

**MINUTES OF TOWN COUNCIL MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on December 9, 2024, at 6:15 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Graham Hall, Brad Richardson and Laurie Wojtowicz.

Those absent were: Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Justin Russell, Associate Engineer; Matt Dillard, Code Enforcement Officer; Jessie Williams, Finance Officer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting and delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Craig Cox, 5235 Goldcrest Drive, heard there was a grievance about his property and the garage he built on his property. He stated everything that was required for the garage approval was submitted and passed. Mr. Cox was upset about people being mad about his garage even though he followed all the rules and had all the required permits. He hoped that the Council would put an end to the harassment.

Ray Kirby, 15601 Knollwood Place, was present to speak on Mr. Cox's garage built in his neighborhood. Another neighbor could not build a garage because it was not attached to the primary structure but yet Mr. Cox could have the garage he built because it was attached. He did not like there was no criteria as to what attached meant. Mr. Kirby felt the Town needed to do something about the garage and how it was allowed. He stated he had not harassed anyone.

Council Member Graham Hall arrived at 6:27 p.m.

1. Consent Agenda

A. Minutes from the following meetings:

- (1) 11-12-2024
- (2) 11-25-2025 – special
- (3) 11-25-2025 – closed – 1 of 2
- (4) 11-25-2025
- (5) 11-25-2024 – closed – 2 of 2

B. ARPA Documents – FINAL

C. Pondering Mitigation Project

D. Vickie Lane and Greenbriar Drive Hydrologic Study

Mayor Dunn requested removing Consent Agenda Item 1.C., *Ponding Mitigation Project*, and place it on the regular Agenda. Council Member Richardson made the motion to approve the Consent Agenda with the above noted change. The motion was approved by Council after a second from Council Member Scholl. The *ARPA Documents, Project Ordinance*, is attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from Mayor

Mayor Dunn reported that the Parks and Recreation Department did a great job with the Christmas Tree Lighting the previous weekend.

B. Report from Council Members/Town Committees

Council Members Hall, Wojtowicz, and Ayers had no reports.

Council Member Scholl reported that he attended the Annual Union County Chamber of Commerce Gala.

Council Member Richardson had no report.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on the following:

- The Christmas Tree Lighting in Stallings Park was a successful event and commended the Parks and Recreation Staff.
- Budget Line Items Transfer Report for November was submitted to the Council. The *Budget Line Items Transfer Report for November* is attached to these minutes and therefore incorporated herein.

3. Agenda Approval

Mayor Dunn requested Council add Consent Agenda Item 1.C., *Ponding Mitigation Project*, as Agenda Item 11.A. Council Member Ayers requested adding Agenda Item 11.B. as *Maternity Leave*.

Council Member Wojtowicz made the motion to approve the Agenda with the changes above. The motion was seconded by Council Member Ayers and passed unanimously.

4. Bolton and Menk – Silver Line Integration Final Draft Presentation

Planning Director Max Hsiang introduced Dylan McKnight and Allen Davis with Bolton and Menk. Mr. McKnight walked the Council through the Silver Line Integration Final Draft Presentation. The Silver

Line Integration Final Draft Presentation is attached to these minutes and therefore incorporated herein.

5. Audit Presentation

Finance Officer Jessie Willaims introduced Emily Mills, CPA and Partner, with Potter and Co. who was in attendance to explain the audit to the Council. Ms. Mills issued an unmodified opinion (a clean opinion) to the Town, the highest level of assurance that could be issued from an independent audit. Potter and Co. had no findings with the Town's compliance but did note a financial statement finding due to miscalculations of payroll for three employees and the overpayment of separation allowance. The Local Government Commission (LGC) performance indicators required the Town respond to the payroll miscalculations and overpayment of separation allowance and a budget violation for IT subscriptions of cameras in the park within 60 days of Ms. Mills report. The LGC requested no modifications for the financial statements. Finance Officer Williams would be sending the response to LGC with the Council signatures.

The FY2023-24 Audit for the Town of Stallings is available for inspection in the Town's Finance Office per the North Carolina Department of Archives Retention Schedule.

6. TX24.11.01 – Brewery and Similar Definitions

A. Clarify and expand brewery and similar definitions

Mayor Dunn opened the public hearing. Planning Director Hsiang explained this was a staff proposal to add and update definitions to the Stallings Development Ordinance to clarify and expand upon existing language to ensure accurate interpretation and enforcement of the ordinance, particularly regarding emerging businesses and trends in the food and beverage industry. The Planning Board recommended approval with the condition that the definitions remain consistent with a maximum distribution of 75%. Staff also recommended approval of the amendment. Staff's Report for TX24.11.01 – Brewery and Similar Definitions is attached to these minutes and therefore incorporated herein.

No public was present to speak on the item. Mayor Dunn closed the public hearing. Council Member Richardson made a motion to approve the TX24.11.01 – Brewery and Similar Definitions to which Council Member Scholl seconded. The motion received Council's unanimous approval.

B. Statement of Consistency and Reasonableness

Council Member Scholl made a motion to approve the Statement of Consistency and Reasonableness for TX24.11.01 – Brewery and Similar Definitions. The motion received Council's

unanimous approval after a second from Council Member Ayers. The *Statement of Consistency and Reasonableness for TX24.11.01 – Brewery and Similar Definitions* is attached to these minutes and therefore incorporated herein.

7. TX24.11.02 Local Government Exemptions

A. Local Government Exemptions

Mayor Dunn opened the public hearing. Planning Director Hsiang explained Staff was requesting properties owned by local governments be exempted from Article 15 Special Events and Temporary Structure and Article 21 Open Space which were essential for efficient service delivery and fiscal responsibility. The Planning Board recommended approval of TX24.11.02 and recommended that the Town Council look into installing the Streetscape on Town-owned property. Staff also recommended the amendment. Staff's Report for TX24.11.02 Local Government Exemptions is attached to these minutes and therefore incorporated herein.

No public was present to speak on the item. Mayor Dunn closed the public hearing. Council Member Richardson made a motion to approve TX24.11.02 Local Government Exemptions with the change of "properties owned by the Town of Stallings" instead of "properties owned by local governments" to which Council Member Scholl seconded. The motion received Council's unanimous approval.

B. Statement of Consistency and Reasonableness

Council Member Ayers made the motion to approve the Statement of Consistency and Reasonableness for TX24.11.02 Local Government Exemptions. Council Member Hall seconded the motion to which Council approved unanimously. The *Statement of Consistency and Reasonableness for TX24.11.02 Local Government Exemptions* is attached to these minutes and therefore incorporated herein.

8. Organizational Meeting Items

A. Appointment of Union County Public Schools Liaison

Mayor Dunn suggesting appointing Council Member Scholl as the Union County Public Schools Liaison. Council Member Richardson made the motion to appoint Council Member Scholl as the Union County Public Schools Liaison which was seconded by Council Member Ayers. The motion received Council's unanimous support.

B. Appointment of QUAD Alliance Liaison

Council Member Richardson made the motion to appoint Mayor Dunn as the QUAD Alliance Liaison . The Council unanimously approved this motion after a second from Council Member Hall.

C. Charlotte Regional Transportation Planning Organization (CRTPO) alternate delegate

The motion was made by Council Member Scholl to appoint Council Member Richardson as the CRTPO delegate and Mayor Dunn as the CRTPO alternate delegate. Council Member Ayers seconded the motion to which the Council unanimously approved.

D. Appointment of Centralina Regional Council (CRC) delegate and alternate

Council Member Ayers made the motion to appoint Council Member Scholl as the CRC delegate and Council Member Ayers as the CRC alternate delegate. The Council unanimously approved this motion after a second from Council Member Richardson.

E. Approval of 2025 Meeting Schedule

Council Member Richardson made the motion to approve the 2025 Meeting Schedule. The motion received Council's unanimous support after a second from Council Member Hall.

F. Approval of 2025 Holiday Schedule

Council Member Richardson made the motion to approve the 2025 Holiday Schedule. The motion received Council's unanimous support after a second from Council Member Ayers.

9. Fund Balance Policy

Finance Officer Jessie Williams explained that previously the Town Council implemented a minimum fund balance of 20 percent for the General Fund, and while this had been adhered to, no formal policy had been adopted stating such. The Council also held discussions during the FY2025 budget process regarding the appropriate amount of unrestricted fund balance to maintain. At that time, Council decided that a fund balance policy should be adopted by December 31, 2024.

The Local Government Commission's (LGC) most recent recommendations regarding a minimum threshold of fund balance available established new grouping categories for performance indicators used to compare the municipalities against one another, each with their own minimum thresholds for fund balance available. Based on the Town's adjusted expenditure calculation used most recently by the LGC for this performance indicator, the Town of Stallings fell into the grouping with a recommended minimum fund balance threshold of 34% for the General Fund.

Staff requested the adoption of a Fund Balance Policy to bring the Town into alignment with the LGC's recommendation as well as maintain enough funding adequate to sustain operational expenses for approximately six months.

After Council discussion, Council Member Richardson made the motion to approve the Fund Balance Policy changing the minimum unrestricted Fund Balance percentage for the General Fund from 50% to 34%. The motion was seconded by Council Member Scholl to which Council approved unanimously. The Fund Balance Policy is attached to these minutes and therefore incorporated herein.

10. Police Department Updated Incentive Program

A. Fitness

Chief Dennis Franks explained that he was requesting the addition of two incentives to the Police Department Incentive Program which the Council approved and funded in January 2022 for officers acquiring specific training, certifications, and education. The first was a fitness incentive if the officer passed a fitness test which was broken down by age and gender. The fitness incentive would be \$500 if passed and an officer could complete annually.

B. Drug Recognition Expert

The second incentive was an incentive for being certified as a Drug Recognition Expert (DRE). A DRE certification required support from the District Attorney and local Police Chief; recommendation by another DRE; 80 hours of pre-requisites; 80 hours of instruction; and completion of in-the-field certifications. There were less than 200 DREs certified in North Carolina. The DRE certification incentive would pay \$1200 annually.

No additional funding was needed to add either new incentive as the current incentive budget line could accommodate.

Council Member Scholl made the motion to approve the Police Department Updated Incentive Program to include the Fitness incentive and the Drug Recognition Expert incentive. The motion received Council's unanimous support after a second from Council Member Hall.

11. Aqua Sewer Plant (Hall)

Council Member Hall explained that as the District 1 Representative, he received a lot of complaints about the smell of the Aqua Sewer Plant, especially from Country Woods East. He understood the issue predated his position on the Council and that the supervision of sewer plants was the responsibility of the state, however he requested the Council revisit the issue.

Town Manager Sewell further clarified that the Town tried to enforce on a local level but had no authority to regulate sewer plants. The Town had told the state about the complaints and the Mayor had sent letters to NCDEQ asking for help in the past to try to hold Aqua accountable.

Council held consensus to have Staff draft another letter about the smells from the Mayor to be sent to the new governor, other state elected officials, AQUA representatives, and NCDEQ. Staff would send the letter once the new governor is inaugurated.

11.A. Ponding Mitigation Project

This item was pulled from the Consent Agenda 1.C. and added to the Regular Agenda.

Mayor Dunn asked a few questions about specific roads listed on the project. Associate Engineer Russell clarified that some roads were on the project due to the fact that not only was the ponding on the road a safety hazard, but the ponding could also freeze, penetrating the asphalt therefore causing the road to disintegrate.

Council Member Richardson made the motion to approve the Ponding Mitigation Project to which Council Member Ayers seconded. The motion received Council's unanimous support.

11.B. Maternity Benefits (Ayers)

Council Member Ayers requested the staff investigate maternity leave policy and benefits to learn what other municipalities offer. Council held consensus on this matter.

12. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Hall, and the motion received unanimous support. The meeting was adjourned at 8:18 p.m.

Approved on January 13, 2025.

s/Wyatt Dunn

Wyatt Dunn, Mayor

s/Erinn Nichols

Erinn E. Nichols, Town Clerk

Approved as to form:

s/Cox Law Firm, PLLC

Cox Law Firm, PLLC