



September 12, 2022
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Town Council Agenda

| | 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 A. Minutes from the following meetings: (1) 08-08-2022 (2) 08-08-2022 – closed B. Police Department Updated Wrecker Service Agreement C. Constitution Week Proclamation 2022 D. Resolution Supporting Continued Development of County and Municipal Infrastructure to Sustain Economic Investment, Workforce Development, and a Preferred Quality of Life in Union County | 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> |
| 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. | 7:45 p.m. | Agenda Approval | Wyatt Dunn, Mayor | Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i> |
| 4. | 7:50 p.m. | Vickery Greenway Pinch Point Fencing Cost Estimates Follow Up | Alex Sewell, Town Manager | Discussion and possible action |
| 5. | 8:10 p.m. | Waste Connection Contract Extension | Erinn Nichols, Asst. Town Mgr. | Discussion and possible action |
| 6. | 8:20 p.m. | Citizen Survey | Erinn Nichols, Asst. Town Mgr. | Discussion and possible action |
| 7. | 8:30 p.m. | Closed Session Pursuant to NCGS 143-318.11(a)(3) and (6) | Wyatt Dunn, Mayor | Recess into closed session |
| 8. | 9:00 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 August 8, 2022, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-Rae Drake, Heather Grooms, and Brad Richardson.

Those absent were: Mayor Wyatt Dunn and Council Member Graham Hall.

Staff present were: Alex Sewell, Town Manager; Mary McCall, Deputy Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Patrick Blaszyk, Planning Technician; Marsha Gross, Finance Officer; Karen Reid, Human Resources Director; Melanie Cox, Town Attorney and Mac McCarley, Planning Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tem David Scholl welcomed everyone to the meeting and Council Member Ayers delivered the invocation. Mayor Pro Tem Scholl then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Joyce Rupert, 3026 Freesia Place, thanked the Council, staff, and contractors for excellent work for fixing stormwater projects on her property. She also thanked Town Manager Sewell for getting the lights corrected in the park.

Roxanne Hoots, 2019 Donavon Drive, was not pleased that only shrubbery was being offered as a buffer between her home and the greenway

Abby Gold, 2015 Donavon Drive, would like the Council to put a fence up on the greenway for privacy.

Tim Russell, 2009 Donavon Drive, would like the Council to put a fence up on the greenway for privacy and address the stormwater issue. He also thanked the Town Manager for coming out to inspect the issue. Mr. Russell was concerned about safety.

1. Approval of Consent Agenda Items

- A. Minutes of the following meetings:
 - (1) 07-11-2022
- B. Park Security Cameras Purchase

- C. Twin Pines Project Contract
- D. Police Department Pay Grades
- E. Community Service Work Program
- F. Personnel Policy Changes
- G. Amended Budget Ordinance 3 – Police Vehicle Funds
- H. Amended Budget Ordinance 4 – Vickery Greenway

Council Member Richardson made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Drake which passed unanimously by Council. Amended Budget Ordinance 3 – Police Vehicle Funds and Amended Budget Ordinance 4 – Vickery Greenway are attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

The Mayor was not present to give a report.

B. Reports from Council Members/Town Committees

Council Member Scholl reported that he had completed an advance leadership training at the UNC School of Government.

Council Member Ayers reported that there was no WUMA meeting for July and the WUMA meeting would be held at Stallings Town Hall for August.

Council Members Richardson, Grooms and Drake had no reports.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on the following:

- National Night Out was held the following week and went well.
- Downtown Finance Initiative (DFI) contract and meetings have begun for the Stallings Downtown

3. Agenda Approval

Council Member Drake requested moving Agenda Item 11, Greenway Pinch Point Fencing (Drake), to 4.C. Council Member Richardson made the motion to approve the Agenda with the above noted change. The motion was passed unanimously by Council after a second from Council Member Drake.

4. RZ22.07.01

A. General Rezoning from MU-2 to SFR-1

Mayor Pro Tem Scholl opened the public hearing. Planning Director Hsiang explained that this was a request for a rezoning at 2125 Stallings Rd, PID 07099002 General Rezoning from MU-2 to SFR-1. The property was approximately 23 acres, and the request was inconsistent with the Land Use Plan. The Planning Board recommended approval of the request. Staff Report for RZ22.07.01 is attached to these minutes is attached and therefore incorporated herein.

There were no public who wanted to speak on this issue. The applicant requested the Council approve the request as the Planning Board recommended. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Richardson made the motion to approve RZ22.07.01 and the Statement of Consistency and Reasonableness for RZ22.07.01. The motion was seconded by Council Member Grooms and passed unanimously by Council. The Statement of Consistency and Reasonableness for RZ22.07.01 is attached to these minutes and therefore incorporated herein.

4.C. Greenway Pinch Point Fencing (Drake)

Original Agenda Item 11

Council Member Drake reminded the Council that the Vickery residents were requesting a privacy fence along the Greenway for the house at the pinch points of 20-30' buffers in the name of safety and privacy.

Council Member Drake made the motion to direct staff to work with an outside consultant to develop a cost for insuring wetlands/floodplain compliance, developing a design and estimate for implementation for adding a fence. Council approved the motion unanimously after a second from Council Member Ayers.

5. TX22.07.01

Planning Director Hsiang explained that this was a request for text amendments for Conditional Zoning Amendments to Articles 5.4-3, 5.4-4, 8.2, and 8.3. The Planning Board recommended approval of the request. Staff Report for TX22.07.01 is attached to these minutes is attached and therefore incorporated herein.

Mayor Pro Tem Scholl opened the public hearing. There were no public who wanted to speak on this issue. The Planning Board recommended approval of this item. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Richardson made the motion to approve TX22.07.01 and the Statement of Consistency and Reasonableness for TX22.07.01. The motion was seconded by Council Member Drake and passed unanimously by Council. The Statement of Consistency and Reasonableness for TX22.07.01 is attached to these minutes and therefore incorporated herein.

6. TX22.07.02

Mayor Pro Tem Scholl opened the public hearing. Planning Director Hsiang explained that this was a request for text amendments for Development Agreement Amendments to Articles 7.15-1(B), 8.4-6(B), and 8.5-1(B). The Planning Board recommended approval of the request. Staff Report for TX22.07.02 is attached to these minutes is attached and therefore incorporated herein.

