for the Town and the Town Offices will be closed on Memorial Day, Monday, May 30th.

Alderman Cearley made a motion to adjourn, seconded by Alderwoman Morrow, and carried unanimously (6:06).

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Uncollectable Accounts in the Amount of \$20,794.55 to be Submitted to NC Debt Set Off

AGENDA ITEM NO. 5A

MEETING DATE: 06/14/2022

BACKGROUND INFORMATION:

For authorization, are uncollectable accounts from the months of October 2021 – February 2022. 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 \$20,794.55 be submitted to the NC Debt Setoff Program.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Electric True-Up Budget Amendment

AGENDA ITEM NO. 5B

MEETING DATE: 06/14/2022

BACKGROUND INFORMATION:

As part of the contract with Duke Energy, Dallas operates peak shaving generators. Each year, based on a pre-determined formula, there is a true-up component that is also part of the Duke Energy contract. This true-up component can result in the Town of Dallas paying additional funds to Duke Energy, or Duke Energy paying the Town of Dallas a refund of prior payments based on upon criteria in the contract.

While we are still waiting for a final number, attached is a budget amendment reflecting anticipated revenues and budgeting it to purposes that will return value to the Town of Dallas.

There are future needs to upgrade the Warehouse facility and Staff recommends placing the entire amount in a Capital Reserve Fund for these future needs in order to reduce dependence on debt.

MANAGER RECOMMENDATION: To approve budget amendment as presented.

BOARD ACTION TAKEN:

Town of Dallas
Budget Amendment

Date: June 14, 2022

Action: Electric Department

Purpose: To Appropriate Anticipated True-Up Revenue from Duke Energy

Number: EL-004

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
30	3550	0000	Electric True-Up Revenue	\$0	\$400,000	\$400,000
30	8500	9040	Contrib to Capital Reserve	\$99,330	\$499,330	\$400,000
50	3900	0000	Contribution From Elec. Fund	\$99,330	\$499,330	\$400,000
50	7000	7500	CO: Land, Construction	\$99,330	\$499,330	\$400,000

Approval Signature
(Town Manager)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Budget Amendment to Accept Donation from LGFCU to Fire Department

AGENDA ITEM NO. 5C

MEETING DATE: 06/14/2022

BACKGROUND INFORMATION:

The Local Government Federal Credit Union (LGFCU) has made a donation to the Fire Department in the amount of \$600.00 in support of the 100th Anniversary Celebration.

A budget amendment is attached that accepts the donation and appropriates the donation as an expense in support of the celebration.

MANAGER RECOMMENDATION: Approve the budget amendment to accept and appropriate a donation from the LGFCU to the Fire Department.

BOARD ACTION TAKEN:

Town of Dallas
Budget Amendment

Date: June 14, 2022

Action: Fire Department

Purpose: To Accept and Appropriate Funds from the LGFCU for the Fire Department Anniversary

Number: FD-002

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
10	3500	0000	Miscellaneous Revenue	\$25,721	\$26,321	\$600
10	5200	3300	Supplies	\$9,500	\$10,100	\$600

Approval Signature
(Town Manager)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Conditional Zoning – Robinson Glenn

AGENDA ITEM NO. 6A

MEETING DATE: 6/14/2022

BACKGROUND INFORMATION:

Authorized agents Eddie Moore, Logan Creech, and Tim Derylak submitted Zoning Map Amendment Application 2021-01 to Conditionally Rezone 606 Robinson Clemmer Rd., further identified as Gaston County parcels #171882 and 171885, from R-8, Multi-Family Residential, to CD R-5, Single-Family Residential. The proposed development consists of up to 81 Townhome units.

This public hearing has been advertised as required by North Carolina General Statute §160D-602. A mailed notice was sent to all properties within 500' of the parcels on May 26th, posted notice was placed on site, and advertisements ran in the Gaston Gazette on June 1st and June 8th.

All Zoning Map Amendments must include written statements documenting consideration by the Board of Aldermen of the Comprehensive Land Use Plan. The consistency statement has been incorporated into the ordinance.

MANAGER RECOMMENDATION: Approve Conditional Zoning to CD R-5, Single-Family Residential for Robinson Glenn (parcels #171882 and 171885), as presented.

BOARD ACTION TAKEN:



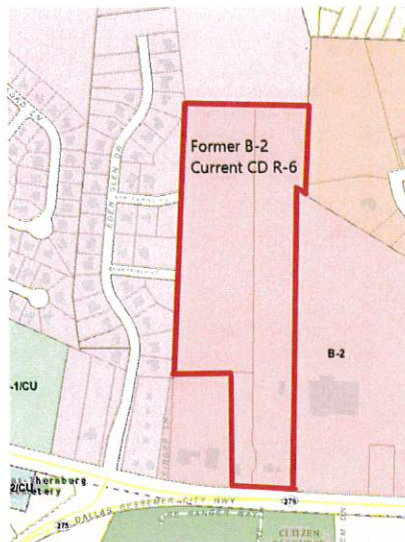
An Ordinance Adopting a Zoning Map Amendment/Rezoning Petition in the Town of Dallas
(Adopted by the Dallas Board of Aldermen 6/14/22)

Whereas, this amendment is in accordance with Application within Municipalities, pursuant to Article 8 of Chapter 160A, and

Whereas, the Town of Dallas Board of Aldermen, in consideration of rezoning petition by property owner Eric Glenn Clemmer Irrevocable Trust, in conjunction with authorized agents Eddie Moore, Logan Creech, and Tim Derylak, for property located at 600 and 606 Robins Clemmer Road, further identified as Gaston County Tax Parcel ID# 171882 and 171885, finds that the petition meets the standards set forth for the Conditional District, CD R-5 Single-Family Residential zoning district, and

Whereas, the rezoning of Parcel ID# 171882 and 171885 to CD R-5 is technically inconsistent with the 2003 Future Land Use Plan's map designation as Residential Agriculture, but the allowable uses and lot sizes in this proposed conditional district would ensure the preservation of neighborhood character of this area while protecting from encroachment of incompatible business and industrial uses.; and

Whereas, the rezoning request is deemed reasonable and, in the public's, best interest in order to maximize the site for future single-family attached development, while protecting the overall character and appearance of the Town;



Now, therefore be it ordained, by the Board of Aldermen of the Town of Dallas, North Carolina, grants the property owner Eric Glenn Clemmer Irrevocable Trust and authorized agents, approval of the above-referenced zoning map amendment effective June 14, 2022.



An Ordinance Adopting a Zoning Map Amendment/Rezoning Petition in the Town of Dallas
(Adopted by the Dallas Board of Aldermen 6/14/22)

Should any provision of this petition be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

This Ordinance shall take effect and be in force from and after the date of its adoption.

Adopted, this 14th day of June, 2022.

ATTEST:

Rick Coleman, Mayor

Sarah Hamrick, Town Clerk

TOWN OF DALLAS
REZONING APPLICATION

Location of Property: 600 + 606 ROBINSON CLEMMER RD, DALLAS, NC 28034

Lot Size: + 15.37 AC Current Zone/ Use: R-8 / RESIDENTIAL Parcel ID# 171882 + 171885

Name of Owner: ERIC GLENN CLEMMER IRREVOCABLE TRUST *

Address of Owner: PO BOX 111, CASAR, NC 28020

Owner Phone #: _____ Email: _____

* OWNER + PETITIONER JOINDER AGREEMENT ATTACHED

The undersigned hereby respectfully requests that the Dallas Planning Board, pursuant to the provisions of the Dallas Zoning Code, Article VII, and in compliance with NCGS 160A-387, recommend to the Dallas Board of Aldermen, a Zoning Classification change from

R-8 to CZ-R-5 On the following described property:

600 + 606 ROBINSON CLEMMER, FURTHER IDENTIFIED AS PARCEL ID # 171882 +
RD, DALLAS, NC 28034 171885

I certify that all the information provided in this application is accurate to the best of my knowledge, information and belief.

AGENT FOR PETITIONER: 

EDDIE MOORE, AICP - McADAMS, 3430 TORINGDON WAY, 110, CHARLOTTE, NC 28277
704-724-3594, emoore@mcadamsco.com

Signature of applicant

JANUARY 13, 2022

Date

Development Services Director

Date

Rezoning Application Fee can be found on the Town of Dallas' fee schedule.

Checks to be made payable to the Town of Dallas.

OWNERLASTN**OWNERFIRST**

TOWN OF DALLAS

LAINEZ

BREEST

BELL

MORGAN

BRIGGS

ERIC GLENN CLEMMER IRREVOC TR

WOOTEN

SANTOS

GENOVESE

MALKER

HEIRS OF ARCHIE VENIE

CHAPMAN POINTE INVESTORS LLC

LOWERY

HEIRS OF JOHN PRESSLEY

ARMSTRONG

HOLLAND

STEWART

NIX

CORBIN

DAVIS

NEUNZIG

GREENE

BEAVER

DARBY

BEAVER

RAMEY

HECTOR L

ROBERT

ALLISON

FRANK

RALPH

ALAN

OSCAR

EDDY

LINDA

LESLIE

SHIRLEY

MICHAEL A

JACQUELINE

LYNN

SARA

AMY

ROBERT

SHARON

PEGGY

NICKY

COLAN

MARTHA

MAILADDR1	CITY	STATE	ZIPCODE
210 N HOLLAND ST	DALLAS	NC	28034
331 ROSEWOOD LANE EXT	DALLAS	NC	28034
309 ROSEWOOD LANE EXT	DALLAS	NC	28034
325 ROSEWOOD LANE EXT	DALLAS	NC	28034
321 ROSEWOOD LANE EXT	DALLAS	NC	28034
527 BUCKLE BEE RD	DALLAS	NC	28034
PO BOX 111	CASAR	NC	28020
2018 OLD SPENCER MOUNTAIN RD	DALLAS	NC	28034
702 ROBINSON CLEMMER RD	DALLAS	NC	28034
610 ROBINSON CLEMMER RD	DALLAS	NC	28034
517 S SPARGO ST	DALLAS	NC	28034
1629 WOODFIELD RD	FAYETTEVILLE	NC	28303
245 W MAIN AVE	GASTONIA	NC	28052
1004 WOODDALE CIR	DALLAS	NC	28034
1006 WOODDALE CIR	DALLAS	NC	28034
414 ROBINSON CLEMMER RD	DALLAS	NC	28034
PO BOX 327	DALLAS	NC	28034
415 ROBINSON CLEMMER RD	DALLAS	NC	28034
503 ROBINSON CLEMMER RD	DALLAS	NC	28034
511 ROBINSON CLEMMER RD	DALLAS	NC	28034
603 ROBINSON CLEMMER RD	DALLAS	NC	28034
813 ROBINSON CLEMMER RD	DALLAS	NC	28034
PO BOX 962	LOWELL	NC	28098
701 ROBINSON CLEMMER RD	DALLAS	NC	28034
607 ROBINSON CLEMMER RD	DALLAS	NC	28034
701 ROBINSON CLEMMER RD	DALLAS	NC	28034
PO BOX 1071	DALLAS	NC	28034

REZONING PETITION SIGNATURE SHEET

Rezoning Attachment

Petitioner: DR Horton

The undersigned, as the petitioner for the rezoning of the parcels of land that are designated as Parcel #s 171882 and 171885 in Gaston County, North Carolina, requests the rezoning as more particularly described in the associated Rezoning Application.

