



March 9, 2020
 Stallings Town Hall
 315 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda Approval A. Minutes from the following meetings: 1. 01-13-2020 2. 01-13-2020 – closed 3. 01-16-2020 – special 4. 01-27-2020 5. 01-27-2020 – closed – 1 of 2 6. 01-27-2020 – closed – 2 of 2 7. 02-10-2020 – special 8. 02-10-2020 – closed 9. 03-11-19 minutes revision	Wyatt Dunn, Mayor	Approve Consent Agenda <i>(All items on the Consent Agenda are considered routine, to be enacted by one motion. If a member of the governing body requests discussion on of an item, the item will be removed from the Consent Agenda and considered separately.)</i> Motion: I make the motion to: 1) Approve the Consent Agenda as presented; or 2) Approve the Consent Agenda with the following changes: _____
2.	7:17 p.m.	Reports A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	Council and Staff	NA
3.	7:40 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i> Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____
4.	7:45 p.m.	Committee (Re)Appointments	Wyatt Dunn, Mayor	
5.	7:55 p.m.	Take Home Vehicle Policy	Dennis Franks, Police Chief	

6.	8:05 p.m.	Privette Road Park (<i>Grooms</i>)	Ashley Platts, Parks and Rec Director Ben Davis, Community Ofc.	Discussion and possible action
7.	8:20 p.m.	Closed Session pursuant to NCG 143-318.11(a)(3) and (6)	Wyatt Dunn, Mayor	Recess into closed session
8.	8:30 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn

**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 January 13, 2020, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, Heather Grooms, John Martin, Brad Richardson, and David Scholl.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Lynne Hair, Town Planner; Chris Easterly, Town Engineer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting and Council Member Ayers delivered the invocation. Boy Scout Troop 174, St. Gabriel's, then led the Pledge of Allegiance and Mayor Dunn called the meeting to order.

Public Comments

Chris Ball, 303 Chalet Lane, Vickery, spoke regarding the status of infrastructure in the Vickery subdivision. Mr. Ball then proceeded to read a prepared statement which is attached to these minutes and therefore incorporated herein.

Margert Henderson, 137 Dunraven Court, wanted to know if there were plans to revisit the comprehensive land use plan and small area plans. She would like to see a committee of citizens advising the new plans. Ms. Henderson wanted the Town to take a larger interest in protecting watersheds and have professional studies done on the affect of the water shed before any changes were considered.

1. Approval of Consent Agenda Items

- A. Minutes of the following meetings:
- (1) 11-12-19
 - (2) 11-12-19 – closed
 - (3) 11-25-19

Council Member Richardson made the motion to approve the Consent Agenda Items as presented.

The motion was seconded by Council Member Paxton which passed unanimously by Council.

2. Reports

A. Report from the Mayor

Mayor Dunn reported that he, Council Members Richardson and Paxton, and Town Manager Sewell met with CATS about the Silver Line which would go from Belmont to Stallings/Indian Trail. It would cost approximately \$50 million to get started and planning and due diligence was under way. Construction would take approximately five years. Member Paxton added there would be 28 stations over 19 miles and it would take approximately one hour to get to the airport from Stallings.

Mayor Dunn also reported that the Atrium Groundbreaking would be January 23 and the new Police Chief, Dennis Franks, began on January 6.

B. Reports from Council Members/Town Committees

Council Member Paxton submitted her report in writing and it is therefore incorporated herein.

Council Member Martin reported that the Stormwater Advisory Committee met the previous week and heard concerns from Vickery Residents. The Public Safety Committee would meet later in the month.

Council Member Richardson had no report.

Council Member Scholl met with Council Member Martin at the Vickery Subdivision to see firsthand the stormwater issues in question. He also reported that he, Mayor Dunn, Council Members Ayers and Groom, and Town Manager Sewell attended the Essentials of Municipal Government Training by the School of Government training in January.

Council Members Grooms and Ayers had no reports. Council Member Ayers thanked the existing members for helping him get acclimated.

C. Report from Town Manager/Town Departments

There were no reports from the Town Manager or Town Departments.

3. Agenda Approval

The Mayor requested moving Agenda Item 7, *Epcon –Lawyers Road (Dunn)*, to 3.A. and moving Agenda Item 5, *Fire Funding Model*, to 3.B.