There were no public who wanted to speak on this issue. The Planning Board recommended approval of this item. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Ayers made the motion to approve TX22.07.02 and the Statement of Consistency and Reasonableness for TX22.07.02. The motion was seconded by Council Member Drake and passed unanimously by Council. The Statement of Consistency and Reasonableness for TX22.07.02 is attached to these minutes and therefore incorporated herein.

7. Annexation 56 – Castlebridge Lane

Town Manager Sewell reminded the Council this was the last step in approving Annexation 56 – Castlebridge Lane. Applicant Jud Violette stated that he wanted to become a part of Stallings because he was invested in the neighborhood, three-fourths on this neighborhood was already in Stallings, and he would like recycling services.

Council Member Drake made the motion to approve Annexation 56 – Castlebridge Lane and extend the corporate limits of the Town of Stallings. Council Member Drake seconded the motion to which Council unanimously approved. The Ordinance for Annexation 56 – Castlebridge Lane is attached to these minutes and therefore incorporated herein.

8. Bypass Phase II Landscape Plan/Irrigation

Public Works Director Price reminded Council that at its meeting on 06-28-2022, the bypass landscaping plan was presented to Council for feedback. That feedback was given to the NCDOT. Jeff Lackey with NCDOT presented the Council with an updated plan. This plan is attached to these minutes and therefore incorporated herein. The planting goal was Fall 2022.

Council approved the installation on the two irrigation sites on the plan as well as the plan itself. Council Member Drake made the motion to approve NCDOT Landscape Plan for the Highway 74 Hillside and the Gateway Monument Roundabout and entered into an Intergovernmental Agreement with NCDOT for installation and short-term maintenance as well as irrigation at the identified areas. Council Member Grooms seconded the motion to which the Council approved unanimously.

9. Gateway Signage Bid Results

Town Manager Sewel reminded the Council that one of its top goals was to maximize the area around the hospital and invest in beautification. One of the strategies was to install gateway monument signage at the end of the fiscal year. After going out to bid for the project, the lowest responsible bidder was \$461,921.28. The Council had set aside \$300,000 in the budget as a placeholder. Finance Officer Gross stated that the funds could be covered by the budget.

Council made the motion not to move forward with the building of the Gateway Signage during the present fiscal year. Council passed the motion unanimously after a second from Council Member Richardson.

10. Interlocal Agreement/Atrium

Atrium Hospital was required to do transportation improvements due to traffic analysis for the hospital construction. One of the intersections was located in Indian Trail. Indian Trail wanted to use the money set aside for that intersection and add it to funds they were planning to use for additional upgrades to that intersection. Doing all the improvements at once would allow for a more seamless and cost-effective improvements.

Town Attorney Cox further explained that the original interlocal agreement for this effort was between Stallings and Indian Trail however due to the pandemic, Atrium was not prepared to turnover the funds. On July 26, 2022, Stallings received an amendment to the original agreement which allowed Atrium to provide funds instead of doing the actual roadway improvements. Due to the fact that Ms. Cox

now also served Indian Trail as its Town Attorney, Ms. Cox would only be representing Stallings in this agreement and Indian Trail had another attorney representing its interest in this agreement.

Council Member Scholl made the motion having been fully informed of the conflict of interest and Town Attorney Cox's reasonable belief that she will be able to provide competent and diligent representation to the Town of Stallings notwithstanding the conflict of interest; and further having been informed that Stallings has the right to seek other Counsel to represent its interest in the matter, the Town Council consents to Ms. Cox's continued representation of the Town. Council Member Ayers seconded the motion to which the Council approved unanimously.

Council Member Scholl made the motion to approve the Interlocal Agreement with the Town of Indian Trail for construction and road improvements contingent upon the Town of Indian Trail's approval. The motion received Council's unanimous support after a second from Council Member Drake.

Council Member Scholl made the motion to authorize Town Manager Sewell to execute the amendment of the development agreement upon Indian Trail's execution of the interlocal agreement. Council Member Ayers seconded the motion. The motion was passed unanimously by Council.

Council Member made the motion to approve Amended Budget 5 – Atrium Road Improvements which was seconded by Council Member . The motion received Council's unanimous support. The Amended Budget 5 – Atrium Road Improvements is attached to these minutes and therefore incorporated herein.

11. Greenway Pinch Point Fencing (Drake)

This Item was moved to Agenda Item 4.C.

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

Council Member Richardson made the motion to go into closed session pursuant to NCGS 143-318.11(a)(6) inviting Humans Resources Director Karen Reid into the meeting. The motion received a second by Council Member Ayers to which Council approved unanimously.

Council went into closed session at approximately 8:58 p.m. and reconvened in open session at approximately 9:55 p.m.

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 9:55 p.m.

Approved on _____, 2022.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

DRAFT



MEMO



To: Mayor and Council
Via: Alex Sewell, Town Manager
From: Dennis Franks, Chief of Police 
Date: September 6, 2022
RE: changes to Wrecker Service Agreement

Purpose: The purpose of this memo is to provide background on the need to modify the current wrecker service agreement, for police department rotational towing.

Background: The Stallings Police Department has a wrecker service agreement for towing companies that are utilized for police purposes. These purposes can include traffic accidents or criminal matters where a vehicle is being seized. Tow companies are required to follow the rules outlined in the agreement. In the last year, the SPD has been unable to maintain an adequate list of towing companies. As of this memo, the SPD has one tow company available for service. Some towing companies have been removed, due to disregard of the agreement, or have been unable to meet the demands of the agreement.

Currently, the agreement states eligible tow companies' offices and storage facilities must be within five (5) miles of Stallings Town Hall. As this area has grown in population and density, this has made it more difficult to have towing companies within that radius.

During a review of a former tow company's charging practices, we found that the company was overcharging, in disregard of the established fee schedule. With that, the SPD removed the company from the rotational tow list. After the investigation of this incident, the Stallings' Town Attorney recommended clarification language to assist in the quick removal of towing companies from the agreement.

Requested Action: I am requesting the Town Council adopt the following changes to the Wrecker Service Agreement:

Section 1(d) **Impoundment Services and Facilities.** The Wrecker Service's operational and storage facilities shall be located within ~~five (5)~~ *fifteen (15)* miles of the Stallings Town Hall.

Section 5. Fees for Services. The maximum fees for performing services described in this Agreement shall be in accordance with the Fee Schedule as set forth in Appendix 1 of this agreement. No other or additional fees shall be charged unless approved by the Town. If the fee schedule is amended by the Town during the existence of this agreement, the Town of Stallings shall forward to the Wrecker Services the new fee schedule within ten (10) days of its adoption. *Charges in excess of the amounts listed on the fee schedule will result in immediate removal from the Stallings Police Department towing rotation list.*

Proclamation of the Town of Stallings

declaring

Constitution Week 2022

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2022, marks the two hundred thirty-fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week

NOW, THEREFORE, I, Wyatt Dunn, by virtue of the authority vested in me as Mayor of the Town of Stallings in the State of North Carolina, do hereby proclaim the week of September 17 through 23 as

Constitution Week

AND ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through the guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town to be affixed this 12th day of September of the year of our Lord two thousand and twenty-two.

Wyatt Dunn, Mayor

Attest:

Erinn E. Nichols, Town Clerk





Elizabeth R. Gibson

John Foster Chapter

North Carolina Society Daughters of the American Revolution

1300 West Franklin Street, Monroe, NC 28112-4506

(704) 283-4791 elizabeth_gibson@msn.com

August 15, 2022

Town of Stallings
Town Manager Alex Sewell
315 Stallings Road
Stallings, NC 28104

Dear Manager Sewell,

Once again the John Foster Chapter Daughters of the American Revolution in Monroe is working to promote patriotism in our community. The week of September 17-23 is designated as Constitution Week by Public Law 915 which was signed by President Dwight D. Eisenhower on August 2, 1956. Every year we want to remind our citizens of the anniversary of the signing of the Constitution of the United States of America. I have included a sample proclamation with this letter that I hope you will complete, sign, and impress with the Seal of the Town of Stallings. After the proclamation has been signed, we encourage you to display it in your town hall, put it on your website or just add a simple statement that says "Celebrate Constitution Week September 17-23" to your home page or any other social media you might use.

I have included with this proclamation a short history of the origin of Constitution Week.

The John Foster Chapter appreciates your cooperation as we work to remind the public of the importance of this document. It has been a pleasure to work with Stallings for the last few years.

Sincerely,
Elizabeth R. Gibson
Constitution Week Chairman
John Foster Chapter NCSDAR
Monroe, NC

HISTORY OF CONSTITUTION WEEK 2022

In 2022, we recognize the 67th anniversary of Constitution Week. Miss Gertrude S. Carraway, while President General of the National Society Daughters of the American Revolution, was responsible for the annual designation of September 17-23 as Constitution Week. During her term in office the DAR made its own resolution for Constitution Week which was adopted April 21, 1955.

Members of the United States Congress received the DAR resolution and on June 7, 1955, the resolution was discussed in the Senate. The first resolution to observe Constitution Week was made June 14, 1955, by Senator William F. Knowland of California. Following passage of the resolution by both Houses of Congress, President Eisenhower issued his proclamation on August 19, 1955.

The first observance of Constitution Week was so successful that on January 5, 1956, Senator Knowland introduced a Senate Joint Resolution to have the President designate September 17-23 annually as Constitution Week. The resolution was adopted on July 23, 1956, and signed into Public law 915 on August 2, 1956.

For his patriotic aid and interest, Senator Knowland received an Award of Commendation from the NSDAR Continental Congress in April of 1956.

North Carolina has a special interest in the story of how Constitution Week came to be signed into law because Miss Gertrude S. Carraway was the only North Carolinian to be elected to the position of President General of the National Society Daughters of the American Revolution. She served from 1953-1956. She was a lifelong resident of New Bern, North Carolina.



MEMO

To: Mayor & Town Council
From: Alex Sewell, Town Manager
Date: 9/8/22
RE: Follow-Up - Greenway Pinch Point Fencing

Purpose: This memorandum provides requested information regarding adding potential Greenway Pinch Point Fencing.

Background:

- The developer of the Vickery subdivision dedicated property to the Town to be developed as a Town trail.
- The Town plans to construct a trail on this dedicated land as part of the Town's Recreation & Greenway Master Plan. This project has been designed, bid out, and a contract is being executed with the lowest responsive bidder.
- Previously, the Town hired design firm Destination by Design to design the project and to engage with the Vickery HOA Board to make sure the Town was taking into consideration the neighborhood's concerns and input.
- For better understanding of the previous decisions, below is an email sent to the Vickery HOA Board in 2020 prior to one of the discussions with the Town's design firm.

----- Forwarded message -----

From: **Eric Woolridge** <eric@dbdplanning.com>

Date: Thu, Oct 29, 2020 at 8:41 AM

Subject: Re: Vickery Greenway Discussion - postponed

To: Ron McMorris <rmcmorris2@gmail.com>, Michelle Armas <marmas@bellsouth.net>, Alex Robertson <arobertson0905@gmail.com>, Roxanne Hoots <hootsmr@yahoo.com>

Cc: Ashley Platts <aplatts@stallingsnc.org>

Hey All:

I hope everyone is well. Ashley, I hope you're getting healed up!

I suggest that we schedule a Zoom video call so I can walk through all of the plans again (which I've attached). I think that all of the concerns, which I discuss below, have been addressed in the plans to the extent possible.

- Lost of privacy and trespassing: **The pinch point and pond are the main issues. Both will be addressed with landscaping, and the pond will have a fence.**

- Lighting as the hours of use can be dawn to dusk: **There will not be lighting and the trail will be posted for dawn to dusk.**

- Limit deforestation: **Absolutely. We stay within the sewer easement where no vegetation is permitted to grow.**
- How do you propose to handle drainage and the standing water: **For smaller rains, there are culverts located in key areas. However, this area is a floodplain and the trail will flood like other greenways in the area.**
- Liability: **This will be on the town.**
- What type of shrubbery will be used for privacy: **The attached plans include a landscape plan for the area in front of the new fence at the pond; I can walk through this on the video call. For the pinch point, we discussed a \$10K budget for this area, which should be more than enough.**
- Concern that the proposed budget for landscaping will not be enough: **The current plans include landscaping for the entrance and the pond area. The \$10K is meant to primarily address the pinch point. This will be sufficient.**
- Fencing: **Fencing is located at the pond area, on the slope where it won't be impacted by flooding. If we place fencing in the floodplain, it won't last.**
- Signage: **I think the town is open to placing signs where needed to ensure respect for private property.**

Eric Woolridge, AICP

Director of Planning & Business Development

Destination by Design

Planning + Engineering + Communications

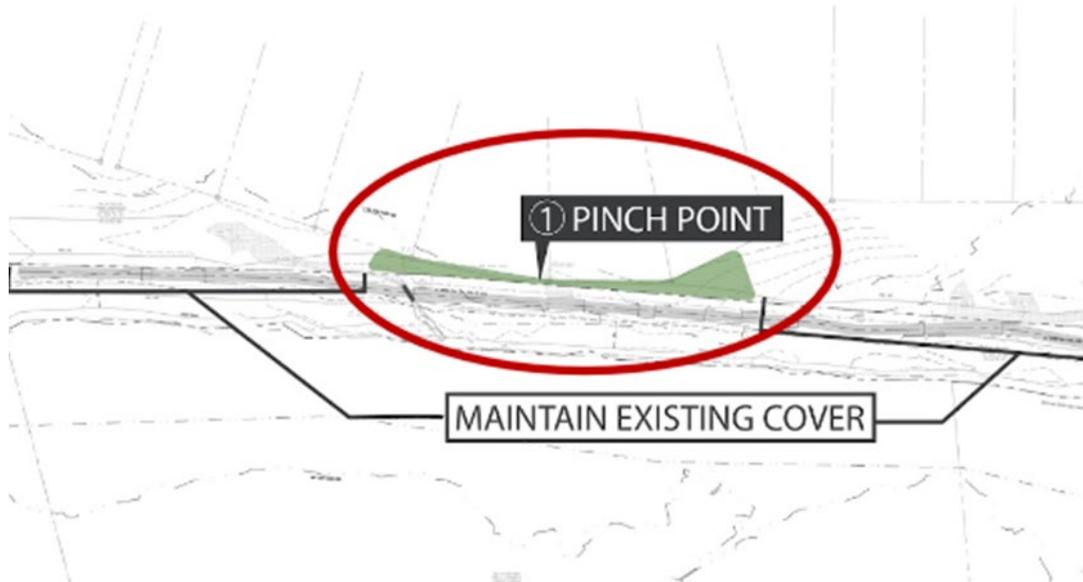
c: 828.719.1109 o: 828.386.1866

[YouTube](#) | [Digital Publications](#)

[Instagram](#) | [Facebook](#)

[DbDplanning.com](#)

- The design firm reported that when they met with the HOA Board, the design firm's feedback was received as reasonable and they moved forward updating the plans based on the feedback and increasing the project budget.
- The point of issue on the Council agenda is a section of the planned greenway path that meanders closer to several residential lot boundaries behind the Vickery subdivision. This is called the "Pinch Point" and is shown in the graph below.



- Per the email above, fencing at the Pinch Point location came up during the previous discussions with Vickery HOA Board. However, the design firm discouraged adding fencing here because they advised fencing would not last in this area due to flooding. Instead of adding fencing, the Town agreed to add \$10,000 to enhance landscaping at the Pinch Point (which was subsequently increased to \$15,000 due to projected market increases). As indicated above, the design firm's feedback was received as reasonable and they moved forward with updating the plans.
- Council Member Drake shared with staff that she heard from several Vickery residents regarding adding fencing at the Pinch Point and requested further discussion and residents. Staff met with Council Member Drake and residents twice since the Council authorized approval of the Greenway construction contract. Council Member Drake shared that the residents are requesting an 8-foot-tall wooden privacy fence in the Pinch Point area that is in aesthetic harmony including being stained the same color as nearby fencing and be located on Town property (with the Town being responsible for maintaining it in the future).
- Prior to the 8/8/22 Council Meeting, Staff presented background information on the potentially adding fencing as follows:

While fence installation is a relatively simple construction task, portions of the Pinch Point area (where residents are requesting the additional fencing) are within the floodplain and/or wetlands which would likely require permitting per our design firm. As indicated below, even governmental agencies who handle wetlands permitting recognize the complexity in floodplain/wetlands law compliance/permitting:

“Federal and state governments have written a number of laws and regulations designed to protect wetlands. Because of the complexity of these laws and regulations and the number of different agencies involved in enforcement, complying with these regulations can be complicated.”¹

“The process of applying for a permit when you have a project can be confusing. It can be difficult to figure out if you need to apply for a permit, whether you need written approval, what applications to complete, or whether you will be required to provide compensatory mitigation.”²

If the Council decides to pursue adding fencing, there are multiple unknowns and the Town would likely need to start by engaging an outside consultant at a cost to determine feasibility/location, assist the Town with understanding/ensuring wetlands and floodplain law/permitting compliance, undertaking any additional studies required, and incorporating the design. Staff have reached out to our design firm for a scope of work and quote. Ultimately, the Council would likely need to approve additional funding for these efforts in addition to the cost for adding the fence itself and the ongoing cost for maintaining the fence long-term including any future fence replacement costs.

- At the 8/8/22 Council Meeting:
 - 3 residents spoke during citizen comments and expressed a desire to see the Town add fencing in the Pinch Point area on Town property. Resident concerns included screening and security.
 - Council expressed a desire to better understand the costs of adding a fence in the Pinch Point Area on Town property and directed Staff to work with its Greenway design firm to develop a cost for ensuring wetlands/floodplain compliance, developing a design, and an estimate for adding fencing within the floodplain.
 - Council advised that they want the engineering firm to analyze options and recommend a fencing that will be able to last and limit ongoing maintenance costs due to the amount of water in the area along with providing screening.

Update:

- Staff have engaged the Town’s greenway design/engineering/architectural firm (“design consultant”) per the Council’s direction. The estimated cost of

¹ Vernon N. Cox, Leon E. Danielson, and Dana L Hoag, Agricultural and Resource Economics, Applied Resource Economics and Policy Group, Department of Agricultural & Resources Economics (AREP93-3-July 1994).

² NC Division of Water Resources. 2018-2022. North Carolina Wetlands Information.

<https://www.ncwetlands.org>. Published by the North Carolina Division of Water Resources, Water Sciences Section.

responding to the Council's direction has been approximately \$2,500 not including Town staff time.

- To add privacy fencing in the requested location so that screening is provided between the concerned residents and the planned greenway trail, the fencing would need to be located in Union County's sewer easement. However, Union County has indicated it does not allow the construction of fences inside sewer easements because fences can cause issues with access for the easement and mobility when having to repair utility lines. As a result, the Town will not be able to install fencing in the location requested by the residents.
 - Alternatively, the Town could potentially install the fencing on the Vickery HOA property in between the concerned residents' properties and the Vickery HOA property. However, the Vickery HOA would need to provide an easement for the Town to install and maintain the fencing to the Town on this HOA property.
- The Town's greenway design/engineering/architecture firm ("design consultant") advised that fencing is not ideally located a wetlands/floodplain area with heavy wetness and so putting one here will increase costs dramatically from the compliance, engineering, materials, and construction methods perspectives.
 - For example, some challenges that will increase cost include:
 - Typical wood fencing bases will not be sufficient in this soil and so something with much more heavy-duty footers is needed.
 - Typical construction methods would likely not be allowed to install the fencing due to the location. Instead, any contractor will likely need to use lower impact methods which will likely increase cost.
 - The typical lifespan of a wood fence is around 15 to 25 years if it is moderately maintained and in an average location. However, the design consultant advised that in the proposed greenway location, a wood fence, even with engineered heavy-duty footers, would likely require maintenance at least annually if not more in some years and might need to have most of its wood components replaced every 5 to 10 years given the water volume it will face but this could vary by location.
- The Town's design consultant has advised that to make fencing last in this location and reduce maintenance, they would recommend heavy-duty footers, metal/vinyl framing, and a composite plank interior that does not absorb moisture and is a darker color. This would not reduce maintenance completely but would likely result in the cheapest long-term cost. Enclosed are some sample images and a conceptual layout for general illustrative/conceptual understanding.
- The soil composition means that the Town would need to get geotechnical borings to ensure adequate information for the design consultant to engineer the plans. The cost estimate for this work is approximately \$5,000.
- However, as a preliminary estimate, the design consultant has reviewed the work to be done, market conditions, and has estimated the cost total cost for the following:

- Recommended fencing is approximately \$131,000 plus site prep/tree removal costs and legal costs (rough estimate – needs to be confirmed after engineering completed). This would be for approximately 450 linear feet of fencing (see attached for rough approximation of location) which would limit (but not eliminate) ongoing maintenance needs. This estimated cost includes boring/geotechnical costs, base engineering, updating the design plans, handling permitting, contract administration, and construction.
- Wood fencing (Not Recommended) cost would be approximately \$81,000 plus site prep/tree removal costs and legal costs (rough estimate – needs to be confirmed after engineering is completed). This would require significant ongoing maintenance needs and potential replacement of wood parts from time to time and those costs are not included. This number includes boring/geotechnical costs, base engineering, updating the design plans, handling permitting, contract administration, and construction.

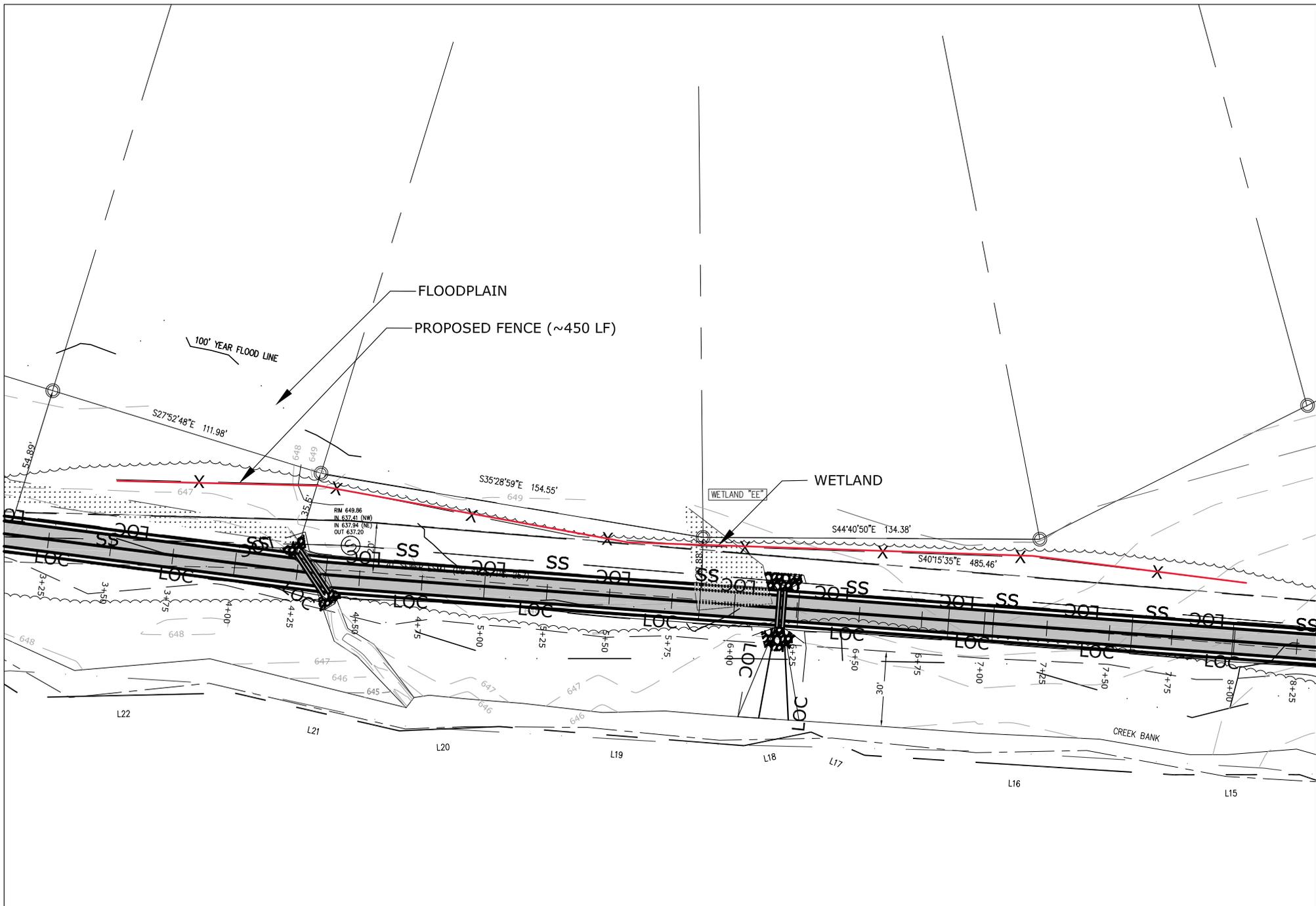
Pros vs. Cons for Adding Recommended Fencing Type:

| PROS | CONS |
|---|---|
| <ul style="list-style-type: none"> • Recommended fencing should limit ongoing maintenance costs. • Helps address the property owners' concerns regarding screening immediately beside the Greenway Pinch Point. • Could respond to precedent argument that the Town will not put up anymore fencing moving forward, argue that this is unique situation. | <ul style="list-style-type: none"> • Unusually high cost due to fence location and there is a cheaper screening alternative. • Does not address resident perceived security concerns (anyone could simply walk around the fence). • Some might criticize the high public cost to directly benefit four properties. • Sets precedent for other residents to request fencing along future Town trails, which could increase future greenway costs significantly. • Design consultant has advised structures put immediately on public trails (like benches, fencing, etc.) are often susceptible to “carving” vandalism. |

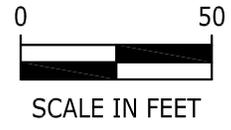
Town Council Options:

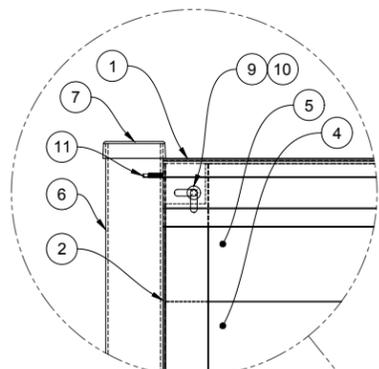
- **Option #1** - Pursue adding fencing in this area by directing/authorizing staff to request that the Vickery HOA provide a formal easement to allow the Town to construct fencing in the requested location and provide future maintenance. If the Vickery HOA provides the required documents, then the Town Council would also authorize staff to get geotechnical borings and design work completed while understanding that that preliminary cost estimates could change in the future.
 - o Required next steps:
 - Provide feedback on which type of fencing - recommended fencing vs. wood fencing.
 - Direct/authorize staff to request the Vickery HOA to provide an easement for construction/maintenance of fencing in the HOA property along with written certification from their attorney that their HOA has followed all internal rules and is authorized to provide such an easement. This easement would be needed as soon as possible to ensure the contractor will have sufficient time to allow the fencing to be installed while mobilized on site. The Town would cover its legal costs and the HOA would cover its own.
 - If such an easement is granted, then Council direct/authorize staff to:
 - Waive doing an RFQ for selecting the geotechnical firm due to the probable cost of the contract as compared to the resources needed to go through the RFQ process.
 - Get geotechnical borings to allow the design consultant to develop engineering standards;
 - Direct staff to get design consultant to update plans to include fencing; and
 - Direct staff to seek a change order cost from the Town's current contractor for the Stallings Greenway Project. (Note - these costs do not include the cost of bidding out the project, administrative costs would increase if we bid this project out as compared to using the current contractor).
 - Council also commits to approving a future budget amendment to cover the cost of engineering, boring/geotechnical, along with the Town's own legal costs.
- **Option #2** - Direct staff to continue with the approved plans previously agreed to with the Vickery HOA Board including \$15,000 in landscaping in the Pinch Point area.
- **Option #3** - Direct staff to continue with the approved plans previously agreed to with the Vickery HOA Board but increase the landscaping allowance from \$15,000 to \$30,000 to allow for the installation of more mature (and thus larger) vegetation in the Pinch Point area. Council will need to approve a subsequent budget amendment.

- Option #4 - Set an amount, such as the \$15,000 landscape budget or whatever the Council deems appropriate, to partially refund the four property owners if they would like to engage a contractor to put up a fence on their own property as the private property owners can likely get a much lower cost than the Town. (NOTE - residents have advised that the HOA would need to change its rules to allow for a privacy fence).

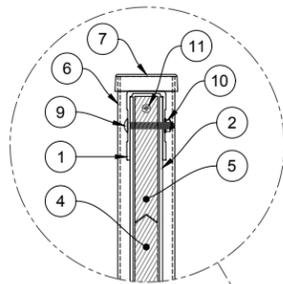


VICKERY GREENWAY FENCE EXHIBIT
09.07.22

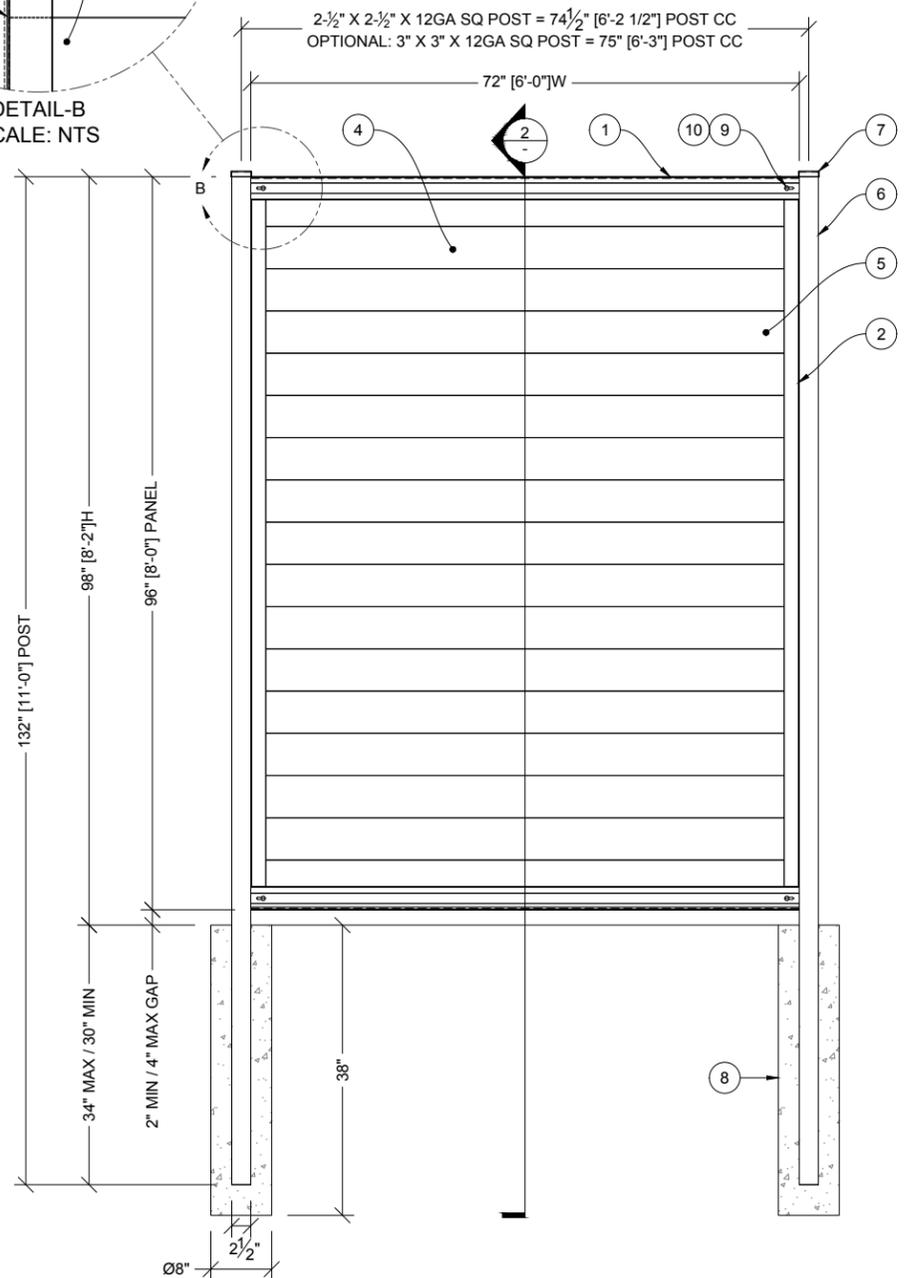




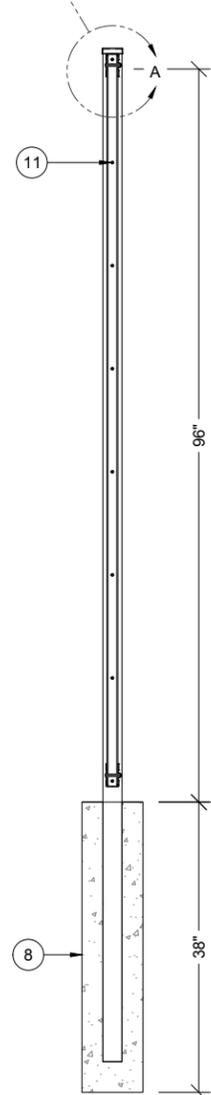
DETAIL-B
SCALE: NTS



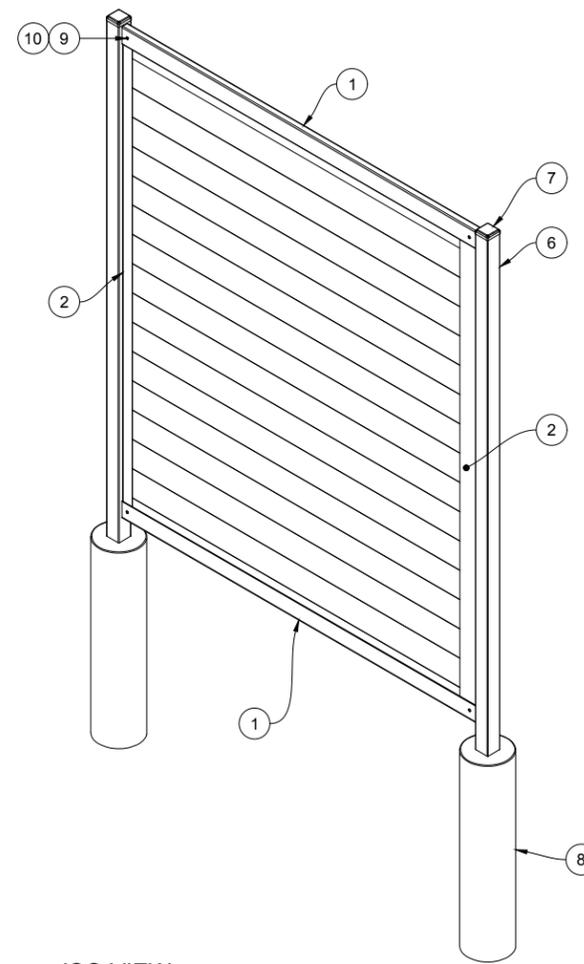
DETAIL-A
SCALE: NTS



1 FRONT VIEW
SCALE: 1/2" = 1'-0"



2 SECTION
SCALE: 1/2" = 1'-0"



3 ISO VIEW
SCALE: 1/2" = 1'-0"

BILL OF MATERIALS

| ITEM | QTY | PART NUMBER | DESCRIPTION |
|------|-----|---|--|
| 1 | 2 | 3" X 6'-0" CHANNEL | HORIZONTAL (TOP/BTM) GALVANIZED STEEL CHANNEL RAIL |
| 2 | 2 | 2" X 8'-0" CHANNEL | VERTICAL GALVANIZED STEEL CHANNEL RAIL |
| 3 | N/A | CHANNELS ALLOW FOR UP TO 1" THK INFILL MATERIAL | INFILL QUANTITY MAY VARY DEPENDING ON TYPE SELECTED |
| 4 | 16 | 1" X 6" X 6'-0" BOARDS | INFILL EXAMPLE ILLUSTRATED: HORIZONTAL BOARDS |
| 5 | 2 | 1" X 6" X 6'-0" NOTCHED INFILL/BOARDS | TWO BOARDS TO BE NOTCHED FOR BOLT CLEARANCE AT TOP AND BTM CHANNEL |
| 6 | 2 | 2-1/2" X 2-1/2" X 12GA, 11'-0" POST | STANDARD FENCE POST / OPTIONAL COMMERCIAL USE POST: 3" X 3" X 12 GA, 11'-0"L |
| 7 | 2 | 2-1/2" X 2-1/2" CAP | 2-1/2" SQ POST CAP STANDARD / OPTIONAL COMMERCIAL USE POST CAP: 3" SQ |
| 8 | 2 | 8" DIAMETER CONCRETE PIER | POST PIER SIZE AND DEPTH TO BE SPECIFIED BY THE PROJECT'S EOR |
| 9 | 4 | ANSI B18.5 - 1/4-20 X 1-1/2" UNC CARRIAGE BOLT | ROUND HEAD SQUARE NECK CARRIAGE BOLT |
| 10 | 4 | IFI 100/107 1/4-20 HEX-HEAD FLANGE NUT | PREVAILING TORQUE TYPE HEX-HEAD FLANGE NUT |
| 11 | 16 | ANSI B18.6.4 - NO.10 X 5/8" SELF-TAPPING SCREW | VERTICAL CHANNEL, RECESSED HEAD SELF-TAPPING SCREW_TYPE-BT_TYPE-I |

ABBREVIATIONS

| ANSI | AMERICAN NATIONAL STANDARDS INSTITUTE |
|------|---------------------------------------|
| CC | CENTER TO CENTER |
| EOR | ENGINEER OF RECORD |
| GA | GAUGE |
| H | HEIGHT |
| IFI | INDUSTRIAL FASTENER INSTITUTE |
| L | LENGTH |
| MAX | MAXIMUM |
| MIN | MINIMUM |
| NTS | NOT TO SCALE / DO NOT SCALE |
| SQ | SQUARE |
| THK | THICK / THICKNESS |
| TYP | TYPICAL |
| UNC | UNIFIED COURSE THREAD |
| W | WIDTH |

DIMENSIONS ARE IN INCHES

UNLESS OTHERWISE SPECIFIED:
 TOLERANCES:
 FRACTIONAL: ±1/32"
 ANGULAR: MACH ±1/2° BEND ±1/2°
 TWO PLACE DECIMAL ±.03
 THREE PLACE DECIMAL ±.005



TITLE:
HORIZONTAL 8'X6' PANEL

PROPRIETARY AND CONFIDENTIAL
 THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF FENCE TRAC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OFFENCE TRAC IS PROHIBITED.

| | NAME | DATE |
|----------------------------|------|------------|
| DRAWN | NLI | 05/30/2022 |
| REVISED | | |
| MFG APPR | | |
| MATERIAL: GALVANIZED STEEL | | |

| SIZE | DWG. NO. | REV |
|------|-------------|-----|
| B | 22-0530-001 | A |

SCALE: SEE DRAWING SHEET 1 OF 1





MEMO

To: Mayor and Council
From: Erinn Nichols, Assistant Town Manager
Via: Alex Sewell, Town Manager
Date: 09-08-2022
RE: **Waste Connections Contract Extension**

Purpose: This memorandum provides background information on the Stallings solid waste contract and requests Council direction on a possible contract extension.

Background:

- **Provider** - Waste Connections
- **Contract Expiration Date** - June 30, 2023
- **Contract Options** - Two (2) successive two-year extensions

Attached is a brief comparison of the solid waste collection costs of neighboring municipalities. Although not all terms are the same and averages had to be calculated, conclusion from the research is that Stallings pays ~\$1.50 less/per household/month than the neighboring municipalities.

Contract Highlights:

- Annual CPI increases are capped at 5%. (*This year, CPI would have been 9% had the contract not had this cap.*)
- Annual bulk pick-up is included at no charge.
- No fuel surcharges.
- No tipping fees.
- Waste Connection sponsors and pays for the Town's two annual shredding events (\$2250/year).
- Waste Connection sponsors the Parks and Recreation Annual Christmas Event (\$2000/year).

Options:

- Approve moving forward with the first of two (2) successive two-year extensions with Waste Connections.
- Go out to bid for solid waste services.
As this would be a large project, if this option is chosen, staff requests direction to do that at this meeting in order to ensure solid waste services are not lapsed for the residents.

Solid Waste Comparisons 2021

| Municipality | Stallings | Mint Hill | Indian Trail | Matthews |
|-----------------------|--|--|--|---|
| Provider | Waste Connections/GBUSA | Waste Pro | Waste Connections/GBUSA | Allied Waste/Republic |
| Household Count | 6448 | 9903 | 13,884 | 9396 |
| Solid Waste frequency | \$13.02/household weekly | \$17.54/household weekly | \$5.21/household + \$38/ton tipping fee weekly | \$5.68/cart + \$37.85/ton tipping fee weekly |
| Recyclables frequency | \$49,480/year (~\$0.64/household) bi-weekly | -- weekly | \$3.00/household + \$185/ton tipping fee bi-weekly | \$3.33/cart bi-weekly |
| Yard Waste frequency | \$0.50/household bi-weekly | -- weekly | \$1.74/household + \$38/ton tipping fee bi-weekly | \$5.30 unit weekly |
| | \$14.16/household/month | \$17.54/household/month* | \$15.74/household/month* | \$14.31/household/month without tonage costs |
| Bulk Pickup frequency | FREE annually | Indv. pricing paid by resident as requested by customer | \$0.16/household + \$38/ton tipping fee once per quarter | Paid by the Town as requested by resident |
| Notes | | *weekly yard waste and recycling | *based on new tipping and house hold fees per contract, July 2022 invoice, and last quarter bulk tonage. | *comes out to \$19.06/household /mo. based on last invoice *weekly yardwaste |



MEMO

To: Mayor and Council
From: Erinn Nichols, Assistant Town Manager/Town Clerk
Via: Alex Sewell, Town Manager
Date: 09-06-2022
RE: **Citizen Survey**

History

- One of the Council's priorities is to complete a citizen survey.
- **October 2021** - Council approved going into contract with Western Carolina University's (WCU) Public Policy Institute, Department of Political Science and Public Affairs to add a citizen survey project for the Town of Stallings to its curriculum for the Spring 2022 semester. The work was to be completed by graduate students under the supervision of Dr. Chris Cooper, Director of Public Policy Institute and Madison Distinguished Professor, at Western Carolina University.
- **April 2022** - Due to unforeseen personal circumstances, Dr. Cooper was unable to begin this project as early as expected. Because of this delay, WCU offered these services to the Town free of charge.
- **June 2022** - A draft survey created by Dr. Cooper was presented to Council for feedback. Council chose not to vote on the item and provide feedback to staff individually.
- **Summer 2022** - To date, formal Council feedback has been received from one Member.

Additional Information

Citizen surveys provide the governing body the pulse of its citizens on specific topics on which the board wishes to take action or services/areas on which to improve. The creation of a professional and statistically accurate survey requires expertise time and knowledge.

Formally polling the citizens requires the willingness of the governing board to take action on the survey's findings else risking negative public reaction.

Staff Requested Action

Staff is requesting Council determine its latest stance on progressing with a citizen survey at this time.

Options:

- (1) Continue to give feedback to staff on proposed survey and determine deadline for final comments.
- (2) Pause survey efforts until specific topics to poll are determined later in this fiscal year.
- (3) Eliminate survey from current fiscal year and revisit when citizen feedback on specific topics is warranted.