



February 13, 2023
 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) 12-12-2022 (2) 01-09-2023 (3) 01-09-2023 – closed (4) 01-23-2023 B. Amended Budget Ordinance 9 – Vickery Fencing C. SUMMIT Engineer and Geotechnical Services Contract Approval D. Solid Waste Contract Amendment E. NCLM Wellness Grant F. Police Department Mandatory Radio Upgrade Purchase Order G. Annual Retreat Agenda	Wyatt Dunn, Mayor	Approve Consent Agenda
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
4.	7:50 p.m.	Closed Session Pursuant to NCGS 143-318.11(a)(3)	Wyatt Dunn, Mayor	Recess into closed session
5.	8:05 p.m.	Parks and Recreation – Alcohol Sales at Certain Park Events Request	Eunice McSwain, Parks and Recreation Director	Approve (deny) alcohol sales at certain park events
6.	8:10 p.m.	Stormwater Update and Budget Information	Kevin Parker, Town Engineer	Information Only
7.	8:25 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 December 12, 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, Heather Grooms, Graham Hall and Brad Richardson.

Those absent were: Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Kevin Parker, Town Engineer; Marsha Gross, Finance Officer; Jamie Privuznak, future Finance Officer; Brian Price, Public Works Director; Eunice McSwain, Parks and Recreation Director; and Melanie Cox, Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

No one was present to give public comment.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

- (1) 10-24-2022
- (2) 11-14-2022 – special
- (3) 11-14-2022 – closed
- (4) 11-14-2022
- (5) 11-28-2022

B. ABO 7 – TIA Updated Funds

C. ABO 8 – New PD K9 Unit

D. Police Grant Application Submission

Council Member Ayers made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Grooms which passed unanimously by Council. ABO 7 – TIA Updated Funds and ABO 8 – New PD K9 Unit are attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

Mayor Dunn presented a Proclamation of Service and Retirement to Finance Officer Marsha Gross for her retirement from the Town. This Proclamation is attached to these minutes and therefore incorporated herein.

Mayor Dunn also thanked staff for the Christmas Tree lighting event.

B. Reports from Council Members/Town Committees

No reports from any Council

C. Report from Town Manager/Town Departments

Town Manager Sewell reported the following:

- Introduction of the new Finance Officer Jamie Privuzhak.
- Thanked the Council for the staff Christmas bonus gift.
- P3 contract phase was moving forward.
- Vickery Greenway Trail asphalt had been laid

Police Chief Franks reported the following:

- CALEA accreditation had finished Year 2 in May. A grant was awarded for \$30,000 to help cover the accreditation costs.
- The new K9 name had been put out on social media for suggestions and the top six would be voted on by community.

Planning Director Hsiang reported that Stevens Mill/Idlewild Crossing Memo had be sent to Council for review and he welcomed any feedback on the topic.

Parks and Recreation Director McSwain reported:

- Thanked the Council for coming to the Christmas event.
- The event schedule had been sent to the Council for the next calendar year.

3. Agenda Approval

Mayor Dunn recommended making the following changes to the Agenda:

- Move Agenda Item 8, *TOD Overlay*, to Agenda Items 5
- Move Agenda Item 9, *Police Department School Resource Officer Position*, to Agenda Item 6
- Move Agenda Item 6, *Privette Park Bids*, to Agenda Item 8
- Move Agenda Item 8.a., *Road Resurfacing Project – Phase 1 Bid*, to Agenda Item 9
- Add *Stallings Road Roundabout* as Agenda Item 11.a.

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

4. RZ22.09.02 – Stevens Mill Rd. (Recessed from 11-28-2022)

Mayor Dunn reopened the public hearing. Planning Director Hsiang explained the applicant submitted a general rezoning request for Single-Family Residential 1 (SFR-1) to Mixed-Use 2 (MU-2) at the location at parcel ID #0704003F, a property 7.98 acres in size on Stevens Mill Rd. The Planning Board recommended approval. Staff's report on RZ22.09.02 is attached to these minutes and therefore incorporated herein. Staff recommended approval of the request.

No one was present to give public comment on this item.

Applicant Dr. Sergey Denisovich stated he had no current plans for the property due to the county sewer situation, however plans could be a medical plaza. Currently, his practice was beside the property on another property.

Council had concerns over the buffering therefore Planning Attorney Mac McCarley recommended delaying the vote until Council's next meeting in order for staff to address those concerns.

Mayor Dunn closed the public hearing.

Council Member Richardson made the motion to delay decision on this item until January in order to give staff time to adjust the buffer on the site. The motion was passed unanimously by Council after a second from Council Member Grooms.

5. TOD Overlay
Original Agenda Item 8

Planning Director Hsiang reminded the Council it had identified maximizing development around the Atrium Hospital/Light Rail (Economic Development) as one of its top priorities. In order to do that, the development of a Transit Oriented Development (TOD) Districts was suggested to encourage and enable the development of moderate to high-intensity, compact, mixed-use urban neighborhoods near transit stations where people can live, work, shop, dine, and pursue cultural and recreational opportunities while enjoying a range of mobility choices. Mr. Hsiang's presentation on the TOD is attached to these minutes and therefore incorporated herein.

The Council had three options regarding the TOD:

- Option 1: Develop and accelerate detailed TOD Overlay standards with development bonuses to incorporate into the Ordinance.
 - Use a Consultant. Est. \$40k.
 - Advantages: Implementing standards to help preserve land and set desired development standards as soon as possible.

- Option 2: In-House. Implement the basic preservation techniques in exchange for development bonuses in a more limited area.
 - Wait to see if we receive the CRTPO grant.
 - Advantages: Low cost in the short term but could lose economic development opportunities long-term.
- Option 3: No action and wait to see if we receive the CRTPO grant; we would ultimately need development bonuses to preserve the Silver Line.

Council Member Grooms made the motion to select Option 2 has outlined by Mr. Hsiang. The motion was approved unanimously by the Council after a second from Council Member Hall.

6. Police Department School Resource Officer Position

Original Agenda Item 10

Chief Franks reminded the Council that this topic came due to the Uvalde, TX school shooting and that the Council directed staff to try to find funding options for a permanent fulltime School Resource Officer (SRO) Position at Stallings Elementary School. Due to Union County Public School receiving a federal grant to fund, SROs in the county, Chief Frank was requesting the Council add the position to the Town with the majority of the salary and expenses funded by the grant. Chief Franks' presentation regarding the School Resource Officer Position is attached to these minutes and therefore incorporated herein.

Council Member Scholl made the motion to accept the grant from Union County Public Schools and approve utilizing the listed funds for both equipment and salary costs for the new SRO fulltime police officer position. The motion was seconded by Council Member Richardson and passed unanimously by the Council.

7. Audit Report Presentation

Emily Mills with Potter and Co. presented the Audit report for the previous fiscal year to the Council. Potter and Co. issued an unmodified audit opinion (cleanest opinion) with no material misstatement.

A copy of the 2021-2022 Audit Report is available for inspection at the Stallings Town Hall.

8. Privette Park Bids

Original Agenda Item 6

Parks and Recreation Director McSwain reminded the Council that had approved staff going out to bid for enhancements to Privette Park. It was reported that the lowest responsible bidder also provided a layout and equipment desirable to the staff for the park. Ms. McSwain's presentation regarding this park and its enhancements is attached to these minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve Creative Playscapes Bid for Privette Park for \$46,450 and move forward with construction for 2023. The motion was unanimously approved by the Council after a second from Council Member Grooms.

8.A. Parks and Recreation Maintenance Position Conversion

Parks and Recreation Director McSwain reminded the Council that it had been discussing over the last month converting a parks and recreation position into a highly category in order to meet the parks and recreation going maintenance demands and

Council Member Richardson made the motion to approve the Budgeted Maintenance Technician's title revision to Senior Maintenance Technician and increase the pay grade scale accordingly to the Town's most recently approved Pay Grade Study. The motion was unanimously approved by Council after a second from Council Member Hall.

9. Road Resurfacing Project – Phase 1 Bid

Original Agenda Item 8.A.

Town Engineer Parker explained that in accordance with the Stallings Bid Policy and NCGS §143-129 for road construction/repair, staff advertised the project manual for the 2022-2023 resurfacing contract with formal bidding procedures on November 4, 2022. Four sealed bids were received. The bids were reviewed by staff for clarity, completeness, errors, and omissions with the lowest responsible bidder for the contract is J.T. Russell and Sons, Inc.

Council Member Grooms made the motion to authorize the Town Manager to execute the 2022-2023 Phase 1 resurfacing contract with J.T. Russell and Sons, Inc. for the amount of \$1,060,291.50. Council Member Scholl seconded the motion to which the Council unanimously approved.

10. Police Department School Resource Officer Position

Moved to Agenda Item 6

Council took a brief recess at 8:55 p.m. and reconvened back at 9:02 p.m.

11. Finance Items

A. FPIC Response Letter

Finance Officer Gross reminded the Council that due to the on the previous year's auditor findings, the majority of the Council needed to sign the FPIC Response Letter stating the Town was on a UAL (Unit's Assistance List), the controls were working, and there were no findings in the current year's audit. The Council Members who were present signed the letter.

B. 5-year Forecast

Finance Officer Gross reviewed the 5-year Forecast with the Council noting the highlights. A copy of the 5-year Forecast is available for inspection at the Stallings Town Hall.

12. Organizational Meeting Items

A. Appointment of Union County Public Schools Liaison

Mayor Dunn appointed Council Member Drake as the Union County Public School Liaison.

B. Appointment of QUAD Alliance Liaison

The Mayor would remain the QUAD Alliance Liaison.

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

Mayor Dunn appointed Council Member Richardson as the Charlotte Regional Transportation Planning Organization (CRTPO) as delegate with the Mayor being the alternate delegate.

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

Mayor Dunn appointed Council Member Scholl and Council Member Ayers as the Centralina Regional Council (CRC) delegate and alternate respectively.

E. Approval of 2023 meeting schedule

Council Member Ayers moved to approve the 2023 meeting schedule which was approved unanimously after a second from Council Member Scholl.

F. Approval of 2023 holiday schedule

The 2023 holiday schedule was approved unanimously by Council after a motion and second from Council Member Ayers and Scholl respectively.

G. Annual Retreat Date and Facilitator

Council Member Ayers made the motion to approve the Annual Retreat Date as February 25, 2023 with Curt Walton as the facilitator for \$4500. The motion was passed unanimously by Council after a second from Council Member Scholl.

12.H. Stallings Road Roundabout

Town Manager Sewell reminded the Council the Town had been working with NCDOT to provide landscaping for the bypass area in addition to the large gateway signage at the roundabout at the hospital. As the Council decided not to move forward with the cost of the gateway signage in the present budget, Mr. Sewell has been working with NCDOT for updated landscaping in that roundabout since the gateway signage would not be installed in the near future. NCDOT agreed to install the landscaping in the roundabout with the Town responsible for the future maintenance and upkeep.

Council Member Grooms made the motion to allow NCDOT to install the landscaping at the hospital roundabout. The motion was passed unanimously by Council after a second from Council Member Hall.

13. Adjournment

Council Member Hall moved to adjourn the meeting, seconded by Council Member Richardson, and the motion received unanimous support. The meeting was adjourned at 9:40 p.m.

Approved on _____, 2023.

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 9, 2023, 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, Heather Grooms, Graham Hall and Brad Richardson.

Those absent were: Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Jamie Privuznuk, Finance Officer; Eunice McSwain, Parks and Recreation Director; 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 to give public comment.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

- (1) 12-12-2022 – special
- (2) 12-12-2022 – closed

Council Member Ayers made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Richardson which passed unanimously by Council.

2. Reports

A. Report from the Mayor

Mayor Dunn had no report.

B. Reports from Council Members/Town Committees

Council Members Hall, Grooms, Ayers, and Richardson had no reports.

Council Member Scholl enjoyed the parks with his children and grandchildren over the holidays.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on the following:

- National Law Enforcement Day was that day.
- Staff was participating in the Biggest Loser weight loss challenge with the beginning of the new year.
- Employee of the Year was Mary McCall and Officer of the Year was Lt. Heath Cranford.
- DFI small meetings had been scheduled with the Council.
- At the QUAD meeting, there was an update on CATS and that the Silver Line completion was slated for 2036.
- Chief Franks reported that the check for the funds raised from No Shave November was being presented that evening to Home Town Heroes. \$13,000 was raised in Union, with \$2500 coming from Stallings Police Department, with all proceeds going to help childhood cancer.

3. Agenda Approval

Council Member Scholl made motion to approve the Agenda as presented. The motion was seconded by Council Member Grooms and passed unanimously by Council.

4. RZ22.09.02

Recessed from 12-12-22

A. General Rezoning, SFR-1 to MU-2 – Council Vote

Planning Director Hsiang reported on the updated buffer issues for RZ22.09.02 and presented the Council a letter from the applicant stating that he would input the buffer the Council was wanting.

Council Member Richardson made the motion to approve RZ22.09.02 - General Rezoning, SFR-1 to MU-2. The motion was seconded by Council Member Grooms and passed unanimously by the Council.

B. Statement of Consistency and Reasonableness

Council Member Richardson read the Statement of Consistency and Reasonableness for RZ22.09.02 into the record and made a motion to approve it. The motion was passed unanimously by the Council after a second from Council Member Hall. The Statement of Consistency and Reasonableness for RZ22.09.02 is attached to these minutes and therefore incorporated herein.

5. NCLM delegate selection and voting direction

Town Manager Sewell explained the North Carolina League of Municipalities was looking to set it legislative goals and provided 15 different options for the Council to consider. The Town could pick up to ten goals.

The NCLM proposed goals that Council selected were:

- Revitalize vacant and abandoned properties with enhanced legal tools and funding.
- Allow municipalities to use local resources and capabilities to expand broadband access in their communities through innovative partnerships.
- Extend deadlines for completion of federal infrastructure projects.
- Expand state transportation funding streams for construction and maintenance for municipal and state-owned secondary roads.
- Support integrated and multi-modal transportation solutions.
- Increase state funding for public transportation operations.
- Expand incentives and funding for local economic development.
- Expand incentives that encourage regionalization of water and sewer, as well as other municipal services, when appropriate.
- Enhance state systems and resources for local law enforcement officer recruitment, training, and retention.
- Provide local revenue options beyond property tax.

Council Member Ayers made a motion to appoint Mayor Dunn as the NCLM delegate and directing him to vote on the priorities as decided by the Council. Those priorities are listed above. The motion was seconded by Council Member Scholl and passed unanimously by the Council.

6. FY22-23 Town Priorities & Action Strategies Update

Town Manager Sewell presented and went through the FY22-23 Town Priorities & Action Strategies Update. The FY22-23 Town Priorities & Action Strategies Update is attached to these minutes and therefore incorporated herein.

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

Council Member Ayers made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) which was seconded by Council Member Hall. The motion was passed unanimously by the Council.

Council went into closed session at 7:52 p.m. and reconvened back in open session at 8:25 p.m.

8. 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 8:25 p.m.

Approved on _____, 2023.

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 23, 2023, 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, Heather Grooms, Graham Hall and Brad Richardson.

Those absent were:

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Kevin Parker, Town Engineer; Jamie Privuznak, Finance Officer; Eunice McSwain, Parks and Recreation Director; 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 Richardson delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

No one was present who wished to give public comment.

1. Approval of Consent Agenda Items

- A. Budget Schedule/Calendar
- B. ARPA - Grant Project Ordinance Amendment
- C. COVID Administrative Leave

Council Member Richardson made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Grooms which passed unanimously by Council. The ARPA - Grant Project Ordinance Amendment is attached to these minutes and therefore incorporated herein.

2. Agenda Approval

Mayor Dunn requested to add Agenda Item 3.A. as *Mecklenburg Union Boundary Resolution*.

Council Member Scholl made the motion to approve the Agenda Items with the addition above. The motion was seconded by Council Member Hall which passed unanimously by Council.

3. Vickery Fence Potential Reimbursement

Town Manager Sewell reminded the Council it agreed to consider reimbursing residents installing fencing on those residents' private property backing up to the greenway "pinch point" in the Vickery neighborhood. The maximum reimbursement amount mentioned was \$30,000, but the Council requested the residents get a quote to bring the fencing back to the Town Council for consideration. Residents presented a quote to the Council for \$33,392.

Council Member Richardson made the motion to the complete fence cost at \$33,392. The motion died for lack of a second.

Council Member Richardson made the motion to reimburse the property owners for the fence at \$30,000 to which Council Member Grooms seconded. The motion passed by a 4 to 1 with Council Member Hall opposing. It was noted that the homeowners would be reimbursed at the same proportion as the costs of the various sections.

3.A. Mecklenburg Union Boundary Resolution

Mayor Dunn explained that the boundary between Union and Mecklenburg Counties in Stallings has been in place since 1994. The boundary was question in 2001 and nothing changed at that time. The resolution presented recommended keeping the boundary the same.

Council Member Scholl read the resolution into the record and made the motion to approve The Resolution Supporting the Continued Use of the Current Shared Boundary of Union and Mecklenburg County located in the Town of Stallings. Council Member Hall seconded the motion to which Council approved unanimously. The Resolution Supporting the Continued Use of the Current Shared Boundary of Union and Mecklenburg County located in the Town of Stallings is attached to these minutes and therefore incorporated herein.

4. Request Staff Research Possible New Zoning For Mixed Use Business District (Hall)

Council Member Hall requested staff research new zoning for Mixed Use Business District and possibly making single family conditional in that district. Consensus to have staff look into options and being back to the Council.

Town Council reminded the Council to complete the Parks and Recreation survey regarding the Town's 50th celebration.

5. 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 7:29 p.m.

Approved on _____, 2023.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

DRAFT



MEMO

To: Mayor and Council Members
Via: Alex Sewell-Town Manager
From: Jamie Privuznak-Finance Officer
Date: February 13, 2023
RE: **Vickery Fence Reimbursement - Budget Amendment Request**

Background:

At the January 23 Council meeting, you received an update from Town Manager Alex Sewell on a potential reimbursement to four homeowners regarding the installation of fencing along the residents' private property, which abuts the Briar Mill greenway in the Vickery neighborhood. During this meeting, you passed a motion to reimburse these property owners for staining and installing their privacy fences for a total, not to exceed, \$30,000.

