

MINUTES FOR BOARD OF ALDERMEN MEETING

October 8th, 2013

6:00 PM

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

The following staff members were present: Maria Stroupe, Administrative Services Director; Gary Buckner, Police Chief; Bill Trudnak, Public Works Director; Steve Lambert, Fire Chief; Anne Martin, Recreation Director; David Kahler, Community Services Director; and Town Attorney, Thomas Hunn. Jim Palenick, Interim Town Manager and Doug Huffman, Electric Director were absent.

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

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

Mayor Coleman asked if there were any additions or deletions to the agenda. Mayor Coleman stated that Item 9E needed to be deleted, as Diamond Engineering had decided not to pursue the request for additional fees for work associated with the Waterline Reconstruction Project at this time. Mr. Martin asked that an additional item, 10B, be added to discuss lights on the ball fields at Carr School. Mr. Withers made a motion to set the agenda, including the changes, seconded by Mr. Beaty, and carried unanimously.

Mr. Beaty made a motion to approve the minutes from the September 10, 2013 regular meeting, seconded by Ms. Morrow, and carried unanimously.

Consent Agenda:

Item 5A was a request from Gaston College to close streets in conjunction with the Third Annual “Textures & Tones Art Festival” on Saturday, April 12, 2014. The Third Annual “Textures & Tones Art Festival” is planned for April 9-12, 2014. As part of the 2014 festival, they will again hold a “Family Fun Day” on April 12th featuring many arts vendors along with family-friendly activities, food, music, and games. The request is to close West Main Street from North Gaston Street to the Fire Station and North Holland Street from West Trade Street to West Church Street. This is the same as last year’s request.

Item 5B was a request for approval of the Annual CROP Hunger Walk, as created and sponsored by Church World Services, and run locally by faith-based organizations and churches and their volunteers. The walk is scheduled for Sunday, October 20th at 2:00 pm. The kick-off will be at the Dennis Franklin Gym. The gym will be used for the opening, as well as for coordinating and accounting for donations. The Town will provide porta-johns and the Police Department will assist with maintaining safety logistics for walkers. This is an annual event that the Town has supported for a number of years.

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

Recognition of Citizens:

Mr. Tommy Lineman, 405 S. Ridge St., thanked the Mayor and Board of Aldermen for their efforts and support when Gaston County was considering appropriating \$1.2 million received from a recent land sale. Commissioners approved \$100,000 toward the Dallas Historic Courthouse Foundation Capital Campaign and \$500,000 toward improvements at North Gaston High School. One half of the funds received from the sale were

allocated to the Dallas area and Mr. Lineman was appreciative of the role the Board played in advocating for these funds for the Dallas community.

Ms. Charlotte Jenkins, 306 W. Main St., added her thanks to those offered by Mr. Lineman. She also addressed the Board concerning the upcoming Planning Board meeting to consider the metal buildings ordinance in Dallas. She asked that the all property owners in town be treated equally. She felt that when she purchased her home in Dallas approximately six years ago, that their plans for renovation to the property were scrutinized, while renovations made to the Tavern on the Square property at the same time were not held to the same standards. She hopes that the Planning Board and ultimately the Board of Aldermen will uphold the metal building prohibition. She believes that the architecture of any building in Town should be beneficial to the Town and that standards should be maintained.

Mr. John Brooks, 607 W. Trade St., spoke concerning the possible annexation of property on Ratchford Dr. His mother lives in proximity to the property and he is very concerned about the proposed use of the property, a drag strip for youth, and that it would be detrimental to the area. He asked that the Board carefully consider this before voting on the annexation request. Mr. Brooks also spoke in support of the proposed "TOP TIER" economic incentive program proposed by Mr. Palenick. As a business owner and Dallas Chamber of Commerce member, he believes this program would be very beneficial to Dallas and asked that the Board carefully consider approving the program.

Mr. Daniel Britton, volunteer at North Gaston High School, added his thanks to the County Commissioners and to the Dallas Board of Aldermen for the allocation of funds to the Dallas Community as referenced by Mr. Lineman. Mr. Britton asked that the Board of Aldermen continue to contact the School Board and support the proposed projects at North Gaston High School.

Ms. Marcia Kenley, Belmont, addressed the Board concerning the proposed voluntary annexation on Ratchford Dr. Her father lives on Ratchford Dr. and she is concerned about the noise and traffic that would be generated by the proposed use of the property. She asked that the Board consider this when voting on the annexation request.

Mr. Steve Mason, owner of the Ratchford Dr. property and requestor for the voluntary annexation, spoke concerning his request for annexation. He stated that he has not asked the Town to spend any money and that he plans to cover the costs to install water and sewer to the property that will hook onto the Town's system, making him a customer. He has plans to construct a drag strip for youth to give them a place to congregate and hang out. He would place the drag strip on the Hwy. 321 side of the property, which would cut down on the noise. He would be paying taxes and just wants to provide a place for kids to hang out.

Mr. Zed Bradley, 2105 Thomas Dr., lives in a neighborhood off of Ratchford Dr. and is opposed to the proposed drag strip. There is already a lot of traffic on Ratchford Dr. due to the schools and the flea market. He does not think the neighborhood needs this facility and hopes the Board will not vote in favor of the annexation.

Recognition of Employees:

None

Public Hearing:

Mr. Withers made a motion to enter into a public hearing to consider an ordinance to amend Chapter 91, "General Nuisance", Section 91.02, Noises Expressly Prohibited, to better define "barking dogs" as a nuisance, seconded by Mr. Martin, and carried unanimously.