Petitioner: DR Horton

Signature: Logan F. Creech

Name (Printed): Logan F. Creech

Entitlements Project Manager
Title: _____

Date: 1/17/2022

REZONING PETITION JOINDER AGREEMENT

Petitioner: DR Horton

The undersigned, as the petitioner for the rezoning of the parcels of land that are designated as Parcel #s 171882 and 171885 in Gaston County, North Carolina and which is subject of the attached Rezoning Application, hereby joins in this Rezoning Application. If the application is a conditional rezoning, hereby agrees to the rezoning as more particularly depicted on the related Rezoning Site Plan and to subsequent changes to the rezoning site plan as part of this Rezoning Application.

**ERIC GLENN CLEMMER IRREVOCABLE TRUST
PO BOX 111
CASAR, NORTH CAROLINA 28020**

Signature *Eric Clemmer / Hunter Clemmer*

Name (Printed): ERIC CLEMMER / HUNTER CLEMMER

Title: Trustee

Date: 1/12/22

Staff Report

Zoning Map Amendment Request: 2022-01

Property Owners/Applicants: Eric Glenn Clemmer Irrevocable Trust

Authorized Agents: Eddie Moore, McAdams; Logan Creech, DR Horton, Tim Derylak, DR Horton

Current Zoning: Residential R-8

Proposed Zoning: CD R-5

Property Location: Subject site is located at 606 Robinson Clemmer Road; East of the Chapman Pointe community, West of Lower Dallas Highway, and South of the Town of Dallas Public Works Facility

Gaston County Parcel ID: 171882 & 171885

Request: The applicant is requesting a Conditional Rezoning for the development of a townhome community consisting of up to 81 single family attached units. There are a total of 13 buildings, with 4-7 units per building.

Staff Analysis: The subject site consists of two parcels. The parcels currently contain single family detached homes. Site conditions as follows:

- Existing stream running along the northern boundary of parcel 171882.
- Flood zone just north and on the northeast portion of parcel 171882.
- Proposed connection to Robinson Clemmer Road as only access with ROW dedication proposed to the eastern boundary of the site.
- 2 amenities are represented: a tot lot next to lots 57 and 58, and a dog park located in the front of the site beside lot 81.
- There is a 150' wide Duke Energy easement running east-west across the northern portion of parcel 171882.

Town staff have had ongoing meetings and discussion with McAdams and DR Horton regarding the development of the subject site. Based on preliminary grading analysis by the developer, the proposed number of lots/dwellings has decreased from the initial site plan submittal of 103, to 81 lots. The requested conditional rezoning allows lot width reduction to accommodate the proposed 20' wide interior units. The project would offer a unique living style for a variety of ages. Project includes sidewalks on both sides of the roadways throughout the development, two proposed amenity areas, and a 20' easement containing an 8' walking path for future connection along the floodplain.

Traffic: Trip generation has been provided based on the ITE Land Use – Multifamily Housing Low-Rise (Apartments) as well as Single-Family Attached Housing. Multifamily generated the highest trip generation, with 104 dwelling units expecting to generate a maximum of 745 daily trips, 50 in the AM Peak hour and 60 in the PM Peak hour. Based on the trip generation, a Traffic Impact Analysis will not be required for this project.

Parking: Site plan provides 2 parking spaces per lot, one garage space and one driveway space. R-5 zoning requires 4 spaces per lot. An additional 57 off-street spaces and 24 on-street spaces are provided to make up for the deficit in R-5 required parking. With the additional parking the parking space total is 3 per unit. This is a requested allowance in Exhibit A.

Comprehensive Land Use Plan: The proposed land use is inconsistent with the 2003 Comprehensive Land Use Plan's map designation as Residential agriculture. However, this LUP is dated, and interest in this area is for higher density housing. The property is adjacent to higher density zoning districts to the west and north.

Staff Recommendation: The proposed conditional zoning district is the appropriate classification for a project of this nature and location. The proposal offers additional housing that is not currently available in Dallas. The only other Townhomes product is offered in Park Place, which was developed in the early 2000's (2003-2007). Conditions and allowances of approval should be agreed upon so that the proposal is a proper fit for the area. Appendix A has been provided in your agenda as the proposed conditions. Planning Staff are in favor of the project and the Planning Board unanimously recommended approval of the zoning map amendment.

Exhibit A

1. The proposed development shall be in compliance with the requirements of the Dallas code of ordinances with the added relief of:
 - a. Off Street Parking Reduction from 4 spaces to 3 spaces with additional 81 off street and on street parking provided.
 - b. Interior lots:
 - i. Size reduction from 4,500 square feet to 2,000 square feet.
 - ii. Width reduction from 40 feet to 20 feet.
 - c. Corner Lots:
 - i. lot size from 5,000 square feet to 2,600 square feet.
 - ii. Width reduction from 45 feet to 26 feet.
2. All principal dwellings street facing facade shall incorporate brick, stone, precast stone, precast concrete, or synthetic stone accents.
3. All principal dwelling units shall have a covered porch.
4. Understory street trees shall be planted outside the right-of-way, in the 10' treescape easement.
5. Buffers shall be installed between amenity areas and lots as follows: between tot lot and proposed lots 57 and 58 and between dog park/play field and proposed lot 81.
6. Dog park shall be fenced and included benches and landscaping.
7. Petitioner shall dedicate a 20' greenway easement and construct an 8' natural path depicted on the rezoning plan as potential pedestrian connection to existing Town Park.
8. Street frontage along Robinson Clemmer Road shall be developed to meet Town Standards, including, but not limited to, the addition of sidewalk, curb and gutter. Pending NCDOT objection to sidewalk and/or curb and gutter, the Developer agrees to payment in lieu of, at cost. Payment in lieu shall be due upon construction drawing approval.
9. All off-site utility easements, if necessary to provide utilities to the site, must be obtained by the developer, at their expense, prior to approval of construction plan, issuance of permits, or commencement of construction.
10. All items listed on the rezoning plan shall become binding upon approval of the zoning map amendment.
11. Conditional Zoning approval is valid for a period of 24 months from the date of approval.

REVISIONS

NO.	DATE	DESCRIPTION
1	01.11.2022	PER CITY COMMENTS
2	01.17.2022	PER CITY COMMENTS
3	01.18.2022	PER CITY COMMENTS
4	01.19.2022	PER CITY COMMENTS

PLAN INFORMATION

PROJECT NO.	DRH-2305
FILENAME	DRH2305-042
CHECKED BY	EM
DRAWN BY	JOS
SCALE	
DATE	01.11.2022

REZONING NOTES

RZ.02

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

Alternate Methods of Compliance

Below are a list of alternate design provisions for this development based on the Conditional Rezone Petition:

- Reduce the minimum number of required parking spaces for each dwelling from 4 to 3 spaces based on the 1-car garage provided for the dwellings.
- A minimum of 20 street and off-street visitor parking spaces are provided in the general area outlined on the Conditional Rezoning Plan.

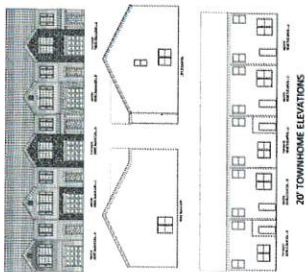
Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet or these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of the Ordinance.

Further alterations or modifications to this Conditional Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Technical Data Sheet or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of the Ordinance, as applicable.

Intending Effect of the Rezoning Documents and Definitions

- If this Conditional Rezoning Plan is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and future owners of the Site. The Site shall be subject to all other provisions of the Ordinance.
- The terms "Petitioner" and "Owner" shall be defined in the same manner as defined in the Ordinance. The terms "Petitioner" and "Owner" shall be deemed to include the heirs, devisees, personal representatives, and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.



DEVELOPMENT STANDARDS

DR. HORTON

Site Development Data:

Acres: ~ 15.37 acres
Parcel Numbers: 171882 and 171885
Existing Zoning: R-4
Proposed Zoning: RZ.02
Kidding Uses: Residential and Vacant
Proposed Uses: (Up to 11 single-family attached dwellings (5.27 dwelling units per acre))

General Provisions

These Development Standards form part of the Conditional Rezoning Plan associated with the Rezoning Petition filed by DR Horton (the "Petitioner") to accommodate the development of a single-family attached residential community on that approximately 15.37-acre site located on north and south portions of the intersection of Robinson Clemner Road and the Conditional Rezoning Plan (the "Site"). The Site is composed of Parcel Numbers 171882 and 171885.

Development of the Site shall be governed by the Rezoning Plan, these Development Standards, and the applicable provisions of the Town of Dallas Code of Ordinances (the "Ordinance"). Unless the Conditional Rezoning Plan or these Development Standards establish more stringent standards, the development shall conform to the Ordinance for the R-4 Zoning District shall govern all development taking place on the Site.

