



November 12, 2024
 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.	Special Presentation Eagle Scout Project Bat Boxes at Blair Mill Park	Joe Mitchell, Eagle Scout Candidate	NA
	7:10p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda A. Minutes from the following meetings: (1) 10-15-2024 (2) 10-15-2024 – closed (3) 10-28-2024 (4) 10-28-2024 – closed B. Amended Budget Ordinance 7 – Town Hall Roof Replacement	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 (1) October Budget Line Item Transfers (2) Planning – TOD Overlay Update (3) Police a. Life Saving Award b. Helene Outreach Efforts Recognition	Council and Staff	NA
3.	7:45 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written
4.	7:50 p.m.	Twin Pines A. Erosion control and clean-up work B. Settlement Agreement and Payment	Kevin Parker, Engineering Director	A. Approve use of funds for erosion control and clean-up B. Approve Settlement Agreement & Payment
5.	8:00 p.m.	Sanitary Sewer Update	Kevin Parker, Eng. Dir.	Information

6.	8:15 p.m.	Community Committee Application Consideration	Erinn Nichols, Asst. Manager	Possible appointment of new member
7.	8:20 p.m.	FY25-26 Priority and Budget Decision Making Process	Alex Sewell, Town Manager	Approve process
8.	8:30 p.m.	Aqua Sewer Plant (<i>Hall</i>)	Graham Hall, Council Member	Discussion
9.	8:40 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 October 15, 2024, 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, Brad Richardson and Laurie Wojtowicz.

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

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; Jessie Williams, Finance Officer; Nick Coffey, Parks and Recreation Senior Maintenance Technician; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tempore Scholl welcomed everyone to the meeting and Council Member Ayers delivered the invocation. Mayor Pro Tempore Scholl 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. Consent Agenda

A. Minutes from the following meetings:

- (1) 09-09-2024
- (2) 09-09-2024 – closed
- (3) 09-23-2024
- (4) 09-23-2024 – closed

B. Resolution Prohibiting Pornography per State Law

C. Police Shooting Settlement

D. Amended Budget Ordinance 6 – PD Shooting Settlement

Council Member Richardson made the motion to approve the Consent Agenda as presented. The motion received Council's unanimous support after a second from Council Member Ayers. The *Resolution Prohibiting Pornography per State Law* and *Amended Budget Ordinance 6 – PD Shooting Settlement* are attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from Mayor

The Mayor was not present to give a report.

B. Report from Council Members/Town Committees

Council Members Wojtowicz and Ayers had no reports.

Council Member Scholl went to the NCLM meeting at the Charlotte Motor Speedway. He also emceed the CRC meeting and awards.

Council Member Richardson reported on the Stallings Economic Development Committee last meeting. The group discussed the leasing of the old tractor dealership that the Town now owns, the roads in the Union West Business Park, and a transit overlay planning presentation regarding the light rail. Mr. Richardson would also be attending the CRTPO meeting the following evening to vote on NCDOT managed lanes to ask the state to begin the proposals for that project.

Council Member Drake arrived at 7:09 p.m.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on the following items:

- The Town had collected many items from the community for Western North Carolina.
- The September Budget Line Items Transfer List was presented to the Council. It is attached to these minutes and therefore now incorporated herein.
- A settlement had been reached with 3730 Birchdale Court of \$6001 payable over a 24-month period.

3. Agenda Approval

Council Member Scholl requested to add Charge Union County Tax Administrator to collected 2024-2025 Taxes as 5.A. Council Member Richardson made the motion to approve the Agenda with the addition above. The motion was seconded by Council Ayers and passed unanimously.

4. Union County Public Schools Bonds Presentation

Union County School Board Members Gary Sides and Jay Parker were present to review the School Bonds which would be on the November 5, 2024 Ballot. The Bond Projects totaled 39,421,448 and would allow for:

- East Union Middle – Replacement School Project: \$27,567,447
- Parkwood High School – Pre-Construction Project: \$10,705,804

This presentation is attached to these minutes and therefore incorporated herein.

Mr. Sides also shared that he would be sworn in as a Union County Commissioner.

5. Union County 2025 Reappraisal Presentation

Union County Tax Administrator Vann Harrell was present to review the 2025 Reappraisal process and timeline with the effective date of January 1, 2025. Property appeals would be due by May 2025.

This presentation is attached to these minutes and therefore incorporated herein.

5.A. Charge Union County Tax Administrator to collect 2024-2025 Taxes

Council Member Richardson made the motion to charge the Union County Tax Administrator to collect 2024-2025 Taxes. The motion was seconded by Council Member Wojtowicz to which the Council approved unanimously. The 2024-2025 Union County Order of Collection is attached to these minutes and therefore incorporated herein.

6. Union County Cresswind Development

Planning Director Max Hsiang explained that Union County Planning had contacted the Town to solicit the Council's formal position on the Cresswind development before scheduling a community meeting. The proposed development of 727 single-family, 55+ detached homes on parcels 08312014, 08309016, and 08282009A, with a total gross acreage of 389.25 acres was located approximately 0.25 miles north of Stallings.

Staff has identified the following concerns with the development:

1. Community Impact

- Annexation: Does Stallings seek to annex the northern unincorporated Union County properties into Stallings to increase the tax base and avoid future development limitations?
- Police Services: Ensure adequate secondary police services for the community.
- Traffic: Address potential traffic increases on Lawyers Road.
- Community Involvement: Invite Stallings residents and notify HOAs on Lawyers Road and the Town Council.

2. Development Planning

- Site Access: Consider the impact of no access from Rock Hill Church Road. Provide a street stub towards Rock Hill Church Road.
- Stormwater Management: Address concerns about floodplain proximity to homes and potential flooding.
- Parking: Plan for adequate parking, including parallel parking on main roads or additional parking areas.
- Open Space: Ensure sufficient usable open space for residents.
- Amenities: Include secondary amenity areas and usable spaces.
- Walking Trails: Consider a walking trail along the floodplain.

