

**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 June 26, 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 and Brad Richardson.

Those absent were: 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; Ruben Ortiz, Code Enforcement Officer; Jamie Privuznuk, Finance Officer; Eunice McSwain, Parks and Recreation Director; Karen Reid, Human Resources 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 to give public comment.

1. Consent Agenda Items

A. Smith Grounds Landscaping Contract

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

2. Agenda Approval

Town Manager Sewell requested adding Agenda Item 9.A., *Amended Budget Ordinance 22 – GASB 96 Implementation (Software Subscriptions)*. Council Member Scholl made the motion to approve the Agenda with the above addition. The motion passed unanimously by Council after a second from Council Member Grooms.

3. TX23.05.01 – Emergency Disaster Restoration Services

A. To allow for the use of Emergency Disaster Restoration Services with/without Fenced Outdoor Storage in the MU-2, C-74, BC, and IND zoning districts.

Mayor Dunn opened the public hearing. Planning Director Hsiang explained that this text amendment from the applicant was a request to allow for the use of Emergency Disaster Restoration Services with/without Fenced Outdoor Storage in the MU-2, C-74, BC, and IND zoning districts. The staff and Planning Board recommended unanimous approval. Staff's presentation is attached to these minutes and therefore incorporated herein.

Applicant Kenny Smith was a Broker for New South Properties presented the Council with information on the request. This presentation is attached to these minutes and therefore incorporated herein.

Mayor Dunn then closed the public hearing.

Council Member Richardson made a motion to approve TX23.05.01 – Emergency Disaster Restoration Services as presented. The motion received Council's unanimous approval after a second from Council Member Scholl.

B. Statement of Consistency and Reasonableness

Mayor Dunn read the Statement of Consistency and Reasonableness for TX23.05.01 – Emergency Disaster Restoration Services into the record. Council Member Ayers made the motion to approve Statement of Consistency and Reasonableness for TX23.05.01 – Emergency Disaster Restoration Services. Council Member Scholl seconded the motion, and the Council approved the motion unanimously. The Statement of Consistency and Reasonableness for TX23.05.01 – Emergency Disaster Restoration Services is attached to these minutes and therefore incorporated herein.

4. TX23.05.02 – Home Occupation

A. To add text to Article 10.1-21, stating that automobile repair shops, body shops, and garages are not allowed as a home occupation.

Ruben Ortiz, Code Enforcement Officer, explained to the Council that this request was to add text to Article 10.1-21, stating that automobile repair shops, body shops, and garages are not allowed as a home occupation. This amendment would assist staff would clarify requirements. Mr. Ortiz' presentation is attached to these minutes and therefore incorporated herein.

Mayor Dunn opened the public hearing. Council recessed the item until the July 10 Council Meeting.

B. Statement of Consistency and Reasonableness

This item was not addressed since the prior item was recessed until July 10.

5. 2023-2024 Budget

A. Budget and Storm Water Fee Changes Public Hearing

Mayor Dunn opened the public hearing. Town Manager Sewell reviewed the Storm Water Fee changes for apartments buildings (commercial property category) as well as outlining the addition of Storm Water Fee Reserves (\$100,000) being used for the design phase of the Twin Pines project. Residential Storm Water Fee would change from \$47 to \$67 and commercial would change from \$47 ERU to \$67ERU due to the rising cost of projects and aging infrastructure.

No one was present who wished to comment on the 2023-2024 Budget or Storm Water Fee changes. Mayor Dunn closed the public hearing.

B. Budget Adoption

Council Member Richardson made the motion to approve the Storm Water Fee amendments as outlined above. The motion was passed unanimously by Council after a second from Council Member Grooms.

The motion was made by Council Member Richardson to approve the 2023-2024 Budget for the Town of Stallings. Council Member Scholl seconded the motion. The motion passed by a 4 to 1 vote with Council Member Ayers opposing. The 2023-2024 Budget for the Town of Stallings is attached to these minutes and therefore incorporated herein.

6. Chicken Ordinance Report

Code Enforcement Officer Ruben Ortiz presented the Council a report on the Chicken Permit Program. This report is attached to these minutes and therefore incorporated herein.

7. Parks and Recreation Committee Application Consideration

Council Member Ayers made the motion to appointed Mark Leadem to the Parks and Recreation Committee with term ending 03-31-2024. The motion was passed unanimously by Council after a second from Council Members Grooms.

8. Annexation 57 – Lawyers Road
Resolution Directing the Clerk to Investigate

Assistant Town Manager Nichols explained that the Town had received a petition for annexation, and this was the first step per state statute to begin that process. Council Member Scholl made the motion adopt the *Resolution Directing the Clerk to Investigate for Annexation 57 – Lawyers Road* to which Council Member Ayers seconded. The motion received Council's unanimous support. The *Resolution Directing the Clerk to Investigate for Annexation 57 – Lawyers Road* is attached to these minutes and therefore incorporated herein.

9. Storm Water Project Policy – Specialty Grass Product

Town Manager Sewell explained that the staff was looking at ways to be more cost efficient in storm water projects. Situations had been identified where the projects had been located within Town easements, and/or rights-of-way, where specialty grass had been planted. Historically, the Staff had coordinated with the property owners and had purchased and installed the specialty grass, at full cost to the Town. Staff approximated about 30% of the storm water repairs were located in areas with specialty grass and the higher costs of those specialty grass (1.5 to 2 times more expensive than the standard fescue grass) had an impact on the storm water budget, hindering staff's ability to complete other storm water projects.

To reduce the impact providing and installing specialty grass has on the storm water maintenance and repair budget, Staff offered three options to provide property owners who had special grass prior to beginning storm water repairs:

Options:

1. Do not provide or install specialty grass.
2. Install specialty grass if the property owner provided/purchased the specialty grass.
3. Reimburse the property owner for installing the standard fescue obtained from the contractor quote. The property owner may use the reimbursement to purchase and install specialty grass.

Council Member Scholl made the motion to use Option 3 above regarding replacing specialty grass. Council Member Grooms seconded the motion. The motion passed by a 3 to 2 vote with Council Members Ayers and Richardson opposing.

9.A. Amended Budget Ordinance 22 – GASB 96 Implementation (Software Subscriptions)

Council Member Ayers made the motion to adopt the *Amended Budget Ordinance 22 – GASB 96 Implementation (Software Subscriptions)* to which Council Member Richardson seconded. The motion passed unanimously by the Council. The *Amended Budget Ordinance 22 – GASB 96 Implementation (Software Subscriptions)* is attached to these minutes and therefore incorporated herein.

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

Council Member Drake made the motion to go into closed session pursuant to NCGS 143-318.11(a)(6) and to invite Human Resources Director Karen Reid into the session. Council approved the motion unanimously after a second from Council Member Grooms.

Council went into closed session at 7:50 p.m. and reconvened in open session at 7:53 p.m.

11. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Richardson, and the motion received unanimous support. The meeting was adjourned at 7:53 p.m.

Approved on August 14, 2023.

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