The development depicted on the Conditional Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal public streets, sidewalks, and other site improvements are not intended to be construed as final. The development shall be subject to minor alterations or modifications during the design development and construction document phases.

Future amendments to the Conditional Rezoning Plan and/or these Development Standards may be made by the then Owner or Owners of the Site in accordance with the provisions of the Ordinance.

Permitted Uses and Maximum Development

The Site may be developed with (1) single-family attached dwellings, together with any incidental and accessory uses related thereto that are allowed in the R-4 Zoning District.

Transportation

a) Vehicular access will be as generally depicted on the Conditional Rezoning Plan. The placement and configuration of the vehicular access point shown on the Conditional Rezoning Plan is subject to the approval of the Planning Director and the City Engineer and construction plan and design and to any adjustments required by Town of Dallas for approval.

b) As depicted on the Conditional Rezoning Plan, the Site will be served by public streets.

c) The Petitioner will provide a minimum of 20 street and off-street visitor parking spaces on the Site. Since Robinson Clemner Road is a NCDOT maintained street, a fire in lieu option shall be available for the installation of the sidewalk and curb and gutter along the Site frontage.

d) Internal sidewalks shall be provided along all public streets throughout the Site.

e) The Petitioner shall dedicate a 20 foot Greenway easement and construct an 8 foot natural path depicted on the Conditional Rezoning Plan as a potential pedestrian connection to the Town's Greenway.

f) Traffic regulations and signs per 153.027(F)(3) will be provided as part of the Construction Documents.

Architectural Standards

a) The building materials used on the principal dwellings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EPS, and/or vinyl.

b) The building materials used on the front elevation of the principal dwellings, facing a public street, shall incorporate brick, stone, precast stone, precast concrete, or synthetic stone accents.

c) When vinyl siding is used as a building material on the proposed dwellings, the minimum thickness of the proposed vinyl will be a minimum of 1/8" thick.

Open Space, Streetscape and Landscaping

a) The Petitioner shall provide approximately 7.15 acres or 46.7% of the site area as open space throughout the Site as generally depicted on the Conditional Rezoning Plan. Approximately 46% of the Site will include a fenced dog park and play field near to Unit 1 as an Active Open Space. The remaining 2.15 acres of the site will include a lot for foreman (Unit 57 and 58 as an Active Open Space).

b) The Petitioner shall provide approximately 0.33 acres or 2.3% of the site area as tree save in generally depicted on the Conditional Rezoning Plan. The tree save area is also part of (a) above.

c) All common open space areas will be maintained by a Home Owners Association and restrictive covenants will be created for the open space areas and overall development of site.

d) Proposed single-family attached dwellings will have a 1-car garage and front loaded garage access. No garages will face Robinson Clemner Road or adjacent garages.

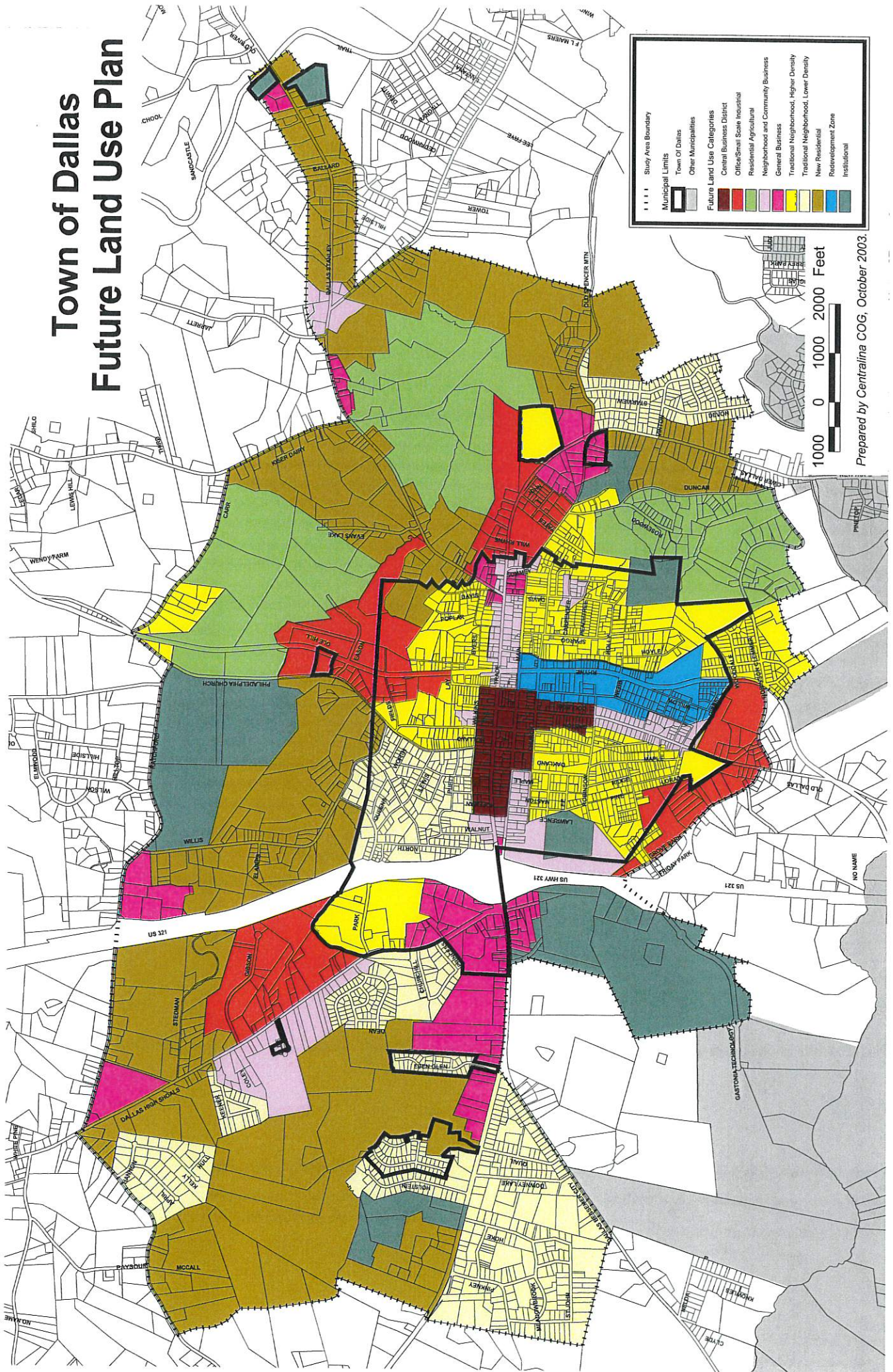
Environmental Features

a) The location, size and type of storm water management systems depicted on the Conditional Rezoning Plan shall be approved by the City Engineer. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points. All proposed storm water management systems will be designed to Town requirements.

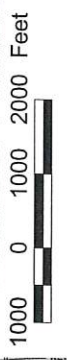
Lighting

a) All lighting fixtures installed on the Site (including lower deck lighting for the dog park) shall be shielded and directed downwards. All lighting shall be shielded and directed downwards to prevent light spillage and shall not extend past any property line of the Site.

Town of Dallas Future Land Use Plan



- - - - Study Area Boundary
 Municipal Limits
 Town Of Dallas
 Other Municipalities
Future Land Use Categories
 Central Business District
 Office/Small Scale Incidental
 Residential Agricultural
 Neighborhood and Community Business
 General Business
 Traditional Neighborhood, Higher Density
 Traditional Neighborhood, Lower Density
 New Residential
 Redevelopment Zone
 Institutional



Prepared by Centralina COG, October 2003.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Illicit Discharge Detection and Elimination Ordinance

AGENDA ITEM NO. 6B

MEETING DATE: 6/14/2022

BACKGROUND INFORMATION:

Attached is an Illicit Discharge Detection and Elimination Ordinance (IDDE) for review. We are required to have such an ordinance as part of our permitting and Stormwater Master Plan.

This ordinance was reviewed at the April 26th Board of Aldermen Work Session.

MANAGER RECOMMENDATION: Approve the Illicit Discharge and Elimination Ordinance, as presented.

BOARD ACTION TAKEN:

CHAPTER 154: ILLICIT DISCHARGES AND CONNECTIONS

§ 154.01 TITLE

This chapter shall be known and may be cited as the “Illicit Discharges and Connections Ordinance of the Town of Dallas, North Carolina “, and may be referred to as the “illicit discharge ordinance” and/or “this chapter”.

§ 154.02 PURPOSE

This chapter is adopted for the purposes of:

- A. Protecting the public health, safety and welfare by controlling the discharge of pollutants into the stormwater conveyance system;
- B. Promoting activities directed toward the maintenance and improvement of surface and ground water quality;
- C. Controlling illicit discharges into the municipal separate stormwater systems;
- D. Satisfying the Town of Dallas’ requirements under its *National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4)* discharge permit issued by the State of North Carolina; and
- E. Establishing administration and enforcement procedures through which these purposes can be fulfilled.

§ 154.03 ILLICIT DISCHARGES

No person shall cause or allow the discharge, emission, disposal, pouring, or pumping directly or indirectly to any stormwater conveyance, the waters of the State, or upon the land in manner and amount that the substance is likely to reach a stormwater conveyance or the waters of the State, any liquid, solid, gas, or other substance, other than stormwater, provided that non-stormwater discharges associated with the following activities are allowed and provided they do not significantly impact water quality:

1. Water line and fire hydrant flushing;
2. Landscape irrigation;
3. Diverted stream flows;
4. Rising groundwater;
5. Uncontaminated groundwater infiltration;
6. Uncontaminated pumped groundwater;
7. Uncontaminated potable water sources;
8. Foundation drains;
9. Air conditioning condensate;
10. Irrigation waters;
11. Springs;
12. Water from crawl space pumps;
13. Footing drains;
14. Lawn watering;
15. Residential and charity car washing;

16. Flows from riparian habitats and wetlands;
17. De-chlorinated swimming pool discharges;
18. Street wash water;
19. Flows from firefighting activities; and
20. Other non-stormwater discharges for which a valid NPDES discharge permit has been approved and issued by the State of North Carolina, and provided that any such discharges to the municipal separate storm sewer system shall be authorized by the Town of Dallas.

