

Town of Dallas
Agenda
March 12, 2019
6:00 PM
BOARD OF ALDERMEN
Rick Coleman, Mayor

Allen Huggins

Darlene Morrow

Stacey Thomas

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	
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**TOWN OF DALLAS
MINUTES FOR BOARD OF ALDERMEN MEETING
FEBRUARY 12, 2019
6:00 PM**

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

The following staff members were present: Maria Stroupe, Town Manager; Da'Sha Leach, Town Clerk; Tom Hunn, Town Attorney; Allen Scott, Police Chief; Tiffany Faro, Development Services Director; Jonathan Newton, Finance Director; Steve Lambert, Fire Chief; Doug Huffman, Electric Director and Steven Aloisa, Recreation Director. Bill Trudnak, Public Works Director was absent.

Mayor Coleman called the meeting to order at 6:00 pm. He opened with the Invocation and the Pledge of Allegiance to the Flag followed. He welcomed everyone to the meeting.

Mayor Coleman read the meeting rules for the audience. He asked if there were any additions or deletions to amend the agenda. Alderman Huggins made a motion to approve the agenda with a Closed Session added, seconded by Alderwoman Morrow, and carried unanimously.

Alderwoman Thomas made a motion to approve the minutes from January 8th 2019 Regular Meeting, and January 22nd 2019 Work Session Meeting, seconded by Alderman Withers, and carried unanimously.

Recognition of Citizens:

Mr. Donald Kirksey, 308 N. College St., He would like to replace part of an existing fence and extend the length. The fence location proposed would encroach on a right of way. He has met with the Development Services Director Ms. Faro and the Planning Board without a resolution to move forward at this point.

Mr. Alan Routhier, Dallas Resident., He will open Gaston County's first special needs daycare with after school care and summer care in Dallas. They will be located in the bottom level of the Holy Communion Church.

Mr. Curtis Wilson, 438 S. Gaston St., He prayed for the Lord's grace over the agenda, Aldermen, Alderwomen, employees and the community.

Consent Agenda:

Utility Extension Policy (Exhibit A)

ADA Transition Plan (Exhibit B)

Donation to African American Museum of History and Culture at Loray Mill (Exhibit C)

Submission of Written off Accounts to NC Debt Setoff

Alderwoman Morrow made a motion to approve the Consent Agenda, seconded by Alderwoman Thomas, and carried unanimously.

Special Events & Requests for In-Kind Services: NONE

Public Hearings:

Item 6A was a Public Hearing for Downtown Development Agreement for 130 W. Trade St. This public hearing is a continuation from the regular board meeting on January 8, 2019. At the meeting, the Board Members agreed to have the Town pay for the phase II inspection presented by Mr. Jim Bailey since results of the phase I inspection showed some possible concerns on the property of 130 W. Trade St. The phase II inspection summary report showed no contamination on the property but they made a recommendation regarding some tanks located in front the property on the NCDOT property. Mr. Bailey addressed the Board that he is ready to move forward with the Downtown Development Agreement. He stated that he expects to be open by the end of this current year. Town Manager Stroupe stated that the dates on the contract would need to be updated. Mayor Coleman asked the audience member if they had any questions, and/ or comments. Starletta Hairston, 407 W. Main St., thanked the Board for supporting the restaurant and thanked Mr. Bailey. Alderman Huggins made a motion to exit the public hearing, seconded by Alderman Withers, and carried unanimously. Alderman Withers made a motion to approve the Downtown Development Agreement, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit D)

Old Business: NONE

New Business:

Item 8A was an Approval of Sale of Town-owned parcel #219116. Mr. Robert Cearley, FPR Dallas LLC, made an offer to purchase 11.52 acres of Town-owned property on W. Robinson St. adjoining Gaston Fence Co. Inc. located at 766 Friday Park Road. Attached is the offer to purchase. This offer was accepted at the January 8, 2019 Board of Aldermen meeting and advertised for upset bids as described in NCGS §160A-269 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 re-advertise 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.

No upset bids were received. A resolution to approve the sale, along with the parcel map and report were given for review. Alderman Huggins made a motion to approve the resolution to approve the sale of Parcel #219116, seconded by Alderwoman Thomas, and carried unanimously. (Exhibit E)

Item 8B was a discussion on Community Waste Reduction and Recycling Grant Program. On Tuesday, January 22, 2019, Bill Trudnak, Public Works Director, attended a county-wide recycling meeting. The purpose of this meeting was to discuss the current issues being encountered. Based on this meeting (minutes are attached), a county-wide initiative is being proposed which includes applying for a \$30,000 grant. Gaston County would apply for the grant on the behalf of all of the participating jurisdictions. There would be a 20% match for this grant that would be shared by all of the participants. Therefore, the financial commitment from Dallas should be very manageable. Board members discussed with staff on the challenges with recycling. The recycling entities do not want any recycling items to have contact with food, they consider the entire load contaminated and that load will go into the land field. In the process of this, they will fine the municipality for the contamination. Many countries accepting recycling items have reduced acceptance or stopped completely. A letter of intent from Dallas is proposed for approval. Alderman Cearley made a motion to approve the letter of intent to participate in the application for a 2019 Community Waste Reduction and Recycling Grant Program, seconded by Alderman Withers, and carried unanimously. (Exhibit F)

Manager's Report and General Notices:

The Manager gave updates on items in Town.

Closed Session

Alderman Withers made a motion to go into closed session G.S. §143-318.11 (5)(I) for the acquisition of real property, seconded by Alderman Cearley, and carried unanimously. (6:39)

No Action Taken.

Alderman Cearley made a motion to exit the closed session, seconded by Alderwoman Morrow, and carried unanimously. (6:58)

Alderman Withers made a motion to adjourn, seconded by Alderman Huggins, and carried unanimously. **(7:00)**

Rick Coleman, Mayor

Da'Sha Leach, Town Clerk

**TOWN OF DALLAS
MINUTES FOR BOARD OF ALDERMEN MEETING
FEBRUARY 26, 2019
5:00 PM**

The following elected officials were present: Mayor Pro-Tem Cearley, Alderwoman Thomas, Alderman Huggins, Alderman Withers, and Alderwoman Morrow. Mayor Coleman was absent.

The following staff members were present: Maria Stroupe, Town Manager; Tom Hunn, Town Attorney; Allen Scott, Police Chief; Tiffany Faro, Development Services Director; Jonathan Newton, Finance Director; Earl Withers III, Fire Chief; Steven Aloisa, Recreation Director; Bill Trudnak, Public Works Director and Robert Walls, Police Captain. Da'Sha Leach, Town Clerk and Doug Huffman, Electric Director were absent.

Mayor Pro-Tem Cearley called the meeting to order at 5:00 pm. He opened with the Pledge of Allegiance to the Flag followed.

Mayor Pro-Tem Cearley read the meeting rules for the audience. He asked if there were any additions or deletions to amend the agenda. Alderwoman Morrow made a motion to approve the agenda with changes to restructure the order of items, seconded by Alderman Huggins, and carried unanimously. Items 3F-3H will become 3A-3C and the rest will follow in line behind this order.

