

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

The Town Council of the Town of Stallings met for its regular meeting on January 13, 2020, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

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

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

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

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

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

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

- (1) 11-12-19
- (2) 11-12-19 – closed
- (3) 11-25-19

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

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

2. Reports

A. Report from the Mayor

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

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

B. Reports from Council Members/Town Committees

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

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

Council Member Richardson had no report.

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

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

C. Report from Town Manager/Town Departments

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

3. Agenda Approval

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

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

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

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

3.B. Fire Funding Model
Original Agenda Item 5

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

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

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

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

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

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

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

5. Fire Funding Model

Moved to Agenda Item 3.B.

6. Idlewild Road Widening

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

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

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

7. Epcon –Lawyers Road (Dunn)

Moved to Agenda Item 3.A.

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

A. Density Calculations – flood plain

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

B. Fence Regulations

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

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

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

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

10. Adjournment

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

Approved on March 9, 2020.

s/Wyatt Dunn
Wyatt Dunn, Mayor

s/Erinn Nichols
Erinn E. Nichols, Town Clerk

Approved as to form:

s/Cox Law Firm, PLLC
Cox Law Firm, PLLC