Prohibited substances include but are not limited to: oil, anti-freeze, chemicals, animal waste, paints, garbage, and litter.

§ 154.04 ILLICIT CONNECTIONS

1. Connections to a stormwater conveyance or stormwater conveyance system that allow the discharge of non-stormwater, other than the exclusions described in Section 154.03 above, are unlawful. Prohibited connections include, but are not limited to: floor drains, waste water from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and waste water from septic systems.
2. When such connections exist in violation of this section and said connections were made prior to the adoption of this provision or any other ordinance prohibiting such connections, the property owner or the person using said connection shall remove the connection within one-year following the effective date of this ordinance. However, the one-year grace period shall not apply to connections which may result in the discharge of hazardous materials or other discharges which pose an immediate threat to health and safety, or are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat.
3. Where it is determined that said connection:
 - a. May result in the discharge of hazardous material or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat, or
 - b. Was made in violation of any applicable regulation or ordinance, other than this section;

the Stormwater Administrator shall designate the time within which the connection shall be removed. In setting the time limit for compliance, the Stormwater Administrator shall take into consideration:

- i. The quantity and complexity of the work;
- ii. The consequences of delay;
- iii. The potential harm to the environment, to the public health, and to public and private property; and
- iv. The cost of remedying the damage.

§ 154.05 SPILLS

Spills or leaks of polluting substances released, discharged to, or having the potential to be released or discharged to the stormwater conveyance system, shall be contained, controlled, collected, and properly disposed. All affected areas shall be restored to their preexisting condition.

Persons in control of the polluting substances and persons owning the property on which the substances were released or discharged shall immediately notify the Stormwater Administrator and/or Fire Chief of the Town of Dallas of the release or discharge, as well as making any required notifications under state and federal law. Notification shall not relieve any person of any expenses related to the restoration, loss, damage, or any other liability which may be incurred as a result of said spill or leak, nor shall such notification relieve any person from other liability which may be imposed by State or other law.

§ 154.06 NUISANCE

Illicit discharges and illicit connections which exist within the jurisdiction of the Town of Dallas are hereby found, deemed, and declared to be dangerous or prejudiced to the public health or public safety and are found, deemed, and declared to be public nuisances. Such public nuisances shall be abated in accordance with the procedures set forth in Section 92.01 of the Town of Dallas Code of Ordinances.

§ 154.07 CIVIL PENALTIES

1. Illicit Discharges: Any designer, engineer, contractor, agent, or any other person who allows, acts in concert, participates, directs, or assists directly or indirectly in the creation or a violation of this chapter shall be subject to civil penalties as follows:
 - A. For first time offenders, if the quantity of the discharge is equal to or less than five (5) gallons and consists of domestic or household products in quantities considered ordinary for household purposes, said person shall be assessed a civil penalty not to exceed one thousand dollars (\$1,000.00) per violation or per day for any continuing violation, and if the quantity of the discharge is greater than five (5) gallons or contains non-domestic substances, including but not limited to process waste water, of if said person cannot provide clear and convincing evidence of the volume and nature of the substance discharged, said person shall be assessed a civil penalty not to exceed five thousand dollars (\$5,000.00) per violation or per day for any continuing violation.
 - B. For repeat offenders, the amount of the penalty shall be double the amount assessed for the previous penalty, not to exceed twenty-five thousand dollars (\$25,000.00) per violation or per day for any continuing violation.
 - C. In determining the amount of the penalty, the Town Manager or his/her designee shall consider:
 - i. The degree and extent of harm to the environment, the public health, and public and private property;
 - ii. The cost of remedying the damage;
 - iii. The duration of the violation;
 - iv. Whether the violation was willful;
 - v. The prior record of the person responsible for the violation in complying or failing to comply with this chapter;
 - vi. The costs of enforcement to the public; and

- vii. The amount of money saved by the violator through his, her, or its noncompliance.
2. **Illicit Connections:** Any person found with an illicit connection in violation of this chapter and any designer, engineer, contractor, agent, or any other person who allows, acts in concert, participates, directs, or assists directly or indirectly in the establishment of an illicit connection in violation of this chapter shall be subject to civil penalties as follows:
- A. First time offenders shall be subject to a civil penalty not to exceed five thousand dollars (\$5,000.00) per day of continuing violation.
 - B. Repeat offenders shall be subject to a civil penalty not to exceed twenty-five thousand dollars (\$25,000.00) per day of continuing violation.
 - C. In determining the amount of the penalty, the Town Manager or his/her designee shall consider:
 - i. The degree and extend of harm to the environment, the public health, and public and private property;
 - ii. The cost of remedying the damage;
 - iii. The duration of the violation;
 - iv. Whether the violation was willful;
 - v. The prior record of the person responsible for the violation in complying or failing to comply with this chapter;
 - vi. The costs of enforcement to the public; and
 - vii. The amount of money saved by the violator through his, her, or its noncompliance.
 - D. Procedures for assessing penalties pursuant to illicit connections:
 - i. Said penalties shall be assessed by the Town Manager or his/her designee. No penalty shall be assessed until the person alleged to be in violation is served written notice of the violation either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the notice may also be sent by first class mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the first class mail is not returned by the Post Office within ten (10) days after the mailing.
 - ii. The notice shall warn that failure to correct the violation within the specified time period will result in the assessment of a civil penalty and/or other enforcement action. If after the allotted time period has expired and the violation has not been corrected, the penalty shall be assessed from the date of the violation, and each day of continuing violation thereafter shall constitute a separate violation under this section.
3. **Other Violations:** Any person found in violation of other provisions of this chapter, not specifically enumerated elsewhere, shall be subject to a civil penalty not to exceed one thousand dollars (\$1,000.00) per violation or per day for any continuing violation.

§ 154.08 CRIMINAL PENALTIES

Any person who knowingly or willfully violates any provision of this chapter, rule, regulation, or order duly adopted or issued pursuant to this chapter shall be guilty of a misdemeanor, punishable by a fine not to exceed five hundred dollars (\$500.00) or imprisonment for not longer than thirty (30) days. Each violation shall be a separate offense.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Comprehensive Land Use Plan

AGENDA ITEM NO. 6C

MEETING DATE: 06/14/2022

BACKGROUND INFORMATION:

The Town of Dallas is in the process of updating the Comprehensive Land Use Plan. Dallas' current Land Use Plan was developed in 2003. The Town utilized the consulting services of the Centralina Regional Council for this project. A representative from Centralina Regional Council was in attendance at the May 24th Work Session to present a draft copy of the Land Use Plan. North Carolina General Statute 160D requires municipalities that want to regulate development through zoning to adopt a reasonably maintained comprehensive plan by July 1, 2022. The Town's last Comprehensive Land Use Plan was in 2003, so it is not considered reasonably maintained, particularly in comparison with the growth rate experienced in Dallas over the past ten years.

Comprehensive plans set forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the community. Included in the comprehensive land use plan update is an updated future land use map.

The Planning Board unanimously recommended approval of the 2030 Comprehensive Land Use Plan, with any necessary modifications from the public comment period. The plan has been updated based on Planning Board and public input.

The draft plan was released for public comment through May 27th and a public Open House event was held at the Historic Courthouse on Thursday, May 26th from 6:00 – 8:00 pm to solicit public comment. A Steering Committee comprised of local residents, members of the business community, and elected officials contributed to the formation of the plan.

This public hearing has been advertised as required by general statute on June 1, and June 8, 2022.

A copy of the final plan can be viewed on the Town website at www.dallasnc.net.

MANAGER RECOMMENDATION: Approve the 2030 Comprehensive Land Use Plan, as presented.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Proposed FY2022-23 Budget Ordinance

AGENDA ITEM NO. 6D

MEETING DATE: 06/14/2022

BACKGROUND INFORMATION:

Enclosed is the proposed Budget Ordinance for Fiscal Year 2022-2023, including the proposed fee schedules. Preparation for this Budget Ordinance included a Strategic Planning meeting that was held on February 28, 2022, with additional Budget Work Sessions held on March 22, 2022 and April 26, 2022. An original draft proposal was submitted to the Board on May 20, 2022 for review at the final Budget Work Session held on May 24, 2022. No changes were proposed to the draft budget by the Board at the May 24th Work Session.

As proposed, the FY 2022-2023 budget for the Town of Dallas would total \$18,247,221 (an increase of 1.69% from the FY 2021-2022 budget), and includes the fund breakdown shown below.

General Fund:	\$4,924,364
Water & Sewer Fund:	\$3,343,660
Electric Fund:	\$9,316,176
Economic Development Fund:	\$ 338,650
Storm Water Fund:	\$ 324,371

This budget is based upon an Ad Valorem (property) tax rate of \$0.42 (which reflects NO change/\$100 valuation). This budget also includes NO increases in Solid Waste, Water/Sewer, Electric, or Stormwater rates.

NC G. S. §159-12 requires that the Board hold a public hearing before adopting the budget ordinance so that any persons who wish to be heard on the budget may voice their comments.

MANAGER RECOMMENDATION: To approve the proposed FY2022-23 Budget and Fee Schedule, as proposed.

BOARD ACTION TAKEN:

BUDGET MESSAGE

**Fiscal-Year 2022-2023
TOWN OF DALLAS**

June 14, 2022

The Honorable Mayor and Board of Aldermen
Town of Dallas
210 N. Holland St.
Dallas, North Carolina, 28034

Re: Fiscal Year 2022-23 Proposed Budget

Dear Mayor and Aldermen:

For your review is a complete copy of the Budget Ordinance for the Town of Dallas Budget for Fiscal-Year 2023 (July 1, 2022 through June 30, 2023). This proposal is consistent with both State and Town requirements, and it includes all applicable Funds. Revenues and expenditures are balanced in each case, but to do so required the appropriation of otherwise undesignated “fund balance” in all operating funds: General Fund, Water and Sewer Fund, Electric Fund, and Stormwater Fund.