New Business:

Item 3A was a discussion on Permitted Uses in All Zones. The Development Services Director recommended an update to the zoning ordinance to provide additional clarity for our permitted uses in each zoning district, update what is allowed in each zone, and remove excessive zones from our text. Currently the permitted uses are listed as text under each zone identified, with some zones including all allowable uses in other zones. What was proposed is replacing the list of permitted uses with a permitted use chart- adopted as its own subchapter within the "Zones Established" Section of the Town Zoning Code- in order to make it easier to read and increase flexibility and control over the allowable uses specified for each zone. The key changes proposed were: (1) Residential removed from Industrial and Business (some conditional uses allowed), (2) Travel stay options expanded into Residential zones as conditional uses, (3) Limitation of allowable uses in our B-3 zone to promote small business/restaurant/retail, (4) Expansion of allowable uses in Business zones to allow greater flexibility, (5) Changes to allowable areas for automotive-related sales and services, (6) Some Industrial zone uses proposed as conditional (relating to noise levels, odor, and impact on surroundings), (7) Added uses for additional clarity- adult businesses, solid waste/ septic facilities, bed & breakfasts, smoke shops, fitness centers, etc., (8) Updates to animal/agricultural uses. Because supplemental regulations are currently within the text of the permitted uses, Staff also proposed to relocate those elements to their own chapter and/or to within existing related chapters. After much discussion, the Board consensus was to bring this item back to another Work Session. (Exhibit A)

Item 3B was a discussion on Conditional Use Permit Request. MorrowWebb Mill, LLC is interested in selling PID #226172, located off of East Robinson St (where the cell tower is located), to a company interested in parking/storing solid waste management vehicles at the site. Because the ordinance does not currently list this use, and GS 130A-293 requires municipalities to accommodate the establishment and operation of hazardous waste facilities, staff is proposing a text amendment (if the proposed permitted uses chart is not adopted) that includes this use as conditional within the I-2 zone. The owner has submitted a conditional use district rezoning application and a conditional use permit application contingent on a text amendment being adopted for consideration and approval as well. Conditions are not included currently in the

request, however, the Planning Board may recommend conditions be placed to ensure that the development addresses any public health and safety concerns, traffic, and potential adverse effects on surrounding development at their meeting on Feb. 21st. Staff has included a copy of conditions imposed by Gaston County on this use as a starting point for this discussion. Note: The text amendment and conditional rezoning decisions are legislative. The conditional use permit decision will be quasi-judicial. All decisions should be based on the ordinance standards, and any evidence presented shall be trustworthy and reliable, and based on facts- including data, existing plan documents, studies, or other technical data- to support a conclusion. No site plan was provided by the applicant. The potential new owner plans to solely park trucks at the property, and later build a structure on the lot where he can service the vehicles. This item request was withdrawn by the applicant before the meeting. (Exhibit B)

Item 3C was a discussion on a Right of Way Encroachment Agreement. Based on a citizen request at the February 12th Board of Aldermen meeting, the Board requested that a proposed encroachment agreement be presented at the February 26th Work Session for review. This agreement would provide an avenue for citizens to request the ability to place items in the Town's right of ways, but with the understanding that if those items had to be disturbed by the Town to access infrastructure located in the right of way the owner would be liable to replace said items at their own expense and would hold the Town harmless. Approval of such agreements would be delegated to the Staff and would not have to be heard by the Board of Aldermen as they arise. A copy of the proposed agreement was given for review. The Town Attorney Mr. Hunn recommended that if the agreement is accepted and signed by the owner, it should be filed with the Register of Deeds to attach the agreement to the property for any possible ownership changes with the property. There was Board consensus for this item to be on the Consent Agenda for the Regular Board Meeting March 12, 2019. (Exhibit C)

Item 3D was a discussion on a Purchasing Policy. This item was discussed at the January 22nd Work Session, but further discussion was requested. Jonathan Newton, Finance Director, compiled a comprehensive Purchasing Policy outlining purchasing guidelines for the Town. This policy reflects what has been in practice for many years, but has not been standardized into written form. The policy complies with State regulations and standard practices for local governments. Some concerns have been voiced that this policy would jeopardize our local vendors and would hamper emergency repairs. This policy would not negatively impact either of these areas. The intention is not to overhaul the purchasing or stop using the vendors currently being used, but to put down into writing the current procedures already in practice. The current process is to receive quick quotes and estimates from vendors, including local vendors (many times over the telephone as long as the expenditures are below the State's formal quote/bid thresholds). This practice is done to ensure that the Town of Dallas receives the best value and service for the citizens of Dallas. Usually, the local vendors give very competitive prices, as well as good service. This policy outlines the practices the Town is already utilizing, so the local vendors should see no change in the processes. As for emergencies, the Town's focus has always been to get the situation addressed as quickly as possible, not to get bogged down in procedure...that will not change either. The first paragraph of Section 5.2 clarifies that. Without a policy in place, the Town of Dallas may be subject to liability, and possibly could hinder the ability to qualify for grant funding. After much discussion, the Board consensus was to bring this item back to another Work Session. (Exhibit D)

Item 3E was a discussion on Recreation Facility Fees. The picnic shelters at both Jagers Park and Cloninger Park are being requested for use for parties and gatherings. At this point, there is no policy to rent these shelters and grant exclusive use to those asking for exclusive use. Steve Aloisa, Recreation Director, has obtained policies from surrounding areas and has developed a proposal to enable interested parties to rent the picnic shelters for exclusive use for events. Such a policy would alleviate potential conflicts between users of the facilities and would help offset a small portion of the ongoing maintenance costs of these properties. This item was discussed at the November 27th Work Session. At that time it was requested that modifications be made to the proposed policy to differentiate prices for the sizes of the picnic shelters available at each facility; to revise the rental hours for winter; and to allow personal grills on site, but not under the shelters. These changes have been made and are reflected in the proposed policy. There were some changes recommended by the Board with a consensus for this item to be on the Consent Agenda for the Regular Board Meeting March 12, 2019. (Exhibit E)

Item 3F was a discussion on the Recycling Program. At the February 12th Board of Aldermen meeting, a letter of intent to participate with the other jurisdictions in the Gaston County in applying for a grant to be used toward addressing a county-wide initiative involving recycling. Recycling is becoming an ever-increasing issue due to contamination in recyclables. Below are several points considered in this discussion: (1) The County is fined when they deliver contaminated waste to the Recycling Center, (2) Dallas' recycling center is filled with contaminated waste that the Recycling Center will not accept, Therefore, the recyclables are being dumped in the landfill as regular waste, (3) Plastics are not being accepted by other countries, so they are being dumped as regular waste, (4) The County, along with the municipalities, is trying to come to common ground on what can be recycled, (5) The majority of people that use the Dallas Recycling Center appear to not be residents of the Town. Public Works Director Bill Trudnak recommends suspending recycling beginning May 1st, until a solution is found by Gaston County and the other municipalities to the recycling problem. There was Board consensus for this item to be on the Consent Agenda for the Regular Board Meeting March 12, 2019. (Exhibit F)

Item 3G was a discussion on Courthouse Access. Jason Luker, Gaston County Museum Director, has asked that the Town consider an option for access to the Courthouse. Mr. Luker outlined a proposed solution for granting access to the Courthouse when the Museum is closed. They are recommending cameras and locked key pads at the front doors. Several questions were addressed: (1) The Museum has stated they will make sure the building is locked and unlocked whenever the Museum is open; therefore, does this leave a possibility of the Courthouse being unlocked from the time it is used by a renter until the next time the Museum staff is available to check the locks? As with any rentals, the staff on duty would lock and unlock the building for rentals. (2) How often would the lockpad code be changed? For the school art exhibit, would it remain the same for the entire run of the show? He stated that it would remain the same during the length of the artshow. (3) After installation, who would be responsible for the maintenance and upkeep of the keypads and camera? Mr. Luker stated the museum would be responsible. The cameras will be recording for a 48 hours loop, giving staff time to review in the case of an issue or damage. Access to the building will only be available during hours of working staff of the Museum. The Town will still have access via their keys to the building. There was Board consensus for this item to be on the Consent Agenda for the Regular Board Meeting March 12, 2019. (Exhibit G)

Item 3H was a discussion on the Façade Grant Boundaries. In November, the Board of Aldermen approved a Façade Grant Program for the Central Business District as defined by the the Town's Future Land Use Plan. During the approval process, it was discussed to review the boundaries of the plan. In order to encourage more businesses in Dallas main thoroughfare to improve their facades, it was proposed to extending the boundaries on Trade Street from the intersection of Dallas Stanley Highway to the Highway 321 overpass. The extension would include many more businesses that are visible to the motorists traveling through Dallas. A copy of the current Façade Grant Program was given. The Board discussed the businesses on the East side of Trade Street near the Town City Limits Sign and all the way to Hwy 321. There was Board consensus for this item to be on the Consent Agenda for the Regular Board Meeting March 12, 2019. (Exhibit H)

Regarding the sale for 11.234 Parcel #219116, they gave consensus for the Town to pay the taxes, not the attorney fees requested by FPR Dallas, LLC.

Alderman Huggins made a motion to adjourn, seconded by Alderwoman Morrow, and carried unanimously. **(6:42)**

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Picnic Shelter Rental Policy

AGENDA ITEM NO. 5A

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

The picnic shelters at both Jagers Park and Cloninger Park are being requested for use for parties and gatherings. At this point, there is no policy to rent these shelters and grant exclusive use to those asking for exclusive use.

Steve Aloisa, Recreation Director, has obtained policies from surrounding areas and has developed a proposal to enable interested parties to rent the picnic shelters for exclusive use for events. Such a policy would alleviate potential conflicts between users of the facilities and would help offset a small portion of the ongoing maintenance costs of these properties.

This item was discussed at the November 27th Work Session. At that time it was requested that modifications be made to the proposed policy to differentiate prices for the sizes of the picnic shelters available at each facility; to revise the rental hours for winter; and to allow personal grills on site, but not under the shelters. These changes were made and discussed at the February 26th Work Session.

At the February 26th Work Session, it was requested that the provision to allow personal grills, grease deep fryers, large smokers and commercial grills on site specify that those apparatus be contained in the parking lot. This change has been made and is reflected on the attached policy.

With the most recent change, the policy is ready to be adopted and effective immediately.

MANAGER'S RECOMMENDATION: Adopt the policy as proposed.

BOARD ACTION TAKEN:

**TOWN OF DALLAS
PARKS AND RECREATION
FEES & POLICIES**

It shall be the stated goal of the Town of Dallas to establish clear, consistent, fair, and equally-applied and enforced, policies and fees for the scheduling and use of its publicly-owned and maintained athletic and civic facilities and buildings. To further that goal, the following shall apply:

Parks/Buildings/Fields/Facilities Owned or Operated by The Town of Dallas:

1. Cloninger Park Picnic Shelter
2. Jagers Park Picnic Shelter

Policies (General):

Fees for participation in, or sponsorship of, Town-sanctioned and/or organized athletic teams/ leagues and recreational activities have been established (see Fee Schedule **B**) so as to attempt to recover much of the costs of operating and continuing such programs. For participants in these programs, the use of fields, buildings, or facilities are covered by the fee for team, league, program, or activity participation. For any and all other use of such facilities or buildings, potential users will be required to pay, in advance, the fee(s) established and to abide by all Town policies. Such users will be allowed equal access on a first-come/first serve basis.

To schedule the exclusive, reserved use of a field, building, park or facility, for recreation or activities not sanctioned or organized by the Town, individual or group users must fully complete a Town application form, including the remittance of any and all fees required, and return it to authorized Town recreation staff not less than 48 hours in advance of the time such activity/use is to occur. Users will be required to sign a standard Liability Waiver/Release Form if "Not-for-Profit"; and provide a Certificate of Liability Insurance, naming the Town of Dallas as additionally insured, in a minimum coverage amount of \$500,000, if "For-Profit".

Users shall be classified and designated as "For-Profit" if they represent, and are funded by a for-profit business or corporate entity; or, if they charge for admission; sell merchandise or concessions; operate tournaments for participant fees; gain advertising or business sponsorship; or engage in any other act or activity which is designed to generate revenues greater than the simple recouping of Town Use fees from individual participants equal to a pro-rata share of said fees. For determination of Fees hereunder, all other users shall be classified as and considered "Not-for-Profit".

Individual users must be Town of Dallas residents to be eligible for "Town Resident" Use fee designation; while for groups or teams of users, no greater than twenty percent (20%) of all covered participants may be "Non-Town Residents" in order to remain eligible for "Town Resident" Use fee designation.

Jagers Park Picnic Shelter:

At present, the Town of Dallas does not sanction or organize the use of Jagers Park Picnic Shelter for any town sponsored events. Any and all other use shall be subject to the following fees:

Fees: (All Other)

Shelter Use:	4 Hours	(M-F)	(Sat/ Sun)
		Weekday- per Day	Weekend- per Day
Town-Resident/Not-For-Profit	\$45	\$65	\$70
Non-Town/Not-For-Profit	\$55	\$85	\$90

The shelter may be rented for:

AM Block 10am – 2pm

PM Block 3pm – 7pm (winter hours: 3pm – dusk)

Daily 10am – 7pm (winter hours: 10am – dusk)

The following items are **not** permitted on park property:

- inflatables (bounce houses)
- alcoholic beverages

The following items are **only permitted in the parking lot**:

- grease deep fryers
- personal grills
- large smokers
- commercial grills

Refund Policy:

Cancellation of a reservation will result in the rental fee being non-refundable unless the cancellation notice is received 10 days prior to the reservation. In the event of inclement weather cancellation notice must be received 5 days prior to the reservation. If it rains the day of your event no refund will be issued but the user may choose another available date at the same location within one month of the original reservation date.

Note: A shelter reservation does not close the entire park – it is still open to the public.

Cloninger Park Picnic Shelter:

Town-sponsored use of the Picnic Shelter shall consist of: The Crop Walk, or pre-season organized Youth Soccer games and practices, and banquets involving all team members; the annual 4th of July Fireworks display; All other use shall be subject to the following Fees:

Fees: (All Other)

Shelter Use:	4 Hours	(M-F)	(Sat/ Sun)
		Weekday- per Day	Weekend- per Day
Town-Resident/Not-For-Profit	\$25	\$45	\$50
Non-Town/Not-For-Profit	\$35	\$65	\$70

The shelter may be rented for:

AM Block 10am – 2pm

PM Block 3pm – 7pm (winter hours: 3pm – dusk)

Daily 10am – 7pm (winter hours: 10am – dusk)

The following items are **not** permitted on park property:

- inflatables (bounce houses)
- alcoholic beverages

The following items are **only permitted in the parking lot**:

- grease deep fryers
- personal grills
- large smokers
- commercial grills

Refund Policy:

Cancellation of a reservation will result in the rental fee being non-refundable unless the cancellation notice is received 10 days prior to the reservation. In the event of inclement weather cancellation notice must be received 5 days prior to the reservation. If it rains the day of your event no refund will be issued but the user may choose another available date at the same location within one month of the original reservation date.

Note: A shelter reservation does not close the entire park – it is still open to the public.

TOWN OF DALLAS

RELEASE OF LIABILITY

In exchange for the granting of access to, and use of, a Town of Dallas Building, Athletic Field, Park, or Facility, I/We _____, Representing _____, Agree as follows:

- 1. To, observe and obey all posted and/or conveyed directions, policies, rules, or warnings regarding use of Town of Dallas property as issued by the Town of Dallas, its staff, employees, agents, or volunteers; and,
- 2. To, on behalf of the individual(s) and/or organization represented, **indemnify and hold harmless the Town of Dallas, its Park & Recreation Department staff, employees, agents, or volunteers, from any and all suits, claims of damages, or liability** for any and all personal injury to myself or other participants so represented, or for damages to personal property owned or controlled by me/us, occurring as a result of, or while engaged in activities conducted within the confines of Town of Dallas property permitted hereby; and,
- 3. To assume full responsibility for damages to Town of Dallas property caused by, or resulting from my/our negligent, willful or reckless acts that may or may not be in violation of Town directions, policies, rules, or warnings conveyed, posted, or issued.
- 4. **I/We further Agree** to leave the property used in a generally clean, orderly, and undamaged state, approximately similar in condition to that in existence immediately preceding my/our permitted use. (Failure to do so can result in additional fees for cleanup or restoration).