Per your direction, staff adjusted the totals due to each homeowner at the same proportion as the costs for staining and installing each fence. This table shows the amount due to each homeowner.

Resident Name	Amount Due for Fence Installation
Gold	8,903.33
Hoots	6,445.26
Russell	7,789.29
Desai	6,862.12
Total:	\$30,000.00

Currently, there is \$15,000 available in the Park and Recreation capital outlay budget to pay for half of the reimbursement cost to the homeowners. Staff requests an additional \$15,000 to be appropriated from unrestricted General Fund Balance to the Park and Recreation operating budget to cover the balance due.

Town Council Requested Action:

Staff requests you appropriate \$15,000 in unrestricted General Fund Balance to the Park and Recreation Capital Outlay budget line to reimburse the above homeowners for the costs related to installing privacy fences along their property lines, which abut the greenway. Attached is the amended budget ordinance.

AMENDED BUDGET ORDINANCE – NO. 9

TOWN OF STALLINGS, NORTH CAROLINA

FISCAL YEAR 2022-2023

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2020-2021 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
General Fund:				
Revenue:				
Unrestricted General Fund Balance	10-99-3991-600	\$ 279,278	\$ 294,278	\$ 15,000
Expense:				
Park and Recreation <i>Capital Outlay</i>	10-80-6130-099	\$ 956,760	\$ 971,760	\$ 15,000

Explanation: Amendment is to increase the unrestricted General Fund Balance appropriation to the Park and Recreation department for reimbursement costs related to residents' privacy fence installation along the Briar Mills greenway in the Vickery neighborhood.

This Amendment to the Budget Ordinance shall be effective upon adoption.

The said Budget Ordinance, except as amended, shall remain in full force and effect.

ADOPTED this the 13th day of February, 2023.

Wyatt Dunn, Mayor

Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC



MEMO

To: **Mayor and Town Council**
Via: Alex Sewell, Town Manager
From: Kevin Parker, P.E., Town Engineer
Date: February 13, 2023.
RE: SUMMIT Engineering, Laboratory and Testing, Inc. Contract Approval

Staff received a proposal from SUMMIT Engineering, Laboratory and Testing, Inc to perform geotechnical core sample analyses on several roadways identified in the Council-approved FY 2023 Resurfacing Contract. These core samples will be necessary to identify appropriate roadway reconstruction methods prior to the resurfacing work, expected to begin in Spring of 2023. Staff acknowledges the satisfactory qualifications of SUMMIT Engineering, Laboratory and Testing, Inc pursuing a formal RFQ process, in accordance with North Carolina General Statute 143-64.31 (Mini Brooks Act), would be inefficient in terms of cost and time.

Key Items

- Currently, there is \$48,956 remaining in the FY 2023 Powell Bill Budget
- SUMMIT Engineering, Laboratory and Testing, Inc. has historically provided satisfactory geotechnical services for the Town and surrounding jurisdictions.

Action Requested:

Requesting council to waive the requirements of the Mini Brooks Act and authorize the Town Manager to execute the geotechnical services contract with SUMMIT Engineering, Laboratory and Testing, Inc. for an amount up to \$20,000.

Resolution to Exempt the Town of Stallings from the Competitive Proposal Provisions of NCGS §143-64.31

WHEREAS, North Carolina General Statute 143-64.31 (Mini Brooks Act) requires the initial selection of firms to perform architectural, engineering, and surveying services on the basis of qualifications and without regard to fee; and

WHEREAS, the Town of Stallings proposes to enter into one or more contracts for such services for geotechnical core sampling and testing; and

WHEREAS, North Carolina General Statute 143-64.32(a) and local policies allow the Town Council in its sole discretion to exempt projects where the estimated professional fee is in an amount less than fifty thousand dollars (\$50,000) upon stating the reasons for exemption and the circumstances attendant thereto; and

WHEREAS, the Project entails an engineering/design component; and

WHEREAS, the Town of Stallings desires to engage SUMMIT Engineering, Laboratory and Testing, Inc. for the purpose of providing geotechnical core sampling and mix design surfaces in anticipation of the Fiscal Year 2023 Resurfacing Contract, and the professional fee for that contract is not to exceed twenty-thousand dollars (\$20,000);

WHEREAS, the Town of Stallings desires to exempt this project from the statutory qualification procedure and engage SUMMIT Engineering, Laboratory and Testing, Inc. because of the nature of the project and because SUMMIT Engineering, Laboratory and Testing, Inc. is experienced and qualified to perform the work;

NOW, THEREFORE, the Town Council of the Town of Stallings resolves the above described project is hereby made exempt from the provisions of North Carolina General Statute 143-64.31 (Mini Brooks Act) for the reasons stated in this resolution.

This the 13th day of February, 2023.

Wyatt Dunn, Mayor

Attest:

Erinn Nichols, Town Clerk

Approved as to form:

Melanie Cox, Town Attorney

TOWN OF STALLINGS

SIXTH AMENDMENT TO SOLID WASTE SERVICE CONTRACT

This Sixth Amendment to the Solid Waste Service Contract ("Sixth Amendment") is made and entered into this the _____ day of _____ 2023, by and between the Town of Stallings, North Carolina (the "Town") and Waste Connections (the "Company"). The Company and Town are each individually referred to herein as a "Party" and collectively referred to as "Parties."

BACKGROUND

- A. WHEREAS, the Company and Town entered into a Solid Waste Service Contract ("Contract") dated May 10, 2011; and
- B. WHEREAS, the Company and Town amended the Contract pursuant to the certain amendments to the Solid Waste Service Contract dated July 16, 2013 (the "First Amendment"); and
- C. WHEREAS, the Company and Town amended the Contract pursuant to certain amendments to the Solid Waste Service Contract dated July 21, 2016 (the "Second Amendment"); and
- D. WHEREAS, the Company and Town amended the Contract pursuant to the certain amendments to the Solid Waste Service Contract dated March 26, 2018 (the "Third Amendment"); and
- E. WHEREAS, the Company and Town amended the Contract pursuant to the certain amendments to the Solid Waste Service Contract dated September 9, 2019 (the "Fourth Amendment"); and
- F. WHEREAS, the Company and Town amended the Contract pursuant to the certain amendments to the Solid Waste Service Contract dated October 22, 2021 (the "Fifth Amendment"); and
- G. WHEREAS, the Town wishes to execute its contract right to a contract extension; and
- H. WHEREAS, , the Parties now desire to further amend the Contract as specified herein; and
- I. WHEREAS, the Parties consider the Contract, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, and Sixth Amendment all part of the same Contract.

WITNESSETH:

NOW, THEREFORE, it is mutually agreed, that in consideration of the covenants and releases herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

- 1. The Town will pay a collection fee of \$15.50/household/month for weekly solid waste collection, bi-weekly yard waste collection and bi-weekly recycling collection.
- 2. The Town may, at its sole option, renew the Contract for one additional successive two-year extension (July 1, 2027 – June 30, 2029) to be confirmed 180 days in advance of Extension 2 Termination Date (06/30/27).
- 3. The Company will provide three (3) annual bulk pick-ups at no additional cost with dates to be determined by the Town.
- 4. The Company will provide a Performance Bond equal to 100% of the Annual Contract Value, renewed annually.
- 5. The collection fees shall be adjusted upward or downward to reflect the exact changes in the Consumer Price Index (CPI) during the preceding twelve months or 10% per annum, whichever is less to begin July 1, 2024.
- 6. Except as hereby modified or amended, the Contract shall continue in full force and effect.

In Witness Whereof, the parties hereto have executed this contract in duplicate originals, one of which is retained by each of the parties, the day and year first written above.

Attest:

Town of Stallings, North Carolina

Erinn Nichols, Town Clerk

Alex Sewell, Town Manager

Approved as to Form:

Waste Connections

Melanie D. Cox, Town Attorney

Alex Kolka, Municipal Contract Manager



MEMO

To: Mayor and Council Members
From: Karen Reid-Human Resource Director
Via: Alex Sewell-Town Manager
Date: February 7, 2023
RE: **NCLM Wellness Grant**

Background:

- The Health Benefits Trust under the direction of the RMS Board for the N.C. League of Municipalities set aside \$100k for wellness grants each fiscal year.
- Groups that participate in the medical program are eligible to apply for these dollars to assist them with health fairs, wellness programs, educational classes, fitness activities, fitness equipment, nutritional programs, etc.
- Groups are eligible for a maximum of \$5,000 per fiscal year.
- The Town applied and was approved for \$2107 to purchase additional exercise equipment for the employee gym.


Town Council Requested Action:

- Recognize, receive, and appropriate the grant funds received from the N.C. League of Municipalities for the exercise equipment.



MEMO



To: Mayor and Council
Via: Alex Sewell, Town Manager
From: Dennis Franks, Chief of Police 
Date: February 6, 2023
RE: Mandatory Radio Upgrade Purchase Order

Purpose: The purpose of this memo is to complete the purchase of new mobile and portable radios for the Stallings Police Department. These radios will be compliant with the State of North Carolina-mandated radio upgrade.

Background: The Stallings Police Department utilizes radio communications through Union County Central Communications (CCOM). The State of North Carolina is requiring radio upgrades for CCOM, to be compliant with its Time Division Multiple Access (TDMA) requirements. These upgrades will allow CCOM to have more concurrent voice conversations without the need to add additional base stations to address the need for growth.

During the FY 22-23 budget process the Town allotted \$173,000 for the purchase of new radios and the software upgrade of applicable radios.

Next Steps: I respectfully request the Town Council to approve the purchase order, not to exceed the allocated budget amount, to begin the acquisition of new radios and software upgrades.



MEMO

To: Mayor and Council
From: Alex Sewell, Town Manager
Date: February 9, 2023
RE: **2023 Annual Retreat Agenda**

Purpose: This memorandum provides background and requests approval of the draft 2023 Annual Retreat agenda.

Background:

- The Town Council holds a special meeting each year, known as the Annual Retreat, for the purpose of planning for the upcoming year.
- The Annual Retreat is important because it allows the Town Council to establish its official priorities for the year, provides staff with direction on which priorities to work towards, and serves as an opportunity for Town officials to step back from the micro issues and think big picture.
- The 2023 Annual Retreat is scheduled for Saturday February 25, 2023.
- Curt Walton (former Charlotte City Manager) was selected to facilitate the 2023 Annual Retreat.
- In preparation and to ensure the Annual Retreat is helpful for the Council, Mr. Walton is in the process of interviewing the Mayor and Town Council Members individually to determine top priorities, areas of concern, and areas of opportunity. Once Mr. Walton has completed all interviews and synthesized the material, follow-up information will be sent out to the full Council prior to the Retreat.

Requested Action: Approve the draft enclosed agenda and Annual Retreat location in the Government Center lobby¹.

¹ There was some discussion about an alternative location, but nothing has materialized that staff are aware. If Council would like to do another location, please advise.

Stallings Retreat Agenda

February 25, 2023

9:00 am – 9:45 am

- | | |
|---|----------------------------------|
| 1. Welcome and Retreat Purpose | Mayor Dunn |
| 2. Opening Thoughts | Mayor and Council
Alex Sewell |
| 3. Suggested Retreat Process and Outcomes | Curt Walton |

9:45 – 11:45 pm

- | | |
|--|-------------|
| 4. Report on 2023 Priorities Conversations <ul style="list-style-type: none">• Central Themes• Overview | Curt Walton |
| 5. Facilitated Mayor/Council Discussion Of 2023 Priorities | Everyone |

11:45 pm – 12:15 pm

Lunch

12:15 pm – 1:15 pm

- | | |
|---|----------|
| 6. Facilitated Mayor/Council Discussion Of 2023 Priorities, continued | Everyone |
|---|----------|

1:15 pm – 1:30 pm

Break

1:30 pm – 2:30 pm

- | | |
|--|----------|
| 7. Discussion Points/Questions Raised In Interviews with the facilitator | Everyone |
|--|----------|

2:30 pm – 3:00 pm

- | | |
|-----------------------------|--|
| 8. Review 2023 Action Steps | Curt Walton |
| 9. Closing Thoughts | Alex Sewell
Council members
Mayor Dunn |



MEMO

To: Stallings Town Council
From: Eunice McSwain, Stallings Parks & Recreation - Director
Via: Alex Sewell, Town Manager
Date: Feb 6th, 2023
RE: **Special Event Request: Exception to allow alcohol sales at certain 2023 Events**

Background/Issue:

The Parks & Recreation Department would like to contract with craft-beer and wine providers to sell alcohol at certain events offered in 2023.

Town Ordinance 130.02 prohibits the consumption and possession of alcoholic beverages at Town sponsored special events but allows for exceptions to be made by the Town Council on a case-by-case basis. Specifically, the ordinance states "Exceptions to the provisions of this section can only be made by the Town Council on a case-by-case basis. Such exemptions shall apply to the annual barbeque event."

Proposal/Solution:

We are requesting an exception be made to Town Ordinance 130.02 by the Town Council for the following events:

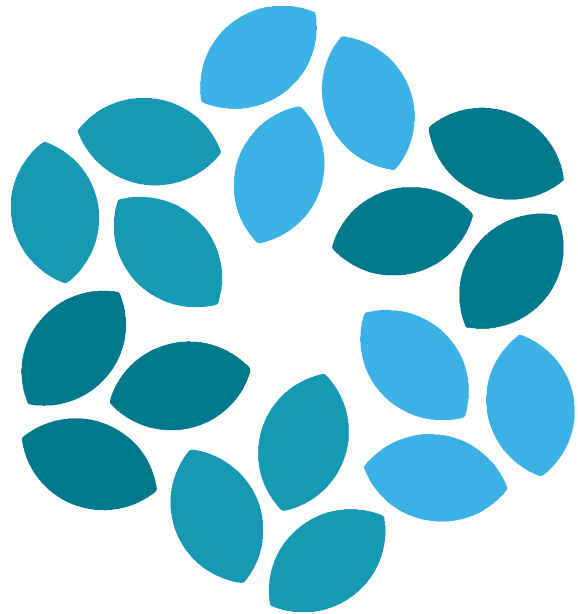
- Friday, July 7th 2023 | Backyard BBQ
- Third Thursday Trivia | June - September '23

The Department will consult with the Town's liability insurance provider to ensure proper coverage is attained, contract with reputable providers to manage sales, and provide controls (Officers on-site, Beer Garden Barriers, appropriate signage) to ensure a safe environment is maintained.

Requested Actions:

- 1) Approve the exception to Town Ordinance 130.02 to allow alcohol sales at the Backyard BBQ and Third Thursday Trivia Nights in 2023.

Storm Water Update



ENGINEERING

TOWN of STALLINGS

February 13, 2023

Topics



- Completed Projects
- Future Projects
- Budget Update
- Next Steps

Purpose

- Provide Council an update on the storm water program and budget.
- Introduce staff's efforts to improve to the storm water program.

Completed Projects

- Completed 25 total storm water maintenance & repair projects in FY 2023.
 - Sink hole repairs
 - Catch basin seal
 - Pipe separation/damage
 - Implementation of new storm water infrastructure
 - Stream restoration and bank stabilization
 - Ditch regrade
 - General storm water system cleanup/maintenance

Completed Projects



Completed Projects



Future Projects

- 24 storm water and maintenance repair projects on our current list.
 - ▣ 14 high priority projects – Safety concerns and/or potential for property damage
 - Sink hole repair
 - Catch basin seal
 - Pipe separation/damage
 - Stream restoration
 - ▣ 10 Lower priority projects – Nuisance flooding and erosion concerns.
 - Ditch regrade/realignment
 - Driveway culvert maintenance

Budget Summary

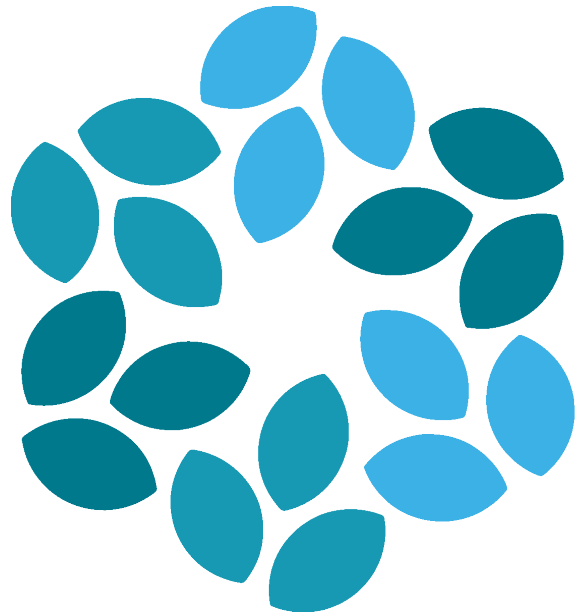
Total FY 2023 Storm Water Repair Budget	<p style="text-align: center;">\$550,000 (Includes additional \$290k appropriation from reserve fund for Freesia Place and Twin Pines Projects)</p>	
To Date FY 2023 Storm Water Repair Expenditures	<p style="text-align: center;">\$327,050 (Freesia Place and Twin Pines Phase 1 complete)</p>	
Current Estimates for Future Projects (14 of 24 current projects)	High Priority (10/14 estimates received)	<p style="text-align: right;">\$94,200</p>
	Low Priority (4/10 estimates received)	<p style="text-align: right;">\$41,700</p>
	<p style="text-align: center;">Total</p>	<p style="text-align: right;">\$135,900</p>
Storm Water Reserve Fund Balance	<p style="text-align: center;">\$1,003,000 (Includes the \$290,000 appropriation)</p>	
Total FY 2023 Storm Water Revenue	<p style="text-align: center;">\$490,000</p>	

Next Steps

- FY 2023 storm water budget amendment likely
 - Would likely reduce storm water reserve fund balance below \$1 million
 - Council policy to maintain \$1 million in reserve fund balance
- Storm water budget management
 - Storm water fee adjustment(s)
 - Staff is evaluating a storm water fee increase
 - Staff is analyzing restructuring the storm water fee schedule
 - Reducing expenditures and controlling costs
 - Utilizing, and investing in, public works to perform routine storm water maintenance & repairs

Current Storm Water Fee Schedule	
Residential	\$46 annually
Equivalent Residential Unit (ERU)	\$33 per ERU annually

Questions?



ENGINEERING

TOWN of STALLINGS