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

3.A. Epcon –Lawyers Road (Dunn)
Original Agenda Item 7

Town Manager Sewell explained in 2018, the Council approved a conditional zoning application at Lawyers Road and Allen Black. Citizens were concerned with the proposed retaining wall on that property which ranged in height from 0.5' to 8'. Another concern was the slope of the properties from the homes to the wall up to the pad of the building. Condition 7 of the permit dealt with the grading plan on the site and staff evaluated Epcon's grading plan with the condition. Staff determined that Epcon needed to submit a new grading plan which would further satisfy Condition 7 but that the retaining wall was allowed. Town Manager Sewell's memo on this item attached to these minutes and therefore incorporated herein.

3.B. Fire Funding Model
Original Agenda Item 5

Patrick Niland, Assistant County Mgr., presented to the Council a Fire Funding Model Update. Mr. Niland's presentation is attached to these minutes and therefore incorporated herein. Mr. Niland explained the fees districts no longer provided enough funding and Union County had to subsidize the fire departments. The Town of Stallings had to give the County permission to tax residents for fire service. The County was requesting the Town support a resolution to change the fire service formula to an 80-20 model with 20% coming from the County and 80% coming from the fire district.

Council held consensus to delay until decision until January 27, 2020 when the local fire chiefs could be present to discuss the issue with the Council.

4. CZ19.09.01 – True Homes (recessed from 11-12-19)

Mayor Dunn re-opened the public hearing. Town Planner Hair gave Council an update on the project. The applicant True Homes was requesting a conditional zoning to allow development of a property for a 46 lot townhome development. The property was located off Matthews Indian Trail Road near Vicky Lane and the current use was single family residential. The project summary by staff is attached to minutes and therefore incorporated herein. Phil Hayes with True Homes then reviewed the site plan, finishes, price point, and future light rail routes with the Council.

Mayor Dunn closed the public hearing. Council discussed the request.

Council Martin made the motion to deny CZ19.09.01 – True Homes with Council Member Grooms seconding. The motion passed by a 4 to 2 vote with Council Members Paxton and Scholl opposing.

Mayor Dunn read the Statement of Consistency and Reasonableness for CZ19.09.01 – True Homes into the record. The motion to accept the Statement of Consistency and Reasonableness for CZ19.09.01 – True Homes was made by Council Member Martin and seconded by Council Member Richardson. The motion passed by a 5 to 1 vote with Council Member Paxton opposing.

5. Fire Funding Model

Moved to Agenda Item 3.B.

6. Idlewild Road Widening

Town Manager Sewell explained Project U-4913, Idlewild Road Widening Project, by NCDOT was a project the Town had been debating with NCDOT for over one year. NCDOT was requesting the Town's preferable option for the intersection. The options were:

- Conventional six lane divided with traditional intersection at Stevens Mill and Idlewild Road
- Six lane conventional, reduced conflict intersection at Stevens Mill and Idlewild Road
- One-way pair alternative

DOT requested Council state its preferable option. Council held the consensus to wait on a decision until NCDOT responded on the stormwater issues before giving them a preference, placing the item back on the January 27 Agenda.

7. Epcon –Lawyers Road (Dunn)

Moved to Agenda Item 3.A.

8. UDO (Unified Development Ordinance) Items (Martin)

A. Density Calculations – flood plain

Council held consensus, at Council Member Martin's request, to have staff investigate ways to increase greenspace requirement and removing floodplain or wetlands in a plottable area on residential lots for new development and bring language back to Council.

B. Fence Regulations

Council held consensus to come up with language to reinstate language from the 2017 version of UDO to specifically state that the finished side of a fence face outward on the lot. That language should be brought back to Council for review.

9. Closed Session Pursuant to NCGS 143-318.11(a)(6)

Council Member Scholl made the motion to go into closed session pursuant to NCGS 143-318.11(a)(6). The motion was passed unanimously by Council after a second by Council Member Richardson.

Council went into closed session at 8:48 p.m. and reconvened in open session at 8:58 p.m.

10. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Grooms, and the motion received unanimous support. The meeting was adjourned at 8:59 p.m.

Approved on _____, 2020.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

DRAFT

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

The Town Council of the Town of Stallings met for a special meeting on January 16, 2020, at 6:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were:; Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, John Martin, Brad Richardson, and David Scholl.

Those absent were: Mayor Wyatt Dunn and Council Member Heather Grooms.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Lynne Hair, Town Planner; and David Furr, Planning Technician.

1. Call the Meeting to Order

Mayor Pro Tem Paxton called the meeting to order.