I/WE HAVE READ THE ABOVE "RELEASE OF LIABILITY" DOCUMENT AND DECLARE THAT I/WE UNDERSTAND IT FULLY AND THAT BY SIGNING THIS RELEASE ARE VOLUNTARILY SURRENDERING CERTAIN LEGAL RIGHTS IN THE PROCESS.

Date: _____

Signature of Applicant(s): _____

Participant(s): Printed Name(s): _____

Address: _____

Telephone#: _____

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Recycling Program

AGENDA ITEM NO. 5B

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

At the February 12th Board of Aldermen meeting, a letter of intent to participate with the other jurisdictions in the Gaston County in applying for a grant to be used toward addressing a county-wide initiative involving recycling. Recycling is becoming an ever-increasing issue due to contamination in recyclables. Below are several points to be considered in this discussion:

- The County is fined when they deliver contaminated waste to the Recycling Center.
- Dallas' recycling center is filled with contaminated waste that the Recycling Center will not accept. Therefore, the recyclables are being dumped in the landfill as regular waste.
- Plastics are not being accepted by other countries, so they are being dumped as regular waste.
- The County, along with the municipalities, is trying to come to common ground on what can be recycled.
- The majority of people that use the Dallas Recycling Center appear to not be residents of the Town.

Public Works Director Bill Trudnak recommends suspending recycling beginning May 1st, until a solution is found by Gaston County and the other municipalities to the recycling problem.

This item was discussed at the February 26th Work Session.

MANAGER'S RECOMMENDATION: Follow Mr. Trudnak's recommendation to suspend recycling beginning May 1st until a viable solution can be found to the recycling problem.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Façade Grant Program Boundaries

AGENDA ITEM NO. 5C

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

In November , the Board of Aldermen approved a Façade Grant Program for the Central Business District as defined by the the Town's Future Land Use Plan. During the approval process, it was discussed to review the boundaries of the plan. In order to encourage more businesses in Dallas main thoroughfare to improve their façades, the Board discussed expanding the boundaries at the February 26th Work Session. In addition to the Central Business District, the boundary would include businesses on Trade St. between N. Summey St. and the Hwy 321 Interchange. This extension would include many more businesses that are visible to the motorists traveling through Dallas.

A copy of the proposed Façade Grant Program is attached.

MANAGER'S RECOMMENDATION: Approve the extended boundaries addition to the Façade Grant Program.

BOARD ACTION TAKEN:



Town of Dallas

Façade Improvement Grant Program

Objective and Purpose

The Town of Dallas has a primary goal of improving the appearance of the Central Business District (as defined by the Town's Future Land Use Plan) and promoting economic development. To aid in achieving that goal, the Façade Improvement Grant Program will assist new or existing businesses in maintaining and improving the appearance of building façades in the Central Business District.

The rehabilitation of structures in the Central Business District of Dallas should respect and reflect the architectural integrity and history of the entire building and retain those elements that enhance the building. Façades should be in harmony with the character of the downtown area and in coordination with the color and design of adjacent structures.

As a means of encouraging the maintenance and improvement of business building façades, the Town of Dallas has appropriated funds to a structured grant program to provide financial assistance to owners of businesses in the Central Business District. Awards through the Town-funded grant program shall comply with the following provisions, requirements, and guidelines.

The purpose of the program is to:

- ◆ Promote storefront rehabilitation in the Central Business District
- ◆ Preserve the unique character of the downtown's historic buildings
- ◆ Encourage aesthetic compatibility for improvements to façades of non-historic structures
- ◆ Encourage the use of quality materials, good design, and workmanship in the rehabilitation of downtown properties
- ◆ Make improvements that make a highly visible contribution to Dallas

Guidelines

1. All rehabilitation funded through grant awards under this program must be performed in accordance with *The Secretary of the Interior's Standards for Rehabilitation* (Exhibit A); Town of Dallas Ordinances and Code Requirements, such as building codes, zoning regulations, etc.; and the following guidelines in making façade improvements under this program.
2. Approval for funds must be made prior to the beginning of the project. No awards will be given to a project begun or completed prior to application.
3. A brief summary of the business plan and the proposed renovation/rehabilitation project must be submitted with the application. Summary should be limited to no more than two pages. **The applicant must secure a two-year lease, if leasing.**
4. Funds are for fixed items only and not for inventory, furnishings, or non-fixed items. Grants are provided to help with correction of building code violations, building renovations, building rehabilitations, façade improvement, signage, etc.
5. The Business Incentive Grant program is not intended to provide financial assistance to fiscally unsound businesses.
6. Since each application will be different, and reviewed on a case-by-case basis, the applicant may be required to submit additional information. The intent of the Façade Grant Program application process is not to burden the applicant business with extensive research, but to provide the Review Committee with information to make appropriate recommendations and decisions.

7. Façade Grant Program applications will be reviewed by the Review Committee, and will depend on the availability of funds.
8. Ineligible properties and businesses:
 - ◆ Tax delinquent property or property not in good standing with the Town of Dallas Utility Billing
 - ◆ National franchises
 - ◆ Retail chain stores
 - ◆ Primarily residential properties or uses
 - ◆ Tax exempt organizations or properties

Eligibility

1. A façade is defined as an individual storefront or commercial building side which faces a public right-of-way or is otherwise visible to the general public.
2. Commercial buildings must be located within the Central Business District **or on Trade Street between N. Summey Street and the Hwy. 321 Interchange.**
3. Owner or tenants of buildings are eligible to apply; however, the owner must sign the application.
4. If there is a building with multiple public-facing façades (corner building), both public-facing sides must be rehabilitated and grant eligibility will be twice the amount as for a building with only one public-facing façade.
5. While in some situations rear façades can be seen from public streets, at this time only front and corner façades will be considered for funding.
6. Only established businesses (those that have been in operation for more than two years) are eligible for a grant that includes new signage.

Grant Award

1. Grant awards and amounts are at the discretion of the Grant Review Committee.
2. Decisions may be based upon such factors to size and scope of project, potential positive impact on the appearance of the district area, project costs, and availability of funds.
3. Qualifying projects are eligible for a grant at a minimum of \$500 and a maximum of \$20,000 per façade, on a 50/50 matching, reimbursement basis.
4. At least two project cost estimates must be submitted with the application. If both estimates are deemed equal in regards to quality of materials used, tec., only fifty percent of the lowest estimate will be considered in the amount of the award, regardless of which bid is accepted by the building owner.
5. The grant amount shall be determined at the time of application approval and paid when the project is completed.
6. The work must be completed within four months of application approval, but the owner may request one extension for two additional months based upon compelling reasons for the delay.
7. The façade improvements must remain in place for three full years from the date of completion. If not, the grant amount for that project must be repaid in full.

Town of Dallas Façade Grant Program Fact Sheet

What is the Façade Grant Program?

An incentive program to taxpayers who improve the appearance of their commercial property by retaining and preserving the historic character of the property.

Provides 50% of the total cost of approved projects up to \$20,000 maximum grant amount. Side façades are eligible on corner buildings. NOTE: If a building has more than one eligible façade, each façade is considered separately.

Encourages further private reinvestment in existing infrastructure and promotes appropriate and attractive design projects that preserve the architectural character found only in older buildings.

Who may apply for the Grant?

Building owners or tenants with building owner's consent.

What buildings are eligible?

Any commercial building greater than 50 years old located in the Central Business District (as defined by the Town's Future Land Use Plan) **or on Trade St. between N. Summey St. and the Hwy 321 Interchange**, with priority given to improvements that will make the greatest impact on the surrounding built environment.

Ineligible properties or businesses:

- * Tax delinquent properties
- * Properties not in good standing with Town Utilities
- * National franchises
- * Retail chain stores
- * Properties used primarily for residential purposes

What storefront rehabilitation expenditures qualify?

Eligible expenditures include: exterior painting of previously painted surfaced and/or paint removal; appropriate exterior cleaning; masonry repair and tuck-pointing; repair of architectural details or materials; repair of windows or window framing; removal of siding, false façades and in-fill brick; removal of inappropriate/out of date signs; rehabilitation of compatible reconstruction of storefront; new canvas awnings/frame; replacements of transom glass and business signage with full compliance of the design standards.

Signs and awnings may be included as eligible expenses providing they represent good design, meet the design ordinance and standards of the Town of Dallas Code of Ordinances.

Ineligible expenditures include: general maintenance; construction of false fronts; painting of previously unpainted surfaces; blocking up of windows or installing storm/vinyl windows or doors; interior rehabilitation; electrical work; roof and chimney repairs; installation of aluminum, vinyl, stone, stucco, brick veneer; or other inappropriate building materials; demolition of historic features; sandblasting; improvements made prior to grant approval.

Rehabilitations must meet the Secretary of the Interior's "Standards for Rehabilitation" program standards that are attached.

Colors used on exterior surfaces, signage, awnings and related items must relate to natural material colors found on neighboring historic buildings and nearby buildings.

Who makes the decision to approve or reject a request?

A Review Committee comprised of the Town Manager, Electric Utility Director, Public Works Director, Development Services Director, a member from the Board of Aldermen Community Development Committee; as well as a representative from the Small Business Center at Gaston College.

What is the process for applying for a grant?

1. Meet with the Town of Dallas Development Services Staff.
2. Complete an application, including the required support materials.
3. A review will be completed by the Review Committee.
4. Applicant will be notified by mail of acceptance, acceptance with conditions, or rejection of application.
5. Any changes to approved work during construction must be approved by the Development Services Staff in writing.
6. Upon completion of project, applicant sends copies of paid receipts/statements to Development Services Staff.
7. Development Services Staff will inspect completed funds and authorize disbursement of grant funds, provided work was completed in accordance with the application.

What other conditions apply?

1. Grants are based on the entire scope of the project. All work must be eligible and approved expenditures; or the total grant award is void.
2. All applications must be approved prior to commencement of work.
3. Each building façade is considered separately to meet the 50% matching rule.
4. Submission of a project does not ensure the project will be approved to receive funds. Grant awards are determined by recommendation of the Review Committee and the availability of funds.
5. Grant approval or changes to the scope of work in an approved project will be conveyed in writing.
6. Only one façade grant will be awarded per building façade per calendar year.

Examples

1. A property owner applies for a façade grant for an improvement to a commercial building storefront. The planned improvement costs \$1700. The applicant receives a matching grant of 50%, which equals \$850.
2. A property owner applies for a façade grant for an improvement to a commercial building storefront and the planned improvement costs \$900. The applicant receives a grant of \$500, as the minimum grant amount for a qualified improvement is \$500.
3. A property owner applies for a façade grant for an improvement to a commercial building storefront. The planned improvement costs \$50,000. The applicant receives a grant of \$20,000; as the maximum grant amount for a qualified improvement is \$20,000.
4. A property owner renovates a commercial building storefront. The owner may apply for another façade grant for a different side of the same building (the building is a corner building with two visible sides) during the same calendar year. However, the owner will need to wait until the next calendar year to apply for another façade grant for the same storefront side.

Exhibit A

Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's Standards and Guidelines for the treatment of historic properties were written by the National Park Service and revised in 1990. The guidelines recommend responsible methods and approaches and list treatments that should be avoided.

The Standards

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

TOWN OF DALLAS

Façade Grant Agreement

THIS AGREEMENT is entered into this _____ day of _____, _____, by and between the TOWN OF DALLAS (Town) and _____ (Grantee), whose address is _____.

WHEREAS, the Town has approved a façade improvement grant to Grantee subject to the execution of this Agreement, and Grantee desires to accept the grant and to abide by the terms of this Agreement; and

WHEREAS, the Town has approved a grant in an amount not to exceed Twenty Thousand Dollars (\$20,000.00) for façade improvements at _____, Dallas, NC.

NOW THEREFORE, the parties agree as follows:

1. Grantee reaffirms that all information provided to the Town in its Façade Grant Application is correct and accurate.
2. Grantee has read and agrees to abide by the provisions and requirements of the Town of Dallas Façade Grant Program.
3. All work performed by Grantee will be consistent with the approval by the Town. If Grantee desires to make any changes in the project, Grantee will obtain written approval from the Town before implementing such changes. Grantee understands that the Town is not required to approve any changes.
4. Grantee agrees to complete the improvements within four (4) months from the date of this agreements and understands that failure to complete the improvements within such period will result in forfeiture of the grant.
5. Grantee understands that the grant will be paid to Grantee only upon completion of the work, submission of all dated statements or invoices to the Town, and approval by the Town of the completed work.
6. Grantee will notify the Town immediately if Grantee’s interest in the subject property changes in any way. This Agreement is not assignable by Grantee without prior written approval of the Town, which will not be unreasonably withheld.
7. Grantee hereby grants to the Town the right to use pictures, renderings, or descriptions of the work any and all promotional purposes desired by the Town.

IN WITNESS WHEREOF, the parties have signed this Agreement on the day and year first written above.

WITNESSES FOR THE TOWN

WITNESSES FOR THE OWNER

WITNESSES FOR GRANTEE

TOWN OF DALLAS

Town Manager

OWNER

Owner

GRANTEE (if other than Owner)

Grantee

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Right of Way Encroachment Agreement

AGENDA ITEM NO. 5D

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

Based on a citizen request at the February 12th Board of Alderment meeting, the Board requested that a proposed encroachment agreement be presented at the February 26th Work Session for review. This agreement would provide an avenue for citizens to request the ability to place items in the Town's right of ways, but with the understanding that if those items had to be disturbed by the Town to access infrastructure located in the right of way the owner would be liable to replace said items at their own expense and would hold the Town harmless. Approval of such agreements would be delegated to the Staff and would not have to be heard by the Board of Aldermen as they arise.

This item was discussed at the February 26th Work Session. At that time, the Board asked that there be a fee established for staff review of the request and that the permittee be responsible for paying the cost of recording any approved agreement with the Register of Deeds office. A revised fee schedule including these additions is attached, along with the proposed agreement.

MANAGER'S RECOMMENDATION: Approve the Right-of-Way Encroachment Agreement and accompanying fee schedule as presented.

BOARD ACTION TAKEN:



TOWN OF DALLAS

RIGHT OF WAY ENCROACHMENT AGREEMENT

Please complete and submit this application for all proposed encroachments along public right-of-ways within the Town of Dallas limits. This application is not for use when access is being requested along a state-owned right-of-way- instead, NCDOT's Form R/W 16.1B should be used for proper approvals.

PROPERTY ADDRESS: _____ PID#: _____

This Agreement, made and entered into this the _____ day of _____, 20____, by and between the Town of Dallas, party of the first part; and _____ party of the second part; in reference to the property indicated above

WITNESSETH

THAT WHEREAS, the party of the second part desires to encroach on the right of way of the public road designated as _____, located _____ with the construction and/or erection of: _____

WHEREAS, it is to the material advantage of the party of the second part to effect this encroachment, and the party of the first part in the exercise of authority conferred upon it by statute, is willing to permit the encroachment within the limits of the right of way as indicated, subject to the conditions of this agreement;

NOW, THEREFORE, IT IS AGREED that the party of the first part hereby grants to the party of the second part the right and privilege to make this encroachment as shown on attached plan sheet(s), specifications and special provisions which are made a part hereof upon the following conditions, to wit:

- That the said party of the second part binds and obligates himself to install the encroaching facility in such safe and proper condition that it will not interfere with or endanger travel upon said roadway.
That the party of the second part agrees to provide during construction proper signs, signal lights, flagmen and other warning devices for the protection of traffic in conformance with the latest Manual on Uniform Traffic Control Devices for Streets and Highways and Amendments or Supplements thereto.
That the party of the second part hereby agrees to indemnify and save harmless the party of the first part from all damages and claims for damage that may arise by reason of the installation and maintenance of this encroachment;
It is clearly understood by the party of the second part that the party of the first part will assume no responsibility for any damage that may be caused to such facilities, within the rights of way limits, in carrying out its construction.
That the party of the second part agrees to restore all areas disturbed during construction to the satisfaction of the Engineer of the party of the first part.

surfaces or other property; or pollution of the air. There shall be compliance with applicable rules and regulations of the North Carolina Division of Environmental Management, North Carolina Sedimentation Control Commission, and with ordinances and regulations of various counties, municipalities and other official agencies relating to pollution prevention and control. When any construction operation disturbs the ground surface and existing ground cover, the party of the second part agrees to remove and replace the sod or otherwise reestablish the grass cover to meet the satisfaction of the Engineer of the party of the first part.

