



Town Council Agenda

Access for the Electronic Meeting

Via phone: 1-646-558-8656

Via web:

<https://zoom.us/j/91735161272?pwd=TWICU DUzcWRmYVpmRGU0R2grQkQxdz09>

Via Zoom App:

Meeting ID: 917 3516 1272

Password: 562412

May 24, 2021

Stallings Town Hall

315 Stallings Road

Stallings, NC 28104

704-821-8557

www.stallingsnc.org

	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.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:40 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i> Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____.
2.	7:45 p.m.	TX21.04.01 - Tree Disturbance Permit A. Open Public Hearing B. Information from Staff C. Public Hearing D. Close Public Hearing	Lynne Hair, Town Planner	Information and discussion
3.	8:00 p.m.	CZ20.07.02 – Shirley White Trustees A. Information from Staff B. Potential Council Vote	Lynne Hair, Town Planner	Approve/Deny request
4.	8:10 p.m.	Resolution Supporting a Citizen Referendum on Transportation Funding (CATS Light Rail)	Alex Sewell, Town Manager	Approve/Deny resolution
5.	8:15 p.m.	Idlewild Road Widening Options	Alex Sewell, Town Manager	Information and possible action
6.	8:25 p.m.	Open Burning Ordinance Amendment	Alex Sewell, Town Manager Lynne Hair, Town Planner	Approve/Deny amendment
7.	8:35 p.m.	Amended Budget Ordinance 9 and 10	Marsha Gross, Finance Officer	Approve/Deny budget amendments
8.	8:45 p.m.	FY2021-22 Continued Budget Discussions* <i>*If needed</i>	Alex Sewell, Town Manager	Discussion
9.	9:15 p.m.	Closed Session Pursuant to NCGS 143-318.11(a)(3)	Wyatt Dunn, Mayor	Recess into closed session
10.	9:30 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn



MEMO

To: Town Council
From: Lynne Hair, Planning Director
Date: May 18, 2021
RE: TX21.04.01 – Requested text amendment to Development Ordinance Article 7.1
Permit and/or Approval Required

PLANNING BOARD RECOMMENDATION: Approval 5/18/21

On February 26, 2018, the Town Council adopted the new Stallings Development Ordinance.

Article 7.1 Permit and/or Approval Required establishes activities requiring Town approval. The requirements for a Tree Disturbance Permit are outlined in Article 11.10 but are absent from the list of activities requiring a permit in Article 7.1. To clear up confusion to the development community the requirement for a tree disturbance permit has been added to the activities requiring Town approval.

Staff is recommending the following changes to Article 7.1 as follows:

7.1 Permit and/or Approval Required.

7.1-1 Approval Required. No person shall undertake any activity subject to this Ordinance without first obtaining approval from the Town. Upon approval of the activity by the Town, a permit shall be issued for the approved activity. Certain permits are issued by agencies other than the Town of Stallings, as noted below; all other permits are issued by the Town. In any case where an application is made to operate more than one (1) use on a property, the Development Administrator shall determine which use or uses shall be the principal use or uses and the type of permit that is required; zoning compliance permit, Conditional Use Permit, or Use Listed with Additional Standards. The permits and/or approvals required are:

A.) Zoning permits (also known as Zoning Compliance Permit) are issued by the Town of Stallings for all new use (See Table 8.1, Sections 1-3), building and/or development projects, which also applies to the following:

- (1.) Special Event/Temporary Structures where required by Article 15 of this Ordinance.
- (2.) Signage (size, type, location, etc.) as required by Article 17 of this Ordinance.
- (3.) Site Development Plan/Preliminary Plat Approval
 - (a.) Zoning compliance (land use, density, open space, connectivity, tree preservation, parking, flood, watershed, etc.)
 - (b.) Public works compliance (utilities, street designs, stormwater, etc.)
 - (c.) Public safety compliance (fire lanes, hydrants, etc.)

(d.) Access compliance (driveway, street intersections, etc.)

(4.) Construction Plans

(a.) A grading plan shall be provided for review and approval in accordance with the procedures of this Ordinance to demonstrate both positive drainage characteristics and smooth grade transitions to avoid abrupt “v” ditches, swales and other disruptions to the landscape, particularly between dwellings. The use of crawl-space construction techniques and professional landscape design is required to meeting this characteristic of site development.

(b.) Infrastructure Plans (streets, water & sewer)

(c.) Driveway Permit – NCDOT or Town (based upon responsible maintenance department)
Stallings Development Ordinance - Article 7 – Page 2

(d.) Stormwater Plans (BMP)

(e.) Floodplain Development and Certification Permit

(f.) Grading Permit - Issued by the North Carolina Department of Environment and Natural Resources (a.k.a. “NCDENR” or “DENR”) following issuance of Zoning permit by the Town of Stallings.

(5.) Subdivision Final Plat Approval.

(6) Tree Disturbance Permits Approval per Article 11.10.



TX21.04.01

AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE”
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, Tree Disturbance Permits and the process established for their review and approval in Development Article 7.1 Permits and Approval Required are consistent with the 2017 Comprehensive Land Use Plans; and,

WHEREAS, no adverse effects to the public safety, health or welfare were identified as a result of the issuance of a Tree Disturbance Permit through the requirements established by Stallings Development Article 7.1; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO ORDAIN AMENDING THE STALLINGS DEVELOPMENT ORDINANCE AS FOLLOWS:

7.1 Permit and/or Approval Required.

7.1-1 Approval Required. No person shall undertake any activity subject to this Ordinance without first obtaining approval from the Town. Upon approval of the activity by the Town, a permit shall be issued for the approved activity. Certain permits are issued by agencies other than the Town of Stallings, as noted below; all other permits are issued by the Town. In any case where an application is made to operate more than one (1) use on a property, the Development Administrator shall determine which use or uses shall be the principal use or uses and the type of permit that is required; zoning compliance permit, Conditional Use Permit, or Use Listed with Additional Standards. The permits and/or approvals required are:

A.) Zoning permits (also known as Zoning Compliance Permit) are issued by the Town of Stallings for all new use (See Table 8.1, Sections 1-3), building and/or development projects, which also applies to the following:

- (1.) Special Event/Temporary Structures where required by Article 15 of this Ordinance.
- (2.) Signage (size, type, location, etc.) as required by Article 17 of this Ordinance.
- (3.) Site Development Plan/Preliminary Plat Approval
 - (a.) Zoning compliance (land use, density, open space, connectivity, tree preservation, parking, flood, watershed, etc.)
 - (b.) Public works compliance (utilities, street designs, stormwater, etc.)