2. Development/Planning Discussion

Council had requested a review of the Unified Development Ordinance and the Small Area Plans which were currently in place. Rick Flowe, N-Focus, and Demetri Baches, Metrocology, were present to facilitate the discussion as the consultants who worked on those plans.

Council reviewed and discussed the plans with Mr. Flowe and Mr. Baches to educate themselves on what was in the plans and to understand them. Council held consensus to have staff collect data on current development; develop a process for public input on the plans; and bring back information for Council's review and comments.

3. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Richardson, and the motion received unanimous support. The meeting was adjourned at 8:19 p.m.

Approved on _____, 2020.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

**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 January 27, 2020, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, Heather Grooms, John Martin, Brad Richardson, and David Scholl.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Lynne Hair, Town Planner; Chris Easterly, Town Engineer; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

Archie Wright, 1005 Kara Court, Vickery, was seeking a stormwater drainage solution and heard that the Town was working with Taylor Morrison, but Taylor Morrison said they were not a part of the process. The Vickery landowners needed to be included in any solution of the stormwater drainage solutions. Mr. Wright felt the owners needed to give approval to the proposed solutions.

Robert Ragon, 5000 Cinnamon Drive, stated one year ago the Town approved a Small Area Plan (SAP) for Chestnut SAP but stated it was done under false pretenses. He stated one year ago that Town rezoned parcels there illegally based on a lie by Town Planner Lynne Hair. Mr. Ragon felt that there should be consequences to Ms. Hair's lie. Mr. Ragon stated that Council Member Martin stated that it may not have been a lie but a mistake. He said Mrs. Hair said it was her word against his and said that Mrs. Hair lied again about notices in an affidavit when the property owners said they were not notified. Mr. Ragon stated that the ethics policy needed to be enforced. Mr. Ragon stated that Mr. Sewell said the zoning would be rolled back however Mrs. Nichols stated, during a part of a public information request, that zoning was not rolled back. Mr. Ragon stated that Mr. Sewell's actions were also unethical violation where he was not telling the truth. Mr. Ragon wanted the ethics policy to be enforced.

Leslie Bolick wanted communications improved between Stallings and Indian Trail and the residents along the border. She would like residents to come together so that they would know what was going on.

1. Agenda Approval

The Mayor requested the following:

- Adding Agenda Item 1.A. - Closed Session pursuant to NCGS 143-318.11(a)(3)

- Adding Agenda Item 6.A. - Closed Session pursuant to NCGS 143-318.11(a)(3) for 18CVS769 Town of Stallings v. Loukos.

Council Member Martin made the motion to approve the Agenda with the above noted changes. The motion was passed unanimously after a second from Council Member Ayers.

1.A. Closed Session pursuant to NCGS 143-318.11(a)(3)

Council Member Scholl made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3). The motion was passed unanimously after a second from Council Member Martin.

Council went into closed session at 7:13 p.m. and reconvened in open session at 7:24 p.m.

2. Annexation 53 – Chestnut Lane (Recessed from 12-09-19)

Mayor Dunn opened the public hearing. Assistant Town Manager Nichols stated there was no new information on the annexation. Mayor Dunn then closed the public hearing.

Council chose to defer the decision until the Council heard the applicant speak on stormwater control for the site. Applicant Phillip Hayes representing Epcon presented the Council information on the proposed stormwater control on the site. Mr. Hayes' presentation to the Council is attached to these minutes and therefore incorporated herein.

Mayor Dunn reopened the public hearing and Council discussed the stormwater control on the site. Mayor Dunn then closed the public hearing.

Council Member Richardson made the motion to approve Annexation 53 – Chestnut Lane. Council Member Paxton seconded the motion. The motion passed by a 4 to 2 vote with Council Members Grooms and Martin opposing. The Ordinance for Annexation 53 – Chestnut Lane is attached to these minutes and therefore incorporated herein.

Leslie Bolick, 509 Red Barn Trail, stated that the water would run off from the development into her property. She stated that she had spoken with the Union County Sewer Engineer who said that Epcon could not connect to sewer unless went through Brookhaven or her property. Ms. Bolick stated that the sewer connection would not work and that the development would affect the creek and destroy the trees. She stated the project did not fit due to sewer.

Richard Bolick, 509 Red Barn Trail, stated that the property was just annexed and approved with no public comment or say in the annexation; without any representation.

Elena Aquino, 1009 Desborough Drive, had questions to the developer the about tree save component. She also requested an explanation on the FEMA floodway. Ms. Aquino stated that nothing was being spoken about what was happening downstream. Chestnut was chopped up between Indian Trail and Stallings and that the residents were concerned about the risk downstream.

Patricia Flug, 1011 Desborough Drive, would like more of a description of sewer and wanted to make sure HOA had been informed about this. She stated that the developer could not cross HOA land without permission. The sidewalk which was required to be built had to be done per the development ordinance and had to done on the development's land and wanted clarification of the sidewalk location. Ms. Flug stated that the widening of Chestnut Lane would affect the development.

No Council Member wished to reconsider the vote based on the public comments above.

3. CZ19.08.01 – Epcon (Recessed from 12-09-19)

Mayor Dunn reopened the public hearing. Town Planner Hair gave a project summary of the project which is attached to these minutes that therefore incorporated herein.

Applicant Phillip Hayes further clarified that there was a granted sewer easement by right from Union County for the sewer infrastructure.

Leslie Bolick, 509 Red Barn Trail, stated she spoke with John Shutak, the Union County Engineer, who said that the developer would have to build two pits with 30 feet high shafts on her land. She felt the sewer would need to be addressed first.

Elena Aquino, 1009 Desborough Drive, wanted clarification on the tree save required percentages questions. She also wanted to know if Council knew anything about the creek and if there was going to be a redirection of the creek. Ms. Aquino ask that the Council to require no change to the floodway or the floodplain.

Town Planner Hair went over the proposed conditions on the project and read them into the record. With Council additions and once all changes were made, the final list of conditions for the project was:

1. Project limited to 27 lots, 55+ age restricted subdivision.
2. The applicant or responsible party shall obtain all permits required for development with the Town and outside agencies in compliance with applicable regulations. The submitted sketch plan must meet all requirements as established by permitting agencies.
3. A berm will be built along Chestnut Lane within the required street buffer. This will increase the buffer width to accommodate construction of the berm to be built 4.5' in height with a 3' top width
4. All foundations will have a minimum 18 inches of exposed brick or stone on all four sides of the house. No vinyl siding will be permitted on homes. Elevations will match those submitted and presented to Council as a part of the zoning request, including garage location.
5. A grading plan prepared by a landscape architect demonstrating both positive drainage characteristics and smooth grade transitions to avoid abrupt "v" ditches, swales, and other disruptions to the landscape, particularly between dwellings will be provided as part of site construction plans for

- permitting. This plan will be completed to the satisfaction of the Town as approved by the Development Administrator.
6. Lot Coverage and Density will be permitted per the concept submitted as a part of the application.
 7. The Chestnut Lane right of way (53.5') will be donated by the developer to NCDOT for future widening purposes.
 8. Applicant will meet the high-density requirements for stormwater with provisions to meet the 50-year storm. The following requirements as established by the Stallings PCSWO will be provided:
 - 85% removal of Total Suspended Solids from the first 1-inch of rainfall
 - Control the runoff volume for the 1-year, 24-hour storm.
 - Stream Buffers
 - Peak Control for the 10-yr and 25-yr, 6-hr storms.
 9. If any on-site BMP is to be a wet pond, an aerator pump will be installed to ensure circulation of water.
 10. A note will be placed on the recorded plat stating that the HOA will be responsible for maintenance of stormwater facilities, pipes, and/or channels located within the permanent detention facility.

Mayor Dunn closed the public hearing. Council Member Richardson made the motion to approve CZ19.08.01 – Epcn with the conditions listed above. Council Member Scholl seconded the motion. The motion passed by a 5 to 1 vote with Council Member Martin opposing. The Ordinance Amending the Stallings Development Ordinance which approved CZ19.08.01 – Epcn is attached to these minutes and therefore incorporated herein.

Mayor Dunn read the Statement of Consistency and Reasonableness for CZ19.08.01 – Epcn into the record. Council Member Richardson made the motion to approve the Statement of Consistency and Reasonableness for CZ19.08.01 – Epcn to which Council Member Paxton seconded. The motion was passed unanimously by Council. The Statement of Consistency and Reasonableness for CZ19.08.01 – Epcn is attached to these minutes and therefore incorporated herein.

4. Fire Funding Model (Recessed from 01-13-2020)

Patrick Niland, Union County Assistant Manager, came back to follow-up with the Council from his 01-13-2020 presentation to Council regarding the fire funding model. Union County requested of Council approval of a resolution which would support a change to the fire service formula to an 80-20 model with 20% coming from the County and 80% coming from the fire district. Mr. Niland brought new information that there were 117 lots in Stallings (Mecklenburg County) which were not paying for fire service which equated to \$63 million worth of property. Stallings would have to form a special tax district in order for these homes to be incorporated into the current fire funding model.

Fire Chief Johnny Blythe wanted to create a regional fire funding district with Indian Trail, Stallings, Hemby Bridge, Lake Park and some unincorporated areas to address any inequities. The difficult part for him would be figuring out how the county model would be distributed to each district.

Council Member Scholl made the motion to direct staff and attorney to bring information needed to create a tax overlay district for the 117 Stallings parcels in Mecklenburg that were not covered in a fire district and any other areas in Mecklenburg which were in Stallings. Council Member Martin seconded the motion to which Council supposed unanimously.

5. Idlewild Road Widening (Recessed from 01-13-2020)

Town Manager Sewell gave the Council an update on the ongoing dialog regarding NCDOT TIP Project U-4913 (Idlewild Road Widening). NCDOT was requesting the Council give its approval on one of the options for the road widening. One of the issues with the project was the Vickery Community stormwater concerns. NCDOT explained that the stormwater components of the project were a part of the hard design and the current project was in the concept phase but stormwater analysis would be conducted and addressed.

Council discussed the various options for this widening. The current options proposed by NCDOT were:

- Conventional six lane divided with traditional intersection at Stevens Mill and Idlewild Road
- Six lane conventional, reduced conflict intersection at Stevens Mill and Idlewild Road
- One-way pair alternative

Council Member Paxton made the motion to have staff draft a letter to NCDOT indicating that the position of the Council was to request a four lane cross section with full movement access at Stevens Mill and Stallings Road intersection plus a left turn lane movement based upon the fact there were planned revisions for the small area plan and concerns had with regard to impact on the existing neighborhoods which were not shown in the initial public presentations of the project. The motion received a second from Council Member Scholl and passed unanimously.

Council Member Paxton made a motion to include in the above approved letter to include the intersection at the Harris Teeter development to be a full movement intersection. The motion received Council's unanimous support after a second from Council Member Ayers.

6. Chestnut Roundabout - Advancement of Funds

Town Manager Sewell explained this item concerned the Chestnut and Matthews-Indian Trail Road intersection and the failed level of service at that intersection. NCDOT committed to building a

roundabout at that intersection and in 2018, the Town committed \$350,000 to add additional turn lanes to the roundabout. Currently, NCDOT had a statewide cash shortage and all improvements were on hold with the project not beginning until Summer 2022. However, the developer Terwilliger-Pappas, who was building a project at the adjoining parcel to the location, was willing to advance the funds needed for the roundabout construction to NCDOT. The Town of Stallings would serve as a conduit for the funds as NCDOT could not pay Terwilliger-Pappas directly.

In order to serve as a conduit, the Town must amend its ordinances to allow for reimbursement agreements for roadway improvements and pass a resolution authorizing the use of a reimbursement agreement. Town Manager Sewell memo on this situation is attached to minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve the Ordinance Allowing Reimbursement Agreement for Roadway Improvements. The motion was seconded by Council Member Grooms and passed unanimously by Council. The Ordinance Allowing Reimbursement Agreement for Roadway Improvements is attached to these minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve the Resolution Authorizing the Use of a Reimbursement Agreement. The motion received Council's unanimous support after a second from Council Member Scholl. The Resolution Authorizing the Use of a Reimbursement Agreement is attached to these minutes and therefore incorporated herein.

The motion was made by Council Member Richardson to approve the agreement between the Town of Stallings and Terwilliger-Pappas on this issue. Council Member Paxton seconded the motion which was passed unanimously. Terwilliger-Pappas agreed to paying all related attorney costs for the Town.

Council Member Richardson made the motion to approve the agreement between the Town of Stallings and NCDOT. Council Member Scholl seconded the motion which was approved unanimously.

The motion was made by Council Member Richardson to direct staff to develop the appropriate budget mechanisms for the project and bring it back to Council for consideration. Council Member Scholl seconded the motion. The motion was passed unanimously.

Council Member Richardson authorized staff to take action to ensure execution of the above directives. The motion received Council's unanimous support after a second by Council Member Scholl.

Construction would be authorized on March 11, 2020 with five weeks until construction. The road would be closed after school was released for the summer with anticipated completion at the beginning of August 2020.

6.A. Closed Session pursuant to NCGS 143-318.11(a)(3) – 18CVS769 – Town of Stallings v. Loukos
Council Member Scholl made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) – 18CVS769 – Town of Stallings v. Loukos. Council Member Richardson seconded the motion which was passed unanimously.

Council went into closed session at 9:46 p.m. and reconvened in open session at 10:23 p.m.

7. Land Use Follow-up

This item was tabled until a following meeting.

8. Showcase Stallings (Ayers)

Director of Parks and Recreation Ashley Platts explained the event schedule was revamped last year with the Touch-A-Truck Event and the Summer Concert Series. All were very successful. The Parks and Recreation Committee was now requesting a type of Spring Festival.

Co-Chairman Aidan Nolan for the Parks and Recreation Committee explained the proposed event would showcase Stallings youth, local talents and craftsmen.

Council Member Richardson made the motion to combine the Easter event and the new proposed Spring event to be a Spring Fling event. The motion was seconded by Council Member Scholl and passed unanimously.

9. Closed Session Pursuant to NCGS 143-318.11(a)(3) (Dunn)

This item was moved to Agenda Item 6.A.

10. Acceptance of Harris Teeter Access Road into Town Maintenance System (Dunn)

This item was tabled until a later meeting.

11. Adjournment

Council Member Paxton moved to adjourn the meeting, seconded by Council Member Scholl, and the motion received unanimous support. The meeting was adjourned at 10:37 p.m.

Approved on _____, 2020.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

DRAFT

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

The Town Council of the Town of Stallings met for a special meeting on February 10, 2020, at 6:45 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, Heather Grooms, Brad Richardson, and David Scholl.

Those absent were: Council Member John Martin.

Staff present were: Alex Sewell, Town Manager; Mary McCall, Assistant Town Clerk; and Melanie Cox, Town Attorney.

1. Call the Meeting to Order

Mayor Dunn called the meeting to order.

2. Closed Session Pursuant to NCGS 143-318.11(a)(3)

Council Member Scholl made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3). The motion was passed unanimously after a second from Council Member Paxton.

Council went into closed session at 6:45 p.m. and reconvened in open session at 7:00 p.m.

3. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Paxton, and the motion received unanimous support. The meeting was adjourned at 7:00 p.m.

Approved on _____, 2020.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

Type Section (A)(4) to allow a building height of 41 feet. The current ordinance allowed 36 feet in building height. Ms. Hair explained that the new small area plans increased density in certain areas of Town but made no changes to the height of structures in the higher density areas. The Zoning Staff Report for TX19.02.01 is attached to these minutes and therefore incorporated herein.

Planning Board and Staff were in support of the request. Staff also suggested the Council consider allowing four stories in those higher density areas in order to accommodate higher ceilings, architectural elements, and elements which were elements of a higher quality project. It was noted that the local fire departments had no concerns with four story buildings.

Craig Miller and Jeff Smith, the developer team, were present from Terwilliger-Pappas to present the project to Council. The presentation by Terwilliger-Pappas is attached to these minutes and therefore incorporated herein.

Billy Birt, Jr., Stonewood Subdivision, questioned if the community would be gated and would be manned by security. He was concerned that this type of project would cause crime.

Larry Falcone, Fairhaven Subdivision, thought this was a good product and that this developer created a quality product. He also felt that the ordinances should allow for higher buildings.

Mayor Dunn then closed the public hearing. Council Member Romanow made the motion to approve TX19.02.01. The motion was seconded by Council Member Martin and passed unanimously.* Mayor Dunn then read the ordinance into the record which approved TX19.02.01. The Ordinance for TX19.02.01 is attached to these minutes and therefore incorporated herein.

Mayor Dunn then read the Statement of Reasonableness and Consistency for TX19.02.01 into the record. Council Member Romanow made the motion to approve the Statement of Reasonableness and Consistency for TX19.02.01. The Council passed the motion unanimously after a second from Council Members Scholl. The Statement of Reasonableness and Consistency for TX19.02.01 is attached to these minutes and therefore incorporated herein.

*amended 03-09-2020

5. U-5808 – US 74 and Chestnut Parkway – Superstreet Powder Coating for Mast Arms

Town Manager Sewell explained that NCDOT had approached the Town on potentially paying DOT to powder coat a mast arm pole and two signal head pedestals as part of U-5808. The cost to the Town would be approximately \$1900. Indian Trail was having its poles costed as well.

Reappointment Applicants	New Term Expiration	New Appointment Applicants	Term Expiration	Remaining Vacancies (After all appointments made)	Notes
Historical Committee None	3/31/2022	/		Historical Committee TBD	This committee currently has three (3) citizen members and two (2) Council members.
Parks and Recreation Bill Smith Aiden Norris	3/31/2022	/		Parks and Recreation Youth Member (1) TBD	This committee currently has six (6) citizen members and two (2) Council members.
Planning Board/BOA Rocky Crenshaw Jack Hudson	3/31/2023	Planning Board/BOA John Delgado Robert Ragon Laura Wojtowicz	3/31/2022 2nd Alternate 2nd Alternate 2nd Alternate	Planning Board/BOA Zero (0)	This committee will be at full capacity with the appointment of a 2nd Alternate .
Stormwater* Rienhard Widmann	3/31/2022	/		Stormwater Zero (0)	This committee will be at full capacity with the reappointment
Transportation Larry Falcone	3/31/2022	/		Transportation One (1)	

Committees with vacancies but no applications:

Economic Development:
 Council Liaisons - Brad Richardson, David Scholl
 Three (3) citizen vancies

General Government:
 Council Liaisons - Lynda Paxton, David Scholl
 Three (3) citizen vacancies

Public Safety:
 Council Liaisons - Heather Grooms, John Martin
 One (1) citizen vacancy

Technology:
 Council Liaisons - John Martin, David Scholl
 Three (3) citizen vacancies



Stallings Police Department

Dennis W. Franks
Chief of Police

John T. Flynn
Assistant Chief of Police

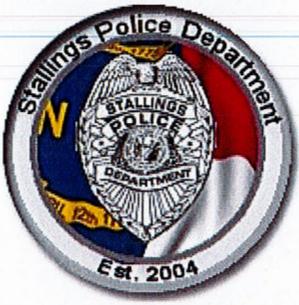
To: Town Council
Via: Alex Sewell, Town Manager
From: Dennis Franks, Chief of Police
Date: February 25, 2020
Re: Amending Vehicle Use Policy

The Stallings Police Department is continually working to evaluate the benefits offered to our staff to make sure they are in line with what is provided by other agencies in the area. I believe that certain benefits are tantamount to recruiting and retaining top quality candidates. In my first six weeks with the Stallings Police Department one of the issues that continually came up was take home vehicle limits.

Upon reviewing the town policy titled, "Vehicle Use Policy," I observed section (b)(1) *Take Home Vehicle Assignment*, which states, "An employee assigned to a vehicle may commute to and from work to the employee's residence if the employee's residence is no more than fifteen (15) miles outside the Town limits. The employee's residence is defined as the residential address recognized by the Town as the said employee's physical address." The policy continues to state that if one lives outside of the 15-mile boundary, the vehicle must be parked at an approved location within the 15 miles. Additionally, employees hired prior to March 25, 2013 have a 35-mile boundary, with the exception if said employee ever moves, they will be held to the 15-mile boundary (section (b)(4)). I would like to propose the mileage limit for take home vehicles be increased to 25 miles for those who are within the current 15-mile boundary. Those grandfathered into the old boundary should continue to have the same restriction of adhering to the new boundary if they move. I would also recommend, to this mileage increase, that it excludes officers being able to take their vehicle into another state.

The department's ongoing intention is to make sure we are offering a benefit to our officers that meets or exceeds those of surrounding agencies. With that idea I used a study that was performed by the Matthews Police Department in late 2019. This study looked at surrounding police departments and their take home vehicle policies. The following list is what was reported in the Matthews study, regarding take home distance for police department employees. The following is a list of area departments and what they have reported as their restrictions for take home vehicles:

- **Mecklenburg County SO:** Take-home and personal use vehicle for sworn employees residing within 50-mile radius of HQ.
- **Matthews PD:** Take home vehicles within 25 miles of town limits
- **Monroe PD:** Take-home and personal use vehicle for sworn employees who resides anywhere in Union County (640 square miles) If the employee lives outside of Union County, they can park at a fire department or similar location within Union County close to their residence.
- **Mint Hill PD:** Take-home and personal use vehicle for sworn employees living within 27 miles of contiguous town limits.
- **Waxhaw PD:** Take-home and personal use vehicle for sworn employees who reside within a 25-mile radius.
- **Pineville PD:** Take-home and personal use vehicle for sworn employees living within 25 miles of contiguous town limits. If living further, the employee is charged at the federal per mile travel rate.



Stallings Police Department

- **Union County SO:** Take-home and personal use vehicle for sworn employees living anywhere in Union County. If the employee lives outside of the county, can park at a fire dept. or equivalent approved location within Union County close to their residence.
- **Concord PD:** Take-home and personal use vehicle for sworn employees residing within Cabarrus Co. If the employee lives outside of the county, can park at a fire dept. or equivalent approved location within the county close to their residence.
- **Salisbury PD:** Take-home and personal use vehicle for sworn employees residing within Rowan County and 30-mile radius of the police department.

There are a variety of reasons to extend the take home restrictions:

- Force multiplication-Being a small police department, having officers driving to and from work, attending court, training, special events, off duty employment, etc., allows our patrol cars a higher level of visibility in and around our community. Police presence alone is a crime prevention method. This benefit also allows officers the ability to answer calls when driving to start their shift for the day, which is common practice since we don't schedule overlapping shifts. Allowing officers to leave straight home after completing a final call for service reduces overtime by not having them return to the station and helps increase quality of life by allowing officers to get home as close as possible to the end of their tour of duty.
- All officers are considered emergency essential and are required to respond back to work for major incidents. The take-home vehicle allows for faster response times by going straight to the call location fully equipped and ready to take necessary actions.
- Industry standard in North Carolina includes the privilege of take-home vehicles. Ensuring we are within this standard, meeting similar mileages of those agencies surrounding us, will allow the department to recruit and retain quality applicants and allow us to be competitive with those agencies we compete with for high end police candidates.

In conclusion, extending the police department take home limit will assist in retaining and recruiting officers. This extension can also lead to a higher quality of life for the officer along with the continued benefit of police visibility; quicker response when calling officers out; and potentially reducing some overtime costs. Additionally, there is minimal financial impact to the town resulting from this action, yet has the potential for higher levels of recruitment, retention and morale within the department. Again, I ask for your consideration in the extension of the take home vehicle mileage limit from 15 miles to 25 miles.

Respectfully submitted,

Dennis Franks
Chief of Police



MEMO

To: Town Council
From: Ashley Platts, Parks & Recreation Director; Sgt. Ben Davis, Community Officer
Via: Alex Sewell, Town Manager
Date: March 4, 2020
RE: **Park Property at 3900 Privette Rd**

Background

In late 2017, Stallings Police Department completed a nuisance abatement of the property at 3900 Privette Rd, removing the house and clearing the land. The Town entered into an agreement obtaining the property for future park use. January 2018 a meeting was scheduled to discuss the future use of the property, and then subsequently postponed. During the 2018-19 budget cycle, Council allocated \$5,000 to the future project at Privette Road in order to meet the contractual obligations of the nuisance abatement, with the understanding that future development could be explored, as the funds become available from the Town. In January of 2019, Council expressed interest in further consideration of the Privette Rd project. A draft layout and cost estimate were provided to committees and funding was requested as part of the budget process.

During the 2019-20 budget cycle, Parks and Recreation asked for \$25,000 in funding to outfit the property with fencing, playground equipment, walking paths, a picnic shelter security camera, and two grills. The funding was not approved for this budget cycle and Council requested that staff take the issue back to committee for further review, and to implement a community survey about amenities. The issue went back to both the Parks and Recreation committee and the Public Safety committee. Council did approve a contract for \$7557.11 to remove the rest of the house debris, regrade the property, install storm water drainage, and seed the lot for grass. The additional funding of \$2557.11 came from savings on a tree removal project in Stallings Park.

Current Status

Citizen surveys were conducted in October and November of 2019 with the results compiled and presented to committees. The results of survey participants are as follows:

- a) 100% of surveyed citizens supported having a park in the Springhill community
- b) 100% said they would use the park at least twice a month with 50% indicating they would have at least weekly usage
- c) The top requested amenities were: Playground equipment and a Picnic area
- d) Citizens requested support from the Town for National Night Out, movie nights, and community cookouts
- e) All of those polled live in the Town limits, with 75% residing in the area more than 10 years and 44% residing in the area for more than 10 years

Both committees advised support for continuing the project at Privette Rd with a goal of hosting National Night Out in the new space on August 4, 2020. The consensus was to install the picnic area and grills, concrete work required for that, and provide picnic tables

with funds available in the 2019-2020 budget and make a request for phased funding in the future to install small playground items over time.

Additional information

Parks and Recreation committee has been approached by Eagle Scout candidates looking for future projects. This project would offer a great opportunity for partnering on specific aspects of the project (e.g. picnic tables, landscaping, etc).

Playground companies offer matching grant options periodically throughout the year. With approval, Police and Parks staff can pursue these options to greatly reduce costs of implementation.