This Budget represents not only the collective and comprehensive effort of the Town’s senior management staff, it strives to reflect the stated and established policy directives of the Board of Aldermen as ultimately balanced, translated and understood by the Town Manager.

As with any quality municipal Budget preparation effort, this year’s proposal again began with a clear aim to focus on offering service, support, investment and programming to citizens and stake-holders alike, and to do so in a manner which reflects the vision and direction of the Board of Aldermen. We wanted to identify and accurately project our available financial, human, technological, and physical resources; to then clearly establish our priorities for their use; to effectively allocate the resources based upon priorities; and, to ultimately provide the greatest possible value at the most effective cost. All of this while being mindful of the uncertainty of the economy recovering from an unprecedented global pandemic and experiencing extraordinary inflation.

We further worked to highlight where any substantive changes have occurred or are proposed, and, to showcase those areas where particular attention is focused for this upcoming fiscal year. In the end, the Budget must serve as a management tool to provide accountability and control over expenditures, but it also must allow for sufficient flexibility to accommodate periodic

amendments or adjustments based on unforeseen changes in circumstances, emergencies, opportunities, innovations, or altered priorities. It is believed that this proposed Budget succeeds in accomplishing such goals.

As we worked through the process of finalizing this document, focus was aimed at maintaining fiscal discipline, particularly in the General Fund. Nonetheless, we still feel comfortable that in so doing we have managed to maintain the complete integrity of the Town's "core" services, while at the same time continuing our support for a select group of short and long-term priority goals. Following are specific budgetary highlights, details, and/or explanations:

Organization-Wide Overview:

- **Employment:** This Budget proposes **NO** additional positions. The total number of full-time Town positions is **60**, while permanent part time positions remain at **7**.
- **Salaries & Wages:** This Budget provides for an **8.5% Across-the-Board Wage Increase** for all full-time and permanent part-time Town employees, as well as prioritizing that all **full-time positions** will be hired in at no less than \$15.50 per hour, with an off-probation wage of \$16.27 per hour. We have also budgeted for a **lump-sum, Holiday "bonus" of \$1200.00** for full-time, full-year employees; and, **\$400.00** for part-time and/or part-year employees.
- **Retirement:** For FY2023, The Town's cost for providing pension coverage for full-time employees, is set at **13.10% of earnings for sworn law enforcement personnel; and, 12.10% of earnings for general employees.** This reflects an **increase of 1.06 percentage points** for sworn law enforcement personnel and **.75 percentage points** for general employees. These rates are mandated by the State each year.
- **Fuel Costs:** Fuel costs have increased significantly over the past several months, therefore projected fuel costs have been **increased by approximately 35%**, to **\$162,189** for the next budget year. Sudden, unexpected world events, or changes in expected supply or demand, could obviously impact this item quickly and/or significantly. We will, as always, monitor it closely.
- **Telephone:** Telephone/Internet costs continue to represent a sizable amount in departmental budgets.

General Fund:

Revenues: Total General Fund revenues for FY2023 are projected at: **\$4,924,364**; which amounts to a **\$197,476 increase** from the current FY2022 total of **\$4,484,159**. This amount reflects **\$63,229** anticipated Grant Revenue and **\$161,042** in proceeds from Capital Financing.

We are proposing NO increase in the property tax levy, from the current **42-cent per \$100.00 valuation -- which is projected to raise **\$1,547,404** in General Fund property tax revenues (**each 1-cent generates approx. \$31,521.00 in Property Tax**).**

As provided for in G.S. §20.97, a city or town may levy an annual municipal vehicle tax upon any vehicle resident in the city or town, not to exceed thirty dollars (\$30.00) per vehicle. Of this fee, not more than five dollars (\$5.00) of the tax levied may be used for any lawful purpose and the remainder of the tax levied may be used for maintaining, repairing, constructing, reconstructing, widening, or improving public streets in the city or town. Currently, the vehicle tax is **\$10.00 per vehicle**.

Due to the recent increases in interest rates, interest income is anticipated at **\$9,564**. **This reflects a \$7,507 increase in this revenue line.**

As to **Sales Tax revenues**, we are projecting an **increase in FY2023** anticipated revenue of approximately **3.75%**. Uncertainty surrounding the effects of inflation and the economy on these revenues is unclear and should be viewed in that perspective.

We are anticipating total ABC revenue of \$50,901.00, which includes a return of **net wholesale distribution store profits of \$28,681.00**.

There is a continued gap between Garbage Collection Fee Revenues and Solid Waste operating expenditures, **but we are proposing NO increase to the collection rate**. There is an expected gap of \$161,853 between expected Solid Waste revenues and anticipated expenses.

This Budget year, we have proposed a “**contribution from the Electric Fund**” totaling **\$885,733** – which is based on a policy establishing yearly transfers of up to a 10.2% return-on-equity (ROE) multiplied by the audited net value of Electric plant & equipment for the fiscal-year last-audited.

Finally, we are calling for the use and appropriation of **General Fund, “Fund Balance”**, in the amount of **\$476,971** (9.7% of total budgeted revenues), which is **an increase of 67.6%** over the current year appropriation of \$284,656.

Expenditures:

- **Administration:** This budget provides **\$10,734 for collection of property taxes by Gaston County**. Also budgeted, **\$98,281** in credit/debit card fees that is partially offset by a customer charge.
- **Development Services:** Includes **\$85,000** for a UDO ordinance rewrite.
- **Board and Attorney:** Includes **\$1000 per person travel and training allowance**.
- **Courthouse:** We have budgeted **\$5,500** for lights/decorations, **\$20,153** for grounds/facility maintenance, **\$15,000** for gutter/fascia board repair, and **\$1,000** in maintenance for the fountain.
- **Police:** This budget funds **\$161,042** for three new vehicles (carryover from the current budget due to supply shortages) that is offset by Proceeds from Capital Financing, **\$12,100** to replace five in-car computers, **\$13,600** for K-9 supplies/training, **\$19,200** in

phones/car hot spots, \$36,835 in Law Enforcement Separation Allowance benefits (as required by G.S. §143-166.42(a) being paid to four retired officers) and the annual contribution of \$11,000 to the Law Enforcement Separation Allowance Fund.

- **Fire:** There is \$15,500 budgeted for equipment replacement, \$9,150 for fire inspections by the Gaston County Fire Marshal, and \$38,000 for Bunker Gear in the form of a FEMA grant with a 5% match from Dallas. **New compensation and benefits** include: \$3,000 in premiums for additional Life Insurance for firefighters, \$3,000 for a bonus pension for retirees, a **13.6% increase** in rotating part-time hourly pay from \$11.00/hr. to \$12.50/hr., and \$5,000 salaries for each of the two Assistant Fire Chiefs. Also, the Debt Service for Principal is budgeted at \$97,388 (for Building debt, pumper truck, and Chief's vehicle); while Debt Service for Interest is budgeted at \$46,328.
- **Powell Bill:** We have projected utilizing State **Powell Bill Funds** totaling, \$133,072, all of which must be used for street maintenance as dictated by State Statute.
- **Streets:** Street maintenance not funded by Powell Bill revenue will continue to be accomplished in this department's budget. \$40,300 is budgeted to provide street lighting. Engineering has been completed on the CMAQ sidewalk project and the plans have been approved. The next phase will be construction and the Town is the recipient of funding through NC DOT for 80% of the project cost. Construction is on hold indefinitely and cost estimates will need to be updated, therefore this project is not included in the budget, but will need to be provided for once back in active status.
- **Recreation:** This budget includes \$40,050 toward support of Town-sponsored events and \$2,400 in support of Senior Citizen programming. Increases in a variety of items supporting recreational programming are being experienced, such as: Referee/Umpire Fees **increasing 18.42%**, Grounds Maintenance and Supplies **increasing 14.00%**, and Concessions Supplies/Sports Uniforms **increasing 13.31%**.
- **Solid Waste:** This Budget sets total Solid Waste Revenues at: \$395,280; while total Expenditures equal: \$557,133; (a **Deficit of \$161,853**). On the Expenditure side, we have included \$99,800 for landfill charges, \$90,000 for purchase of a Knuckleboom truck (split with Electric Department), and \$53,906 in debt service to cover **debt-service payments** on the automated trash truck and the small automated trash truck.

Water/Sewer Fund:

Revenues: This Budget proposes **NO Increase to Water & Sewer rates**. The combined total Water & Sewer Revenues are \$3,343,660; a result primarily of **Water fee charges of \$1,927,496; Sewer fee charges of \$1,122,264; antenna lease revenues of \$63,629; and late charge revenues of \$67,550**. There is \$16,300 Fund Balance appropriated.

Expenditures:

- **Distribution & Collection Operations:** Operations costs are budgeted at a total \$2,188,166. This includes \$72,573 for water purchases from Two Rivers Utilities

(Gastonia) for Spencer Mountain Village usage, and two additional weeks of total Town usage in the event of an emergency; also included is \$314,137 in sewer treatment charges to Two Rivers Utilities (Gastonia) for Spencer Mountain Village, Long Creek apartments, and to process 150,000 gallons per day of sewer upon completion of the Interconnect Project. Two Rivers Utilities is increasing their rates 5% for the coming year. We have budgeted \$82,119 in interest payments, and \$173,249 in principal payments, (\$255,368 combined) as the tenth payment toward the \$3.6M Debt issued for the Water-Main replacement project. Also budgeted is \$45,000 for a Waste Water Rate Study/CIP and \$76,960 for a trackhoe.

- **Water Plant:** Total Expenditures are set at \$671,481. This includes \$30,000 to replace truck #114, \$30,000 to reconstruct filter beds, \$52,000 for equipment maintenance/repair, \$28,454 in utility costs, and \$78,000 in chemical supplies (reflects a 20% increase).
- **Waste-Water Plant:** Total expenditures are set at \$484,013. The Budget includes \$85,680 in Town Electric Costs, \$52,645 in chemical supplies (reflects a 20% increase), and \$38,850 in State required testing (6.88% increase).

Electric Fund:

Revenues: We have projected **total combined Revenues at \$9,316,176**. This is based upon **NO REQUESTED RATE INCREASE** – *which, if approved, will mean that for an 11 ½-year period, from January 1, 2012 (the last date we raised retail electric rates to our customers) through at least June 30, 2023, we will have refrained from any rate increases even though we have, in turn, absorbed multiple, wholesale increases in the rate we pay Duke Energy for our purchased power, including an anticipated 2% increase for this budget.* We have also budgeted the use of \$390,382 in allocated Fund balance which is a **125.47% increase** over the \$173,141 appropriated in the current budget.

Expenditures: This Budget proposes a transfer to the General Fund of \$885,733, based upon the “Return-on-Equity” policy. As to our single largest line-item expenditure, that of “purchased power”, we are budgeting \$5,180,561, which amounts to **55.6% of the total Electric expenditure budget**. Also included in this budget \$25,846 in Debt Service for vehicles purchased; \$25,000 for a Rate Study/CIP; \$100,700 to upgrade the Fire Department generator and move the current Fire Department generator to Town Hall; and \$90,000 to purchase a knuckleboom truck (split with Solid Waste).

Storm Water Fund:

Revenues: Revenues for FY2023 are projected to total \$324,371; made up of monthly Storm-water charges of \$209,771 and \$1,681 in Storm Water charges paid by other Town departments. We are proposing **NO increase** in the per unit rate of \$4.52 per unit. There is a **\$112,919** appropriation of Fund Balance.

Expenditures: This budget provides \$241,245 for a project on S. Holland St. There is an additional \$20,160 budgeted for repairs to the current system.

Economic Development Fund:

Revenues: Revenues for this fund are received through an annual transfer from the Electric Fund based on an approved formula, as well as any sales of Town-owned property. Fund balance of **\$238,650** is budgeted for the proposed budget. The Town received a State Capital and Infrastructure Fund (SCIF) grant in the amount of **\$100,000** for repairs and renovation of downtown facilities.

Expenditures: This budget provides **\$124,900** for infrastructure in conjunction with a Development Agreement and **\$213,750** for design, construction, and furnishings to renovate 208 N. Holland St. for additional Town office space.

I would like to take this opportunity to sincerely thank all Town Department Heads and their support personnel who have worked so diligently to assist in the development of this comprehensive financial plan for the Town of Dallas for the coming year and beyond. **Their efforts, as always, have been critical to the process.**

Respectfully submitted,



Maria Stroupe
Town Manager

BUDGET ORDINANCE FOR THE TOWN OF DALLAS

Fiscal Year 2022-23

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

SECTION 1: The schedule of expenditures listed in this ordinance are hereby appropriated for the operation and activities of the General Government of the Town for the fiscal year beginning July 1, 2022 and ending June 30, 2023, in accordance with the chart of accounts heretofore established for the Town of Dallas.

Administration	\$382,165
Development Services	\$320,430
Board and Attorney	\$77,178
Courthouse	\$73,025
Police	\$2,153,674
Fire	\$541,674
Powell Bill	\$133,072
Street	\$310,900
Recreation	\$375,113
Solid Waste	\$557,133
TOTAL GENERAL FUND EXPENDITURES	<u>\$4,924,364</u>

SECTION 2: The schedule of revenues listed in this ordinance are established as an estimate to be available for the General Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

Current and Prior Ad Valorem Taxes	\$1,547,404
Motor Vehicle Licenses	\$80,112
Local Option Sales Tax 1¢	\$653,477
Utility Franchise Taxes	\$155,629
Natural Gas Excise Tax	\$11,231
Telcommunications Sales Tax	\$28,978
Video Programming Sales Tax	\$16,269
Solid Waste Disposal Tax	\$4,428
Alcohol/Beverage Tax	\$22,220
ABC Wholesale Distribution	\$28,681
Powell Bill Allocation	\$168,940
Interest Earnings	\$9,564
Police Report Fees	\$2,270
Zoning Fees	\$21,410
Business Registration Fees	\$3,100
Recreation Revenue	\$58,780
Solid Waste Collection Fee	\$383,580
Grant Revenue	\$63,229
Facilities Rental Fees	\$15,400
EVMB Sign Revenues	\$150
Other	\$125,766
Proceeds From Capital Financing	\$161,042
Return-On-Equity from Electric Department	\$885,733
Fund Balance	\$476,971
TOTAL GENERAL FUND REVENUES	<u>\$4,924,364</u>

SECTION 3: The schedule of expenditures listed in this ordinance are hereby appropriated for the operations of the Water and Sewer Enterprise Utility Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for the Town of Dallas.

Water and Sewer Operations	\$2,188,166
Water Treatment Plant	\$671,481
Sewer Treatment Plant	\$484,013
TOTAL WATER AND SEWER EXPENDITURES	<u>\$3,343,660</u>

SECTION 4: The schedule of revenues listed in this ordinance are established as an estimate to be available in the Water and Sewer Enterprise Utility Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

Water Charge Revenue	\$1,927,496
Sewer Charge Revenue	\$1,122,264
Water/Sewer Taps	\$38,900
Late Charges	\$67,550
Antenna Lease	\$63,629
Water/Sewer Charge-From Other Departments (Reimbursement)	\$22,095
System Development Fees	\$48,926
Grant Revenue	\$0
Other	\$36,500
Fund Balance	\$16,300
TOTAL WATER AND SEWER REVENUES	<u>\$3,343,660</u>

SECTION 5: The schedule of expenditures listed in this ordinance are hereby appropriated for the operation of the Electric Enterprise Utility Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for the Town of Dallas.

Electric Operations	\$9,316,176
TOTAL ELECTRIC EXPENDITURES	<u>\$9,316,176</u>

SECTION 6: The schedule of revenues listed in this ordinance are established as an estimate to be available in the Electric Enterprise Utility Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

Electric Charge Revenue	\$7,727,998
Coal Ash Recovery (Pass Through to Duke Energy)	\$130,000
Sales Tax on Electric Bills (Pass Through to State)	\$534,041
T-2 Light Charges	\$133,863
Service Charge	\$58,004
Written Off Accounts	\$8,700
Customer Billed Charges - Non-Utility	\$47,500
Interest on Investment	\$988
Pole Rental Fees	\$50,200
Other	\$0
Electric Charge-From Other Departments (Reimbursement)	\$234,500
Fund Balance	\$390,382
TOTAL ELECTRIC REVENUES	<u>\$9,316,176</u>

SECTION 7: The schedule of expenditures listed in this ordinance are hereby appropriated for the operation of the Storm Water Enterprise Utility Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for the Town of Dallas.

Storm Water Operations	\$324,371
TOTAL STORM WATER EXPENDITURES	<u>\$324,371</u>

SECTION 8: The schedule of revenues listed in this ordinance are established as an estimate to be available for the Storm Water Enterprise Utility Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

Storm Water Charge Revenue	\$209,771
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Storm Water Charge-From Other Departments (Reimbursement)	\$1,681
Fund Balance	\$112,919
TOTAL STORM WATER REVENUES	\$324,371

SECTION 9: The schedule of expenditures listed in this ordinance are hereby appropriated for the operation of the Law Enforcement Separation Allowance (LESA) Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for the Town of Dallas.

Separation Allowance	\$225,032
TOTAL LESA EXPENDITURES	\$225,032

SECTION 10: The schedule of revenues listed in this ordinance are established as an estimate to be available for the Law Enforcement Separation Allowance (LESA) Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

Interest Earned on Investment	\$444
Contribution from General Fund	\$11,000
Fund Balance	\$213,588
TOTAL LESA REVENUES	\$225,032

SECTION 11: The schedule of expenditures listed in this ordinance are hereby appropriated for the operation of the Economic Development Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for the Town of Dallas.

Professional Service	\$25,750
Furnishings	\$17,000
Capital Outlay: Construction	\$295,900
TOTAL ECONOMIC DEVELOPMENT EXPENDITURES	\$338,650

SECTION 12: The schedule of revenues listed in this ordinance are established as an estimate to be available for the Economic Development Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

Fund Balance	\$338,650
TOTAL ECONOMIC DEVELOPMENT REVENUES	\$338,650

SECTION 13: The schedule of expenditures listed in this ordinance are hereby appropriated for the operation of the CDBG Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023, in accordance with the chart of accounts heretofore established for the Town of Dallas.

Historic Preservation	\$53,176
TOTAL CDBG EXPENDITURES	\$53,176

SECTION 14: The schedule of revenues listed in this ordinance are established as an estimate to be available for the CDBG Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

CDBG Funds	\$53,716
TOTAL CDBG REVENUES	\$53,716

SECTION 15: There is hereby levied a tax at the rate of forty-two cents (\$0.42) per one hundred dollars (\$100) assessed valuation of property listed for Taxes as of January 1, 2022, for the purpose of raising the revenue listed as "Current Ad Valorem Taxes" and "Current HB 20 Taxes" in the General Fund. The County of Gaston shall collect these taxes for the Town. In addition, "Motor Vehicle Licenses" fees shall be \$10.00 per vehicle.

SECTION 16: The local sales tax shall be accounted as a Revenue in the General Fund.

SECTION 17: That the Solid Waste Collection fees, Recreation fees, Zoning and Planning permit and review fees,

Utility fees, and any and all other Town-imposed fees shall be set in accordance with the duly-adopted Fee Schedule for the Town of Dallas.

SECTION 18: To allow the Town Manager and/or Finance Director to make line item adjustments within the funds. Any transfer of money between funds, however, shall be accomplished exclusively by action of the Board of Aldermen. The 2022-2023 Fiscal Year Budget hereby establishes Funds and Departments as shown in the Budget Document.

SECTION 19: Copies of this Budget Ordinance, with detailed Fund and Department accounts, shall be furnished to the Town Manager, to the Board of Aldermen, and to the Finance Director, to be kept by them for their direction on disbursement of funds. A copy shall be furnished to the Town Clerk for record keeping.

SECTION 20: A properly noticed Public Hearing was held on June 14, 2022, at 6:00 pm in the Community Room of the Town's Fire Department Building.

Motion by _____ to adopt the 2022-2023 Fiscal Year Budget Ordinance, seconded by _____, and carried by the following vote:

Ayes:

Nays:

Adopted this 14th day of June, 2022.