- (c.) Public safety compliance (fire lanes, hydrants, etc.)
- (d.) Access compliance (driveway, street intersections, etc.)

(4.) Construction Plans

- (a.) A grading plan shall be provided for review and approval in accordance with the procedures of this Ordinance to demonstrate both positive drainage characteristics and smooth grade transitions to avoid abrupt “v” ditches, swales and other disruptions to the landscape, particularly between dwellings. The use of crawl-space construction techniques and professional landscape design is required to meeting this characteristic of site development.
- (b.) Infrastructure Plans (streets, water & sewer)
- (c.) Driveway Permit – NCDOT or Town (based upon responsible maintenance department) Stallings Development Ordinance - Article 7 – Page 2
- (d.) Stormwater Plans (BMP)
- (e.) Floodplain Development and Certification Permit
- (f.) Grading Permit - Issued by the North Carolina Department of Environment and Natural Resources (a.k.a. “NCDENR” or “DENR”) following issuance of Zoning permit by the Town of Stallings.

(5.) Subdivision Final Plat Approval.

(6) Tree Disturbance Permits Approval per Article 11.10.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2021.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



Statement of Consistency and Reasonableness

(As per NC General Statute 160D-605)

Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.

TEXT AMENDMENT: **TX21.04.01**

REQUEST: Request text amendment to Development Ordinance Article 7.1 Permit and/or Approval Required.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The **Stallings Town Council** hereby finds that the proposed text amendments are consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document promoting orderly and consistent development. At their **May 18, 2021** meeting the **Stallings Town Council** voted to recommend **APPROVAL** of the proposed amendment and stated that the **Town Council** finds and determines that the text amendments are consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed ____.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk



**PLANNING
& ZONING**
TOWN of STALLINGS

APPLICATION

CZ20.07.02

Shirley White Trustees
Townhomes
Pulte

Amendment to allow new builder

Pre-Public Hearing Staff Analysis + March 2021

Request

Conditional Zoning:

1. Amend condition 2 architecture of the originally approved CZ07.06.02.

Project Summary

Location

Weddington-Matthews Road

Required Setbacks

Front: N/A

Side: N/A

Rear: N/A

Ownership

SHIRLEY F WHITE

TRUSTEE

Site/Project Size

19.6 Acres

Zoning

CZ07.06.02

Traffic Generation

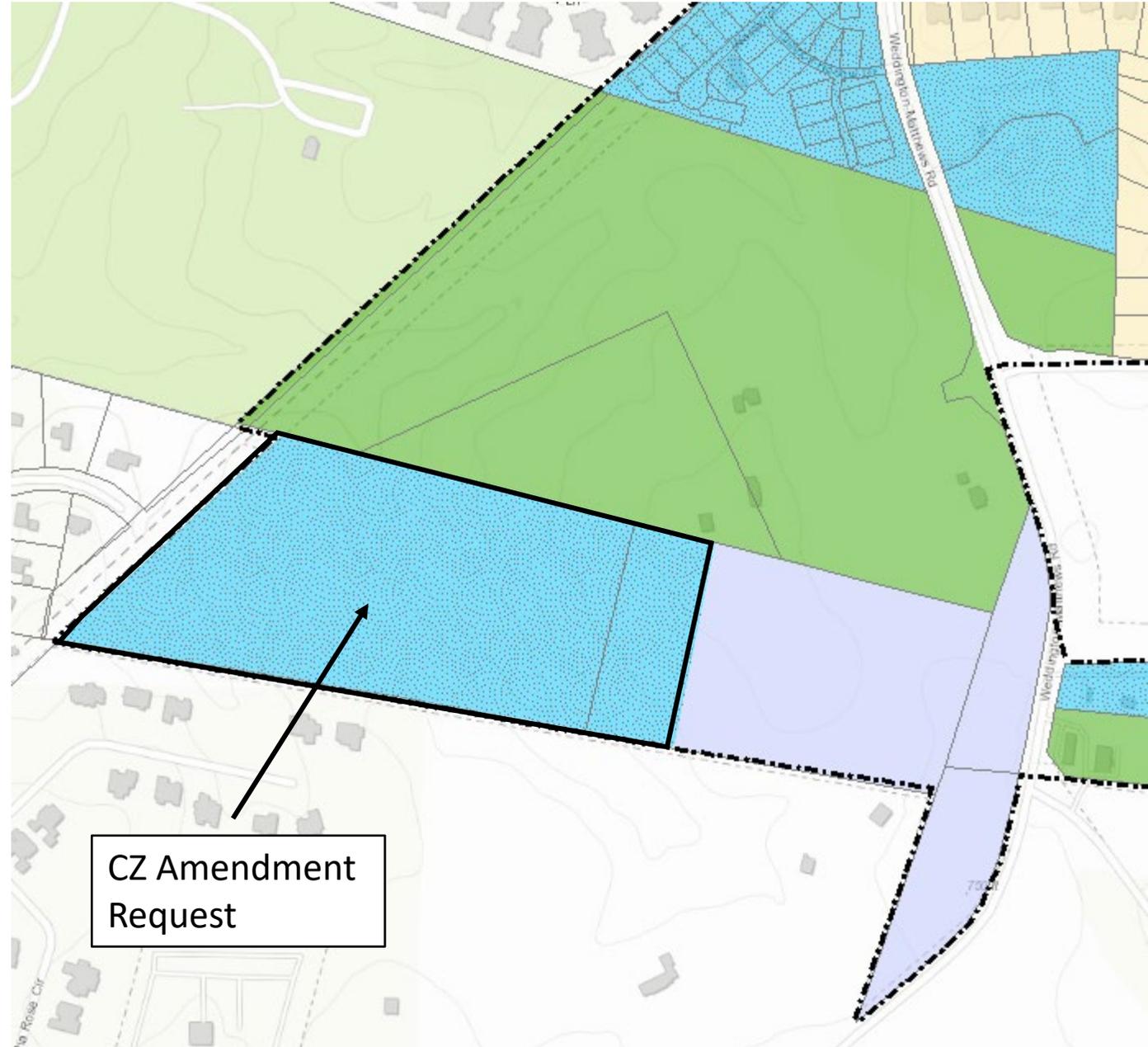
No TIA Required

Existing Use

Vacant

Community Meeting

02/10/2021



BACKGROUND

- *Original project - 65 Unit Townhome development approved in 2007 as a CZ07.06.02.*
- *Vested Right -The original developer, Larry Raley, spent a significant amount of money to install the traffic signal and intersection improvements at Matthews Weddington and Antioch Church Road. Due to this investment, Mr. Raley came before council and received a vested right to the use of the property for townhomes.*
- *Legal Counsel - Advised that the current developer, Pulte Homes, can build the project as approved, but will have to comply with all current State and County development regulations that apply to the property. A site plan was produced by Pulte that takes into account the new stormwater and stream buffer requirements, which resulted in a reduction in the number of lots from 65 to 43.*
- *The original conditions of approval for the CZ still apply to the project, including a condition addressing building elevations. Pulte Homes is seeking an amendment to this condition that will allow them to build a product that is in line with their brand.*

Original



Proposed



LAND USE PLAN AND ADOPTED POLICIES

Land Use Plan

The Land Use Plan shows the property as ***Walkable Activity Center.***

Primary Land Uses:

Sit Down Restaurant, Community-serving Retail, Professional Office, Live/work/shop units, Townhome, Condominium, Apartment, Public Plaza, Movie Theater

Secondary Land Uses:

Farmer's Market, Church

Small Area Plan

Weddington-Matthew Road

Consistency

Development is consistent

Form & Parameters (Land Use Plan)

General Development Pattern	Mix of Uses
Typical Lot Coverage	50 – 75%
Residential Density	10 – 30 DU/ac
Non-Residential Intensity	0.50 – 2.00 FAR
Prevailing Building Height	1 – 5 Stories
Average Dwelling Unit Size	800 – 1,500 SF
Average Non-Residential Building Size	10,000 – 50,000 SF
Transportation Choices	Walking/Bicycle/ Auto/Transit
Typical Block Length	400 – 1,000 LF
Open Space Elements	Neighborhood Parks/Plazas/Pocket Parks
Street Pattern	Modified Grid
Street Connectivity	High
Parking Provisions	Surface Lot/Parking Deck
Typical Street Cross Section	Urban

COMMUNITY MEETING

Meeting: 02/10/2021

Notices were sent to property owners within 500'.

Several members of the community attended the meeting.

PLANNING BOARD

Meeting:

3/16/2021

Recommendation:

Approval with Conditions

SUMMARY OF SUGGESTED CONDITIONS

- Amend condition #2 of CZ07.06.02 to allow the elevations proposed by Pulte Homes.
- All original conditions approved under CZ07.06.02 will continue to apply to the project.
 1. Project is subject to approval from NCDOT, Union County Public Works, DENR, and Town Engineer.
 2. Elevations approved as shown
 3. Setbacks –
 - 30' on periphery of property
 - Front and Rear: 20'
 - Side: 5'
 - Between Buildings: 10'
 - Max Height: 35'
 4. 30' undisturbed buffer along southern property line where adjacent to single family residential. Buffer is inclusive of setback, not in addition.
 5. Sidewalk connecting the commercial portion in the east side of the property to the Town home development
 6. Two (2) lifts of asphalt are required on all streets within the development
 7. The overall density for the project shall not exceed 3.8 units per acre.



CZ20.07.02

AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE”
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS approval of the requested conditional zoning amendment to allow building elevations approved under the original conditional zoning CZ07.07.02 on property located at Matthews Weddington Road in PID#06087002 to be amended to allow the current builder, Pulte Homes, to build elevations matching their product; and,

WHEREAS the proposed change in building elevations will allow the property to be developed as originally approved by Town Council, and be in keeping with the goals and objectives of the Stallings Comprehensive Land Use Plan of ensuring cohesive development patterns through architectural standards; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
HEREBY ORDAIN THE APPROVAL OF THE REQUESTED AMENDMENT
CZ20.07.02 ALLOWING AMENDED BUILDING ELEVATIONS AS SUBMITTED.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2020.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



Statement of Consistency and Reasonableness

(As per NC General Statute 160D-605)

Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.

ZONING AMENDMENT: CZ20.07.02

REQUEST: Amend Condition 2 of CZ07.06.02 to allow for new architectural elevations as proposed.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The **Stallings Town Council** hereby finds that the proposed **conditional zoning** is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document of promoting quality development. At their **May 24, 2021** meeting the **Stallings Town Council** voted to recommend **APPROVAL/DENIAL** of the proposed amendment and stated that the **Town Council** finds and determines that the **conditional zoning** is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed _____.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk



RESOLUTION SUPPORTING A CITIZEN REFERENDUM ON TRANSPORTATION FUNDING.

WHEREAS, Union County citizens indicated during the ongoing Comprehensive Land Use Plan process that the most important issue needing to be addressed is roads/congestion; and

WHEREAS, Union County has the second highest net commuter rate in the State with 39,600 residents commuting daily into Mecklenburg County; and

WHEREAS, given Union County's growth rate, it is likely that transportation problems and the cost of their solutions will continue to increase; and

WHEREAS, the Town of Stallings is interested in actively identifying and promoting solutions to Union County's increased transportation concerns and understands that additional funding is needed to meet this issue head-on; and

WHEREAS, improved transportation networks and alternative modes of transportation, including the proposed CATS silver line extension, are possible solutions to transportation issues and can also be economic drivers for Union County; and

WHEREAS, additional funding is needed to address transportation concerns and a ¼ cent sales tax would generate income not only from residents, but visitors and those traveling through the County that can be utilized for much needed transportation improvements.

NOW, THEREFORE BE IT RESOLVED, the Stallings Town Council support putting the ¼ cent sales tax to a citizen referendum for transportation funding including light rail transit and that copies of this resolution shall be sent to the Union County Commissioners.

Adopted this the _____ day of _____, 2021.

Wyatt Dunn, Mayor
Stallings Town Council

ATTEST:

Erinn Nichols
Town Clerk

(SEAL)



MEMO

To: Town Council

From: Alex Sewell, Town Manager

Date: 5/19/21

RE: U-4913 Idlewild Road Widening

Purpose: This memorandum provides background and an update regarding NCDOT TIP Project U-4913 (Idlewild Road Widening) and seeks Council direction.

Background:

- This memorandum includes a general overview of the project. Previously issued memorandums dated 1/22/20 and 10/24/19 are enclosed below with more detailed background.
- The N.C. Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past several years. The DOT and Town have had differing perspectives on the appropriate design for this project.
 - o The Town has previously expressed that one of its primary underlying concerns is that some of the design proposals for the corridor would conflict with the Town’s adopted land use plans.
- Council called a special meeting on 10/28/19 with DOT representatives. DOT had requested this 10/28/19 meeting with the Town Council so there could be ongoing dialogue and to see if the Council would be willing to endorse one of DOT’s design alternatives.
- At the 10/28/19 Council meeting, DOT reiterated three options:
 - o Option#1 - Six (6) lane divided with conventional intersections - \$20 million estimate (Staff had previously advised that a 6-lane option with Stevens Mill/Idlewild remaining a traditional full movement intersection is the DOT concept that most aligns with the Town’s adopted land use plans).
 - o Option #2 - Six (6) lane divided with Michigan RCI at Stevens Mill - \$20 million estimate (DOT Preferred)
 - o Option #3 - One Way Pair Alternative - \$28 million estimate (requires a second bridge and more overall roadway

- At the 10/28/19 Council Meeting, DOT discussed the topic with the Council and requested a decision from Council on its preference prior to February 2020.
- On 11/1/19, DOT sent an email providing additional information to the Town Council.
- DOT sent a follow-up letter (dated 12/12/19 and enclosed) requesting the Council identify its preferred design alternative so that DOT could continue its design efforts and move towards delivering the project.
- At the 1/13/20 Council meeting, the Council requested the DOT respond to stormwater concerns regarding the Idlewild widening that residents from the Vickery subdivision had raised. Below is DOT's response to stormwater concerns:

“...back in August this project was suspended due to the NCDOT's cash balance issues. Due to this project being suspended and since we are still in discussions with the Town of Stallings on a preferred alternative we have not taken the plan design past public meeting map level. For this reason we do not have the design progressed enough to be in a position to accurately do any hydraulic or drainage design or calculations yet. When it comes to drainage, it is our standard design practice to perform a pre vs. post runoff analysis at each outfall location. This analysis is done to ensure no drainage area diversions and to evaluate any increases to runoff due to upgrades within the Department's right of way.

The possibility of energy dissipation or flow attenuation will be evaluated once these numbers are developed during the design phase. Special attention is paid to outfalls where downstream negative impacts are likely, such as in situations where downstream private systems may already be under-functioning as you describes below. Although this is standard design practice we will make the drainage designers aware of the potential issues in Vickery Subdivision whenever the project comes back on-line. Once we get farther into design we can talk with you more about exactly what our impacts may be and what we are going to do to mitigate for them.”

(NOTE: The above was edited to separate text for ease of reading)

- At the 1/27/20 Council Meeting, the Council determined that the following response should be sent to NCDOT:



February 19, 2020

RE: Project U-4913 (Idlewild Road Corridor)

Dear Mr. Canipe,

On behalf of the Stallings Town Council, I write today regarding TIP Project U-4913. As you know, the NC Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding Project U-4913 for over a year but have been unable to find a mutually agreeable design. DOT sent a follow-up letter (dated 12/12/19) requesting the Town’s support of one of DOT’s alternatives.

On 1/27/20, the Stallings Town Council met to discuss DOT’s request. The Council unanimously determined that its position is to request a four-lane cross section plus a left turn lane, with full movement access at the Stevens Mill/Stallings Road intersection, and a full movement intersection at the Harris Teeter Shopping Center intersection based upon the fact that there are planned revisions for the Small Area Plan and the concerns that we have with regard to impact to some of the existing neighborhoods that were not shown in the initial public presentations of this project.

The Town appreciates your service and looks forward to continuing to work together on this project.

Sincerely,

Alex Sewell
Stallings Town Manager

- On 6/30/20, NCDOT provided a response indicating that it is bound by the project’s purpose and need to keep the level of service above a certain

threshold, and what they are proposing will meet the purpose and need. The NCDOT further indicated that:

We [NCDOT] recognize that this is not among the options you have presented, and we have worked with you over the last several years to reach a viable solution, but we are bound to the requirements to meet purpose and need. The NCDOT is responsible for delivering projects selected by CRTPO and for delivering a project that will meet the purpose and need and the minimum Level of Service for the traveling public in the design year. We will continue to work with the Town of Stallings to the extend possible, but at the same time will proceed with a project that meets the intended function unless support for the project is removed by CRTPO.

The full letter is enclosed below.

- At the 7/13/20 Council Meeting, the Council was presented the following options of how to move forward:

- “Acceptance of DOT Concept” - Accept and support concept;
 - PRO – addresses traffic issues in the relative medium-term
 - CON – goes against traditional neighborhood development goals
 - CON – larger overall footprint, more impact on adjoining land
- “Stick to Our Guns” - Continue to state position to DOT that design doesn’t work;
 - PRO – this is the Council’s vision – stick to it. Perhaps persistent will get us more of what the Town wants.
 - CON – the Town has taken this approach and have not gotten desired results.
 - CON - DOT indicates traffic numbers do not work.
- “Try to Compromise” – Offer to accept compromise – for example, the Town could offer to accept the corridor portion if Stevens Mill/Idlewild remains a traditional intersection
 - PRO – Get at least some of what the Council is looking for
 - CON – DOT does not appear willing to compromise further.
 - CON – Impacts some of Town’s vision.
 - CON – larger footprint at the intersection.
- “Blow It Up and Start Over” - Request to CRTPO that the project be pulled and purpose redefined;
 - PRO –potentially getting project designed to decrease laneage
 - CON – probably won’t score high enough as redesigned to get funded in at least the next decade and in the meantime traffic would get much worse

- The grant process is competitive, possible study would not get funded. There is a 20% local commitment regardless.
 - Study could reaffirm NCDOT's recommendation.
- On 3/17/21, staff met with NCDOT to discuss their position on the potential alternative study. NCDOT seemed open to the idea of delaying the project and pursuing an alternatives study funded partially by the CRTPO discretionary funds that open up later this year. However, there are a lot of moving parts so NCDOT wanted to discuss internally and follow-up with the Town.
 - On 4/26/21, the Mayor, Mayor Protem, and Town Manager met with the NCDOT Division 10 Engineer Brett Canipe to discuss the U-5112 Potter/Pleasant Plains Project (as directed by Council). During that meeting, the Idlewild Project also was discussed. Regarding the CRTPO leadership idea of doing some sort of alternatives study, the group discussed and noted that a review of alternatives had already been conducted. Mr. Canipe indicated NCDOT would be willing to administratively delay the project a couple of years.
 - On 5/19/21, staff discussed the project with NCDOT. NCDOT indicated that it always wants to consider local input, but it needs to proceed with designing/building the roadway project in accordance with its minimum purpose and need requirements unless CRTPO pulls the funding or there is a delay. NCDOT indicated that it was willing to delay the project for a couple years, and if that delay occurred then construction would probably end up being closer to the end of the decade. NCDOT indicates that the sooner they can receive a decision from the Town the better, but they need to know the Town's position by the end of June so they can ensure their STIP budget is as accurate as possible.

Next Steps: The Council can choose one of the options listed above or any other path it deems appropriate.



To: Town Council

From: Alex Sewell, Town Manager

Date: 1/22/20

RE: U-4913 Idlewild Road Widening – DOT Request

Purpose: This memorandum provides background and an update on the ongoing dialogue regarding NCDOT TIP Project U-4913 (Idlewild Road Widening).

Background:

- A previously issued memorandum dated 10/24/19 is enclosed below with a detailed background on the project. However, this memorandum includes a general overview of the project's status.
- The N.C. Department of Transportation ("DOT") and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past year. The DOT and Town have had differing perspectives on the appropriate design for this project.
 - o The Town has previously expressed that one of its primary underlying concerns is that some of the design proposals for the corridor would conflict with the Town's adopted land use plans.
- Council called a special meeting on 10/28/19 with DOT representatives. DOT had requested this 10/28/19 meeting with the Town Council so there could be ongoing dialogue and to see if the Council would be willing to endorse one of DOT's design alternatives.
- At the 10/28/19 Council meeting, DOT reiterated three options:
 - o Option#1 - Six (6) lane divided with conventional intersections - \$20 million estimate (Staff had previously advised that a 6-lane option with Stevens Mill/Idlewild remaining a traditional full movement intersection is the DOT concept that most aligns with the Town's adopted land use plans).
 - o Option #2 - Six (6) lane divided with Michigan RCI at Stevens Mill - \$20 million estimate (DOT Preferred)
 - o Option #3 - One Way Pair Alternative - \$28 million estimate (requires a second bridge and more overall roadway)
- At the 10/28/19 Council Meeting, DOT discussed the topic with the Council and requested a decision from Council on its preference prior to February 2020.
- On 11/1/19, DOT sent an email providing additional information to the Town Council.

- DOT sent a follow-up letter (dated 12/12/19 and enclosed) requesting the Council identify its preferred design alternative so that DOT could continue its design efforts and move towards delivering the project.
- At the 1/13/20 Council meeting, the Council requested the DOT respond to stormwater concerns regarding the Idlewild widening that residents from the Vickery subdivision had raised.

Update: Below is DOT's response to stormwater concerns:

“...back in August this project was suspended due to the NCDOT's cash balance issues. Due to this project being suspended and since we are still in discussions with the Town of Stallings on a preferred alternative we have not taken the plan design past public meeting map level. For this reason we do not have the design progressed enough to be in a position to accurately do any hydraulic or drainage design or calculations yet. When it comes to drainage, it is our standard design practice to perform a pre vs. post runoff analysis at each outfall location. This analysis is done to ensure no drainage area diversions and to evaluate any increases to runoff due to upgrades within the Department's right of way.

The possibility of energy dissipation or flow attenuation will be evaluated once these numbers are developed during the design phase. Special attention is paid to outfalls where downstream negative impacts are likely, such as in situations where downstream private systems may already be under-functioning as you describes below. Although this is standard design practice we will make the drainage designers aware of the potential issues in Vickery Subdivision whenever the project comes back on-line. Once we get farther into design we can talk with you more about exactly what our impacts may be and what we are going to do to mitigate for them.”

(NOTE: The above was edited to separate text for ease of reading)

Next Steps: The DOT has requested the Council identify its preferred design alternative. The Council's options are to:

- 1.) Identify its preferred DOT concept;
 - 2.) Not approve one of the DOT's concepts and continue to try to negotiate;
 - 3.) Not approve one of the DOT's concepts and not try to continue to negotiate;
- or
- 4.) Take any other action deemed appropriate by the Council.



MEMO

To: Town Council

From: Alex Sewell, Town Manager

Date: 10/24/19

RE: U-4913 Idlewild Road Widening – Special Meeting

Purpose: This memorandum provides background on the ongoing dialogue regarding NCDOT TIP Project U-4913 (Idlewild Road Widening) in anticipation of the 10/28/19 Special Meeting with DOT.

Background:

- The N.C. Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past year. One of the Town’s primary underlying concerns is that some of the proposals for the corridor would be antithetical and even destructive to the Town’s already adopted land use plans for the area.
- An Idlewild Work Team was established consisting of the Council Member Paxton, Town Manager Alex Sewell, Planning Director Lynne Hair, Town Engineer Chris Easterly, Planning Consultant Demetri Batches, and Traffic Engineer Consultant Randy Goddard. This Idlewild Work Team has been the primary working body for evaluating DOT’s proposals and providing recommendations to the Town Council on the topic.
- Recently, DOT shared two U-4913 conceptual design maps. These maps were a part of the feedback conversation at the 7/25/19 DOT public open house with local officials and the public.
- At the 7/8/19 Council meeting, the Council provided direction on what the Council agreed and disagreed with regarding DOT’s design maps. The Council directed staff to file these concerns with DOT directly and through a Charlotte Regional Transportation Planning Organization (CRTPO) process. This communication is dated 7/16/19 and is enclosed at the bottom of this document including the Town’s desired cross section. In this communication, the Town expressed the following concerns to DOT:
 - The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town’s adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.
 - As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.
 - The Town would eventually like for there to be a 14’ multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14’ multi-way path as those particular

properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.

- In addition to the DOT design maps that were the subject of the 7/25/19 DOT public input session, the DOT provided the Town with additional alternative design concepts from DOT's Mobility and Safety Division in Raleigh including a one-way pair concept.
- On 7/23/19, the Town Work Team met to evaluate the additional design concepts presented by DOT with the goal of providing a recommendation for the Town Council's consideration regarding the one-way pair concept.
- On 8/12/19, the Town Council opted to not to pursue the one-way pair concept because it did not see it as a feasible option. Instead, the Council determined it would notify the DOT of its decision and reiterate its previous position. A letter dated 8/15/19 was sent to DOT and is enclosed below.

Update:

- On 9/9/19, the Town Council agreed to reconsider the one-way pair concept after learning that DOT would be sharing more in-depth information in the coming weeks.
- On 9/17/19, members of the Idlewild Work Team met with the DOT to go over the more in-depth information on the one-way pair concept. Based on this new information, the Idlewild Work Team members concluded that existing conditions are too limited for one-way pair implementation in the Idlewild corridor because existing residential properties would need to be removed to accommodate the design.
- On 9/17/19, DOT requested that it meet with the Town Council to see if the Council would be willing to approve one of the two design concepts it presented at the 7/25/19 open house. As a result, the Council called a special meeting on 10/28/19 at 6:00 PM.

Options: The Council's options are to:

- 5.) Approve one of the DOT concepts;
 - 6.) Not approve one of the DOT's concepts and continue to try to negotiate;
 - 7.) Not approve one of the DOT's concepts and not try to continue to negotiate;
- or
- 8.) Take any other action deemed appropriate by the Council.

Analysis: The con of approving one of the DOT's concepts is that none of the concepts presented are exactly what the Town is seeking. Indeed, the enclosed documentation shows that the Town has consistently held the position that DOT's concepts for the Idlewild corridor do not align with the Town's already adopted land use plans for the area. It is possible that if the Town holds out longer that DOT might make more concessions.

The counterargument is that the Town and DOT have been negotiating for over a year on this project and we appear to be at a stalemate. Notably, DOT can proceed with this project without Town approval. Now could be the Town's window of opportunity to get a more preferred option (even if it's not exactly what we want) before the DOT moves on with a less preferable option.

If Council is open to approving one of the DOT's concepts, staff's opinion is that, the 6-lane option with Stevens Mill/Idlewild remaining a traditional full-movement intersection is the DOT concept that most aligns with the Town's adopted land use vision.



July 16, 2019

RE: Project U-4913 (Idlewild Road Corridor)

Dear DOT and CRTPO Officials,

On behalf of the Stallings Town Council, I write today regarding TIP Project U-4913. As you know, this Project involves improvements to the Idlewild Road corridor partly located within the Town of Stallings. For over the past year, DOT and the Town of Stallings have been engaged in an ongoing dialogue regarding U-4913. The Town of Stallings is appreciative of DOT's willingness to have a dialogue and wants to express our respect and appreciation to our local DOT officials. Both DOT and the Town of Stallings believe that transportation improvements are greatly needed in this area.

Recently, our DOT colleagues have shared several U-4913 conceptual designs. These designs will be part of the feedback conversation at an upcoming 7/25/19 DOT public input session. The Town supports several aspects of these conceptual designs including:

- 1.) The Town supports the diverging diamond interchange conceptual configuration. As you know, the diverging diamond design is unusual in that it requires traffic to briefly drive on the non-typical opposite side of the road. While there will likely be some growing pains as unfamiliar motorists become accustomed to this design, the Town believes this design will ultimately benefit our community's transportation network by improving efficiency of the interchange.
- 2.) The Town supports the dual lane roundabout at the realigned Stallings Road and Hooks Road intersection.

While emphasizing our respect for our DOT colleagues and areas of mutual agreement, the Town of Stallings has deep concerns about certain aspects of the proposed U-4913 conceptual designs. Indeed, certain aspects of the U-4913 concept designs are antithetical and even destructive to the Town's already adopted Idlewild Road Corridor Small Area Plan.

The Town spent years and hundreds of thousands of dollars overhauling our community's development plans including the adopted Idlewild Road Corridor Small Area Plan. The Idlewild Road Corridor Small Area Plan envisions an integrated development supported by uses that are typical for markets within metropolitan areas having similar accessibility and locational contexts. The intent of the Idlewild Road Corridor Small Area Plan is to capture and orient these uses to support not only regional needs sustained by the auto-oriented access provided by I-485, but to also create a critical mass that enables the creation of jobs, fosters a good proportion of retail servicing local needs, and integrates these options in close proximity. The concept designs for U-4913 essentially installs an ever-expanding highway in the middle of our already adopted mixed-use plan. This will be destructive to the Town's adopted vision for the Idlewild Road Corridor.

The Town's concerns are generally described as follows:

- 1.) The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town's adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.
- 2.) As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.
- 3.) The Town would eventually like for there to be a 14' multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14' multi-way path as those particular properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with

the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.

The Town Council has instructed Town staff to file our concerns with DOT and also through the CRTPO process.

Sincerely,

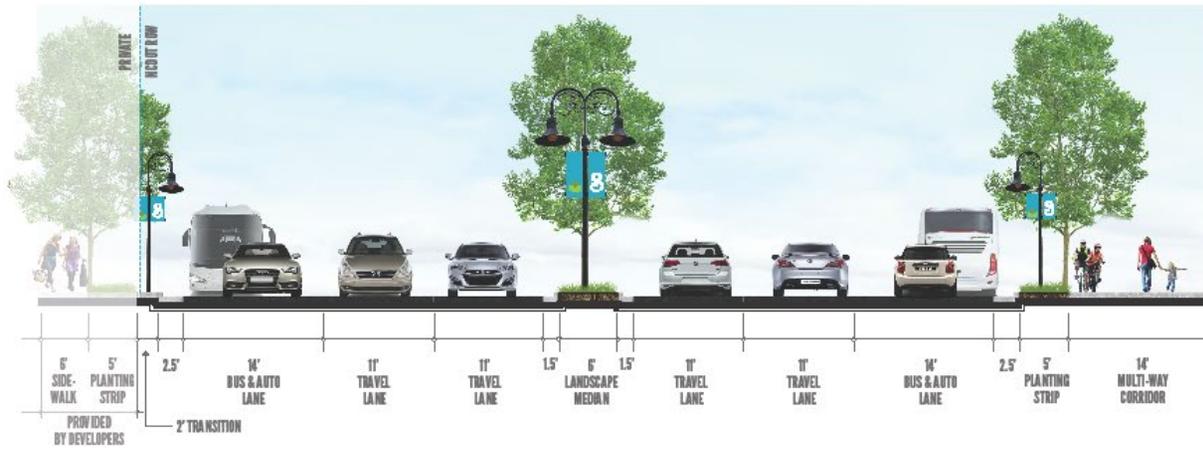
Mayor Wyatt Dunn
Town of Stallings

CC:

Robert Cook, CRTPO
Neil Burke, CRTPO
Scott Cole, NCDOT
Sean Epperson, NCDOT
Alex Sewell, Town of Stallings
Chris Easterly, Town of Stallings

fall back

107'
127' @ intersections
(with addition of (2) 10' left turn lanes)



idlewild boulevard section



Town of
Stallings

315 Stallings Road • Stallings, North Carolina 28104

August 15, 2019

RE: Project U-4913 (Idlewild Road Corridor Widening)

Dear DOT and CRTPO Officials,

For over the past year, DOT and the Town of Stallings have been engaged in an ongoing dialogue regarding Project U-4913. The Town wants to express our ongoing respect and appreciation to our local DOT officials. While communicating our respect, the Town has also expressed on numerous occasions serious concerns that certain aspects of DOT's designs would be antithetical and even destructive to the Town's previously adopted land use plans (see enclosed 7/16/19 letter).

In July, the DOT shared several U-4913 conceptual designs and held a public input session. In the same month, DOT also shared with the Town several additional conceptual design alternatives from NCDOT's Mobility and Safety Division including a one-way pair concept. The Stallings Town Council has discussed this information and is appreciative of DOT sharing alternative configurations. The Council likes certain aspects of the one-way pair concept but also has concerns.

Ultimately, the Council does not see the one-way pair as a feasible option for two primary reasons. First, the cost to enact such a project would likely be exorbitant and exceed the current budget by a significant margin. Second, the one-way pair design is a significant change from the current design concept alternatives being presented. However, DOT's stated project milestone timeline is insufficient for the proper development and evaluation of this concept in this location, and any subsequent hard design. Specifically, the Town Council believes more than a very high-level concept design is needed to properly evaluate certain key design features such as intersection design and street cross sections to understand how a one-way pair would function and impact our community. DOT's timeline does not provide enough time for such a process and subsequent hard design of such a significant change.

As a result, the Town would like to reiterate its concerns/recommendations as follows:

- 1.) The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town's adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.
- 2.) As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.

- 3.) The Town would eventually like for there to be a 14' multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14' multi-way path as those particular properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.

Sincerely,

Stallings Town Council



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

June 30, 2020

Mr. Alex Sewell, Esq.
Stallings Town Manager

RE: Project U-4913 (Idlewild Road Corridor)

Mr. Sewell,

Thank you for providing us your insight on how the Town of Stallings would like to see the design of the U-4913 Idlewild Road TIP project modified.

Reiterating the Purpose and Need statement in our Environmental Documentation, the purpose of the project is to provide additional traffic carrying capacity along Idlewild Road that will accommodate forecasted future traffic volumes (2040), provide accommodations for bicycles and pedestrians, and provide operational improvements for the intersections at Stallings Road, Stevens Mill Road and the I-485 interchange.

The Charlotte Regional Transportation Planning Organization's (CRTPO) Comprehensive Transportation Plan (CTP) classifies this segment of Idlewild Road as a Boulevard, which would meet the purpose of the project as well as make accommodations mentioned in the purpose statement.

We have reviewed the traffic forecast and the additional volumes expected from development along this largely undeveloped corridor. Forecasts of this type and projections made are a well-documented process that NCDOT uses across a wide spectrum of road classifications and locales. To date there have been 2 developments that have come in for review since the forecast was completed in June of 2017. The traffic projections for both new developments alone are going to increase the volumes along Idlewild Rd to be in excess of what the forecast predicted for 2040. They also only represent a portion of the developable land along Idlewild Rd between I-485 and Stevens Mill Rd. As more of this land develops, we are going to see even more traffic added to the network that will push the volumes even farther over the forecasted volumes. For this reason, we submit that the updated analysis done for this project that took into account half the expected volumes from the Town's small area plan more closely reflects the needs for this corridor than the original analysis that only took into account the forecasted volumes.

From our analysis, attached, we cannot meet an acceptable level of service, which is a D or greater, with a cross section with less than 6 lanes. LOS D is standard process by NCDOT for determining purpose and need design year targets of TIP projects. The LOS D threshold for planning is documented in the AASHTO Green Book (Policy on Geometric Design of Highways

Mailing Address:
NCDOT
DIVISION 10
716 W MAIN STREET
ALBEMARLE, NC 28001

Telephone: 704-983-4400
Fax: 704-982-3146
Customer Service: 1-877-368-4968

Location:
716 W MAIN STREET
ALBEMARLE, NC 28001

Website: ncdot.gov

and Streets, 2018 version, p. 2-36 and 2-37) which states that LOS E is generally defined as “Unstable Flow” and LOS F is identified as “Breakdown Flow”; further, the Green Book identifies “Customary LOS” targets for motor vehicles based on different route functional classes and different contexts and terrain types (e.g. rural, urban, rolling, urban core, mountainous, etc.) and the LOS targets identified by AASHTO are all LOS D or better (e.g. rural level freeway is LOS B target whereas as local urban core LOS target is D). This can be generalized as an overall planning target of LOS D for motor vehicles on our transportation infrastructure; the Green Book continues that “quality of service” measures for peds and bikes and other multimodal LOS (transit) that should also be considered.

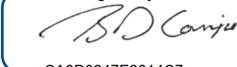
The typical section that we have proposed will meet purpose and need regarding Level of Service. Restating the design, it would be 6 lane cross section, a median width wide enough to accommodate dual turn lanes, a full movement intersection at the Harris Teeter access and a Michigan Left RCI intersection at Stevens Mill Rd. known as Concept 2. This is the cross section and intersection treatments that will acceptably accommodate future traffic growth in the area and to provide for the capacity and safety needed for motoring public that will be using this roadway. If congestion and efficiency are not mitigated by this project, then the purpose of the project will not be met, and an unacceptable number of incidents and crashes will occur along with a severely reduced capacity to respond to those accidents because of congestion. As caretakers of the public trust and responsibility, we are bound to meet these requirements as Professional Engineers to provide a project that will meet the requirements stated above.