- That the party of the second part agrees to assume the actual cost of any inspection of the work considered to be necessary by the Engineer of the party of the first part.
- That the party of the second part agrees to have available at the encroaching site, at all times during construction, a copy of this agreement showing evidence of approval by the party of the first part. The party of the first part reserves the right to stop all work unless evidence of approval can be shown.
- Provided the work contained in this agreement is being performed on a completed highway open to traffic; the party of the second part agrees to give written notice to the Engineer of the party of the first part when all work contained herein has been completed.
- The party of the first part is responsible for the maintenance of all installations on Town right-of-way, as well as the landscaping of all areas that may be enclosed by fencing.
- That in the case of noncompliance with the terms of this agreement by the party of the second part, the party of the first part reserves the right to stop all work until the facility has been brought into compliance or removed from the right of way at no cost to the party of the first part.
- That it is agreed by both parties that this agreement shall become void if actual construction of the work contemplated herein is not begun within 6 months from the date of authorization by the party of the first part unless written waiver is secured by the party of the second part from the party of the first part.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed the day and year first above written.

Town Manager, Town of Dallas

Requestor/ Property Owner

WITNESS:

WITNESS:

PRELIMINARY APPROVALS:	
<p>_____ Town of Dallas Electric Dept.</p> <p>_____ Town of Dallas Engineer</p>	<p>_____ Town of Dallas Public Works Dept.</p> <p>_____ Town of Dallas Development Services Director</p>

INSTRUCTIONS

This agreement must be accompanied, in the form of an attachment, by plans or drawings prepared by a professional surveyor, engineer, and/or architect showing the following applicable information:

1. All roadways and ramps.
2. Right of way lines and where applicable, the control of access lines.
3. Location of the proposed encroachment.
4. Length and type of encroachment.
5. Location shown by distance from some identifiable point, such as a bridge, road, intersection, etc.
6. Drainage structures or bridges if affected by encroachment.
7. Typical section indicating the pavement design and width, and the slopes, widths and details for either a curb and gutter or a shoulder and ditch section, whichever is applicable.
8. Horizontal alignment indicating general curve data, where applicable.
9. Vertical alignment indicated by percent grade, P.I. station and vertical curve length, where applicable.
10. Amount of material to be removed and/or placed on Town of Dallas right of way, if applicable.
11. Cross-sections of all grading operations, indicating slope ratio and reference by station where applicable.
12. All pertinent drainage structures proposed. Include all hydraulic data, pipe sizes, structure details and other related information.
13. Erosion and sediment control.
14. Any special provisions or specifications as to the performance of the work or the method of construction that may be required by the Department must be shown on a separate sheet attached to encroachment agreement provided that such information cannot be shown on plans or drawings.
15. The Town's Engineer should be given notice by the applicant prior to actual starting of installation included in this agreement.
16. Method of handling traffic during construction where applicable.
17. Scale of plans, north arrow, etc.

TOWN OF DALLAS - GENERAL FEES

UTILITY DEPOSITS	\$75.00	Water - Inside Town Limits
	\$150.00	Water - Outside Town Limits
	\$150.00	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
METER TEST FEE	\$15.00	Residential
	\$65.00	Commercial
METER TAMPERING/THEFT FEE- WATER OR ELECTRIC	\$200.00	per offense
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	\$125.00	Inside Town Limits Resident
	\$225.00	Outside Town Limits Resident
VOLUNTARY ANNEXATION PETITION	\$100.00	Plus Actual Costs (Advertisements, Postage, etc.)
R-O-W ENCROACHMENT AGREEMENT	\$50.00	+ Cost to Record at Reg. of Deeds
WATER FLOW TEST FEE		ACTUAL COST

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, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Blood Drive Event

AGENDA ITEM NO. 5E

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

In the past, the Town has sponsored a Blood Drive to allow citizens and employees to give blood during a time that there is traditionally a shortage of blood supplies. The event would take place on Wednesday, August 21st at the Civic Building between the hours of 1:00 pm to 6:00 pm. Attached is the Special Events Form.

MANAGER'S RECOMMENDATION: Approve the event as presented.

BOARD ACTION TAKEN:



Town of Dallas

Special Events/ Activities Application

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

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan when applicable. The applicant is responsible for notifying the Town of Dallas of any changes after submittal of the application. Incomplete applications will not be accepted. A complete application must be submitted at least 30 days prior to the event.

APPLICATION INFORMATION

Name of Event:	COMMUNITY BLOOD DRIVE		
Facility Requested:	CIVIC CENTER		
Applicant Name:	DA'SHA LEACH		
Organization:	TOWN OF DALLAS		
Mailing Address:	210 N. HOLLAND ST.		
City / State / Zip:	DALLAS, NC 28034		
Daytime Phone:	704-922-3176	Cell:	
E-Mail:	dleach@dallasnc.net		
Description of the Event:	THIS COMMUNITY BLOOD DRIVE IS AN EFFORT TO ALLOW CITIZENS AND STAFF TO GIVE BLOOD TO FULFILL THE SHORTAGE OF BLOOD SUPPLY DURING THE SUMMER MONTHS. THIS DRIVE WAS HELD LAST YEAR WITH MORE THAN 16 DONORS ON THE BLOODMOBILE, EXCEEDING THE GOAL.		
Does the event have a Facebook, Twitter, or other social networking page:	No		
If yes, please list URL(s):			
Date (s) Requested for Event:	8-21-2019		
Event Start Time:	1 PM	Event End Time:	6:00 PM
Road Closure Time Begins (if applicable):	N/A	Road Closure Time Ends:	N/A
Set Up Begins:	12:15 PM	Set Up Ends:	
Preferred Date & Time of Inspection (if required):			
Estimated Attendance:	UP TO 50 PEOPLE		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			
N/A			

Applicant's Signature:

Date:

3/6/19

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

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Special Events Request – Easter Egg Hunt

AGENDA ITEM NO. 8A

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

The Gaston County Museum is requesting use of the Court Square on Saturday, April 13th for their Annual Easter Egg Hunt. The event will begin at 1:00 pm with games and the egg hunt, and conclude with the “Bunny Run” at 3:00 pm.

The Museum is requesting the following assistance from the Town:

- A \$500 donation toward eggs and candy.
- Provision of a Bounce House and Town Personnel to man the Bounce House (This would cost the Town approximately \$400 for the rental and 2 employees at an overtime rate. In the past, the Town has paid for the Bounce House, but not provided personnel.)
- Closure of West Main St. between N. Holland St. and N. Gaston St.

MANAGER’S RECOMMENDATION: Approve the event and determine whether to fund all of the requests.