Mayor Rick Coleman

Attested:

Sarah Hamrick, Town Clerk

TOWN OF DALLAS - GENERAL FEES

UTILITY DEPOSITS	\$85.00	Water - Inside Town Limits
	\$170.00	Water - Outside Town Limits
	\$160.00	Electric
LATE FEE	\$6.00	Charged after 15th of Month
SERVICE CHARGE/RECONNECTION FEE	\$30.00	Charged if on Cut-Off List
	\$100.00	Charged if Cut at Pole
CREDIT CARD FEE	\$3.00	per transaction
METER TEST FEE	\$15.00	Residential
	\$65.00	Commercial
UTILITY HISTORY PRINT OUT	\$5.00	per request
POLICE REPORT FEES	\$5.00	per report (up to 5 pages)
	\$1.00	per page after 5 pages
FIRE REPORT FEE	\$5.00	per report
RETURN CHECK FEE	\$30.00	per occurrence
CUSTOMER REQUESTED STOP PAYMENT FEE	\$40.00	per occurrence
BUSINESS REGISTRATION FEE	\$35.00	Annually
INTERMENT FEES	\$50.00	During Business Hours
	\$125.00	Weekends/After Hours
NOISE PERMIT	\$20.00	Daily Permit
	\$75.00	Monthly Permit
	\$400.00	Annual Permit
CIVIC BUILDING RENTAL FEE	\$200.00	Inside Town Limits Resident
	\$300.00	Outside Town Limits Resident
VOLUNTARY ANNEXATION PETITION	\$550.00	per application
		(*Does not include ads, postage etc.)
WATER FLOW TEST FEE		ACTUAL COST

SPECIAL EVENTS FEE

Fee shall be assessed upon approval of event and are due no later than five (5) business days prior to event. Events will be cancelled if fees are not paid when due.

\$150.00 per occurrence

TOWN OF DALLAS - ELECTRONIC SIGN ADVERTISING FEES

FOR-PROFIT ENTITY

	<u>Per Month**</u>	<u>Per Day*</u>
10 second view	\$100.00	\$10.00
20 second view	\$175.00	\$18.00
30 second view	\$225.00	\$25.00
1 minute view	\$350.00	\$35.00

NON-PROFIT/CIVIC GROUP

	<u>Per Month**</u>	<u>Per Day*</u>
10 second view	\$30.00	\$10.00
20 second view	\$55.00	\$6.00
30 second view	\$75.00	\$8.00
1 minute view	\$125.00	\$12.00

* 275 average views per day

**8250 average views per month

TOWN OF DALLAS - DEVELOPMENT SERVICES FEES

ZONING PERMIT FEES

Residential Permits	Cost of Waste Cart +	\$80.00	per permit
Residential Fence Permit		\$20.00	per permit
Residential Accessory/Addition/Remodel		\$30.00	per permit
Beekeeper/Apiary		\$55.00	One-time fee
Customary Home Occupation		\$55.00	One-time fee
Business Registration Zoning Permit/Verification		\$40.00	per permit
Multi-Family Permits		\$55.00	per dwelling unit
Commercial	\$130.00 Existing Building	\$375.00	New Building
Manufacturing/Industrial	\$130.00 Existing Building	\$375.00	New Building
Zoning Verification Letter		\$20.00	per letter
Zoning Demolition Sign-off Verification		\$20.00	per occurrence
Zoning Sign-off on ABC Permit		\$20.00	per permit
Zoning Letter Not Specified on Fee Schedule		\$20.00	per letter
Driveway Permit	\$60.00 Commercial	\$30.00	Residential
Sign Permit		\$45.00	per permit
EVM Sign Permit		\$400.00	per permit
Mailed Copy Charge		\$1.50	per copy
Violation Abatement Administrative Fee		\$110.00	per occurrence
Unpermitted Work Completed	\$60 Upcharge Added to Appropriate Permit Fee		

COMMISSION APPLICATIONS (Fee DOES NOT Include Cost of Advertisements, etc.)**

Rezoning, Conditional Use, Variance, Appeal, Text Amendment	\$550.00	per application
Historic District Commission Approval	\$550.00	per occurrence

SKETCH PLAN REVIEWS

Multi-Family/Subdivisions/Commercial/Manufacturing/Industrial	\$80.00	per review
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CONSTRUCTION PLAN REVIEWS ** (Staff Review Only -- Engineering Review Charged Separately)

Multi-Family/Commercial/Manufacturing/Industrial - 1st Building	\$330.00	per review
Each Additional Building (2 or more structures on a lot)	\$110.00	per review

SUBDIVISION FEES (Staff Review Only -- Engineering Review Charged Separately)

Minor/Exempt Subdivisions	\$110.00	per review
2 - 50 lots	\$185 + \$5/lot	per review
50+ lots	\$8.00/lot	per review
Final Plat Submittal Fee	\$110.00	

CELLULAR/RADIO COMMUNICATIONS

New, Facility/Tower Application	\$4,950.00	per review
Modifications, Upgrades, Co-locations on Existing Structures	\$1,650.00	per review
Special Use Permit	\$550.00	per review

ROAD NAME CHANGE APPLICATION

Application Review Fee**	\$220.00	per review
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**Fee does not include cost of advertisements, street signs or installation - Charged at actual cost

ENGINEERING REVIEW FEES

MULTIFAMILY/COMMERCIAL/INDUSTRIAL PLAN REVIEW FEES

1 acre or less	\$1,200	(no streets)
	\$1,450	(with streets)
2 - 4 acres	\$1,450	(no streets)
	\$1,700	(with streets)
5 - 10 acres	\$3,600	(no streets)
	\$4,200	(with streets)
11 - 15 acres	\$5,400	(no streets)
	\$6,300	(with streets)
15+ acres	\$5,400 + \$300/acre	(no streets)
	\$6,300 + \$350/acre	(with streets)

SINGLE FAMILY RESIDENTIAL SUBDIVISION REVIEW FEES

0 - 5 lots	\$1,200	(no streets)
	\$1,800	(with streets)
6 - 15 lots	\$1,800	(no streets)
	\$2,700	(with streets)
156 - 25 lots	\$3,000	(no streets)
	\$4,500	(with streets)
26 - 35 lots	\$4,200	(no streets)
	\$6,300	(with streets)
36+ lots	\$4,200 + \$100/add'l lot	(no streets)
	\$6,300 + \$150/add'l lot	(with streets)

ADDITIONAL ENGINEERING COSTS

- These fees include two review and consultation with Town Staff in the form of a technical review committee. The initial review will be to prepare a review comment sheet for the developer and his/her engineer to revise and resubmit plans. The second review will be to check for compliance with the review comments and comment on any additional compliance issues arising from second submittal. **If plans are resubmitted without comments addressed, additional reviews will be at the rate of \$175.00/hour.**
- Construction inspection and site visits will be performed on a regular basis and/or at the request of the developer or his/her agent. A 24 hour notice will be required for official inspections or utility testing. **Third site visits for the same defective workmanship and/or materials will be billed at a rate of \$90.00/hour.**

TOWN OF DALLAS - FALSE ALARM FEES

Fees for public safety responses to false alarms are calculated on a six-month basis. If the fire or police department responds to a property more than three times in any six-month period, and the cause of the response was due to a faulty or non-maintained alarm system, a fee for the additional responses will be charged against the property. No fee will be charged for the first three responses in any six-month period. After the second response, the offender will be given a written notice of the violation and the fees assessed if a fourth false alarm happens within that six-month period. The following fees will be assessed for subsequent responses within that period.

	<u>Business</u>	<u>Residential</u>
Fourth Response	\$50.00	\$50.00
Fifth Response	\$100.00	\$75.00
Sixth Response	\$200.00	\$100.00
Seventh Response	\$400.00	\$150.00
Eighth and Subsequent Responses	\$800.00	\$200.00

TOWN OF DALLAS - RECREATION FEES

INDIVIDUAL PARTICIPANT FEES

	<u>In-Town Resident</u>	<u>Non-Resident</u>
Soccer	\$50.00	\$50.00
Basketball	\$40.00	\$55.00
Cheerleading	\$80.00	\$95.00
Baseball	\$60.00	\$70.00
Softball	\$60.00	\$70.00

SEASONAL TEAM SPONSORSHIPS

Soccer	\$300.00
Basketball	\$150.00
Baseball	\$275.00
Softball	\$275.00

TOURNAMENT ADMISSION FEE

\$2.00 (Ages 5 and over)

TOWN OF DALLAS - RECREATION FACILITY RENTAL FEES

DENNIS FRANKLIN GYM

All uses, other than Town-sponsored use, shall be prohibited unless authorized in advance by formal action of the Board of Aldermen.

CARR SCHOOL AND JAGGERS PARK FIELDS

Field Use	Per Hour	Week Day (M -F)	Weekend (Sat/Sun)
		Per Day	Per Day
Town Resident	\$10.00	\$50.00	\$70.00
Non-Town Resident	\$20.00	\$100.00	\$140.00

Field Use: (Fall Youth) (Per Season Not-to-Exceed 120 days)

For All League Participants (Total)	\$200.00	(includes use of lights)
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Additional Charges

**Dragging Field (by request)	\$30.00	
**Lining Field (by request)	\$30.00	**Request must be received at least 5 business days prior to date of event.
Use of Lights at Field	\$15/Hr.	

CLONINGER PARK AND JAGGERS PARK SHELTERS

NOTE: A Shelter reservation does not close the entire park--park is still open to the public.

JAGGERS PARK SHELTER USE***	4 Hours	Week Day (M -F)	Weekend (Sat/Sun)
		Per Day	Per Day
Town Resident	\$25.00	\$45.00	\$50.00
Non-Town Resident	\$40.00	\$65.00	\$70.00

CLONINGER PARK SHELTER USE***	4 Hours	Week Day (M -F)	Weekend (Sat/Sun)
		Per Day	Per Day
Town Resident	\$25.00	\$45.00	\$50.00
Non-Town Resident	\$40.00	\$65.00	\$70.00

****Shelters may be rented for:**

AM Block: 10am - 2pm

PM Block: 3pm - 7 pm (Winter Hours: 3 pm - dusk)

Daily: 10 am - 7 pm (Winter Hours: 10 am - dusk)

TOWN OF DALLAS - WATER AND SEWER SERVICE RATE SCHEDULE

The following rates apply for water (metered) and sewer service to residential, commercial, industrial, and irrigation accounts inside and outside the corporate limits of the Town of Dallas, as provided through the Town of Dallas Municipal Water and Sewer Utility.

WATER - INSIDE TOWN LIMITS (Including Irrigation)

<u>Usage (gallons)</u>	<u>Minimum Charge</u>	(plus)	<u>Vol Charge (per 1000 gallons)</u>
0 - 1000	\$11.05 /month		\$3.46 usage 0-1000
1001 - 3000	\$14.51 /month		\$5.19 usage 1001-3000
3001 - 5000	\$24.89 /month		\$6.78 usage 3001-5000
5001 - 10000	\$38.47 /month		\$7.31 usage 5001-10000
Over 10000	\$75.06 /month		\$7.84 usage over 10000

WATER - OUTSIDE TOWN LIMITS

<u>Usage (gallons)</u>	<u>Minimum Charge</u>	(plus)	<u>Vol Charge (per 1000 gallons)</u>
0 - 1000	\$31.41 /month		\$3.46 usage 0-1000
1001 - 3000	\$34.86 /month		\$10.38 usage 1001-3000
3001 - 5000	\$55.62 /month		\$12.11 usage 3001-5000
5001 - 10000	\$79.83 /month		\$14.64 usage 5001-10000
Over 10000	\$153.02 /month		\$15.84 usage over 10000

SEWER - INSIDE CITY LIMITS

<u>Usage (gallons)</u>	<u>Minimum Charge</u>	(plus)	<u>Vol Charge (per 1000 gallons)</u>
0 - 1000	\$12.11 /month		\$3.46 usage 0-1000
1001 - 3000	\$15.57 /month		\$5.19 usage 1001-3000
3001 - 5000	\$25.95 /month		\$6.78 usage 3001-5000
5001 - 10000	\$39.52 /month		\$7.31 usage 5001-10000
Over 10000	\$76.12 /month		\$7.84 usage over 10000

SEWER - OUTSIDE CITY LIMITS

<u>Usage (gallons)</u>	<u>Minimum Charge</u>	(plus)	<u>Vol Charge (per 1000 gallons)</u>
0 - 1000	\$16.64 /month		\$3.46 usage 0-1000
1001 - 3000	\$20.10 /month		\$5.19 usage 1001-3000
3001 - 5000	\$30.48 /month		\$6.78 usage 3001-5000
5001 - 10000	\$44.05 /month		\$7.31 usage 5001-10000
Over 10000	\$80.64 /month		\$7.84 usage over 10000

Any "Active" account shall be charged a monthly Minimum Fee, regardless of usage. Thereafter, the Volume charge shall be calculated at the rate indicated for the volume tier of usage. Each separate volume tier of usage shall be calculated at the rate for that tier of usage.

Sewer charges are based on the number gallons of water used each month through a metered service.

TOWN OF DALLAS - WATER AND SEWER SERVICE FEES

STANDARD TAP AND PRIVILEGE FEES

	<u>3/4" WATER TAP</u>	<u>4" SEWER TAP</u>
Privilege Fee	\$610.00	\$610.00
Residential Tap Inside	\$1,129.00	\$1,605.00
Residential Tap Outside	\$1,245.00	\$1,723.00
Commercial Tap	Cost	Cost
Road Bore Fee	\$365.00	\$365.00
Water Tap >1"	Cost	
Sewer Tap > 5' in depth and/or 20' in lateral length		Cost

RESIDENTIAL IRRIGATION TAPS

Outside Yard Meter w/Tee	\$365.00
Outside Yard Meter 3/4" Tap	\$1,129.00
Outside Yard Meter 1"	\$1,129.00
Irrigation Tap >1"	Cost

COMMERCIAL IRRIGATION TAPS

Cost

UNAUTHORIZED METER ACCESS/UNSAFE METER USE

\$200.00

System Development Fees			
Meter Size	Meter Ratio	Water	Sewer
3/4"	1.00	\$1,794	\$1,745
1"	1.67	\$2,989	\$2,908
1.5"	3.33	\$5,979	\$5,816
2"	8.33	\$14,946	\$14,540
3"	16.67	\$29,893	\$29,079
4"	33.33	\$59,786	\$58,159
6"	53.33	\$95,657	\$93,054
8"	93.33	\$167,400	\$162,845
10"	183.33	\$328,822	\$319,874

- 1) System Development Fees shall be based on water meter size. If only sewer service is requested, then fee will be based on estimated water service size.
- 2) System Development Fees for Multi-Family development shall be based on ¾" meters for each unit within the complex, not on a master meter size or other method of calculation.
- 3) Fire Flow shall not be metered and shall not be assessed a System Development Fee.
- 4) System Development Fees for irrigation services shall only include water fees. Combination services shall be reviewed by the Town and calculated at the time of the request for service.

TOWN OF DALLAS - ELECTRIC SERVICE RATE SCHEDULE

Electrical rates effective on readings on and after 07/01/2017 and as reflected on 08/01/17 billing.
This replaces 07/01/16 Rate Schedules North Carolina Sales Tax will be shown separately.

RATE A: RESIDENTIAL

\$10.00		BASE CHARGE
\$0.091	Per KWH for the FIRST	350 KWH used per month
\$0.114	Per KWH for the NEXT	950 KWH used per month
\$0.100	Per KWH for ALL OVER	1300 KWH used per month

RATE B: RESIDENTIAL WITH ELECTRIC WATER HEATER

\$10.00		BASE CHARGE
\$0.091	Per KWH for the FIRST	350 KWH used per month
\$0.107	Per KWH for the NEXT	950 KWH used per month
\$0.100	Per KWH for ALL OVER	1300 KWH used per month

RATE C: RESIDENTIAL TOTAL ELECTRIC

\$10.00		BASE CHARGE
\$0.091	Per KWH for the FIRST	350 KWH used per month
\$0.099	Per KWH for the NEXT	950 KWH used per month
\$0.090	Per KWH for ALL OVER	1300 KWH used per month

RATE D: COMMERCIAL GENERAL SERVICE

MINIMUM CHARGE:	Demand Charge	
DEMAND CHARGE:	\$14.00 for the FIRST	30 KW Billing Demand or less per month
	\$5.00 Per KWH for ALL OVER	30 KW Billing Demand per month
ENERGY CHARGE:	\$0.119 Per KWH for the FIRST	3,000 KWH used per month
	\$0.088 Per KWH for the NEXT	87,000 KWH used per month
	\$0.069 Per KWH for ALL OVER	90,000 KWH used per month

RATE E: INDUSTRIAL SERVICE

MINIMUM CHARGE:	Demand Charge	
DEMAND CHARGE:	\$30.00 for the FIRST	30 KW Billing Demand or less per month
	\$5.00 Per KWH for ALL OVER	30 KW Billing Demand per month
ENERGY CHARGE:	\$0.117 Per KWH for the FIRST	3,000 KWH used per month
	\$0.079 Per KWH for the NEXT	87,000 KWH used per month
	\$0.061 Per KWH for ALL OVER	90,000 KWH used per month

SECURITY LIGHTS

TYPE 1:	\$11.63 per month	100 WATTS
TYPE 2:	\$16.20 per month	250 WATTS
TYPE 3:	\$22.44 per month	400 WATTS
POLE:	\$2.50 per month	For pole installed specifically for light service

TOWN OF DALLAS - ELECTRIC CONNECTION FEES

SINGLE PHASE CONNECTIONS

RESIDENTIAL

Temporary (for construction) \$30.00

COMMERCIAL

Temporary Non-Permanent Structure - Under 100 AMPS \$125.00

Temporary Non-Permanent Structure - Over 100 AMPS Cost

THREE PHASE CONNECTIONS

Service from 200 to 400 AMPS \$100.00 per phase

Service from 401 AMPS and over Cost

CONVERSION OF OVER HEAD TO UNDERGROUND

Under 250' in length \$400.00

Over 250' in length \$400.00 Plus Cost of Wire
over 250'

POLE ATTACHMENT FEES

\$15.00 per pole, per year

\$3.000 per CATV power supply, per year

Joint-Use attachments set by agreement

COMMERCIAL PROJECTS

Cost

UNAUTHORIZED METER ACCESS/UNSAFE METER USE

\$200.00

TOWN OF DALLAS - STORMWATER RATE SCHEDULE

<u>Account Class</u>	<u>Rate Per Month</u>	<u>ERU's</u>	<u>Total Charge (Monthly)</u>
Single Family Residence	\$4.52	1.0	\$4.52
All Other Accounts	\$4.52	*	\$4.52 per ERU

*Total Impervious surface area on property (in square feet) divided by 2500.

An "**ERU**" is an "**Equivalent Residential Unit**", which is calculated and set at 2500 square feet of impervious surface area. For **ALL** Single-Family Residential properties, the ERU shall be established as (1) ERU, regardless of actual impervious surface area on the parcel. For **ALL OTHER** classes of properties, the Town has established precisely the actual square footage of impervious surface area on each parcel (through a contracted study completed by the Centralina Council of Governments), and the ERU for each shall be the total impervious surface area divided by (2500).

The rate structure includes, for each non-residential account, a **Fee Credit** opportunity, for those properties who have on-site "**B.M.P.'s**" (Best Management Practices) which consist of Stormwater retention, detention, and/or treatment, containment, or significant mitigation facilities, which are certified by Town inspection as being adequately designed, engineered, constructed, and maintained.

The Fee Credit shall equal 50% of the monthly fee, for as long as the BMP facility remains in place, functional, and properly maintained; as evidenced by yearly inspection by Town personnel or agent.

To receive credit for a BMP facility, Account Holders must file an application with the Town Development Services department and meet all requirements for engineering specifications associated with said BMP.