Chief Buckner stated that the proposed ordinance tries to define the nuisance in order to establish grounds for citations. (Exhibit A) This was addressed due to a complaint in September by Mr. Hinkle Rhyne concerning a dog in his neighborhood. In the proposal, the animal would have to bark one (1) or more times per minute for at least ten (10) minutes. Mr. Tommy Lineman stated that the offending animal should be gotten rid of and that everyone in Town should not be punished due to one incidence. Mr. Hunn stated that he believed that the current ordinance would be sufficient in the case brought forth by Mr. Rhyne. If additional problems arise in Town, then there could be definitions developed to better define unprovoked, excessive barking without such strict definitions as set forth in the proposed ordinance. He suggests that language could be added to the current ordinance stating, "...shall disturb the comfort of a reasonable person."

Mr. Beaty made a motion to exit the public hearing, seconded by Mr. Withers, and carried unanimously. Mr. Withers made a motion to leave the existing ordinance as is, with no changes, seconded by Mr. Martin, and carried unanimously.

Mr. Beaty made a motion to enter into a public hearing to consider the possible adoption of the voluntary, non-contiguous annexation of a 28-acre property on Ratchford Drive, seconded by M. Withers, and carried unanimously.

Steve and Maria Mason, as property owners, filed a petition for the voluntary, non-contiguous annexation of their 28-acre property along Ratchford Drive. A sufficiency petition was then successfully completed and the public hearing set for October 8th to consider the possible annexation. It has been determined what would be required to serve the property with Town water, wastewater, and electric. Because this is a voluntary request for annexation, the Town has no obligation to construct or pay for such an extension. The service, which would require a 12" water main and an 8" sewer line, would cost in excess of \$458,000. (Exhibit B) This property is within the Rutherford Electric Membership Corporation's territory and therefore, Dallas could not provide the electric service. The current property valuation for tax purposes, as established by Gaston County is \$199,304. Using the Town's current property tax rate of \$.38 per hundred, Dallas would receive \$757.36 in tax revenue, barring any improvements to the property. Currently, the property exists within the Agriculture Center Volunteer Fire Department's jurisdiction, and according to State Statute, if the Town annexes the property a reimbursement for debt payment will have to be made to the Ag Center VFD. Chief Steve Wilkinson of the Ag Center VFD has advised that due to the low tax value of the property and the potential cost incurred by the VFD for filling out the required worksheets, the Ag Center VFD is not interested in pursuing any debt repayments for the loss of this parcel. The property is currently zoned R-3, with Urban Standard and Corridor Highway Overlay under the Gaston County Zoning Code. If annexed, the Town will subsequently have to take separate action to zone the property within the Town's Code. The applicant property owner has indicated the desire to construct a drag strip style raceway on the property. The Town of Dallas currently has no provision for drag strip raceways (or any racing track or strip) within the Zoning Code. It would be necessary to make an amendment and write a new provision for such use to the Zoning Code. Mr. Martin asked Mr. Mason what was the benefit to him to be annexed into the Town of Dallas. Mr. Mason stated that he would rather deal with Dallas than Gaston County, that he believes Dallas will grow in that geographic direction in the future, and that he would get more benefits from the Town (such as water and sewer). Mr. Zed Bradley said he questioned the economics of such a venture. He stated that attendance at dirt tracks and drag strips is declining. He also asked if Mr. Mason had a plan for the property that could be viewed by the community. Mr. Mason stated that he had not drawn up any plans yet, as he was waiting on annexation approval. Mr. Martin asked if the decision was made not to annex, would that prevent Mr. Mason from completing his plans. Mr. Mason stated that he needs Town water and sewer and that he would be paying inside rates. Mr. Mason was informed that he could still attach to the Town water and sewer systems, even if not annexed. Ms. Martin asked if 16 year olds would be allowed to race. Mr. Mason stated that parents would have to sign a waiver to allow them to race. Mr. Gerald Thornburg, Sr. asked if alcohol would be allowed if annexed. Mr. Mason said he had no plans to allow alcohol. Mr. John Brooks asked if there were any legal ramifications for the Town from County citizens not connecting to the property, but that would be affected by the annexation and property use. Mr. Hunn stated that there were no legal ramifications for the Town if the annexation were properly executed. Mr. Kahler stated that as previously noted, there is no provision in the current Zoning Code for drag strips. If annexed, zoning would have to be assigned and then a conditional/special

use permit would have to be issued for a drag strip. Assigning the zoning would be a process and there are no guarantees that if annexed the use would be approved.

Mr. Martin made a motion to exit the public hearing, seconded by Mr. Huggins, and carried unanimously. Mr. Beaty made a motion to approve the voluntary annexation request for 28 acres on Ratchford Drive. The motion died for lack of a second.

Mr. Withers made a motion to enter into a public hearing to adopt an ordinance for amendments to Chapter 75, Traffic Schedules: Schedule II, “Stop Signs”, seconded by Ms. Morrow, and carried unanimously.

It has come to the attention of Mr. Kahler that there is an absence of stop signs and speed limit signs in the Alder Ridge subdivision. These signs were inadvertently omitted during the development of this subdivision. The ordinance needs to be amended in order to place the necessary stop signs. (Exhibit C) The speed limit is regulated by a separate ordinance that does not require amending and such signs will be placed accordingly.

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

Old Business:

Item 9A was a request to approve an amended version of the Memorandum of Understanding (MOU) for the Metropolitan Planning Organization (MPO). On August 13th, the Board of Aldermen approved the new MOU for the expanded Metropolitan Planning Organization, which was being amended due to expanded boundaries to draw in areas of Cleveland and Lincoln Counties; and, in order to have each jurisdiction with a population over 1000 begin participating financially in the support of the organization. At that time, the Board approved the version which allowed member jurisdictions to appoint as their representative, any person approved by the Governing Body. However, Gastonia and several other jurisdictions insisted on, and approved a version requiring that only “elected officials” be allowed to serve as member representatives. That version has carried the day and now the organization cannot be fully legally authorized to move forward until all 18 members approve the MOU in such form. Dallas is the last jurisdiction yet to approve this version of the MOU. If Dallas wishes to participate, the MOU must be approved in the amended version. If Dallas does not approve the MOU as presented, we will not be members of the MPO and will not be eligible for transportation grant funding. Mr. Martin made a motion to approve the amended MOU as presented, seconded by Mr. Beaty, and carried unanimously.

