

**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 July 8, 2019, 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 David Scholl; Council Members John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

Those absent were: Council Member Billy Birt, Jr.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager/Town Clerk; David Furr, Planning Technician; 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 delivered the invocation. He then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Bob Ragon, 5000 Cinnamon, liked the discussion during the joint special meeting that was prior to this meeting. In the Comprehensive Land Use Plan (CLUP), page 239, single family detached housing served about 35-40% of the population. Mr. Ragon felt that was a wrong statistic. He said the plan talked about missing middle housing, but he felt nothing being built addressed the middle housing. Mr. Ragon quoted the Census Department which said the home ownership rate was 64% in the U.S. with the rental vacancy rate at 7%. He also stated that 43% of renters lived in single family houses so therefore apartments were not the desired place to live. Mr. Ragon said apartments had 50% turnover every year. Mr. Ragon asked the Council to keep those types of statistics in mind when making decisions. He asked the Council research the information carefully.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

- (1) 05-13-19
- (2) 05-13-19 – closed
- (3) 05-28-19 – emergency
- (4) 05-28-19 – closed
- (5) 06-03-19 – special
- (6) 06-10-19
- (7) 06-10-19 – closed
- (8) 06-24-19

Council Member Romanow made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Steele 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 Member Paxton stated that it had come to her attention that other Council Members had communicated among themselves and to other citizens that she had a financial interest in the Solis site which they felt had influenced her decision on the site. She stated she had been transparent and had presented offers to two different developers for the site in May and June in 2018. The asking price for the property was too high for each developer. Both developers made offers which were rejected by Union Power. Council Member Paxton stated she did not learn of the Solis project until January 2019 and had informed Mr. Pappas of each of those previous offers. When all the commercial components were removed from the project and the traffic studies, Ms. Paxton was not in favor of the project. She stated that her decision of the project had nothing to do with any personal financial gain.

Ms. Paxton also reported that at the CRTPO meeting, the Old Monroe Road Project financing was discussed as Indian Trail had removed its \$10 million funding of the project. There was no decision made at the meeting as to how to proceed without the funding.

Council Members Martin, Romanow, Scholl, and Steele had no reports.

C. Report from Town Manager/Town Departments

Chris Easterly, Town Engineer, updated the Council on the Idlewild Road widening project. He reminded the Council that on July 25 at Poplin Elementary School, there would be an open house hosted by NCDOT. The project would be a six-lane median divided corridor from Barney Drive to Rockwell Drive with traditional and Michigan-left intersections and a diversion diamond.

Council held consensus to formally submit comments to NCDOT on this project, approving of the diversion diamond but not the Michigan-left intersections. At Stevens Mills and Idlewild, Council requested a traditional intersection with its second choice of a round-about.

Council Member Paxton would try to get the topic on the TCC committee agenda.

3. Agenda Approval

Council Member Romanow made the motion to approve the Agenda as presented. The motion was passed unanimously by Council after a second from Council Member Paxton.

4. Annexation 52 – Arant/Northeast Tool

Mayor Dunn opened the public hearing. No one was present to speak on the public hearing concerning the topic. Mayor Dunn closed the public hearing.

Deputy Town Manager Nichols explained this was a voluntary annexation which resulted from an expansion and rezoning on the property. The acreage was approximately 12.3 acres.

Council Member Romanow made the motion to approve the *Ordinance Approving Annexation 52 – Arant/Northeast Tool*. The motion received a second from Council Member Scholl and passed unanimously. The *Ordinance Approving Annexation 52 – Arant/Northeast Tool* is attached to these minutes and therefore incorporated herein.

5. Development Agreement Process

Clerk's Note: This discussion was a continuation of the discussion from the joint special meeting of the Town Council and Stallings Planning Board on July 8, 2019 at 5 p.m.

Discussion continued on the Development Agreement Process as Mayor Dunn continued to review Town Manager Sewell's memo offering potential solutions to improve the four main issues needing attention:

- The inability to deny a multi-family project without a commercial component.
- Public notification/participation requirements.
- The extensive amount of time/resources needed to process a DA and whether it makes sense for smaller projects.
- School impact information and how it can be used in making zoning decisions.

Council discussed the possibility of expanding the DA Subcommittee to include a community and Planning Board Member or using the entire Council for the DA Subcommittee. Council held the consensus to have a standing 5 p.m. meeting prior to the second Council Meeting of the month for the DA Subcommittee. The DA Subcommittee would remain in its current structure, but it would have the prerogative to invite community members to the discussion as it saw fit per project.

This item would be placed on the August meeting agenda for Council to continue discussing. Council agreed that it could not change the school districting process or issues. Town Manager Sewell would summarize the changes/consensus for discussion at the Council's next regular meeting in August.

6. Settlement Agreement and Release in 19 CVS 445 Stallings v. Phoenix Land Surveying
Town Attorney Cox explained that Phoenix Land Surveying had agreed to pay the Town of Stallings \$5000. Once the check was received, the Town could then take a dismissal in Union County Superior Court.

Council Member Steele made the motion to approve the Settlement Agreement and Release in 19 CVS 445 Stallings v. Phoenix Land Surveying. The motion passed unanimously by Council after a second from Council Member Romanow.

7. Closed Session Pursuant to NCGS 143-318.11(a)(3)
Council Member Steele made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) and to invite Sgt. Steve Brown into the session. The Council would discuss Town of Stallings v. Loukos 18 CVS 769 and Courtyards at Weddington Road, et al v. Town of Stallings 19 CVS 1841. The motion was passed unanimously after a second from Council Member Romanow.

Council went into closed session at approximately 8:38 p.m. and reconvened in open session at approximately 9:28 p.m.

8. Adjournment
Council Member Steele moved to adjourn the meeting, seconded by Council Member Romanow, and the motion received unanimous support. The meeting was adjourned at 9:29 p.m.

Approved on August 12, 2019.

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