BOARD ACTION TAKEN:



Special Events/ Activities Application

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

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required. The applicant is responsible for providing complete and accurate information on the application, The applicant is responsible for notifying the Town of Dallas of any changes. **A complete application must be submitted by no later than 5:00 p.m. on the Tuesday preceeding the date of the Board meeting at which the event is to be approved, for an event which is to occur no sooner than 14 days following its date of approval.**

APPLICATION INFORMATION

Name of Event:	Annual Easter Egg Hunt		
Facility Requested:	Historic Dallas Courthouse Square		
Applicant Name:	Alexandrea Pizza		
Organization:	Gaston County Musuem		
Mailing Address:	131 West Main St		
City / State / Zip:	Dallas		
Daytime Phone:	704-922-7681 ext. 105	Cell:	
		E-Mail:	alexandrea.pizza@gastongbv.com
Description of the Event:	The Gaston County Museum will partner with the Town of Dallas again this year to host the annual Easter Egg hunt on the Historic Dallas Courthouse Square. The Museum will hide 1,000 eggs for children 10 and under. This event attracts about 400 people each year and is offered free of charge. It will begin at 1:00pm and games and the "bunny run" will take place until 3pm.		
Does the event have a Facebook, Twitter, or other social networking page:	yes, through Gaston County Museum		
If yes, please list URL(s):			
Date (s) Requested for Event:	Saturday, April 13th 2019		
Event Start Time:	1:00pm	Event End Time:	3:00pm
Road Closure Time Begins (if applicable):	1:00pm	Road Closure Time Ends:	3:00pm
Set Up Begins:	10:00am	Set Up Ends:	1:00pm
Preferred Date & Time of Inspection (if required):			
Estimated Attendance:	800		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			

Applicant's Signature: Date: 2/4/19

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

TENTS / CANOPIES / MEMBRANE STRUCTURES

Will tents/canopies/membrane structures be used for events? proceed to next section.)		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No (if no
# of Canopies	<input type="text"/>	(fabric structure that is open without sidewalls on 75% or more of perimeter)	
# of Tents	<input type="text"/>	(fabric structure that is enclosed with sidewalls on more than 25% of perimeter)	
# of Membrane structures	<input type="text"/>	(air supported or air inflated structure)	
Other type of structure (provide description) <input style="width: 100%;" type="text"/>			

Notes

VOICE / MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event? proceed to next section.)		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No (If no
If yes, state the number of stages, number of bands and type of music:			
Number of stages:	<input type="text"/>	Number of Bands:	<input type="text"/>
Type(s) of music: <input style="width: 100%;" type="text"/>			
Will your event use amplified sound:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please indicate times:		Start Time: <input type="text"/>	Finish Time: <input type="text"/>
Will sound checks be conducted prior to the event?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please indicate times:		Start Time: <input type="text"/>	Finish Time: <input type="text"/>

* Must comply with Town of Dallas general entertainment ordinance.

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.			
Will there be any portable heaters?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will there be any deep fat fryers?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will there be any fireworks, lasers, torches, candles or pyrotechnics?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will generators or electrical power be used?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide electrical load data and location of connection. In the case of extraordinary use or hookups, fees may apply.			

RIDES / ATTRACTIONS

Does the event include mechanical rides, or other similar attractions?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, company name? <input style="width: 100%;" type="text"/>			
Company address: <input style="width: 100%;" type="text"/>			
List details, if any: <input style="width: 100%;" type="text"/>			
Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas (if applicable) as additional insured on general liability.			
ALL rides must be inspected and approved by The Department of Labor.			

SERVICES

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

TRASH CONTAINERS

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

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

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

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

How many trash cans are you requesting for trash?

How many recycle carts are you requesting?

Delivery Location?

Date and Time for rollout carts to be emptied?

Date and Time for rollout carts to be picked up?

Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Clean-up fees may be incurred because of an applicant's failure to clean and/or restore the site following the event. If you reasonably believe that no litter will be generated during your event, please state this in your plan.

PUBLIC PROPERTY CLEAN-UP

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

SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)

Stage Security Event Area Security Road Closure Security

Other

Overnight Security From : To :

Dates & Times security will be on site:

Security provided by: Number of Security Personnel:

Applicant may be required to hire sworn off-duty Town of Dallas police officers or Sheriff's Department personnel to provide security to insure public safety. The Town of Dallas will determine the number of security personnel required on site.

SITE PLAN

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

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

ROUTE AND TRAFFIC PLAN

<input type="checkbox"/> PARADE (Includes floats, vehicles, and persons)	<input type="checkbox"/> BICYCLES
<input type="checkbox"/> MARCH OR WALK (persons only)	<input type="checkbox"/> FOOT RACE
<input type="checkbox"/> VEHICLES ONLY (Includes motorcycles)	
<input type="checkbox"/> OTHER (Description: <input style="width: 100%;" type="text"/>)	
Number of Persons: <input style="width: 50px;" type="text"/>	% Children: <input style="width: 50px;" type="text"/>
Number of Vehicles: <input style="width: 50px;" type="text"/>	Vehicle Types: <input style="width: 100%;" type="text"/>
Number of Animals: <input style="width: 50px;" type="text"/>	Kinds: <input style="width: 100%;" type="text"/>
<p>DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5k, a 10k, and a Fun Run).</p>	
<p>West Main St. between North Holland Street and North Gaston Street will need to be closed for foot traffic between the Dallas Historic Courthouse Square and the Gaston County Museum. The closure will need to begin at 12:00pm and run until 3:00pm. Any traffic can be re-routed to Trade Street or Church Street. Parking will not be available in the road closure area, but all other parking areas will be open to the public.</p>	

ROAD CLOSURES

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

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

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

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

Applicant's Signature: _____

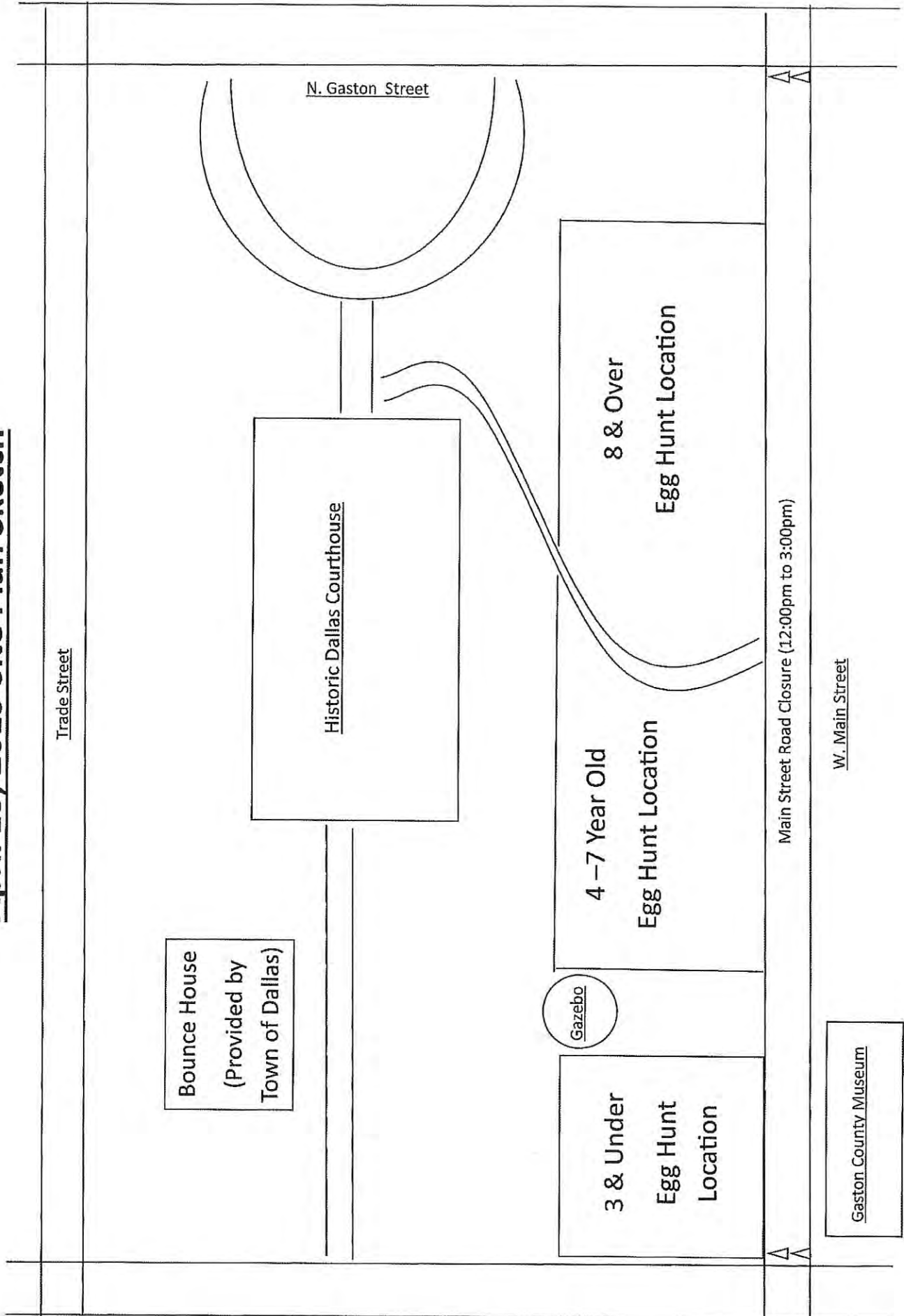


Date: _____

2/4/21

Easter Egg Hunt

April 13, 2019 Site Plan Sketch



N. Holland Street

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Purchase of 102 E. Trade St.

AGENDA ITEM NO. 8B

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

The Town has made an offer to purchase the property at 102 E. Trade St. for the sum of \$100,000. The property is a vacant lot located at the corner of E. Trade St. and N. Gaston St. This offer has been accepted by the seller and the Non-Binding Terms Letter is attached. In order to proceed with the agreement and purchase, the Board must approve the Terms Letter and the accompanying budget amendment in order to complete the sale.

MANAGER'S RECOMMENDATION: Approve the Terms Letter and Budget Amendment as presented to complete the purchase of property at 102 E. Trade St.

BOARD ACTION TAKEN:

February 27th, 2019

Thomas Hunn
J Thomas Hunn Attorney At Law
140 W Trade St
Dallas, NC 28034
Email: JThomasHunn@gmail.com

RE: Counter Terms Letter for the Sale of the Dallas Lot at 102 E Trade St, Dallas, NC 28034.

We are pleased to present on behalf of First Tennessee Bank (“**Seller**”) the following **Counter Terms Letter** for the land located at 102 E Trade St., Dallas, NC 28034. The terms and conditions under which the Seller would enter a Purchase and Sale Agreement (“**Contract**”) with The Town of Dallas, NC (“**Buyer**”), are as follows:

Seller: First Tennessee Bank

Buyer: Town of Dallas, NC

Price: \$100,000 (One Hundred Thousand Dollars)

Condition: “as-is” (The results of any due-diligence information will not subject the price to a re-negotiation)

Earnest Deposit: \$5,000 (Five Thousand Dollars)

Closing: 30 (Thirty) Days

Brokerage: The Buyer does not have representation in this purchase and will not be receiving a commission split.

Purchase Agreement: First Tennessee Bank will prepare its standard PSA

This Non-Binding Counter Terms Letter is subject to the final negotiation of the terms and conditions of the proposed Sale and is not intended to be contractual in nature and only an executed Purchase and Sale Agreement delivered to both parties can bind the parties to this transaction. It is expressly understood, agreed, and hereby acknowledged, that only upon the proper execution and delivery of a fully completed, formal Purchase and Sale Agreement with terms and conditions clearly defined and included therein, will there then be any obligations, of any kind or nature, incurred or created between the herein parties in connection with the referenced property.

Best Regards,

Ryan Thomas
Fischer & Company

THE ABOVE REFERENCED TERMS ARE HEREBY AGREED TO AND ACCEPTED THIS 28th DAY OF February, 2019.

Buyer: Town of Dallas, NC

Signature: Maria Stroupe

Print/Title: Maria Stroupe / Town Manager

Town of Dallas
Budget Amendment

Date: March 12, 2019

Action: Economic Development Amendment

Purpose: To Budget for the Purchase of 102 E. Trade St.

Number: ECO-001

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
33	3999	0000	Fund Balance Appropriated	\$0	\$100,000	\$100,000
33	8500	7500	Cap. Outlay: Land	\$0	\$100,000	\$100,000

	Totals	\$0	\$200,000	\$200,000
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Approval Signature
(Town Manager)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Courthouse Access

AGENDA ITEM NO. 8C

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

Jason Luker, Gaston County Museum Director, has asked that the Town consider an option for access to the Courthouse. Attached is an email from Mr. Luker outlining their proposed solution for granting access to the Courthouse when the Museum is closed. The email from Mr. Luker is attached.

This item was discussed at the February 26th Work Session. The Museum would be responsible for the maintenance and upkeep of the keypads and camera after installation. The keypads would be operational during the time that the Museum was open. During the times that the Museum is closed, the Courthouse would be locked and the keypads would not be able to override the lock. The lock code can be changed periodically, but will remain the same for the duration of the Gaston County Schools Art Show.

MANAGER'S RECOMMENDATION: Approve the proposal from the Museum with the provision to provide Mr. Trudnak all information pertaining to the keypads and camera, and to coordinate the installation of the equipment with Mr. Trudnak.

BOARD ACTION TAKEN:

Maria Stroupe

From: Jason E. Luker <Jason.Luker@gastongov.com>
Sent: Tuesday, January 22, 2019 11:50 AM
To: mstroupe@dallasnc.net
Subject: Question about the Courthouse

I have a strange question for you. With the school art show going in the courthouse this year (along with the growing request to see the inside for possible rental opportunities), we have been discussing how to allow access to the main floor without employee's present at all times. The solution we came up with was putting in a lock keypad on the front doors (both first and second floor) and installing a video camera on the second floor. The museum would pay for material and installation of the locks and the camera. The museum would also make sure the building is locked and unlocked whenever the Museum is open.

Would this work for the town? The set up would mirror what we have in the depot. Let me know if this is even a possibility and what questions you have about this idea.

Thanks so much,

Jason Luker

Director
Gaston County Museum of Art & History
131 West Main Street
Dallas, NC 28034
704-922-7681 ex.101
Jason.Luker@gastongov.com<mailto:Jason.Luker@gastongov.com>

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TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Update on 301 N. College St.

AGENDA ITEM NO. 8D

MEETING DATE: 3/12/2019

BACKGROUND INFORMATION:

The residence at 301 N College Street is currently owned by Saud Shawli. As a result of numerous neighbor complaints, the Town performed a property inspection on Sept. 28, 2018. The inspection confirmed that rehabilitation work was occurring on site without permits. In addition, the property was being still used as a residence at the date of the inspection but did not meet the Town's minimum housing standards.

A Notice of Complaint was sent on Oct. 9, 2018. A minimum housing hearing was held on October 23rd, 2018, and subsequently a Finding of Fact was issued and sent to the owner on October 26th, 2018. The findings of fact confirmed the details of the on site inspection to be accurate, determined the structure to be dilapidated, and ordered the owner to bring the property into compliance or to demolish the structure within 30 days, or by November 26, 2018. The owner did not appeal the order of the Development Services Director as outlined in 150.46(D).

A followup inspection occurred on Tuesday, December 4, 2018, and revealed that the minimum housing violations still had not been fully addressed. The Development Services Director presented a request for an Ordinance to Demolish at the December Board of Alderman meeting, and the owner was granted until March 12, 2019 to bring the property into compliance.

As of March 7th, the owner has passed inspections with Gaston County and is compliance with the minimum standards. An update on that property will be given at the meeting.

MANAGER'S RECOMMENDATION:

BOARD ACTION TAKEN: