

**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 gauge 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 November 12, 2024.

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