Item 9B was proposed funding and creation of the “T.O.P. T.I.E.R.” economic development incentive grant program. With the recent start-up of the Dallas Branch of the Gaston Regional Chamber of Commerce, along with the Town’s commitment to revitalize the Courthouse Building and the Town Square, there is renewed interest in the overall revitalization of the downtown area, along with the Dallas area economy in general. Mr. Palenick developed a comprehensive program to incentivize private-sector investment and reinvestment in buildings and businesses in Dallas. This proposal was distributed at the September meeting for review and evaluation. Mr. Beaty made a motion to approve the proposed “T.O.P. T.I.E.R.” program with an initial funding of \$90,000, seconded by Mr. Huggins, and carried with a vote of 4 – 1 as follows: Yays – Beaty, Huggins, Martin, and Withers. Nays – Morrow.

Item 9C was a request from the owners of the Dallas High School Apartments to subordinate the Town's existing loan to them to the new first mortgage. On April 12, 2005 the Town of Dallas approved a loan agreement with the developers of the Dallas High School Apartments to lend them \$230,000 in CDBG funds for a term of 20 years at 2% interest, with all principal deferred to a final balloon payment at the conclusion of the 20 year term. Those developers have recently amended their ownership structure, and in the process, refinanced the first mortgage for the property and now require the Town to "subordinate" its loan repayment interests to the first mortgage holders. This was done with the original mortgage, so there is no problem repeating such agreement in this case. Mr. Withers made a motion to approve the request to subordinate the Town's existing loan to the developers of the Dallas High School Apartments to the first mortgage holders, seconded by Ms. Morrow, and carried unanimously.

Item 9D was a discussion on whether to proceed with design engineering for a wastewater interconnect line linking the Town system to Gastonia's Long Creek Wastewater Treatment Plant. For some time, the Town of Dallas has been contemplating the possible reconstruction of the interconnect line linking the Town's wastewater collection and treatment system to the City of Gastonia's (Two Rivers Utility) Long Creek Wastewater Treatment Plant. Previously, the estimated total cost was in dispute, but more recently, Staff has agreed upon a more likely (although higher) estimated total cost that puts the Dallas portion over \$300,000. (Exhibit D) Because of this higher cost, and because for now, in the absence of a wholesale treatment agreement with Gastonia, the line would remain for emergency purposes only; Dallas has held off moving forward with any plans. Given that we have experienced more frequent violations of our discharge permit recently, and knowing that such an interconnect is clearly needed on an emergency basis in the short term and likely on a permanent basis in the long term, it seems prudent to move forward and get started on the design engineering. Estimated cost of the design work is \$30,000 to \$38,000 for the "Dallas" portion. Gastonia has continued to indicate it would likely pick up its share of the costs to design and construct that portion lying within their jurisdiction. If approved, fund balance could be appropriated from the Water/Sewer Fund to pay this cost, if pursued in this fiscal year. Mr. Beaty made a motion to proceed with the design engineering for a wastewater interconnect line linking the Town system to Gastonia's Long Creek Wastewater Treatment Plant, seconded by Mr. Martin, and carried unanimously.

Item 9E was the removed item concerning Diamond Engineering's request for additional fees for work associated with the waterline reconstruction project.

New Business:

Item 10A was a request from the MED Group for voluntary annexation of 4.05 acres along Lower Dallas Highway. The MED group is requesting voluntary annexation of 6 lots located southeast of their current property which had been voluntarily annexed previously by Dallas and which is now the site of the Long Creek Apartments, which is under construction. (Exhibit E) The combined size of all 6 lots is 4.05 acres. These lots are in a floodplain, abutting the creek. Three of the lots are in Gastonia's sphere of influence. Mr. Hunn has sent a letter to Gastonia requesting permission to annex these properties. Gastonia will have to agree before the lots can be formally annexed, but the request for voluntary annexation can proceed to the sufficiency investigation. Mr. Huggins made a motion to adopt the resolution directing investigation into the petition for voluntary annexation from the MED group, seconded by Ms. Morrow, and carried unanimously.

Item 10B was the added discussion from Mr. Martin concerning lighting at the ball fields at Carr Elementary School. Recently, all improvements to the fields at Carr School were halted after discussions with Gaston County Schools concerning possible ownership of the recreation fields was denied. Funds were budgeted in this fiscal year to replace lights and poles at the ball fields. These lights and poles need to be replaced due to wear and age. Mr. Martin would like to see the Town proceed with the planned improvements to the lighting even though ownership discussions with the School Board have stalled. Mr. Hunn is still trying to negotiate an agreement with the School Board for at least a long-term lease. Mr. Martin would like an item placed on the

agenda for the November meeting to outline the details of the planned lighting improvements in this year's budget and to allow for more time to negotiate with the School Board.

Mr. Huggins stated that he had met with Kathy Harrington and Daniel Bumgarner and they indicated to him that they would have supported the Town's recreation grant application, if they had been aware of it. They would like contact from the Town concerning the needs here.

Mr. Beaty commended Ms. Martin for her work on the upcoming CROP and for her efforts in decorating the Court Square for the season. She and the decorating committee put in a lot of work on the Court Square and he appreciates it.

Mr. Martin made a motion to adjourn, seconded by Ms. Morrow, carried unanimously. (7:23)

Rick Coleman, Mayor

Maria Stroupe, Town Clerk

An Ordinance to Amend Chapter 91, "General Nuisance" of the Compiled Code of Ordinances of the Town of Dallas, North Carolina

Whereas, Following a properly-noticed public hearing before the Board of Aldermen, held on October 8, 2013, and in consideration of the information and research materials received and reviewed.

NOW THEREFORE BE IT ORDAINED, By the Board of Aldermen of the Town of Dallas, North Carolina, that the Compiled Code of Town Ordinances is Hereby Amended as follows:

That, Chapter 91, "General Nuisance", Section 91.02, Noises Expressly Prohibited , Subsection (B) (2), be amended by its repeal and replacement with new language to read:

"(B) Noises Expressly Prohibited:

(2) The keeping of any animal, including but not limited to dogs, cats, and/or birds, which habitually and regularly barks, howls, whines, cries, or mews in an excessive manner ("excessive" to be defined as one or more times per minute, each minute, during any one or more continuous ten-minute period) so as to result in the documented annoyance to neighboring residents and which interferes with the reasonable use and enjoyment of the premises occupied by such residents. "

YEAS:

NAYS:

Attest: _____

Signed: _____

CHAPTER 91: GENERAL NUISANCES

Section

- 91.01 Generally
- 91.02 Noises expressly prohibited
- 91.03 Firearms regulated
- 91.04 Posting bills; other advertising
- 91.05 Permit required for circuses, shows or exhibitions under tent
- 91.06 Defacing or injuring town property prohibited
- 91.07 Slingshots prohibited; exception
- 91.08 Discarding or abandoning iceboxes and the like; precautions required
- 91.09 Swimming pool to be enclosed by a fence
- 91.10 Use of indoor furniture, appliances and other items on porches and other outdoor areas a nuisance

91.99 Penalty

Cross-reference:

Business regulations, see Title XI

§ 91.01 GENERALLY.

(A) It shall be unlawful for any person, firm or corporation to create or assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing and unnecessary noise in the town.

(B) Noise of a character intensity and duration as to be detrimental to the life or health of any individual is prohibited.

(Prior Code, § K-II-1) Penalty, see § 91.99

§ 91.02 NOISES EXPRESSLY PROHIBITED.

(A) *Unnecessary noise.* In order to maintain peace and quiet at all times, and to keep the residents of the town free from disturbance by loud noises, it shall be unlawful for any person to create or assist in creating, permit, continue or continue to permit any unreasonably loud, disturbing and unnecessary noise, sound or utterance of a character, intensity or duration as to be detrimental to the peace, repose or health of any individual in the town.

(B) Noises expressly prohibited.

(1) The sounding of any horn, gong, siren or signal device on any automobile, motorcycle, bus or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion, only as a danger signal, the creation, by means of any such signal device, of any unreasonably loud and harsh sound, and the sounding of the device for an unnecessary and unreasonable period except upon any police, fire or other emergency vehicle.

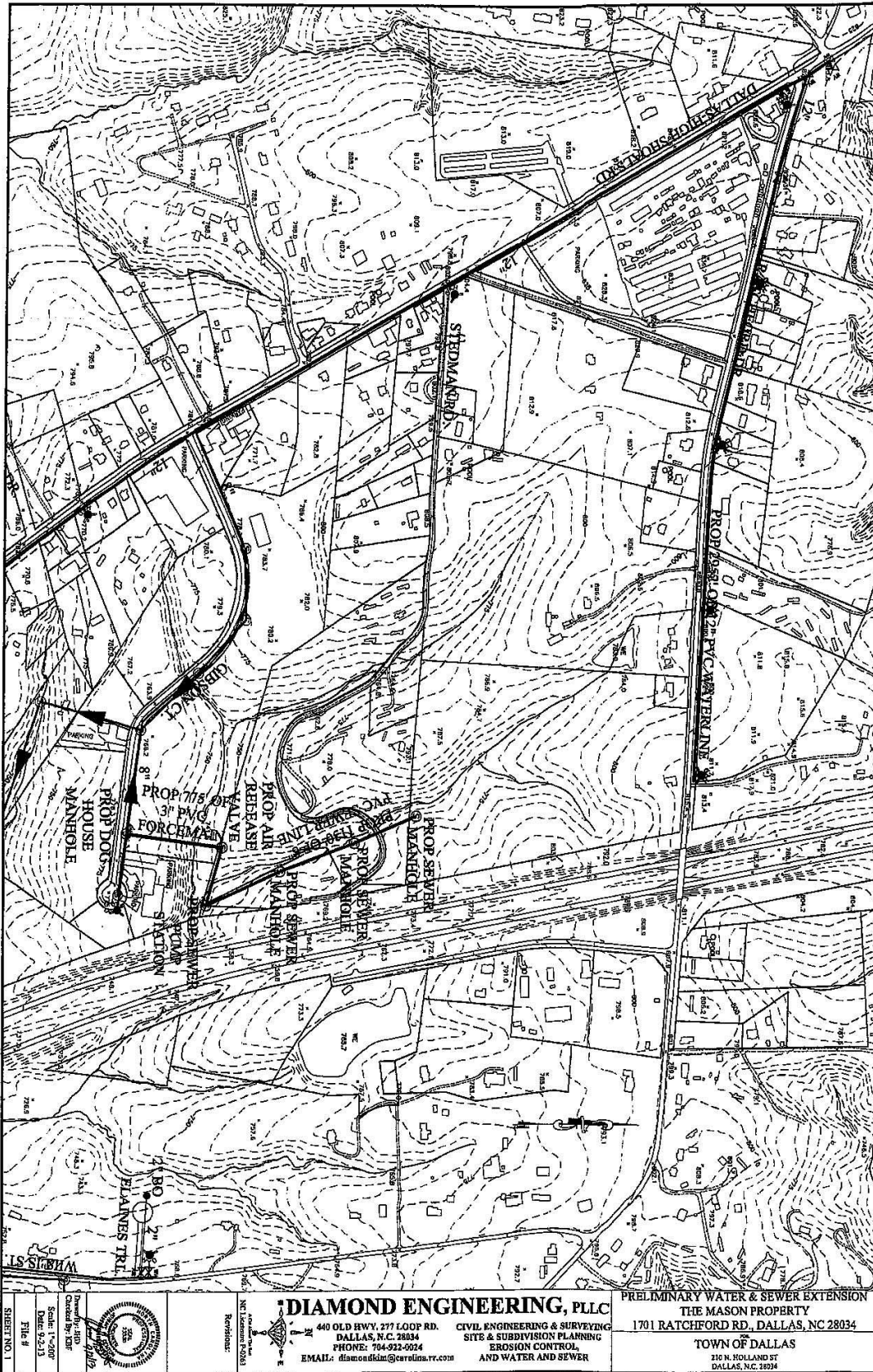
(2) The keeping of any animal or bird which, by causing frequent or long continued noise shall disturb the comfort and repose of any person in the vicinity.