3. Development Concerns

- Sewer Facility: Address concerns with the long-term impacts of a private sewer facility.
- Information and Transparency: Request a detailed list of conditions from the conditional zoning and a formal analysis of the impact on services.
- Gated Community: Inquire about the status of the proposed development as a gated community.

Council saw several negatives based on the information provided and was not supportive of the project but could not make a formal position due to the lack of information.

7. Waste Connections Contract Extension Option

Assistant Town Manager Nichols explained the Town's solid waste collection contract with Waste Connections was complete June 30, 2025. However, per the Town's amended contract, the Town had the right to execute a two-year extension allowing the contract to continue through June 30, 2027. Staff met with Waste Connections in late September and was able to secure the same terms (no changes) for the optional contact extension for the term of July 1, 2025 through June 30, 2027.

Staff recommended the Council exercise its right to execute the two-year contract extension with Waste Connections for the term July 1, 2025 through June 30, 2027 in addition to continued discussions with Waste Connections to develop a contract amendment allowing for a continued partnership.

Council Member Ayers made the motion to execute the two-year contract extension with Waste Connections for the term July 1, 2025 through June 30, 2027. Council Member Drake seconded the motion to with Council approved unanimously. Council also held consensus to have continued discussions with Waste Connections for a possible contract amendment allowing for a continued partnership.

8. Concrete Spills on Stallings Roads (Ayers)

Council Member Ayers explained he had noticed concrete spills on some roads in the Town and would like to hold the concrete companies accountable.

Council Member Ayers made the motion to direct staff to send a letter to local concrete companies to inform them about the spills and that the Town would hold companies who spill accountable for the spills and clean up. The motion was passed unanimously by Council after a second from Council Member Richardson.

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

Council Member Richardson made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) and invite Engineering Director Kevin Parker into the session. The motion received Council's unanimous support after a second from Council Member Scholl.

Council recessed into closed session at 8:19 p.m. and reconvened into open session at 8:49 p.m.

10. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Drake, and the motion received unanimous support. The meeting was adjourned at 8:50 p.m.

Approved on _____, 2024.

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 October 28, 2024, 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, Graham Hall, Brad Richardson and Laurie Wojtowicz.

Those absent were: Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Kevin Parker, Town Engineer; Jessie Williams, Finance Officer; Nick Coffey, Parks and Recreation Senior Maintenance; Tori Crowe, Special Events Coordinator; 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. 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. Consent Agenda

A. ARPA Quarterly Amended Project Ordinance

Council Member Richardson made a motion to approve the Consent Agenda as presented. The motion received Council's unanimous support after a second from Council Member Scholl. The *ARPA Quarterly Amended Project Ordinance* is attached to these minutes and therefore incorporated herein.

2. Agenda Approval

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

3. TX24.06.01

A. Parking Amendments

Mayor Dunn opened the public hearing. Planning Director Max Hsiang explained amendment requests to revise parking requirements by:

- Updating minimum and maximum space requirements in Table 12.1.
- Simplifying and condensing the use categories.
- Reformatting the requirements for easier interpretation and measurement.

Council discussed the text amendment. No public was present to speak to the item. The Council decided to table the item until staff could research the item more. Mayor Dunn recessed the public hearing until November 25, 2024.

B. Statement of Consistency and Reasonableness

The item was not needed due to the tabling of Agenda Item 3.A., TX24.06.01 - Parking Amendments until 11-25-2024.

4. TX24.09.01

A. Greenway & Streetscape Type Amendment

Mayor Dunn opened the public hearing. Planning Director Max Hsiang reminded Council that on 08-12-2024 it asked Staff to draft a text amendment (TX24.09.01) to address concerns regarding the selection of greenway types and the application of streetscape requirements.

Key Changes:

1. **Greenway Type Selection:** The Development Administrator will now have the authority to determine the most appropriate greenway trail type when a greenway is required by the development plan. This ensures consistency and alignment with the overall planning goals.
2. **Greenway Requirement Clarification:** The amendment specifies that greenways are required for developments that require a Major Site Development Plan review, provided the greenway is shown on the Greenway plan. This clarifies the scope of the application for the greenway requirements.
3. **Streetscape Type Selection:** To further streamline the development process, the Development Administrator will also have the authority to select the most suitable streetscape type when required by the development plan.

No public was present to speak to the item. Mayor Dunn then closed the public hearing. Council Member Scholl made a motion to approve *TX24.09.01 - Greenway & Streetscape Type Amendment* to which Council Member Wojtowicz seconded. The motion was approved unanimously by Council.

B. Statement of Consistency and Reasonableness

Council Member Wojtowicz made the motion to adopt the *Statement of Consistency and Reasonableness for TX24.09.01*. Council Member Richardson seconded to the motion to which the Council approved unanimously. The *Statement of Consistency and Reasonableness for TX24.09.01* is attached to these minutes and therefore incorporated herein.

5. Stallings Farms Civil Penalties Reduction Request

Planning Director Max Hsiang explained that on August 13, 2024, unauthorized tree removal was observed at the future Stallings Farm neighborhood. The action occurred without the necessary Land Disturbance Permit or approved Construction Documents and resulted in a land disturbance of 3.37 acres. On September 30, 2024, Stallings Farms submitted a request to reduce the civil penalty by 75% to \$8,425. Staff oppose the 75% penalty reduction as approving the reduction could set a precedent for other developers to remove trees prematurely and seek similar reductions. Staff memo with complete information on the item is attached to these minutes and therefore incorporated herein.

Wes Hinson, attorney for the applicant Stallings Farm, was present and reviewed the applicant's position stating that the trees would have been allowed to be cut down under the land disturbance permit which would have been approved in a few weeks following the initial tree disturbance. Mr. Hinson stated the applicant routinely cleared the land in that manner for years to control growth.

Council Member Hall made the motion to reduce the Stallings Farms Civil Penalty to \$10,000. The motion received a second from Council Member Scholl. Motion failed by a vote 1 to 5 with all opposing except for Council Member Scholl.

Council Member Richardson made the motion to reduce the Stallings Farms Civil Penalty by 50%. Council Member Hall seconded the motion. The motion passed by a 5 to 1 vote with Council Member Scholl opposing.

6. Annexation Agreement with Mecklenburg Co.

Planning Director Max Hsiang explained that on July 1, 2024, Ordinance No. 5356-X, which approved the annexation agreement between Charlotte and Stallings, expired. Following the expiration, Charlotte reached out to Stallings to discuss the Stallings' interest in entering into a new annexation agreement. The previous agreement included a stipulation that neither Charlotte nor Stallings could annex land three miles north/south within the County of the other municipality.

Staff recommended against entering into a new annexation agreement due to the limited amount of available land for annexation by either municipality. Staff believed an agreement was currently unnecessary since most of the land had been incorporated into a municipality around Stallings.

Council held consensus to not renew the Annexation Agreement with Charlotte in Mecklenburg County.

7. 2025 Stallings Park Events

A. Alcohol Sales at Certain 2025 Events

Special Event Coordinator Tori Crowe explained that per Town Ordinance §130.02 Restrictions On Consumption and Possession of Alcoholic Beverages, alcohol cannot be served at Town events unless the Council specifically gives an exception. Staff requested Council make an exemption to §130.02(D) in order to allow breweries at the following two events in 2025:

- Shamrockin' Concert on Friday, March 14, 2025
- Stallings 50 Fest Kick Off Night on Friday, September 12, 2025

Council Member Hall made the motion to approve the serving of the alcohol at Shamrockin' Concert on Friday, March 14, 2025, and Stallings 50 Fest Kick Off Night on Friday, September 12, 2025. The motion received Council's unanimous support after a second from Council Member Ayers.

B. Council Booth at 2025 Events

Special Event Coordinator Tori Crowe explained staff would like to gage Council's desire to man a Council booth at various 2025 events.

Council held consensus to combine a Council booth with another Town staff booth.

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

Council Member Hall made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) and invite Engineering Director Parker into the session. The motion received Council's unanimous support after a second from Council Member Scholl.

Council recessed into closed session at 8:05 p.m. and reconvened in open session at 8:28 p.m.

9. 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 8:28 p.m.

Approved on _____, 2024.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

DRAFT



MEMO

To: **Mayor and Town Council**
From: Kevin Parker, P.E., Town Engineer
Date: November 12, 2024.
RE: Request for Budget Amendment – Town Hall Roof Replacement Project

Purpose:

This memo is to request a budget amendment of \$29,500 for the Town Hall Roof Replacement Project.

Background:

During a portion of the recent HVAC Improvement Project, significant issues with the roofing deck and rafters were identified. These issues underscored the immediate need for a roof replacement to prevent further structural concerns and extend the lifespan of our facility.

Staff solicited bids to replace the roof on the Town Hall building. We received six competitive bids for the project, with the lowest bid submitted by WaynCo Roofing at \$24,200.

Action Requested:

While the lowest bid of \$24,200 would cover the primary cost, Staff recommends an amendment of \$29,500 to the project budget to ensure a sufficient contingency. This contingency will provide flexibility to address any unforeseen conditions that may arise during the roof replacement process, which are common in roofing projects of this scale.

Staff is requesting Council approval of Amended Budget Ordinance 7 in the amount of \$29,500 to replace the roof of Town Hall.

AMENDED BUDGET ORDINANCE – NO. 7
TOWN OF STALLINGS, NORTH CAROLINA
FISCAL YEAR 2024-2025

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the budget for fiscal year 2024-2025 is hereby amended as set forth below:

Category	Account Number	Net Increase or (Decrease)	Current Budget	Amended Budget
<u>General Fund:</u>				
<u>Revenue Budget</u>				
Unrestricted Fund Balance Appropriation - General Fund	10-99-3991-600	\$ 29,500	\$ 1,178,684	\$ 1,208,184
<u>Expense Budget - Public Works</u>				
Capital Outlay	10-70-4570-099	\$ 29,500	\$ 349,050	\$ 378,550

Explanation: To appropriate unrestricted fund balance from the General Fund for Town Hall roof replacement.

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 12th day of November 2024.

Wyatt Dunn, Mayor

Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC



Budget Line Item Transfers

October 2024

Date	Department	GL Account	Account Title	Reason for Change	Amount
10/18/2024	Parks & Rec	10-80-6130-049	Parks & Rec General Operating - Miscellaneous	Transfer to division accounts	100
10/18/2024	Parks & Rec	10-80-6140-021	Parks & Rec Maintenance Division - Supplies/Materials	Transfer to division accounts	300
10/18/2024	Parks & Rec	10-80-6130-026	Parks & Rec General Operating - Office Supplies	Transfer to division accounts	(400)
10/18/2024	Parks & Rec	10-80-6140-024	Parks & Rec Maintenance Division - Building & Grounds	Transfer to division accounts	500
10/18/2024	Parks & Rec	10-80-6150-024	Parks & Rec Splash Pad - Building & Grounds	Transfer to division accounts	100
10/18/2024	Parks & Rec	10-80-6130-024	Parks & Rec General Operating - Building & Grounds	Transfer to division accounts	(600)
10/18/2024	Parks & Rec	10-80-6170-021	Parks & Rec Programs - Supplies/Materials	Transfer to division accounts	600
10/18/2024	Parks & Rec	10-80-6170-022	Parks & Rec Programs - Meetings/Events	Transfer to division accounts	250
10/18/2024	Parks & Rec	10-80-6170-037	Parks & Rec Programs - Advertising	Transfer to division accounts	500
10/18/2024	Parks & Rec	10-80-6170-039	Parks & Rec Programs - Outside Services	Transfer to division accounts	3,000
10/18/2024	Parks & Rec	10-80-6130-081	Parks & Rec General Operating - Recreation Programming	Transfer to division accounts	(4,350)
10/18/2024	Parks & Rec	10-80-6180-021	Parks & Rec Events - Supplies/Materials	Transfer to division accounts	5,000
10/18/2024	Parks & Rec	10-80-6130-023	Parks & Rec General Operating - Dues/Subscriptions/Publications	Transfer to division accounts	1,000
10/18/2024	Parks & Rec	10-80-6180-037	Parks & Rec Events - Advertising	Transfer to division accounts	250
10/18/2024	Parks & Rec	10-80-6180-039	Parks & Rec Events - Outside Services	Transfer to division accounts	4,680
10/18/2024	Parks & Rec	10-80-6130-090	Parks & Rec General Operating - Events	Transfer to division accounts	(10,930)
10/29/2024	Stormwater	67-97-7510-035	Repairs/Maintenance	Transfer for Twin Pines citizen reimbursement	(4,135)
10/29/2024	Stormwater	67-97-7510-049	Miscellaneous	Transfer for Twin Pines citizen reimbursement	4,135
10/30/2024	Police	10-10-4310-029	Inventory/Equipment	Transfer to cover overspent account, budget was adopted with funding in different account	30,000
10/30/2024	Police	10-10-4310-099	Capital Outlay	Transfer to cover overspent account, budget was adopted with funding in different account	(30,000)
10/30/2024	Police	10-10-4310-082	Police Vehicle Upfit	Transfer to cover overspent account, budget was adopted with funding in different account	1,000
10/30/2024	Police	10-10-4310-043	Vehicle Purchase	Transfer to cover overspent account, budget was adopted with funding in different account	(1,000)



MEMO

To: Town Council
From: Max Hsiang, Planning Director
Date: 11.12.2024
Re: Silverline Integration Plan Update

Dear Council Members,

I am writing to provide an update on the Silverline Integration Plan, which has been the focus of significant effort by Bolton & Menk and our staff over the past few months. We've received positive feedback from online surveys and at Stallings Fest, where we presented a draft of the plan.

Next Steps and Timeline

To move forward, we need your valuable input on the plan. We've developed a timeline to outline key deliverables and anticipated feedback deadlines:

- November 13, 2024:
 - Draft Comprehensive Land Use Plan Update
 - Draft Future Land Use Map
 - Draft Highway 74 Small Area Plan
- November 26, 2024:
 - Draft TOD Overlay Ordinance
 - Draft Zoning Map
- December 9, 2024:
 - Bolton & Menk presentation of the plans as a Council agenda item
 - Q&A session to address questions raised during the review of the November 13th and 26th deliverables
- January 2025:
 - Final plan adoption (either January 13th or 27th)
 - Please note that this is for plan adoption, not immediate implementation of rezoning within the TOD overlay boundary.
- February-March 2025:
 - TOD Overlay implementation text amendments and rezoning (specific dates to be determined)

Background

As a reminder, the Town received a CRTPO grant to:

- Update the Comprehensive Land Use Plan
- Update the Highway 74 Small Area Plan
- Implement a TOD Overlay to incorporate the Silverline project and address current conditions.

We appreciate your continued support and look forward to your feedback on this critical project.



MEMO

To: **Mayor and Town Council**
From: Kevin Parker, P.E., Town Engineer
Date: November 12, 2024.
RE: Approval Request for Twin Pines Erosion Control, Clean-Up, and Settlement Agreement

Overview and Objective:

At the September 23, 2024, Council meeting, Council decided to pursue the USACE-recommended erosion control and stream clean-up work behind 1012 Twin Pines Drive instead of pursuing the full Stream Restoration Project that was estimated at \$250,000. Council requested that staff finalize the scope of work, obtain cost estimates for this erosion control and cleanup work, and address remaining tree replanting for two property owners, following the August 2022 Stream Bank Stabilization Project. Additionally, Council directed staff to determine an appropriate settlement payment with the property owners of 1012, 1008, and 1006 Twin Pines Drive for property damage resulting from flooding.

Since that meeting, staff has finalized the scope of work and obtained estimates for the necessary erosion control and clean-up at 1012 Twin Pines Drive. This work includes clearing and relocating rip rap to stabilize the banks, removing vegetation from the channel bed, and planting herbaceous plugs along the banks to enhance stability and reduce erosion. The cost estimate for construction, construction administration, and final permitting with USACE totals \$25,000. Staff has also coordinated with property owners regarding tree replanting from the August 2022 stabilization project, and that expected to cost approximately \$8,500.

Additionally, staff has worked with the Town's legal representative and developed a settlement agreement for the three affected property owners, and is recommending a settlement payment amount based on True Homes' \$78,000 contribution to the Town for remediation efforts. With contingency funds allocated for erosion control and clean-up work (\$25,000) and tree replanting (\$8,500), staff recommends a settlement payment of \$12,500 to the three property owners. True Homes' contribution will cover these costs, providing contingency for any additional construction expenses.

Stallings' Maintenance Obligations:

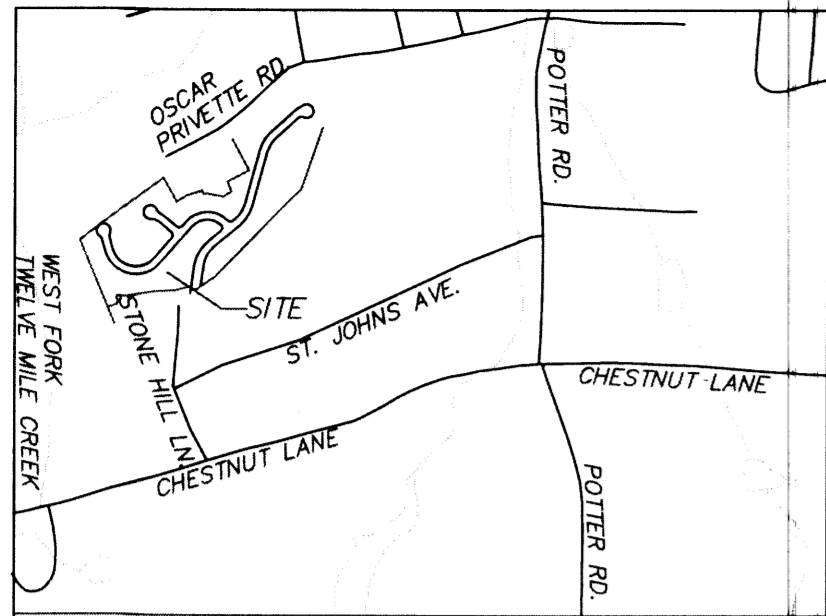
Upon execution of the settlement agreement, this does not signify that the Town will end its involvement; staff will continue to monitor the stream and perform maintenance as needed, following Town ordinances and policies.

As a reminder, staff prioritizes stormwater maintenance based on safety risks and threat(s) of structural property damage. Minor erosion or sediment build-up, as in this case, is considered low-priority and will be monitored without further action unless necessary. However, if a situation such as debris accumulation arises, that risks worsening erosion, staff will prioritize its removal.

Action Requested:

Staff requests Council's approval of the following:

1. Approval of \$25,000 for erosion control and clean-up work behind Twin Pines Drive.
2. Approval of the Settlement Agreement with property owners, allowing for a \$12,500 settlement payment.



VICINITY MAP
NTS

- NOTES**
- ADJOINING LAND IS RESIDENTIAL.
 - SETBACKS: 25' FRONT AND REAR ON INTERIOR LOTS
40' REAR YARD ON EXTERIOR LOTS
8' SIDE YARD OR 18' SIDE YARD ON CORNER LOTS
 - MAINTENANCE OF SIDEWALKS AND COMMON AREAS IS THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION.
 - 10' GENERAL UTILITY EASEMENT (GUE) ALONG ALL STREETS.
 - SEWER AND STORM EASEMENTS CENTERED ON UTILITY LINES AS INSTALLED.
 - NO NEW RIGHTS-OF-WAY CREATED BY THIS PLAT.
 - NORTH ORIENTATION PER RECORD PLAT CABINET 'J' FILE 526.
 - TOTAL AREA PLATTED - 1.418 ACRES, 61,760 SQUARE FEET (LOTS ONLY THIS PLAT)

- LEGEND**
- - SET IRON PIN
 - SDE - STORM DRAINAGE EASEMENT
 - PDE - PERMANENT DRAINAGE EASEMENT
 - GUE - GENERAL UTILITY EASEMENT
 - NF - NOW OR FORMERLY
 - AC - ACRES
 - SF - SQUARE FEET
 - R/W - RIGHT OF WAY

REVISION NOTE:
THIS PLAT HAS BEEN REVISED TO SHOW THE 100+1 FLOODLINE AND FINISH FLOOR ELEVATION TABLE AS SHOWN ON APPROVED PLANS DATED, JULY 10, 2013.

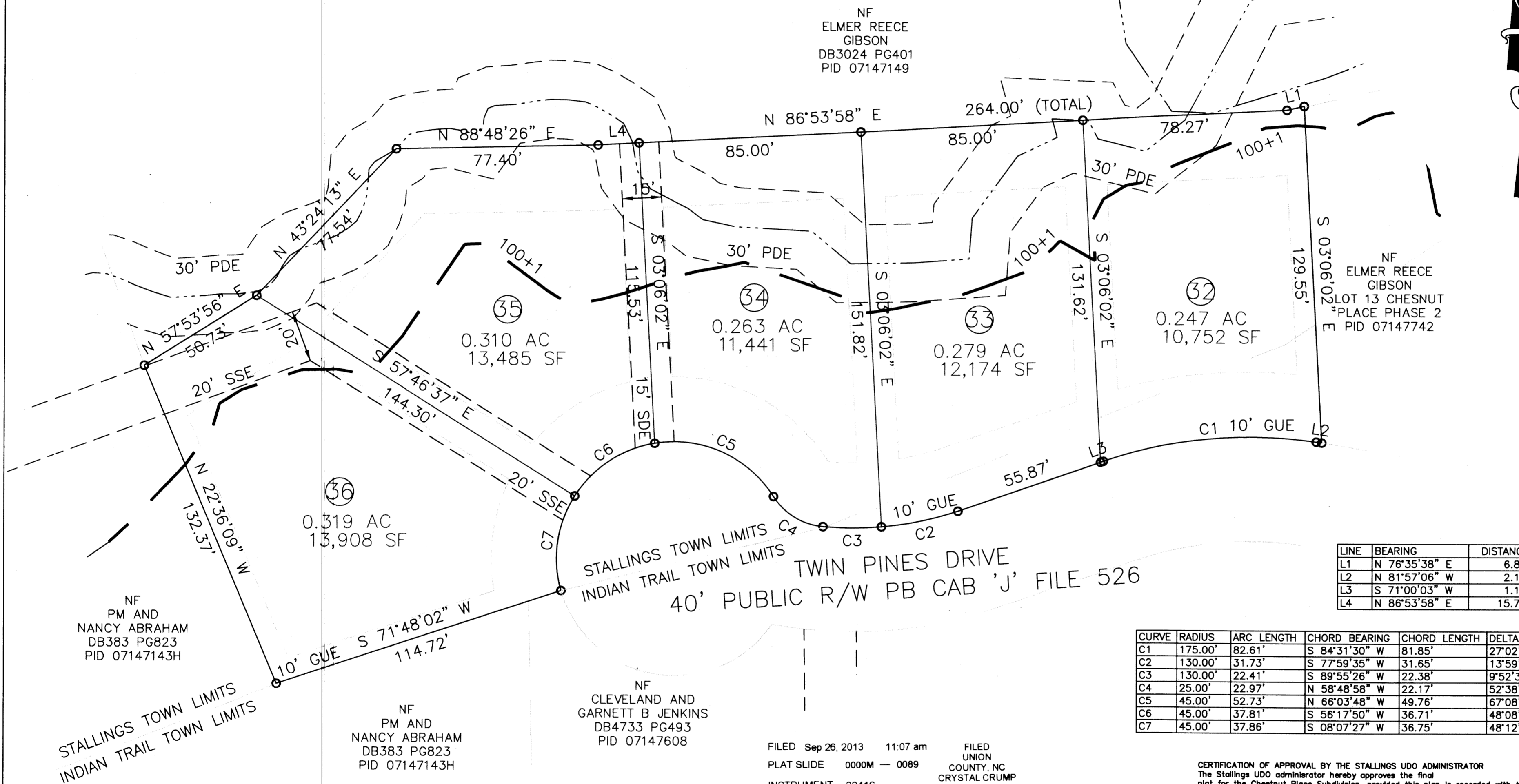
SIGNED M. John Lewis RE 9/25/13 DATE

Table for Finish Floor Elevation (FFE)

LOCATION	100 yr Elevation	SWPE
LOT 32:	682.35	683.35
LOT 33:	675.61	676.61
LOT 34:	674.73	675.73
LOT 35:	673.14	674.14
LOT 36:	672.09	673.09

100+1 FILL
No fill is allowed in the 100+1 flood area. Before any fills placed in the 100+1 area, a new study will have to be done to and approved by the Town of Stallings to show no impact to the adjacent properties.

NO CLEARING OR STRUCTURES are allowed in the SDE.



LINE	BEARING	DISTANCE
L1	N 76°35'38" E	6.84'
L2	N 81°57'06" W	2.14'
L3	S 71°00'03" W	1.16'
L4	N 86°53'58" E	15.73'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	175.00'	82.61'	S 84°31'30" W	81.85'	27°02'49"
C2	130.00'	31.73'	S 77°59'35" W	31.65'	13°59'04"
C3	130.00'	22.41'	S 89°55'26" W	22.38'	9°52'37"
C4	25.00'	22.97'	N 58°48'58" W	22.17'	52°38'36"
C5	45.00'	52.73'	N 66°03'48" W	49.76'	67°08'17"
C6	45.00'	37.81'	S 56°17'50" W	36.71'	48°08'28"
C7	45.00'	37.86'	S 08°07'27" W	36.75'	48°12'17"

FILED Sep 26, 2013 11:07 am
PLAT SLIDE 0000M - 0089
INSTRUMENT 33416
FILED UNION COUNTY, NC
CRYSTAL CRUMP REGISTER OF DEEDS

Andy Hagan Rep.

I, J. MARK FISHER, CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

I, J. MARK FISHER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE RATIO OF PRECISION IS +1:10,000; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN THE MENTIONED DOCUMENTATION. THIS MAP WAS PERFORMED IN ACCORDANCE WITH GS 47-30 AS AMENDED AND IS INTENDED FOR RECORDATION. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND BEAT THIS DAY OF SEPTEMBER 24, 2013.

J. MARK FISHER L-4398

CERTIFICATION OF APPROVAL BY THE STALLINGS UDO ADMINISTRATOR
The Stallings UDO administrator hereby approves the final plat for the Chestnut Place Subdivision, provided this plan is recorded with the Union County Register of Deeds within thirty (30) days.

Lynne Hair 9/25/13
UDO Administrator Date

REVIEW OFFICERS CERTIFICATE:

STATE OF NORTH CAROLINA,
COUNTY OF UNION,

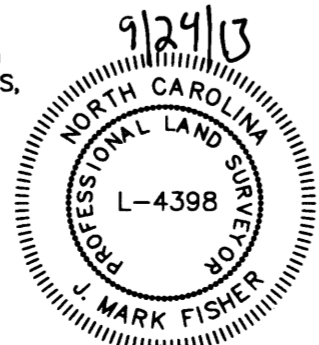
I, Gus Nichols, REVIEW OFFICER OF UNION COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE 9/26/13
REVIEW OFFICER Gus Nichols

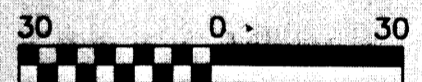
CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISHED MINIMUM BUILDING LINES AND DEDICATE ALL ROADS, ALLEYS, WALKS, PARKS AND OTHER SITES TO THE PUBLIC USE EXCEPT AS NOTED.

9-25-2013 Elmer Reece Gibson
DATE OWNER/DEVELOPER



12-14-2012
REVISED - 9-3-2013
REVISED - 9-24-2013
DRAWING SCALE 1" = 30'
JOB NUMBER 3044
DRAWN BY RFF
CHECKED BY JMF



FINAL PLAT OF
A PORTION OF CHESTNUT PLACE II LOTS 32-36
UNION COUNTY, NORTH CAROLINA
B & C Land Holdings, LLC
2649 Breckenridge Centre Drive
Monroe, North Carolina 28110

Cab M File 89

SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release (“Settlement Agreement”) is entered into by and between the Town of Stallings (“Town”) and _____ (“Property Owner”). Town and Property Owner are collectively referred to as the “Parties.”

WHEREAS, the Property Owner owns parcel _____, which is adjacent to a jurisdictional stream serving as a tributary to the West Fork Twelvemile Creek, (see Attachment A, Twin Pines Plat Map); located within the Town of Stallings, NC;

WHEREAS, this property is part of the Chestnut Place Phase 2 development, which was approved on April 30, 2014, and constructed in accordance with Federal and State regulations, as well as the Town of Stallings’ Unified Development Ordinance in effect at that time;

WHEREAS, the Town of Stallings holds a stormwater easement along this jurisdictional stream;

WHEREAS, it is acknowledged that this natural stream system, along with the stormwater easement and part of the property, is designed to function as a floodplain and therefore experiences frequent flooding during certain rainfall events;

WHEREAS, the Town has invested a considerable amount of staff time and resources and has spent approximately \$233,000 in addressing these flooding and erosion concerns, including engaging third-party engineering firms for hydrological analyses and stream design, consulting with the Army Corps of Engineers, holding numerous meetings with property owners along the corridor, and executing multiple stormwater construction projects within the stormwater easement;

WHEREAS, hydrological analyses and stream designs have determined that mitigating the flooding on this property or altering the flow of water through the corridor is not feasible, meaning flooding will persist, and the focus has shifted to private property improvements outside the stormwater easement;

WHEREAS, the Property Owner has communicated their frustration to the Town and desire to seek legal action;

WHEREAS, the developer True Homes, LLC ("Developer") contributed approximately \$78,000 to the Town of Stallings to assist with addressing the flooding concerns;

WHEREAS, the Town is committed to maintaining the easement corridor in compliance with its adopted stormwater policies and ordinances, as it does with all other stormwater easements in the Town, based on a prioritization framework;

WHEREAS, the Parties desire to amicably compromise and settle the issue regarding compensation for the flooding subject to the terms of this Settlement Agreement;

NOW, THEREFORE, for and in consideration of the mutual promises set forth in this Grant Agreement and Release and for other good and valuable consideration, the receipt, adequacy and sufficiency of which the Parties acknowledge, the Parties agree as follows:

1. **Recitals**. The above recitals are made a part of this Settlement Agreement.

2. **Settlement Payment**. The Town has received a one- time payment from True Homes to assist in costs associated with stormwater remediation due to the flooding that occurs during some rainfall events on the Property. Town agrees to pay Property Owner the total sum of _____ and 00/100 dollars (\$_____) in full and final settlement of any and all claims known or unknown caused as a result of flooding to the Property. Property owner agrees and understands that any improvements made to their property must comply with all local, state, and federal regulations. Said funds are to be delivered to Property Owner within 30 days of the receipt of a fully executed copy of this Release.

3. **General Mutual Releases**.

Property Owner hereby irrevocably and unconditionally releases and forever discharges and covenants not to sue Town and its current and former board members, employees, insurers affiliates, agents, predecessors, successors, assigns and all other persons connected with or to Town (collectively "Town Releasees"), from and in respect of any and all claims, demands, causes of Action, suits, losses, liabilities, costs, expenses (including attorneys' fees) and damages of any kind or nature, in law or in equity ("Claims") that the Property Owner ever had, may have had or may now have arising from or concerning the flooding and stormwater issues, whether known or unknown, including, without limitation, any Claims relating to stormwater arising under federal, state and local laws, rules and ordinances.

Notwithstanding the above general release, the Parties do not release or waive the right to enforce this Agreement.

4. **Survival of Rights Hereunder**. Notwithstanding the releases contained herein, all rights and obligations created under this Settlement Agreement will survive the execution of this Settlement Agreement and the releases contained herein.

5. **No Admission of Liability**. By signing this Settlement Agreement, no Party admits any liability to another party or the truth or falsity of any allegation, statement, communication or fact discussed, disclosed or communicated in any manner, regarding any

transactions, communication, contact, statement or Action between the parties involving the Action or this Settlement Agreement.

6. **Authority to Execute.** Each Party represents and warrants that such Party has the necessary power and authority to execute this Settlement Agreement, and that all necessary Action for the execution of this Settlement Agreement has been taken.

7. **Indemnity Regarding Assignment of Claims.** Each Party represents and warrants that it has not heretofore assigned or transferred, or purported to assign or transfer to any person, entity or corporation whatsoever, any of the claims released hereunder. To the extent permitted by law, each party agrees to indemnify and hold harmless each other party against any Claims based on, arising out of, or related to any such transfer or assignment or purported transfer or assignment by that party.

8. **Successors and Assigns.** The provisions of this Settlement Agreement will inure to the benefit of and be binding upon the heirs, successors and assigns in interest of the Parties.

9. **Severability.** If any provision of this Settlement Agreement is for any reason held to violate any applicable law, governmental rule or regulation, or if any provision is held to be unenforceable or unconscionable, then the invalidity of such specific provisions will not be held to invalidate the remaining provisions of this Settlement Agreement.

10. **Further Assurances.** Each Party agrees that it will take any and all necessary steps, sign and execute any and all necessary documents, agreements or instruments which are required to implement the terms of this Settlement Agreement, and each Party will refrain from taking any Actions, either expressly or impliedly, which would have the effect of prohibiting or hindering the performance of the other Party to this Settlement Agreement.

11. **Applicable Law.** The laws of the State of North Carolina and county of Union will govern this Settlement Agreement and its application.

12. **Entire Agreement.** This Settlement Agreement herein represents the entire agreement between the Parties and supersedes all prior negotiations, representations or agreements between the Parties, either written or oral. This Settlement Agreement may be amended only by written instrument designated as an amendment and executed by all of the Parties.

13. **Counterparts.** This Settlement Agreement may be executed in any number of counterparts and by each of the parties on separate counterparts, each of which when so executed and delivered as originals or copies will be deemed an original and all of which taken together constitute but one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed and delivered this Settlement Agreement as of the Effective Date.

Dated: _____

By: _____

Dated: _____

By: _____



MEMO

To: **Mayor and Town Council**
From: Kevin Parker, P.E., Town Engineer
Date: November 12, 2024.
RE: Sanitary Sewer Capacity Study Update

Overview and Objective:

In September 2023, Council approved the Sanitary Sewer Study to evaluate options for meeting Stallings' immediate and future sewer capacity needs, with a primary focus on a potential connection to Charlotte Water's wastewater treatment system.

Staff, in partnership with Kimley-Horn, provided an initial update at the February 7, 2024, Council meeting. This presentation will update Council on the study's progress since that meeting, highlighting recent developments and ongoing coordination efforts. Key updates will include feasibility, challenges, and infrastructure requirements associated with each potential sewer capacity solution discussed with stakeholders, with particular attention to identified high-growth areas such as the Town Center and Monroe Expressway regions.

Budget Information:

Council approved a \$100,000 budget for this study in September 2023, which has been carried over into FY 2025.

To date, approximately 70% of this \$100,000 budget has been utilized, covering key objectives including coordination with Charlotte Water and Union County on connection options and capacity planning for Stallings.

Action Requested:

Staff seeks Council's guidance on how to proceed with the next phase of the study.

Based on Council's direction, Kimley-Horn will prepare a task order outlining the next steps and associated scope. Additional funds beyond the original budget may be needed to complete the study, which will be subject to Council's approval.



MEMO

To: Town Council

From: Alex Sewell, Town Manager

Date: 11/6/24

RE: FY 25-26 Priority & Budget Decision-Making Process

Purpose: This memorandum's purpose is to seek Council approval on a budget creation and priority setting process for FY 25-26.

Background: As you know, the Town anticipates a challenging budget creation process for FY 25-26 further complicated by the implementation of Union County's property reevaluation. These challenges likely warrant an earlier start to budget and priority setting processes.

The goals of the attached proposed process are to help foster an efficient/effective process where the Mayor and Council Members feel informed in making incredibly important financial and service decisions, foster collaboration between all parties, foster transparency, provide an opportunity for community input, and provide staff with clear Council direction on the FY 25-26 budget along with Council's annual priorities.

Recommended: Staff are recommending the attached process including using last year's successful facilitator Curt Walton.



FY 25-26 Priority & Budget Decision-Making Process

Goal – To develop an efficient/effective process where the Mayor and Council Members feel informed in making incredibly important financial and service decisions, foster collaboration between all parties, foster transparency, provide an opportunity for community input, and provide staff with clear Council direction on the FY 25-26 budget along with Council’s annual priorities.

Note – Due to the challenging budget environment, this process is starting earlier so we will need to be flexible to update budget numbers regularly throughout the budget creation process.

- November – “Approve the Process”
 - 11/12/24 – Council Approval of Process.
 - 11/25/24 – Council Approval of Fund Balance Policy
- December – “Internal Staff Work”
 - Staff start work on 5-Year Financial Projections.
- January – “Review Various Scenarios, Internal Budget Development, & Start Annual Retreat Prep”
 - 1/13/25 – FY 25 Priorities – report as regular agenda item.
 - Staff to begin internally developing department budgets so that adjustments can be made in February based on Council feedback.
 - 1/17/24 – Provide advance information to be presented at Budget Retreat meetings re: 5-Year Financial Projections.
 - 1/21/25 (5 PM – 8 PM) & 1/27/25 (4 PM – 7 PM) - Budget Retreat 2 parts (if necessary) – (Government Center)
 - (Facilitator – Curt Walton)
 - Revaluation Reminders
 - 5-Year Financial Projections
 - Open to new revenues? i.e. solid waste fee, motor vehicle fee, ABC, etc.
 - Budget guidance for the manager.
 - Alternatives from Mayor and Council.
 - Remove any specific scenarios from consideration?

- Other?
 - Outcome - Identify no more than three specific scenarios Council seeks to consider.
- Individual meetings with Council Members and Curt Walton in preparation for the Annual Retreat.
- February – “Annual Retreat & Internal Budget Development Work”
 - Staff continue internal development based on Council identified scenarios.
 - Individual meetings continue with Council Members and Curt in preparation for the Annual Retreat.
 - 2/22/25 Annual Retreat – establish priorities. (9 AM – 2 PM) (Government Center)
 - Facilitator – Curt Walton
 - 2/24/25 – Council approves formally priorities.
- March – “Consider & Select ‘Big Picture’ Budget Approach”
 - 3/10/25
 - Fine-tune financial projections.
 - Update impact of budget scenarios still under consideration.
 - Eliminate any scenarios still under consideration. (Ideally narrow down to no less than 2 scenarios to consider.)
 - 3/24/25
 - Council to select scenario that they would like Manager to pursue in creating a budget.
- April – “Draft Budget Submission”
 - 4/17/25 – Manager to submit budget based on Council selected scenario.
- May – (Optional) “Go Deeper Into Service Impacts, Make Any Final Changes to Draft Budget”
 - 5/5/25 – Work Session (Special Budget Meeting) – General Government, Sanitation, Debt Services, Planning
 - 5/12/25 – Work Session – Transportation, Stormwater, Public Works
 - 5/19/25 – Work Session – Parks & Recreation, Police, Capital Projects, CIP.
 - 5/27/25 – Special Meeting - Final Work Session (If Council so desires)
- June – “Approve the Budget”
 - 6/9/25
 - Budget Public Hearing
 - Council can opt to approve budget or wait.
 - 6/23/25 – Last Day to Adopt the Budget (if regular meeting)