

**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 July 11, 2022, at 7:00 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, Taylor-Rae Drake, Graham Hall and Brad Richardson.

Those absent were: Council Member Heather Grooms.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Patrick Blaszyk, Planning Technician; Brian Price, Public Works Director; Eunice McSwain, Parks and Recreation Director; Ruben Ortiz, Code Enforcement 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

No one was present who wanted to give public comment.

Citizen Award for Litter Pick-Up

Chief Franks presented Susan Demick with the Stallings Citizen Award from the Stallings Police Department. Over the past two years, Ms. Demick spent most of her mornings, donning a bright safety vest, walking along the streets of Stallings picking up trash. The Stallings Police Department commended and thanked Ms. Demick for a job well done!

1. Approval of Consent Agenda Items

- A. Minutes of the following meetings:
 - (1) 06-13-2022
 - (2) 06-27-2022
- B. Centralina Regional Council Charter Change Resolution
- C. Amended Budget Ordinance 1 – Annual Audit Fees
- D. Amended Budget Ordinance 2 – Police Department Community Service Programs
- E. Stallings Park Grass Cutting

Mayor Dunn requested removing Consent Agenda Item 1.E., *Stallings Park Grass Cutting*, to the regular Agenda as Item 3.A. Council Member Ayers made the motion to approve the Consent Agenda Items with the above noted change. The motion was seconded by Council Member Scholl which passed unanimously by Council. The Centralina Regional Council Charter Change Resolution, Amended Budget Ordinance 1 – Annual Audit Fees, and Amended Budget Ordinance 2 – Police Department Community Service Program are attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

Mayor Dunn had no report.

B. Reports from Council Members/Town Committees

Council Member Hall stated that he and his family enjoyed the splash pad at the Stallings Park.

Council Member Drake had no report.

Council Member Ayers stated that he had not been able to the go to the WUMA meeting due to work commitments and requested another Council Member fill in if necessary. There was no WUMA meeting in July and the next WUMA meeting would be at Stallings Town Hall.

Council Member Scholl reported that the Advanced Leadership Class through the UNC School of Government he was taking had been rescheduled for the end of July-first week of August in Chapel Hill.

Council Member Richardson had no report.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported:

- Recognized Parks and Recreation Staff for the great job with the splash pad
- Max Hsiang introduced the new employee for the Planning Department, Ruben Ortiz, Code Enforcement.

Town Attorney Cox reported that the Governor had approved the state budget into law today which include a provision about remote meeting. As of August 15, 2022, the state of emergency would be lifted and therefore remote meetings would no longer be allowed for the Council.

3. Agenda Approval

Mayor Dunn requested adding Agenda Item 3.B., Police Vehicle Purchase, and removing Agenda Items 12, *Stallings Park Oktoberfest Event (Hall)*, per Council Member Hall and 8, *Condemnation Ordinance - 400 Short Street*, per legal request.

Council Member Richardson made the motion to approve the Agenda with the above noted changes. Council Member Scholl seconded the motion which was passed unanimously by the Council.

3.A. Stallings Park Grass Cutting

Original Consent Agenda Item 1.E.

Parks and Recreation Director Eunice McSwain explained that staff was requesting to outsource the grass cutting for Stallings Municipal Park and using Smith Grounds. Smith Grounds was already maintaining Blair Mill Park, roadsides, and the Town Hall Campus. This would allow Stallings Staff time to focus on other areas such as the splash pad. The cost would be approximately \$29,000/year which was included in the FY22-23 Budget.

Smith Grounds Representatives Sean Hogue and Jimmy Perry were present and assured the Council that previous staff shortages and scheduling issues with the current contract cutting had been resolved.

Council Member Richardson made them motion to approve a one-year contract with Smith Grounds to manage the landscaping tuff and tree care in Stallings Parks contingent on any Town Attorney changes. The motion was seconded by Council Member Hall and passed unanimously by the Council.

3.B. Police Vehicle Purchase

Chief Franks reported that the Police Department had been able to find four state contract price police vehicles within budget which had been included in the FY22-23 Budget. The Chief was requesting to purchase the vehicles.

Council Member Scholl made the motion to approve the purchase of four (4) police vehicles. Council Member Ayers seconded the motion, and the Council approved the motion unanimously.

4. Annexation 56 – Castlebridge Lane

Mayor opened the public hearing. No one was present to speak at the public hearing. Assistant Town Manager Nichols explained that this was a single-family home parcel in Madison Ridge Neighborhood where the applicant wanted his home to be in the Town of Stallings specifically for garbage service.

After a brief discussion, Council decided to delay the vote on this item until August 8, 2022, until Council had a chance to speak directly to the applicant and view the property. Mayor Dunn then closed the public hearing.

5. TX22.05.01 - Article 8, Table 8.1

A. Table of Uses to allow certain uses with supplemental regulations S (10.1-36) in the Vehicle Service and Repair (VSR) zoning district

Planning Director Hsiang explained this was a request from Edgar Gary and Teresa Moya-Mendez submitted a Text Amendment application to amend Article 8, Table 8.1 – Table of Uses to allow Floor Covering and/or Upholstery Sales and Market Showroom with supplemental regulations S (10.1-36) in the Vehicle Service and Repair (VSR) zoning district.

Mayor opened the public hearing. Applicant Teresa Moya-Mendez explained to the Council that the building, Industrial Drive and Stallings Road, was 6000 sq. ft. with 4000 sq. ft. being use for auto repair. The applicant wanted to rent other 2000 sq. ft. to a flooring company. The Mayor then closed the public hearing.

Council Member Ayers made the motion to approve TX22.05.01 - Article 8, Table 8.1 and Council Member Scholl seconded. The motion was passed unanimously by Council.

B. Statement of Consistency and Reasonableness

Mayor read the Statement of Consistency and Reasonableness for TX22.05.01 - Article 8, Table 8.1 into the record. Council Member Hall made the motion and Council Member Drake seconded to approve the Statement of Consistency and Reasonableness for TX22.05.01 - Article 8, Table 8.1. Council approved the motion unanimously. The Statement of Consistency and Reasonableness for TX22.05.01 - Article 8, Table 8.1 is attached to these minutes and therefore incorporated herein.

6. TX22.06.01

A. Amended Duties and Responsibilities of the Planning Board

Mayor Dunn opened the public hearing. Planning Director Hsiang explained this was a request from staff to amend and update the duties and responsibilities of the Planning Board. This has been approved by the Planning Board. Mayor Dunn then closed the public hearing.

Council Member Scholl made the motion to approve TX22.06.01 to which Council Member Hall seconded. The Council approved the motion unanimously.

B. Statement of Consistency and Reasonableness

Planning Director Hsiang read the Statement of Consistency and Reasonableness for TX22.06.01 into the record. Council approved unanimously the Statement of Consistency and Reasonableness for TX22.06.01 after a motion from Council Member Scholl and a second from Council Member Hall.

The Statement of Consistency and Reasonableness for TX22.06.01 is attached to these minutes and therefore incorporated herein.

7. Ordinance Amendment to the Town Code of Ordinances Section 1. §32.10(A)

Amended Duties and Responsibilities of the Planning Board

Planning Director Hsiang explained this ordinance would update the duties and responsibilities of the Planning Board in the Code of Ordinances into order for all documents to be consistent.

Council Member Richardson made the motion to approve Ordinance Amendment to the Town Code of Ordinances Section 1. §32.10(A). Council approved the motion unanimously after a second from Council Member Scholl. The Ordinance Amendment to the Town Code of Ordinances Section 1. §32.10(A) is attached to these minutes and therefore incorporated herein.

8. Condemnation Ordinance - 400 Short Street

This item was removed from the Agenda during Agenda Approval.

9. Union County's Transit Study

Exploring Possible Funding Efforts

Planning Director Hsiang explained the Union County was requesting Stallings share costs with the County and other municipalities for micro-transit and local circulator services in Stallings. The county Union County provided two public transportation options: 1.) Human Services Agency Transportation (UCT) Demand-Response "Dial-a-Ride" services; and 2.) 74x/Union County Express bus service from Monroe and Indian Trail to Uptown Charlotte (funded by Union County, operated by Charlotte Area Transit System (CATS)).

Union County conducted a transit study due to increasing costs, decreasing ridership, and changes in demands for service and requested municipalities input. Union County indicated there is not a plan currently being implemented to bring the light rail into Union County, which was concerning given the Town Council's previously strong support for bringing the light rail to Stallings. Union County was requesting \$15,000-30,000 in assistance from Stallings.

Council discussed the request and held consensus to have Staff request of the county more information/proposal/evaluation in order to make a decision.

10. Vickery Greenway Bid Results

Town Manager Sewell reminded the Council that it had funded and authorized the development of construction documents for the Vickery Greenway section by Blair Mill Park and the letting of the project. The Town held a bid opening on Friday, June 24, 2022 and received three bids. The Town's design firm (Destination by Design) reviewed the bids and identified J.D. Goodrum Company, Inc. as the lowest responsive bidder with a base bid of \$517,199.85. Approving the bid and awarding the project would require a budget amendment for the amount over the FY22-23 budgeted amount (\$550,000).

Council Member Scholl made the motion to authorize the Town Manager to determine if a suitable contract can be negotiated contingent on Town Attorney approval/alternations with the lowest responsive bidder and, if so, to award the contract to J.D. Goodrum for the base bid plus alternative #1 (thermoplastic crosswalk) and alternative #2 (gateway signage) in the amount of \$681,760.72. The motion received Council's unanimous support after a second from Council Member Drake.

A motion was made by Council Member Scholl to request staff to bring back a budget amendment for an additional funds over the FY22-23 budget amount; authorize the Town Manager to award Destination by Design for contract administration/phase services at \$35,980; and approval the overall project budget at \$681,760.72. Council Member Drake seconded the motion, and the Council unanimously approved the motion.

11. Lawyers Road Roundabout Sidewalk

Town Manager Sewell explained that NCDOT was requested direction on installing a sidewalk in the gap on Lawyers Road as part of NCDOT's Project (W-5170AA) at the Town's expense of \$40,000-50,000.

Council held discussion on the item and held consensus not to forward with the project at this time.

12. Stallings Park Oktoberfest Event (Hall)

This item was removed from the Agenda during Agenda Approval.

13. Adjournment

Council Member Richardson moved to adjourn the meeting, seconded by Council Member Scholl, and the motion received unanimous support. The meeting was adjourned at 8:44 p.m.

Approved on August 8, 2022.

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