(3) The use of any automobile, motorcycle or other vehicle so out of repair, so loaded or in a manner so as to create loud or unnecessary grating, grinding, rattling or other noise.

(4) The blowing of any steam whistle attached to any stationary boiler, except to give notice of time to begin work or stop work or as a warning of danger.

TOWN OF DALLAS
MASON PROPERTY WATER AND SEWER EXT.
PERLIMINARY COST ESTIMATE

DESCRIPTION	QTY.	UNITS	UNIT PRICE	AMOUNT
Mobilization	1	LS	\$8,000.00	\$8,000.00
Clearing & Grubbing	1.65	AC	\$10,000.00	\$16,500.00
12" PVC Waterline	2952	LF	\$35.00	\$103,320.00
Fire Hydrant Assem.	4	EA	\$3,000.00	\$12,000.00
Concrete Driveway Repair	33	SY	\$300.00	\$9,900.00
Asphalt Driveway Repair	42	SY	\$200.00	\$8,400.00
Gravel Driveway Repair	92	SY	\$800.00	\$73,600.00
Silt Fence, Complete in Place	4000	LF	\$2.50	\$10,000.00
Permanent Grassing (Seed w/ netting)	1389	SY	\$3.00	\$4,167.00
Permanent Grassing (Seed and Mulch)	6350	SY	\$1.00	\$6,350.00
12" Gate Valve	5	EA	\$2,000.00	\$10,000.00
Tie to Existing Line	1	LS	\$5,000.00	\$5,000.00
4' Dia Sewer Manhole (6'-8' Deep)	3	EA	\$2,000.00	\$6,000.00
4' Dia Dog House Sewer Manhole (6'-8' Deep)	1	EA	\$2,500.00	\$2,500.00
1" Air Release In 4' Concrete Manhole Complete In Place	1	EA	\$2,000.00	\$2,000.00
Two 7.5 hp Myers Model 3RH 3-Phase 480 volt Submersible Non-Clog Pumps with 5" Dia. Impeller with 8' x 17.5' wet well, 6' x 4' concrete vault, rail system, electrons, panel, alarm system, piping, generator, and other apparatus (Complete in Place)	1	EA	\$55,000.00	\$55,000.00
8" PVC Sewer Line (6'-8' Deep)	1130	LF	\$35.00	\$39,550.00
3" PVC Force Main	775	LF	\$15.00	\$11,625.00
Gravel Access Road (6" thick x 12' Wide)	1033	SY	\$20.00	\$20,660.00
6" Security Fence w/ Gate	900	LF	\$15.00	\$13,500.00
Contingency	1	LS	\$40,000.00	\$40,000.00
Total Estimated Price:				\$458,072.00



Title Block
 Scale: 1"=200'
 Date: 9/2/13
 SHEET NO. 1

DIAMOND ENGINEERING, PLLC
 440 OLD HWY. 277 LOOP RD.
 DALLAS, N.C. 28034
 PHONE: 704-922-0024
 EMAIL: diamond@diamond-engineering.com
 CIVIL ENGINEERING & SURVEYING
 SITE & SUBDIVISION PLANNING
 EROSION CONTROL,
 AND WATER AND SEWER

PRELIMINARY WATER & SEWER EXTENSION
 THE MASON PROPERTY
 1701 RATCHFORD RD., DALLAS, NC 28034
 TOWN OF DALLAS
 216 N. HOLLAND ST
 DALLAS, N.C. 28034

260

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF DALLAS, NORTH CAROLINA

WHEREAS, The Board of Aldermen has been petitioned under G.S. 160A-31 to annex the are described below; and

WHEREAS, The Board of Aldermen has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:00 pm on October 8, 2013, after due notice by publication on October 1, 2013; and

WHEREAS, the Board of Aldermen finds the petition meets the requirements of G.S. 160A-31;

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Dallas, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Dallas as of October 9, 2013:

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

BEGINNING at a 1" pipe marking the common rear corner of Maria R. Mason (Deed Book 4682 Page 1504) and Roy M. Cloninger (Deed Book 4587 Page 31) on the northern line of Larry Davis (Deed Book 2776 Page 762), said 1" pipe also South 85 degrees 33 minutes 55 seconds East 853.27 feet from the common corner of Roy M. Cloninger (Deed Book 4587 Page 31) and Robert L. Leonhardt (Deed Book 788 Page 255) and running thence with the eastern line of Roy M. Cloninger North 03 degrees 33 minutes 58 seconds East 948.43 feet to an existing 3/4" pipe, a common corner with Roy M. Cloninger and Harold L. Cloninger (Deed Book 736 Page 8); thence with the eastern line of Harold L. Cloninger North 03 degrees 17 minutes 10 seconds East 237.09 feet to an existing bent spindle, a common corner with Paul S. Hallman (Deed Book 1358 Page 64) on the eastern line of Harold L. Cloninger; thence with the southern line of Hallman South 84 degrees 33 minutes 08 seconds East 150.12 feet to an existing bent 1/2" rebar, a common corner with Hallman; thence continuing with the eastern line of Hallman North 03 degrees 29 minutes 55 seconds East, crossing an iron pin set at 176.92 feet in the southern margin of Ratchford Dr. (State Road #1804), a total distance of 206.92 feet to a point near the centerline of Ratchford Dr.; thence within Ratchford Dr. the following courses and distances: (1) South 87 degrees 11 minutes 39 seconds East 359.94 feet to a point, (2) South 85 degrees 24 minutes 24 seconds East 223.60 to a point; thence with the western right of way of U.S. Hwy #321 the following courses and distances: (1) South 10 degrees 18 minutes 09 seconds East, crossing a right of way monument at 43.88 feet, a total

distance of 806.19 feet to a right of way monument, (2) South 10 degrees 19 minutes 14 seconds East 400.48 feet to a right of way monument, (3) South 13 degrees 56 minutes 05 seconds East 234.43 feet to a right of way monument; thence North 86 degrees 46 minutes 57 seconds West 587.25 feet to an existing 1/2" pipe; thence North 85 degrees 15 minutes 37 seconds West, crossing an existing 1/2" pipe at 59.59 feet, a total distance of 504.83 feet to an existing 1" pipe, said point of beginning.

The foregoing property described containing 28.334 acres more or less and being taken from a survey prepared by John Lineberger Surveying and Mapping revised 29 August, 2013 entitled "Survey Made at the Request of: Steve Mason".

Section 2. Upon and after October 9, 2013, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Dallas and shall be entitled to the same privileges and benefits as other parts of Town of Dallas. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Dallas shall caused to be recorded in the office of the Register of Deeds of Gaston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1

Adopted this 8th day of October, 2013

Mayor

ATTEST:

Clerk

APPROVED AS TO FORM:

Town Attorney

I hereby certify that the foregoing is a true copy of an ordinance that was duly adopted by the Board of Aldermen of the Town of Dallas, North Carolina at a regular meeting on the 8th day of October 2013.

Town Clerk

Re: Ratchford Dr Annexation

28

**An Ordinance to Amend Chapter 75 "Traffic Schedules", Schedule II "Stop Signs" of the
Compiled code of Ordinances of the Town of Dallas**

Whereas, Following a properly-noticed public hearing before the Board of Aldermen, held on October 8, 2013, and in consideration of the information and research materials received and reviewed.

NOW THEREFORE BE IT ORDAINED, By the Board of Aldermen of the Town of Dallas, North Carolina, that the Compiled Code of Town Ordinances is Hereby Amended as follows:

That Chapter 75 "Traffic Schedules" Schedule II "Stop Signs be amended to add the following streets:

Sign on Street	Entering Street
Alder Ridge Way	Broad Leaf Ct
Alder Ridge Lane	Broad Leaf Ct
Red Leaf Ct	Alder Ridge Lane
Broad Leaf Ct	Alder Ridge Way

Yeas:

Nays:

Attest: _____ **Signed:** _____

Construction Estimates for Dallas/Gastonia Sewer Interconnection Project

Town of Dallas Portion

<u>Item</u>	<u>Unit Quantity</u>	<u>Unit Price</u>	<u>Totals</u>
1.) Clearing and Grubbing	1.64 Acres	\$6,500/Acre	\$10,660.00
2.) 18" SDR35 PVC Sewer Main (0'-6')	2,645 LF	\$80/LF	\$211,600.00
3.) 18" CL51 MI DIP Sewer Main (0'-6')	145 LF	\$100/LF	\$14,500.00
4.) 12" SDR35 PVC Sewer Main (0'-6')	200 LF	\$50/EA	\$10,000.00
5.) 18" Sewer Gate Valve	1 EA	\$6,500/EA	\$6,500.00
6.) 4' Diam. Pre-Cast Vented Manhole w/Sealed Lid (6'-8')	9 EA	\$3,500/EA	\$31,500.00
7.) 4' Diam. Pre-Cast Manhole for Sewer Valve (6'-8')	1 EA	\$2,000/EA	\$2,000.00
8.) 4' Diam. Pre-Cast Dog-House Manhole (6'-8')	1 EA	\$4,000/EA	\$4,000.00
9.) Sealed Manhole Ring and Cover w/Vent Pipe	1 EA	\$1,000/EA	\$1,000.00
10.) Tie-In at Existing Manhole	1 EA	\$1,200/EA	\$1,200.00
11.) #57 Washed Stone for Pipe Bedding	950 Tons	\$35.00/Ton	\$33,250.00
12.) Erosion Control and Permanent Seeding	1.64 Acres	\$2,500/Acre	\$4,100.00
13.) Silt Fence	3,206 LF	\$3.00/LF	\$9,618.00
14.) Temporary Construction Entrance	2 EA	\$1,500/EA	\$3,000.00
15.) Mobilization	1 LS	3% Max.	<u>\$10,287.84</u>
Estimated Total For Construction			\$353,215.84
Contingency (10%)			<u>\$35,321.58</u>
Estimated Construction Subtotal			\$388,537.42

Estimated Construction Total

\$388,537.42

Professional Fees for Sewer Project

Surveying Fees (For Design & Permitting)	3,000 LF	\$1.75/LF	\$5,250.00
Engineering Design Fees (9.88%)			\$38,387.00
Construction Observation Fees (6.16%)			\$23,930.00
Construction Administration Fees (5.00%)			<u>\$19,430.00</u>
TOTAL SEWER PROJECT COST ESTIMATE			\$475,534.42

*These estimates do not include legal fees or land acquisition.

Construction Estimates for Dallas/Gastonia Sewer Interconnection Project

City of Gastonia Portion

<u>Item</u>	<u>Unit Quantity</u>	<u>Unit Price</u>	<u>Totals</u>
1.) Clearing and Grubbing	0.5 Acres	\$6,500/Acre	\$3,250.00
2.) 18" SDR35 PVC Sewer Main (0'-6')	200 LF	\$80/LF	\$16,000.00
3.) Fiberglass Packaged Metering Manhole Assembly	1 LS	\$50,000/EA	\$50,000.00
4.) 18" PVC to VCP Coupling (Romac 501)	4 EA	\$2,500/EA	\$10,000.00
5.) Sealed Manhole Ring and Cover w/Vent Pipe	3 EA	\$1,000/EA	\$3,000.00
6.) Tie-In at Existing Manhole	1 EA	\$1,200/EA	\$1,200.00
7.) #57 Washed Stone for Pipe Bedding	75 Tons	\$35.00/Ton	\$2,625.00
8.) Erosion Control and Permanent Seeding	0.5 Acres	\$2,500/Acre	\$1,250.00
9.) Silt Fence	330 LF	\$3.00/LF	\$990.00
10.) Temporary Construction Entrance	2 EA	\$1,500/EA	\$3,000.00
11.) Mobilization	1 LS	3% Max.	<u>\$2,739.45</u>
Estimated Total For Construction			<u>\$94,054.45</u>
Contingency (10%)			<u>\$9,405.45</u>
Estimated Construction Subtotal			\$103,459.90

Estimated Construction Total

\$103,459.90

Professional Fees for Sewer Project

Surveying Fees (For Design & Permitting)	200 LF	\$1.75/LF	\$350.00
Engineering Design Fees (12.25%)			\$12,674.00
Construction Observation Fees (8.75%)			\$9,050.00
Construction Administration Fees (5.00%)			<u>\$5,170.00</u>
TOTAL SEWER PROJECT COST ESTIMATE			\$130,703.90

*These estimates do not include legal fees or land acquisition.

**COMPARISON OF ESTIMATED COST
DALLAS/GASTONIA SEWER INTERCONNECT
(Dallas Portion Only)**

ITEM	QTY	UNIT	Diamond Engineering TOTAL PRICE	Gastonia Engineering TOTAL
Mobilization	1	LS	\$2,500.00	\$2,500.00
Clearing & Grubbing	1.64	AC	\$3,280.00	\$10,660.00
Class 57 Washed Stone	101	TNS	\$3,535.00	\$3,535.00
Incidental Stone Base	45	TNS	\$1,575.00	\$1,575.00
Permanent Grassing (Seed, Mulch, & Tack)	86	MSF	\$8,600.00	\$18,920.00
Temporary Grassing (Seed, Mulch, & Tack)	5	MSF	\$500.00	\$0.00
Silt Fence, Complete In Place	3206	LF	\$9,618.00	\$9,618.00
Temporary Construction Entrance	2	LF	\$3,000.00	\$3,000.00
18" DIA SDR 35 PVC Sanitary Sewer 0'-6'Deep (Complete In Place)	2644.11	LF	\$105,764.40	\$211,528.80
18" DIA Mechanical Joint DIP (Class 51) Sanitary Sewer 0'-6'Deep (Complete In Place)	145.22	LF	\$10,891.50	\$13,069.80
12" DIA SDR 35 Sanitary Sewer 0'-6' Deep (Complete In Place)	197.48	LF	\$5,924.40	\$9,874.00
18" DIA Sewer Gate Valve (Complete In Place)	1	EA	\$4,500.00	\$6,500.00
4' DIA Sealed & Vented Manhole 6'-8' Deep	9	EA	\$22,500.00	\$22,500.00
4' Dia Manhole 6'-8' Deep for Sewer Valve	1	EA	\$1,500.00	\$1,500.00
4' DIA Dog House Manhole 6'-8' Deep	1	EA	\$3,000.00	\$3,000.00
Sealed Manhole Ring & Covers with Vent Pipe (Installed Complete In Place)	1	EA	\$450.00	\$1,000.00
Tie In To Existing Sewer Manhole	1	EA	\$1,200.00	\$1,200.00
Contingency	1	LS	\$16,000.00	\$28,935.85
		Construction Total	\$204,338.30	\$348,916.45
		Contract Administration/Construction Observation 15%	\$30,650.75	\$52,337.47
		TOTAL	\$234,989.05	\$401,253.92
		Difference	\$166,264.87	

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**COMPARISON OF ESTIMATED COST
DALLAS/GASTONIA SEWER INTERCONNECT
(Gastonia Portion Only)**

ITEM	QTY	UNIT	Diamond Engineering TOTAL PRICE	Gastonia Engineering TOTAL
Mobilization	1	LS	\$2,500.00	\$2,500.00
Clearing & Grubbing	0.5	AC	\$1,000.00	\$3,250.00
Class 57 Washed Stone	34	TNS	\$1,190.00	\$1,190.00
Incidental Stone Base	15	TNS	\$525.00	\$525.00
Permanent Grassing (Seed, Mulch, & Tack)	6	MSF	\$600.00	\$1,320.00
Silt Fence, Complete in Place	330	LF	\$990.00	\$990.00
Temporary Construction Entrance	2	LF	\$3,000.00	\$3,000.00
18" DIA SDR 35 PVC Sanitary Sewer 0'-6'Deep (Complete in Place)	201.93	LF	\$8,077.20	\$24,231.60
Fiberglass Packaged Metering MH Assembly (Complete in Place)	1	LS	\$27,500.00	\$50,000.00
18" PVC to Clay Coupling (Romac 501)	4	EA	\$2,400.00	\$10,000.00
Sealed Manhole Ring & Covers with Vent Pipe (Installed Complete in Place)	3	EA	\$1,350.00	\$3,000.00
Tie In To Existing Sewer Manhole	1	LS	\$1,200.00	\$1,200.00
Contingency	1	LS	\$5,000.00	\$10,033.66
Construction Total			<u>\$55,332.20</u>	<u>\$111,240.26</u>
Contract Administration/Construction Observation 15%			<u>\$8,299.83</u>	<u>\$16,686.04</u>
TOTAL			<u>\$63,632.03</u>	<u>\$127,926.30</u>
Difference			<u>\$64,294.27</u>	

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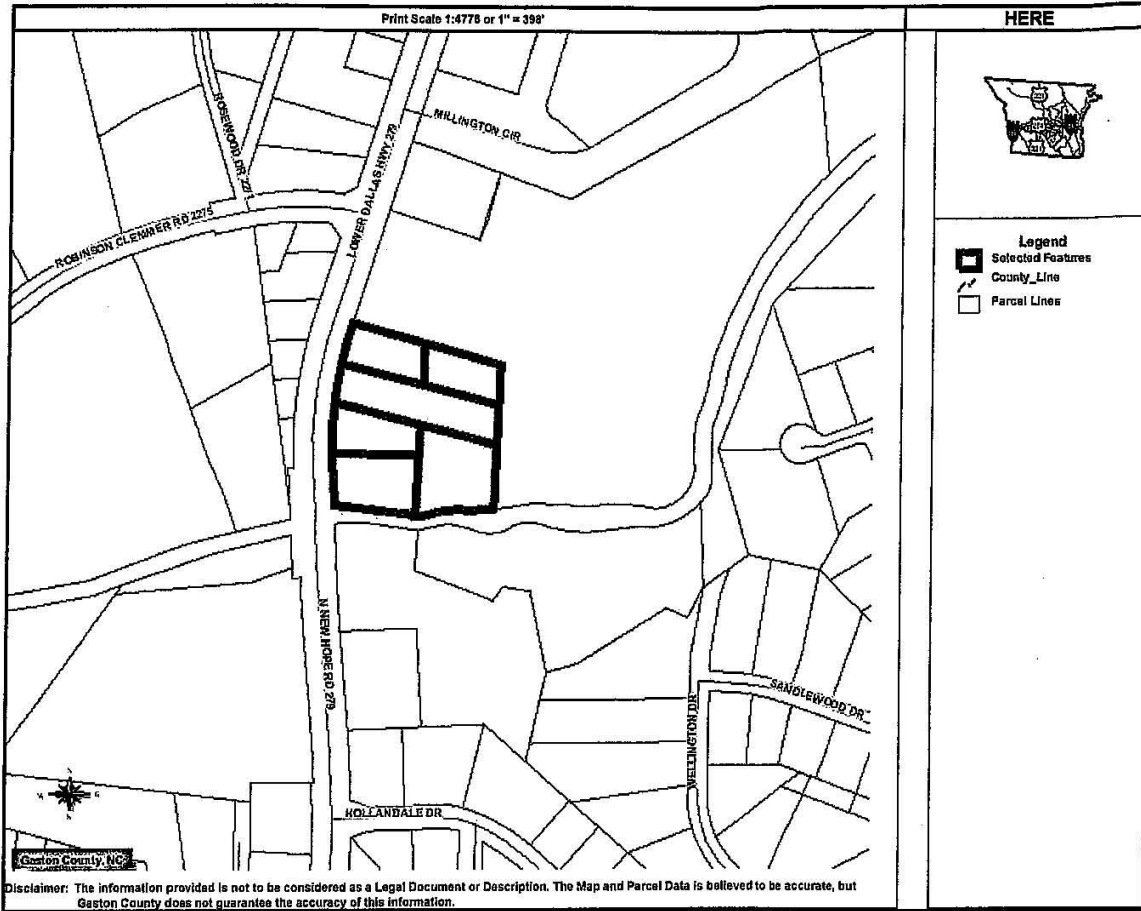
PETITION REQUESTING ANNEXATION

Date: 9-6-13

To the Board of Aldermen of the Town of Dallas:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Dallas.
2. The area to be annexed is (contiguous) (non-contiguous) to the Town of Dallas and the boundaries of such territory are as follows:
3. A map is attached showing the area proposed for annexation in relation to the primary Corporate limits of the Town of Dallas.
4. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

<u>Name</u>	<u>Address</u>	<u>Do you declare vested rights?</u>	<u>Signature</u>
MED Group	Parcel ID 172526	NO	<i>[Signature]</i>
MED Group	" 212689	NO	<i>[Signature]</i>
MED Group	" 172528	NO	<i>[Signature]</i>
MED Group	" 212688	NO	<i>[Signature]</i>
MED Group	" 172530	NO	<i>[Signature]</i>
DWA Manager	" 172527	NO	<i>[Signature]</i>



RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S.160A-31

WHEREAS, a petition requesting annexation of an areas described in said petition was received on October 8, 2013 by the Board of Aldermen; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Aldermen of the Town of Dallas deems it advisable to proceed in response to this request for annexation;

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Dallas that:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Aldermen the results of her investigation.

Mayor

ATTEST:

Town Clerk

Re: Lower Dallas Rd II Voluntary Annexation

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