We recognize this is not among the options you have presented, and we have worked with you over the last several years to reach a viable solution, but we are bound to the requirements to meet purpose and need. The NCDOT is responsible for delivering projects selected by CRTPO and for delivering a project that will meet the purpose and need and the minimum required Level of Service for the traveling public in the design year. We will continue to work with the Town of Stallings to the extent possible, but at the same time will proceed with a project that meets the intended function unless support for the project is removed by CRTPO.

If you would like to discuss this project further please feel free to contact me or Tim Boland, Division Project Development Engineer to schedule a meeting.

Sincerely,

DocuSigned by:



CABD0247E3814G7...
Brett D. Canipe, PE

Division 10 Engineer.



400 North Broome Street, Suite 100
P.O. Box 178, Waxhaw, NC 28173
(704) 243-9693 Fax: (704) 243-0136

Melanie D. Cox, Attorney
Melanie@coxlawfirm.com

Chris Cox, Attorney
Chris@coxlawfirm.com

LEGAL MEMO

To: Mayor and Town Council
From: Melanie D. Cox
Date: May 12, 2021
Re: Opening Burning Ordinance

At the June 24, 2019 Town Council Meeting, Code Enforcement Officer Dickinson presented the Board with a recommended amendment to the ordinance regarding open burning. At that time Council decided not to amend the ordinance. Recently, after another incident of an opening burning that got out of hand, Ms. Dickinson noticed that Union County's website stated that opening burning is not allowed in Stallings or any municipality where trash collection is provided. Further research confirmed that this is in fact the case. The North Carolina Administrative Code which contains the administrative rules of 26 state agencies plus over 50 licensing boards for North Carolina, states when opening burning without an air quality permit is allowed. Under 15 NCAC 02D .1903 opening burning is not allowed unless there are no public pick up services available. Since trash and yard waste is provided to Stallings residents, it is my recommendation that Council adopt the amendment to Ordinance 95.02 to comply with North Carolina regulations.



Ordinance Amending Code of Ordinances, Title IX *General Regulations*, Chapter 95 *Open Burning of Yard Waste*, Section 95.01 *Prohibited Open Burning*

WHEREAS, the Stallings Town Council of the Town of Stallings deems it to be in the best interest to protect the health, safety and welfare of the citizens of Stallings from fire hazards, air pollution and nuisances associated with the burning of yard waste; and

WHEREAS, pursuant to North Carolina General Statute §160A-174, Town ordinances shall be consistent with the Constitution and laws of North Carolina;

NOW, THEREFORE, BE IT ORDAINED that the Town Council of the Town of Stallings, North Carolina amends the Code of Ordinances, Title IX, Chapter 95, Section 95.02 to the following:

Currently reads:

95.02 Prohibited Open Burning.

The open burning of yard waste within 100 feet of any structure within the corporate limits of the town is prohibited.

(Ord. passed 12-10-2007) Penalty, see § [95.99](#)

Amend to read:

95.02 Open Burning of Yard Waste Prohibited

1. Definition: The following words when used in this ordinance shall have meanings ascribed to them in this section:

(a) "Open Burning": means the burning of yard waste in such a manner that the products of combustion resulting from the burning are omitted directly to the atmosphere without passing through a chimney or a permitted air pollution control device.

(b) "Yard Waste" means any grass, weeds, leaves, tree trimmings, plants, shrubbery pruning, and such other similar materials which are generated in the maintenance of yards and gardens.

2. Open Burning of Yard Waste Prohibited

(a) In compliance with North Carolina Administrative Code Section 15A NCAC 02D .1903, all open burning of leaves, logs, stumps, tree branches or yard trimmings is prohibited where a public pickup of yard debris service is provided.

3. Permissible Open Burning

- (a) Open Burning for land clearing or right-of-way maintenance if in accordance with all conditions listed within NCAC 92D .1903 (b)(2).
- (b) Campfires and fires used solely for outdoor cooking and other recreational purposes or for ceremonial occasions, or for human warmth and comfort and which do not create a nuisance and do not use synthetic materials or refuse or salvageable materials for fuel.

4. Penalties and Remedies

- (a) Civil Penalties. The Code Enforcement Officer may issue a warning citation for a first offense of this ordinance. The Code Enforcement Officer may issue a civil citation for any subsequent violations of this ordinance, subjecting the violator to a civil penalty of \$200.00 for a second offense and \$500.00 for the third offense and subsequent offenses.
- (b) If a person fails to pay the citation within 10 days of issuance, the Town may seek to enforce this ordinance through any appropriate equitable action.
- (c) Each day the violation continues after the offender has been notified of the violation shall constitute a separate offense.
- (d) The Town may seek to enforce this ordinance by using any one or a combination of the foregoing remedies.

Adopted this the ____ day of May, 2021.

Wyatt Dunn, Mayor

Attest:

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

AMENDED BUDGET ORDINANCE – NO. 9

TOWN OF STALLINGS, NORTH CAROLINA

FISCAL YEAR 2020-2021

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2020-2021 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
General Fund:				
Revenue:				
General Fund Appropriation	10-99-3991-600	\$ 2,768,670	\$ 2,803,670	\$ 35,000
Expense:				
General Government		\$ 1,721,500	\$ 1,746,500	\$ 25,000
Legal Fees	10-00-4120-019			
Economic and Physical Development		\$ 388,800	\$ 398,800	\$ 10,000
Legal Fees	10-40-4910-019			

Explanation: amendment is to increase General Fund appropriation to the General Government and Economic and Physical Development departments for legal costs related to development agreements

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 25th day of May, 2021.

Wyatt Dunn, Mayor

Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC

AMENDED BUDGET ORDINANCE – NO. 10

TOWN OF STALLINGS, NORTH CAROLINA

FISCAL YEAR 2020-2021

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2020-2021 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
General Fund:				
Revenue:				
General Fund Appropriation	10-99-3991-600	\$ 2,803,670	\$ 2,844,770	\$ 41,100
Civil Citations	10-40-3491-405	\$ -	\$ 40,900	\$ 40,900
Expense				
Economic and Physical Development				
Civil Citation Settlements	10-40-4910-405	\$ 398,800	\$ 480,800	\$ 82,000

Explanation: amendment is to increase General Fund appropriation and Civil Citation Revenue to the Economic and Physical Development department for civil citations that were received and refunded.

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 25th day of May, 2021.

Wyatt Dunn, Mayor

Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC