

Memo

Date: 02/19/2024
To: Mayor and Councilmembers
From: Leighanna Worley, Town Administrator
RE: Work Session Items vs. Council Meeting Items

Just a reminder about Work Session items vs. Regular Meeting items as you go through your packets:

- ❖ Per our discussion at the last Work Session departmental reports will now be included in the Work Session agenda/packets and will be reviewed and discussed at that meeting. This will give Council time to thoroughly review each department and ask specific questions.
- ❖ Any items from departments that require action will be in the Regular Meeting. *[For example: the financial statements will be in the Work Session, but budget amendments will be in the regular council meeting.]*
- ❖ Once you've discussed an item at the Work Session that you want to take action on, detailed information will be included in your Regular Meeting packets for Council vote. *[For example: at the January Work Session we discussed the temporary policy change on overtime for the police officers; and a detailed policy change draft with a Request for Action is in your Regular Meeting packet.]*
- ❖ The Work Sessions through May will also serve as your Budget Sessions for the upcoming FY24/25 Budget. Starting with the February 26th Work Session, we will cover some revenue items and part of the departments' budget-related items. (More on this process will be included in your Work Session packets going on February 20th.)



**COUNCIL MEETING
FEBRUARY 19, 2024
6:30 P.M.**

ORDER OF BUSINESS

- 1. PLEDGE TO FLAG**
- 2. INVOCATION**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES**
 - a. Regular Town Council Meeting - January 17, 2024
 - b. Work Session Meeting Minutes - January 22, 2024
- 5. PUBLIC HEARING**
 - a. **ORDINANCE** to Extend Corporate Limits - Johnston County Public Schools Parcel ID 17K08028A
- 6. Presentation of 2022-2023 Audit - Jay Sharpe**
- 7. 1st OPEN FORUM**
- 8. REGULAR BUSINESS:**
 - a. MAYOR FLETA BYRD
 - b. TOWN ADMINISTRATOR - Leighanna Worley
 - i. Approval of CONTRACT - Chamber Upfit Design Services - 310 Architecture and Interiors
 - ii. POLICY Amendment - Police Department Overtime
 - iii. Salary Grade Increases
 - c. COUNCILMEMBER COMMENTS
- 9. 2nd OPEN FORUM**
- 10. ADJOURNMENT**

TOWN OF WILSON'S MILLS
REGULAR TOWN COUNCIL MEETING
January 17, 2024

PRESENT: Mayor Fleta Byrd, Mayor Pro-tem JC Triplett, Councilmembers David McGowan, Carolyn Dobbin, Tim Brown, and Randy Jernigan.

OTHERS PRESENT: Town Administrator Leighanna Worley, Town Clerk Emily Matthews, and Town Attorney Gabriel Du Sablon.

CONVOCATION: Mayor Byrd declared a quorum present and called the meeting to order at 6:30pm.

PLEDGE Mayor Byrd led the pledge of allegiance to the flag.

INVOCATION: Mayor Fleta Byrd gave the invocation.

APPROVAL OF AGENDA: Mayor Byrd asked for approval of the agenda.

A motion was made by Councilmember David McGowan and seconded by Councilmember Tim Brown to approve the amended agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES: Mayor Byrd asked for any comments or corrections to the minutes for the Regular Town Council Meeting for December 18, 2023.

Regular Town
Council Meeting-
December 18, 2023:

A motion was made by Councilmember David McGowan and seconded by Councilmember Tim Brown to approve the Regular Town Council Meeting Minutes for December 18, 2023, as presented. Motion carried unanimously.

1st OPEN FORUM Mayor Byrd opened the 1st Public Forum at 6:32pm.

Sean Hanlon of 124 Waber Court asked if he could speak for about 15 minutes rather than 3 minutes and Mayor Byrd said she would stop him if needed.

Sean Hanlon of 124 Waber Court asked for lights at TJ's Auto Repair to be motion censored. He also asked for a full fence all around the property. He said he has spoken with Planning Director Wendy Oldham in the past and was told he needed to contact the town's Attorney. Mr. Hanlon said he is concerned that the town didn't do the research before allowing the business to come into town. He said he doesn't want the business to leave, he just wants them to accommodate his neighbors. Mr. Hanlon expressed other concerns and Mayor Byrd suggested he make a list in writing to bring to the Planning Department. Councilmember McGowan asked Mr. Hanlon if he has spoken with Town Administrator Worley about this concerns. Mr. Hanlon said he was unsure who he should speak with and Councilmember McGowan suggested an appointment with Ms. Worley.

Mr. Hanlon also said we should try to implement field hockey for girls at the Community Park.

With no one else wishing to speak, Mayor Byrd closed the 1st Open Forum at 6:47pm.

REGULAR BUSINESS

MAYOR FLETA BYRD:

Mayor Byrd stated she was unable to attend her regular meetings in the last month due to her husband being in the hospital. She said Wilson's Mills hosted the Mayor's meeting for the month of January last week and it went well.

**TOWN
ADMINISTRATOR'S
REPORT – Leighanna
Worley:**

**Sewer Tap Fee
POLICY**

Ms. Worley referenced the Sewer Tap Fee Policy. She said some of the taps in town are not usable in developments due to what the county is requiring of the developer. She said waiving the sewer fee would not be an option for residential owners and those wishing to have the fee waived would have to fill out an application.

A motion was made by Councilmember David McGowan and seconded by Councilmember Tim Brown to approve the Sewer Tap Policy for the Town of Wilson's Mills. Motion carried unanimously.

**Review of Draft
Work Session
Schedule for 2024**

Ms. Worley referenced the work session schedule in Council's packets and said the possibility of work sessions were discussed at last month's meeting. She said in a work session there would not be an open forum and no action would be taken, but the meeting would be open to the public. She said Council can use the work sessions between now and June as their budget sessions. She said the suggested dates are the same night as the Planning Board meetings which would be the 4th Monday of the month. This will make it easier on staff who have to stay for the Planning Board meetings and the meetings could take place at 4:30pm when all school children have gone home.

Councilmember McGowan said he likes the idea of monthly work sessions.

Ms. Worley said the time can be flexible in order to better accommodate Councilmembers who work during the day.

A motion was made by Councilmember David McGowan and seconded by Councilmember Carolyn Dobbin to approve the Work Session Schedule for the Town of Wilson's Mills which will take place every 4th Monday at 4:30pm in the Wilson's Mills Elementary School Cafeteria.

Councilmember Jernigan said he would prefer 5:30pm in order to better accommodate his work schedule.

Councilmember McGowan amended his motion to approve the Work Session Schedule for the Town of Wilson's Mills which will take place every 4th Monday at 5:30pm in the Wilson's Mills Elementary School Cafeteria. Motion was seconded by Councilmember Carolyn Dobbin. Motion carried unanimously.

**Chamber Upfit
Design Build Award**

Ms. Worley said the last round of Requests for Qualifications was sent out on December 8th and due back by December 29th. She said we received 2 RFQs, one from Stephenson General Contractors and one from 310 Architecture and Interiors. Interviews were conducted for both companies. Shortly after the interview Stephenson General Contractors had to back out due to staffing shortages. They said if they were to take on the project, they wouldn't be able to get started for 6 to 8 months.

Councilmember Brown asked for the cost and Ms. Worley said this was just for qualifications, the cost will be given to Council after a company is decided on.

A motion was made by Councilmember Tim Brown and seconded by Councilmember Randy Jernigan to select 310 Architecture and Interiors as our design build contractor. Motion carried unanimously.

OTHER

Ms. Worley reminded the newly re-elected Councilmembers that the ethics training through the UNC School of Government will be offered in May and the registration will open in March. Town Clerk Emily Matthews will reach out to each of the members of Council who need to participate in the ethics course. She said this is required by state statute and the course can be taken virtually at home or at Town Hall in the conference room.

Postpone Public Hearing – Annexation Parcel ID 17K08028A:

Ms. Worley said due to the holidays the publication of the public hearing for the annexation of Parcel ID 17K08028A could not be advertised in time and will need to be postponed until the February meeting.

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember Tim Brown to postpone the public hearing for the annexation of parcel ID 17K08028A to February 19, 2024 at 6:30pm in the Wilson’s Mills Elementary School Cafeteria. Motion carried unanimously.

FINANCE OFFICER’S REPORT – Sherry Hudson:

Finance Officer Sherry Hudson referenced the finance report for December and asked if there were any questions.

Review of Financial Statements – December 2023:

Councilmember McGowan asked why the percentages are so high for the maintenance of police vehicles and employee training. Ms. Hudson said the cars in the Police Department are now getting a higher milage and therefore they require a lot of maintenance. She also mentioned there are more vehicles now than there have been in the past. Councilmember McGowan said he hopes the annual vehicle report next month will better anticipate how the town needs to budget for vehicle maintence in the next fiscal year. Ms. Hudson said the employee training line is at a high percentage because both police sergeants were selected to attend a training out of town and so the expenses were more than planned.

Councilmember McGowan also asked about the high percentages of the Public Works building and grounds. Ms. Hudson said there have been numerous trees down due to recent weather and we have had to rent equipment to remove the trees or have a company come out to do the work. Ms. Worley said that a lot of the costs are one time costs that are associated with the move to the new town hall. Ms. Hudson said there was also the expenditure to fix the waterline at the Police Department as well.

Ordinance to Amend the Budget for the FY 2023-2024- Budget Amendment #1:

Ms. Hudson referenced the budget amendment in Council’s packets and asked if there were any questions.

A motion was made by Councilmember Tim Brown and seconded by Councilmember Carolyn Dobbins to adopt the following Ordinance to Amend the Budget for the FY 2023-2024 - Budget Amendment #1. Motion carried unanimously.

**AN ORDINANCE TO AMEND
 AN ORDINANCE TO APPROPRIATE FUNDS
 FOR THE FISCAL YEAR BEGINNING JULY 1, 2023
 AND ENDING JUNE 30, 2024**

TOWN OF WILSON’S MILLS
 FY 23-24 BUDGET AMENDMENT #1

BE IT ORDAINED by the Town Council of the Town of Wilson’s Mills, County of Johnston, State of North Carolina, and meeting in Regular Session this 17th day of January 2024 that the Town Budget adopted on May 15, 2023, for FY 2023-2024 is hereby amended and adopted.

Section I. That the following Revenue items in the General Fund Budget be INCREASED by the following amounts:

GENERAL FUND	REVENUES	DECREASE	INCREASE
Account No.	Line Item	Amount	Amount
10-3100-120	Vehicle Tax		\$46,053.00

Section II. That the following Expenditure items in the General Fund Budget be INCREASED and/or DECREASED by the following amounts:

<u>Account No.</u>	<u>Line Item</u>	<u>INCREASE</u>	<u>DECREASE</u>
-	Governing Board	<u>Amount</u>	<u>Amount</u>
10-4110-193	Professional Fees	\$8,000.00	
10-4110-331	Utilities-Electricity	\$4,000.00	
10-4110-335	Utilities / Trash	\$2,000.00	
10-4110-336	IT Services	\$40,140.00	
10-4110-451	Insurance & Bonding	\$5,000.00	
10-4110-491	Dues	\$500.00	
10-4110-690	Donations	\$2,000.00	
10-4110-710	Town Hall - Principal		\$198,194.00
10-4110-720	Town Hall - Interest	\$5,844.00	
	Administration		
10-4120-121	Salaries & Wages	\$3,873.00	
10-4120-181	Retirement	\$1,000.00	
10-4120-183	Group Insurance	\$7,400.00	
10-4120-251	Gas & Oil	\$500.00	
10-4120-321	Telephone	\$500.00	
10-4120-439	Equipment Rent	\$5,100.00	
10-4120-553	Capital Outlay - Vehicles	\$27,920.00	
	Police		
10-4310-126	Salaries - Part Time	\$19,900.00	
10-4310-181	Payroll FICA	\$8,859.00	
10-4310-183	Group Insurance	\$5,350.00	
10-4310-199	Professional Services	\$1,000.00	
10-4310-252	Tires	\$4,500.00	
10-4310-260	Department Supplies	\$5,000.00	
10-4310-311	Travel	\$2,000.00	
10-4310-325	Postage	\$100.00	
10-4310-353	Maint. Vehicles	\$17,000.00	
10-4310-395	Employee Training	\$4,000.00	
10-4310-398	Pre Employment Testing	\$2,000.00	
	Public Works		
10-4410-126	Part Time Salaries	\$7,936.00	
10-4410-182	Retirement	\$1,000.00	
10-4410-183	Group Insurance	\$3,700.00	

10-4410-260	Department Supplies	\$8,000.00	
10-4410-321	Telephone	\$500.00	
10-4410-330	Street Lighting	\$3,300.00	
10-4410-351	Maint. - Bldg. & Grounds	\$24,000.00	
10-4410-353	Maint. - Vehicles	\$2,000.00	
10-4410-491	Dues	\$185.00	
	Planning & Zoning		
10-4910-182	Retirement	\$2,700.00	
10-4910-183	Group Insurance	\$5,540.00	
	Park & Events		
10-6120-321	Telephone	\$400.00	
10-6120-693	Festivals / Events	\$1,500.00	
		\$244,247.00	\$198,194.00

Section II. That the following Expenditure items in the Sewer Fund Budget be INCREASED and/or DECREASED by the following amounts:

SEWER FUND	EXPENSES	INCREASE	DECREASE
	<u>Line Item</u>	-	
	Sewer	-	
30-7140-199	Professional Services		\$1,000.00
30-7140-299	Department Supplies	\$1,000.00	
	TOTAL	\$1,000.00	\$1,000.00

PLANNING AND ZONING REPORT – Wendy Oldham

Planning Director Wendy Oldham referenced the Planning Department report and asked if there were any questions. She said the Code Enforcement numbers are lower this month due to the Planning Department losing an employee and the Code Enforcement officer has had to do the work of two roles.

Mrs. Oldham provided updates on The Cottages subdivision.

EXIT OF COUNCILMEMBER

Councilmember Tim Brown left the meeting at 7:19pm.

EVENTS REPORT – Emily Matthews

Events Coordinator Emily Matthews said the 2024 Community Market season will start off with a Food Truck Rodeo in conjunction with the first market. The market will be on the first and third Saturday April through October and there are other events being planned in conjunction with other markets. Councilmember David McGowan asked about the prices to participate. Ms. Matthews said there is no cost for the food trucks at the Food Truck Rodeo, but fees for the vendors and concession trucks for the market are on a 3 tier system this year and the vendor will pay the price that aligns with the tier they choose. She said the application for the Food Truck Rodeo as well as the Community Market are on the town's website.

ARRIVAL OF COUNCILMEMBER

Councilmember Brown returned to the meeting at 7:21pm.

Appointment to
Events Committee:
Ted Hardy

Ms. Matthews referenced the Committee Appointment Application in Council's packets and stated Ted Hardy is involved with the Clayton Rugby Club and he wants to be more involved with the events in town.

A motion was made by Councilmember David McGowan and seconded by Councilmember Randy Jernigan to appoint Ted Hardy to the Wilson's Mills Events Committee. Motion carried unanimously.

Appointment to
Events Committee:
Peter Nalley

Ms. Matthews said Mr. Nalley is also involved with the Clayton Rugby Club and wants to be more involved with the events in town.

A motion was made by Councilmember David McGowan and seconded by Councilmember Randy Jernigan to appoint Peter Nalley to the Wilson's Mills Events Committee. Motion carried unanimously.

POLICE DEPARTMENT
REPORT – Chief
Williams

Sergeant Peedin referenced the Police Department report and asked if there were any questions.

Councilmember McGowan asked that the chart in Council's packets be labeled differently in order to make it easier to understand. He said he really enjoys the charts and appreciates Sergeant Barton's efforts to include them.

PUBLIC WORKS
REPORT – Patrick Moore

Public Works Director Patrick Moore referenced his report and asked if there were any questions.

Councilmember Jernigan spoke about the need for equipment to take care of fallen trees.

Councilmember McGowan asked if Mr. Moore's pesticide license would help eliminate the need for a pest control company coming in every month. Mr. Moore said his license is an herbicide license, not pesticide.

COUNCILMEMBER
COMMENTS:

Councilmember Brown thanked all town employees for all the hard work they do. Mayor Byrd agreed.

2nd OPEN FORUM

Mayor Byrd opened the 2nd Public Forum at 7:31pm.

With no one wishing to speak, Mayor Byrd closed the 2nd Open Forum at 7:32pm.

ADJOURN:

A motion was made by Councilmember Randy Jernigan seconded by Councilmember David McGowan to adjourn. Motion carried unanimously.

The meeting adjourned at 7:32pm.

ATTEST:

FLETA A. BYRD, Mayor

EMILY MATTHEWS, CMC
Town Clerk

TOWN OF WILSON'S MILLS
WORK SESSION
January 22, 2024

PRESENT: Mayor Fleta Byrd, Councilmembers Carolyn Dobbin, Tim Brown, and Randy Jernigan.

OTHERS PRESENT: Town Administrator Leighanna Worley, Town Clerk Emily Matthews, Finance Officer Sherry Hudson, Public Works Director Patrick Moore, Planning Director Wendy Oldham, and Police Chief AZ Williams.

ABSENT: Mayor Pro-tem JC Triplett and Councilmember David McGowan

CONVOCATION: Mayor Byrd declared a quorum present and called the meeting to order at 5:34pm.

**Work Session
Housekeeping Items** Town Administrator Worley reminded Council that the work sessions will occur monthly and they are open meetings. She also said there will be no action taken during work sessions and reviewed the typical work session agenda layout moving forward.

Police Department
**Overtime Pay
Temporary
Exceptions** Town Administrator Worley said due to the current full-time vacancies in the Police Department there are several officers who are working over their normal hours and therefore they are earning compensatory time. She said due to working overtime it would be best to make an exception to the Personnel Policy and allow the officers to get paid overtime rather than earning compensatory time. Councilmember Brown asked if we can afford to pay overtime and Ms. Worley said we can afford it and it won't be for very long, only until the vacancies are filled. Finance Officer Hudson said there are still funds for revenue replacement in reserve for cases such as this. Ms. Worley said this will also allow the officers to take their holiday time in a timely manner. Due to having to use compensatory time first, one officer was unable to use their holiday time last year and was granted an exception to carry it over to this year.

After further discussion it was decided that a policy exception to the Municipal Personnel Policy will be added to the agenda for the February council meeting.

**Department Pay
Scales** Ms. Worley said when the current salary pay scales were approved two and a half years ago the salaries put Wilson's Mills Police Department at the top pay in the County. As time has passed and other towns have raised their pay, we have fallen to the bottom again. She said starting pay for our officers is \$41,000 and other than one other town all salaries are \$45,500 and above for officers. The increase two and half years ago was 21.5 percent for the police department. Ms. Worley said she would like to make salary increases across the board and each department will get half of the percentage they received in 2021 and that will bring our officers to starting at \$45,797. She said this will allow us to fill vacant positions and be able to compete with other towns. With this increase, there will be no COLA in July and this will be effective immediately. Councilmember Brown asked if we can afford pay scale raises across the board and Ms. Worley said the revenue replacement funds can also be used for this.

Council discussed the possibility of making all new officers sign a contract to say they will stay with the town for at least a year. Chief Williams said contracts are not as common in Police Departments anymore and Ms. Worley said the contract would not hold up if the employee were to fight it.

**Administration
NCDOR Grant Funds** Ms. Worley said we received 3 million in funds from the Department of Revenue. We requested 4.5 million so we could pay off the loan for the new town hall as well as start working on the construction of a police department on the new town hall campus. She said these funds have to be used by October 2025 and a police department would not be able to

be built in time so we cannot use the funds for that. She also said we are not allowed to use the funds to pay off any debt such as the loan for the new town hall. She said the funds can be used for capital improvement projects for town hall and police department. She suggested using the funds for the construction of the Council chambers which will be close to 1 million. She said there are a lot of factors that go into getting the area for the chambers up to code. She suggested getting a master plan done of the town hall campus. She also suggested using the funds for the veterans memorial that has been discussed in the past. Equipment for the Public Works Department was also discussed. Councilmember Brown requested that the staff bring a wish list to the next work session for Council to review. Ms. Worley said we can compile a wish list and she can also find out if the funds can be used on the purchase of vehicles.

ADJOURN:

A motion was made by Councilmember Tim Brown and seconded by Councilmember Carolyn Dobbins to adjourn. Motion carried unanimously.

The meeting adjourned at 6:33pm.

FLETA A. BYRD, Mayor

ATTEST:

EMILY MATTHEWS, CMC
Town Clerk

TOWM #204

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF WILSON'S MILLS, NORTH CAROLINA**

WHEREAS, the Town of Wilson's Mills Town Council has adopted a resolution under G.S. 160A-31 stating its intent to annex the area described below; and

WHEREAS, a public hearing on the question of this annexation was held at the Wilson's Mills Elementary School Cafeteria, 4654 Wilson's Mills Road, Wilson's Mills, North Carolina at 6:30 p.m. on February 19, 2024 after due notice by the Johnstonian News on February 7th and February 14th, 2024 and

WHEREAS, the Town of Wilson's Mills Town Council finds that the proposed annexation meets the requirements of G.S. 160A-31.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Wilson's Mills, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described contiguous property owned by J Farms, LLC is hereby annexed and made part of the Town of Wilson's Mills, as of February 19, 2024.

Beginning at a point in the centerline of Southern Railroad, having North Carolina State Plane coordinates of N:663,303.01 feet, E: 2,197,766.10 feet; located North 55°13'32" East, 106.25 feet from NGS Monument "NCRR JO H105 2", having North Carolina State Plane coordinates of N:663,242.41 feet, E: 2,197,678.82 feet; thence along and with the centerline of Southern Railroad North 53°18'30" West, 650.66 feet to a point; thence leaving the centerline of Southern Railroad North 48°38'29" East, 4,420.06 feet to a Concrete Monument found, passing through a Concrete Monument found, on line, at 101.18 feet, passing through a Concrete Monument found, on line, at 2,699.45 feet and passing through a 1/2 Inch Iron Pipe found, on line, at 3,110.49 feet; thence North 66°29'07" East, 345.43 feet to a point in the centerline of Parker Branch; thence along and with the centerline of Parker Branch the following twenty-nine (29) courses and distances: South 1°01'00" East, 34.40 feet to a point; South 3°40'07" West, 55.18 feet to a point; South 39°46'54" West, 7.77 feet to a point; South 34°06'58" East, 8.58 feet to a point; South 77°32'36" East, 26.30 feet to a point; South 62°30'02" East, 23.21 feet to a point; South 71°41'44" East, 21.87 feet to a point; North 75°41'22" East, 15.13 feet to a point; North 27°39'53" East, 25.30 feet to a point; North 78°54'07"

East, 23.32 feet to a point; North 56°52'59" East, 42.22 feet to a point; North 73°47'38" East, 47.03 feet to a point; South 89°47'54" East, 68.03 feet to a point; South 71°00'18" East, 79.91 feet to a point; South 65°30'35" East, 84.87 feet to a point; South 77°24'52" East, 39.51 feet to a point; South 75°28'45" East, 48.18 feet to a point; South 46°06'18" East, 57.51 feet to a point; South 40°24'49" East, 37.05 feet to a point; South 14°47'12" East, 34.88 feet to a point; South 6°18'20" East, 66.91 feet to a point; South 39°07'53" East, 54.42 feet to a point; North 82°32'30" East, 33.94 feet to a point; North 75°26'13" East, 55.16 feet to a point; North 35°42'32" East, 66.32 feet to a point; North 8°34'21" East, 67.13 feet to a point; North 23°03'46" East, 86.03 feet to a point; North 42°38'08" East, 55.71 feet to a point; North 43°08'33" East, 77.79 feet to a point on the western bank of the Neuse River; thence leaving the centerline of Parker Branch, along and with the western bank of the Neuse River the following twenty-eight (28) courses and distances: South 37°47'00" East, 73.23 feet to a point; South 38°57'48" East, 120.47 feet to a point; South 34°38'00" East, 313.31 feet to a point; South 33°45'32" East, 107.67 feet to a point; South 37°50'07" East, 69.40 feet to a point; South 32°46'50" East, 183.78 feet to a point; South 23°59'57" East, 69.48 feet to a point; South 30°12'33" East, 217.19 feet to a point; South 27°49'09" East, 216.14 feet to a point; South 19°57'38" East, 51.09 feet to a point; South 28°01'06" East, 118.36 feet to a point; South 37°52'10" East, 66.76 feet to a point; South 24°48'40" East, 168.55 feet to a point; South 33°50'49" East, 77.45 feet to a point; South 33°32'02" East, 137.20 feet to a point; South 24°23'30" East, 142.44 feet to a point; South 27°29'05" East, 138.95 feet to a point; South 20°08'17" East, 155.34 feet to a point; South 19°15'30" East, 105.27 feet to a point; South 14°35'27" East, 51.96 feet to a point; South 26°13'34" East, 189.18 feet to a point; South 20°31'11" East, 112.26 feet to a point; South 28°44'42" East, 56.66 feet to a point; South 25°03'12" East, 168.56 feet to a point; South 21°46'00" East, 111.13 feet to a point; South 21°26'57" East, 98.40 feet to a point; South 27°46'56" East, 127.78 feet to a point; South 23°11'00" East, 109.89 feet to an Iron Rod found; thence leaving the western bank of the Neuse River, South 58°07'36" West, 464.36 feet to an Iron Rod found; thence North 33°45'24" West, 1,440.41 feet to an Iron Rod found; thence South 78°57'32" West, 465.11 feet to an Iron Rod found; thence South 44°29'18" West, 322.60 feet to an Iron Rod found; thence North 89°34'45" West, 340.03 feet to an Iron Rod found; thence North 54°26'37" West, 231.09 feet to an Iron Rod found; thence North 67°04'52" West, 294.24 feet to an Iron Rod found; thence South 31°09'50" West, 715.64 feet to an Iron Rod found in the southern 60 foot right-of-way line of Bear Farm Road, passing through an Iron Rod found, on line, at 646.77 feet; thence along and with the southern 60 foot right-of-way line of Bear Farm Road the following seven (7) courses and distances: North 88°14'27" West, 660.74 feet to an Iron Rod found; along a curve to the left, having a radius of 39,971.20 feet, an arc length of 618.34 feet and a chord bearing and distance of North 88°41'02" West, 618.33 feet to an Iron Rod found; North 89°07'38" West, 610.56 feet to a 15 Inch Pine tree; along a curve to the left, having a radius of 146.20 feet, an arc length of 111.86 feet and a chord bearing and distance of South 68°57'17" West, 109.15 feet to an Iron Rod found, passing through an Aluminum Monument found, on line, at an arc length of 98.03 feet; South 47°02'12" West, 334.84 feet to an Iron Rod found; along a curve to the right, having a radius of 15,383.80 feet, an arc length of 504.46 feet and a chord bearing and distance of South 47°58'34" West, 504.43 feet to the **Beginning**, passing through an Aluminum Monument found, on line, at an arc length of 8.91 feet, passing through an Aluminum Monument found, on line, at an arc length of 344.25 feet and passing through an Iron Rod found, on line, at an arc length of 402.21 feet, containing 218.51 acres, more or less.

Excepting from the above, a 1.67 acre parcel, recorded as New Lot 2 in Plat Book 98, Page 224 now assigned Parcel ID 17K08034P, for the total annexed area of 216.84 acres.

Section 2. The Mayor of the Town of Wilson's Mills shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed property, along with a certified copy of this

ordinance. Such a map shall also be delivered to the Johnston County Board of Elections, as required by G.S. 163-288.1.

ADOPTED THIS 19th DAY OF FEBRUARY 2024

ATTEST:

FLETA BYRD, Mayor

EMILY MATTHEWS, CMC, Town Clerk

APPROVED AS TO FORM:

GABRIEL DU SABLON, Attorney at Law

**State of North Carolina
County of Johnston**

I hereby certify that the foregoing is a true and accurate copy of the Annexation Ordinance for 216.84 acres located on Talton Farm Road, duly adopted by the Town Council of the Town of Wilson's Mills, North Carolina at a meeting held on February 19, 2024, at 6:30 p.m. in the Wilson's Mills Elementary School Cafeteria, 4654 Wilson's Mills Road, Wilson's Mills, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official corporate seal of said Town to be affixed this the ____ day of _____, 20__.

**State of North Carolina
County of Johnston**

Emily Matthews, CMC, Town Clerk

I, _____, a Notary Public, do hereby certify that Emily Matthews, Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this ____ day of _____, 20__.

My commission expires: _____

(SEAL)

NOTARY PUBLIC

Request for Council Action

Agenda Item 8b(i)

TO: MAYOR FLETA BYRD AND TOWN COUNCILMEMBERS
FROM: LEIGHANNA WORLEY, TOWN ADMINISTRATOR
DATE: FEBRUARY 19, 2024
RE: APPROVAL OF CONTRACT -- CHAMBER UPFIT DESIGN SERVICES -- 310ai

Please find attached the proposed contract from 310 Architecture & Interior for their design services on the Chamber Upfit Project.

Also attached is a response from Attorney DuSablon regarding the liability amount in the contract. We can discuss this Monday night and come to an agreement on that amount and will amend before signing if needed.

Please note that the total amounts in this proposal are design costs. Construction costs are estimated at or around \$1.2M; but obviously we will not know these exact costs until bids come in. As part of our contract with 310ai, and as requested in our Request for Qualifications, part of the scope of this project is their bid assistance. This is spelled out in the draft contract attached.

At the end of the contract are drawings of two options for the entryway to the new Chambers. Representatives from 310ai will be present at your meeting to discuss these options with you and answer any other questions you may have.

ATTACHMENTS:

Proposal from 310 Architecture & Interior for Chamber Upfit Design Services

ACTION REQUESTED:

Vote to adopt, deny, or table the Proposal from 310 Architecture & Interior for Chamber Upfit Design Services

Leighanna Worley

From: Leighanna Worley
Sent: Wednesday, February 14, 2024 3:33 PM
To: Paul Fox
Cc: Patrick Moore; Starr Crocker; Albert McDonald; Gabriel Du Sablon
Subject: FW: 310ai Design Proposal_Wilson's Mills Town Chamber Upfit and Addition

Hi Paul,

Please see response from our attorney below. I'm going to go ahead and send the draft to Council as is, because we need to get those out by 4. But we'll talk about this item at the meeting and can amend if that's what everyone decides is best. See you Monday night!



Leighanna T. Worley, MMC

Town Administrator

Office: (919) 938-3885 ~ Cell: (919) 628-9231

TOWN OF WILSON'S MILLS

Our Mission: Working together to promote and protect quality of life!

Our Vision: A vibrant community of vision, opportunity, and growth that everyone is proud to call home!

www.WilsonsMillsNC.org

From: Gabriel Dusablon <gdusablon@cauleypridgen.com>
Sent: Wednesday, February 14, 2024 3:10 PM
To: Leighanna Worley <lworley@wilsonsmillsnc.org>
Subject: RE: 310ai Design Proposal_Wilson's Mills Town Chamber Upfit and Addition

Be Advised: This email originated from outside of the Town of Wilson's Mills, NC

Leighanna,

Sorry it is so late. I reviewed the agreement and only noted one relatively minor revision/comment that I wanted to raise for your consideration. One the standard terms and conditions page, Section 4 – Limitations of Liability, it limits 310ai's total liability to the Town for any injury/damages arising out of 310ai's performance of the work to \$50,000. It is more typical of an agreement to limit the damages to the total value of the contract (here \$172,600). As it stands, their total liability to the Town is less than 1/3 of their revenue from the project. It is honestly not a huge deal since this is just a design services agreement and a large component is just contract administration, and would likely never come into play, but I thought I should point it out. If you think we should request an amendment to that section I am sure we can do that between-now and the date of the Council meeting, and just inform Council of the change.

Gabe.

From: Paul Fox <paulf@310ai.com>
Sent: Thursday, February 8, 2024 4:29 PM
To: Leighanna Worley <lworley@wilsonsmillsnc.org>

310 Architecture + Interiors

Proposal to Provide Professional Design Services

Date: February 8, 2024

To: Leighanna T. Worley, MMC
Town Administrator
Town of Wilson's Mills
4083 Wilson's Mills Road
Smithfield, NC 27593

Subject: Proposal and Letter of Agreement to Provide Professional Design Services for the **Wilson's Mills Town Council Chambers Upfit and Porte Cochere**, located in Wilson's Mills, NC.

Leighanna,

It is our pleasure to present this outline of design services for your review. We understand this project includes a new exterior porte cochere addition and an interior fitup of the Town Council Chambers at 4083A, Wilson's Mills Road, Wilson's Mills, NC. The Project shall include a new exterior entry with a canopy/porte cochere, large community meeting space to function as a Town Chamber Dias, support space, storage, restrooms, and break/kitchen renovation. Once you have reviewed the outlined scope of services, please feel free to contact us with any questions or comments. We will discuss specific program requirements and space components in further detail as we are commencing your project.

1. Scope of Work / Scope of Basic Professional Design Services:

- a. **310 Architecture + Interiors, PA (310ai)** shall provide Architectural Design Services for an approximately 2,500 square foot interior meeting space up-fit and exterior porte cochere. This work shall be designed to comply with the 2018 NC State Building Code & Accessibility Code as adopted by the State of North Carolina. We understand the client does not have access to CAD files or hard copies of the building shell plans. Client shall provide complete equipment cut sheets to **310ai** (if equipment is included in project scope).
- b. The included Scope of Basic Professional Design Services is defined as follows. **310ai** shall provide Civil Engineering, Architecture, Interior Design, Structural Engineering, Plumbing, Mechanical and Electrical Engineering (PME), Audio Visual Design, Acoustical Design and Cost Estimating only:
 - i. Field Verification
 1. 6,300 Interior space
 2. Exterior of Building adjacent to area of work
 3. Digital Base Plan creation
 - ii. Conceptual Design:
 1. Programming of Interior Space
 2. (2) Two Design Concepts with one (1) Revision each
 3. Concepts are in 2D and 3D Sketch Format
 4. Up to Two (2) In Person Meetings
 - iii. Schematic Design:
 1. Proposed Site Sketch Alternatives
 2. Proposed Floorplan and Interior 3D Sketches
 3. Exterior Elevation of Addition
 4. One (1) review with one (1) revision is included
 5. One (1) photo realistic interior rendering, One (1) photo realistic exterior rendering
 - iv. Construction Documentation including:
 1. Cover sheet with vicinity map

310ai has included the following meetings during the construction duration:

- Civil Engineering: (0) Site Visits
- Architecture/Interior Design: Two (2) on site meetings and Two (2) virtual meetings per month;
- Audio Visual: Up to (2) meetings;
- PME: Up to two (2) meetings per trade;
- Structural: Up to two (2) meetings;
- Acoustical: up to (2) meetings;
- One (1) Final Punchlist

Client acknowledges that 310ai has advised that the reduction or elimination of these services increases risk associated with the Project. Client accepts this increased risk, and assumes full responsibility for any oversight not performed by 310ai during the construction phase, including, but not limited to, field observations, review of payment applications, guarding against project deficiencies, and resolving conflicts and coordination issues in the Contract Documents due to unforeseen field conditions or other construction events.

d. Our firm's Project Contacts shall be:

- Paul Fox, Principal
- Monica Carpenter, Project Manager
- Albert McDonald, Project Architect, Director of Design

e. 310ai shall provide Civil Engineering, Architecture, Interior Design, Structural and PME Engineering, Audio Visual and Acoustical Design only as Basic Professional Design Services. 310 Architecture + Interiors, PA "Standard Terms and Conditions" (attached) shall govern this agreement.

3. Compensation:

a. Basic Services Compensation:

• Field Verification	\$6,000
• Conceptual Design:	\$3,000
• Schematic Design:	\$6,000
• Architecture/Interior Design:	\$40,000
• Civil Engineering:	\$9,400
• Structural Engineering:	\$22,500
• PME Engineering:	\$15,000
• Audio Visual Design:	\$12,800
• Acoustical Design:	\$7,200
• Cost Estimating:	\$5,800
• Permit Coordination: (Submission Process)	\$2,000
• Bidding + Negotiations:	\$6,500
• Contract Administration:	<u>\$36,400</u>
• Total Fees:	<u>\$172,600</u>

Reimbursable Expenses shall be itemized and billed separately per the attached Rate Schedule.

310 Architecture + Interiors

Schedule of Hourly Rates

11.01.23

Principal	\$215.00
Associate Principal / Experience Lead	\$195.00
Project Manager / Architect / Sr. Interior Designer	\$165.00
Project Designer / Interior Designer / Graphic Designer	\$145.00
Intern Architect / Intern Interior Designer	\$125.00
Administrative Staff	\$95.00

These rates are subject to periodic revision in accordance with our firm's review process and may result in changes to the hourly rates listed above. Any changes shall be considered an amendment to and part of the original contract or proposal.

STANDARD TERMS AND CONDITIONS

The following Standard Terms and Conditions apply to the attached proposal and any work performed by 310 Architecture + Interiors, PA; its officers, agents and subconsultants (collectively, "310ai") in connection therewith (the "Project"). 310ai and the client named in the proposal ("Client") agree as follows:

1. Instruments of Service: Documents prepared by 310ai are instruments of service for use only with respect to the Project. 310ai retains all rights, including copyrights and intellectual property rights, relative to all designs developed by 310ai during the Project.
2. Standard of Care: 310ai agrees to perform services in accordance with the standard of care normally practiced by comparable architectural firms for similar services within the same geographic area. No warranties or guarantees are implied or provided.
3. Project Cost: 310ai does not guarantee any opinions of probable cost or estimates. Client may employ an independent cost estimator to obtain construction costs if this information is desired.
4. Limitation of Liability: Client and 310ai agree to waive any right to pursue claims of consequential damages against each other, including claims of lost profits, in connection with the Project. Client agrees that, to the fullest extent permitted by law, the total liability of 310ai to the Client and any one claiming by or through the Client, for all injuries, claims, losses, damages, and expenses whatsoever, arising out of or related to 310ai's services performed in connection with the Project, from any cause, shall not exceed \$50,000. Client agrees that 310ai shall not be responsible for events or effects beyond its control, including fires, floods, inclement weather, or acts of government entities.
5. Agreement Limitations: Client agrees these Standard Terms and Conditions are solely for the benefit of 310ai and Client, and no rights are conferred to any other party.
6. Billings: Client agrees to pay 310ai for services rendered in a timely manner, but in no event later than 30 days after receipt of invoice. 310ai will invoice Client at stages appropriate to design progress for percentage of work completed, as determined by 310ai. Payment for services is not contingent on site plan approval, project construction, or other client financial arrangements. Payment is due upon date of receipt of invoice. Client agrees to pay one (1.5%) percent per month (18% annual rate) for delinquent amounts that remain unpaid for more than 45 days after date of invoice. Should invoices become delinquent more than 45 days, 310ai shall be entitled to declare the account delinquent and suspend work. The Client shall be responsible for cost of collection for delinquent accounts.
7. Project Safety: 310ai shall not be responsible for Project site safety, and has no obligation to direct or stop work of contractors, Client, or their agents.
8. Photography: Unless specifically requested otherwise by Client, Client hereby grants permission to 310ai to take photographs and/or videos of project for both documentation of ongoing construction activities and also for 310ai's marketing purposes, press releases, online publications and in other communications.
9. Indemnification: Client agrees to indemnify, defend and hold harmless 310ai from all claims, losses, damages and expenses, including attorneys' fees which arise or result from or are related to any or all of the following:
 - a. The presence of hazardous materials on site.
 - b. Inaccurate or insufficient information provided by Client to 310ai.
 - c. Violations by Client or its agents of local, state, or federal regulations.
 - d. Client's nonperformance or observance of these Standard Terms and Conditions or associated Agreement.
 - e. Acts of negligence by Client, its agents, contractors or invitees.
10. Termination: Client or 310ai may terminate the Project without cause upon issuance of 5 days written notice. Client shall pay 310ai all fees and reimbursements accrued up to the point of termination, including demobilization and cancellation charges of subconsultants.
11. Dispute Resolution: As a jurisdictional prerequisite, Client and 310ai agree that all disputes arising from the Project shall first be submitted for nonbinding mediation before a mutually agreed upon mediator in Wake County, North Carolina. If a settlement is not reached through mediation, either party may initiate legal proceedings, and the parties agree that exclusive venue shall be in Wake County, North Carolina. Any disputes between Client and 310ai shall be governed by and construed in accordance with North Carolina law. If any provision of these Standard Terms and Conditions is found to be unenforceable, illegal, or invalid, the remaining provisions shall remain in force to the fullest extent possible by law.

Request for Council Action

Agenda Item 8b(ii)

TO: MAYOR FLETA BYRD AND TOWN COUNCILMEMBERS
FROM: LEIGHANNA WORLEY, TOWN ADMINISTRATOR
DATE: FEBRUARY 19, 2024
RE: POLICY AMENDMENT – POLICE DEPARTMENT OVERTIME

Attached for your consideration is a Policy Amendment to create allowance for overtime pay for law enforcement officers on a temporary basis. This policy change will only be in effect until the department is fully staffed once again.

The policy to amend it back to earning only compensatory time (comp time) will be brought back to Council for approval to repeal this change.

ATTACHMENTS:

Temporary Policy Change for the Wilson's Mills Personnel Policy

ACTION REQUESTED:

Vote to adopt, deny, or table the Temporary Policy Change for the Wilson's Mills Personnel Policy

**POLICY AMENDMENT
WILSON'S MILLS MUNICIPAL PERSONNEL POLICY**

****TEMPORARY CHANGE****

TO AMEND: ARTICLE III. THE PAY PLAN, Section 2. Overtime/Compensatory Time by adding the following:

For a period beginning February 19, 2024, and until this Policy Change is repealed, Law Enforcement Officers will earn overtime pay after working 171 hours in a 28-day period. The Police Chief and/or his/her appointed management staff shall oversee the eligibility for overtime in a work period, and only hours actually worked shall be considered.

DULY ADOPTED THIS 19th DAY OF FEBRUARY 2024

FLETA A. BYRD, Mayor

ATTEST:

EMILY A. MATTHEWS, CMC, Town Clerk

Request for Council Action

Agenda Item 8b(iii)

TO: MAYOR FLETA BYRD AND TOWN COUNCILMEMBERS
FROM: LEIGHANNA WORLEY, TOWN ADMINISTRATOR
DATE: FEBRUARY 19, 2024
RE: SALARY GRADE INCREASES

Following your discussion at the January 22, 2024 Work Session, I have attached for your review a spreadsheet that calculates the total increases across the current salary grade schedule.

This change, as previously discussed, is due to an increase in surrounding municipal departments that once again makes our hiring ranges non-competitive to try to recruit new staff.

Until the salary grade is adjusted by a professional agency – including minimum, target, and maximum grades as well as Developmental Increase amounts and promotion criteria, this “across the board” increase will adjust all employee salaries for this coming fiscal year.

We discussed the percentages that the lines were increased by when the grade was approved in 2021 and using half of those amounts. However, those percentages are all over the place and doing that would increase some salaries by 16-25% which would then create an overage on their pay scales. I took an average of the percentages for all salary grades, and it is 10.98%, so I figured this one at 11%. Since we had already discussed about 10% for the starting officers pay, this seems to be a good, even increase across the board.

Also, as discussed, this increase would negate the need for a COLA increase going into Fiscal Year 24/25. It would become effective immediately and serve as this year’s increases in cost-of-living adjustment until the entire salary grade can be studied.

ATTACHMENTS:

Proposed FY23/24 and FY24/25 Salary Grade Increases

ACTION REQUESTED:

Vote to adopt, deny, or table the Proposed FY23/24 and FY24/25 Salary Grade Increases

Assignment of Classes to Grades

Title	FLSA	Grade
Temporary and Unassigned positions		1 \$
Grade 2 Reserved for future use		2 \$
Grade 3 Reserved for future use		3 \$
Grade 4 Reserved for future use		4 \$
Grade 5 Reserved for future use		5 \$
Grade 6 Reserved for future use		6 \$
Grade 7 Reserved for future use		7 \$
Grade 8 Reserved for future use		8 \$
Streets and Maintenance Worker	NE	11 \$
Grade 12 Reserved for future use		12 \$
Administrative Assistant / Projects Coordinator	NE	13 \$
Grade 13 Reserved for future use		13 \$
Grade 14 Reserved for future use		14 \$
Grade 15 Reserved for future use		15 \$
Code Enforcement Officer	NE	15 \$
Planning Technician	NE	15 \$
Police Officer	NE	16 \$
SRO	NE	16 \$
Police Detective	NE	17 \$
Police Lead Officer	NE	17 \$
Grade 18 Reserved for future use		18 \$
Police Sargent	NE	18 \$
Town Clerk / HR Director	NE	19 \$
Grade 20 Reserved for future use		20 \$
Police Lieutenant	NE	20 \$
Development Compliance Officer	E	20 \$
Public Works Director	E	20 \$
Finance Officer / Deputy Clerk	NE	21 \$
Grade 21 Reserved for future use		21 \$
Grade 22 Reserved for future use		22 \$
Police Chief	E	24 \$
Grade 24 Reserved for future use		24 \$
Town Administrator	E	26 \$
Grade 26 Reserved for future use		26 \$
Grade 27 Reserved for future use		27 \$
Grade 29 Reserved for future use		29 \$
Grade 30 Reserved for future use		30 \$