

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

The Town Council of the Town of Stallings met for a meeting on August 10, 2020, at 7:00 p.m. via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link (<https://zoom.us/j/98986345079?pwd=UkMvaDkvaTRZM3cwTDdvUTlvdnJEdz09>), or the Zoom app (Meeting ID: 989 8634 5079; Password: 590895).

Those present and visible on camera 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; Marsha Gross, Finance Officer; Lynne Hair, Town Planner; Chris Easterly, Town Engineer; Ashley Platts, Parks and Recreation Director; Melanie Cox, Town Attorney, and Mac McCarley, Planning and Zoning 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 joined the meeting who wanted to give public comment.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

(1) 06-22-2020

B. 2020-2021 Amended Budget Ordinances:

(1) ABO1 – Amendment for Monument Signage

(2) ABO2 – PD Body Cameras and In-Car Cameras

(3) PD Body Cameras and In-Car Cameras Contract

Council Member Paxton made the motion to approve the Consent Agenda Items as presented with a slight change to the spelling of a name in the 06-22-2020 minutes. The motion was seconded by Council Member Ayers which passed unanimously by Council. ABO1 – Amendment for Monument Signage and ABO2 – PD Body Cameras and In-Car Cameras is attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

Mayor Dunn reported that he was pleased at the level of renovations when he visited Town Hall.

B. Reports from Council Members/Town Committees

Council Member Martin reported he attended the 2050 Union County Comprehensive Land Use Plan and a water/sewer discussion for western Union County. Most growth in Union County was along the Mecklenburg County border. Homes at \$350,000 and lower were considered affordable housing. Union County Commissioners were looking at what would need to happen to require municipalities to pay for water/sewer connections.

Council Member Scholl reported that the Divide Golf Course was closed until Labor Day to replace the greens.

Council Member Paxton reported that NCDOT would be speaking about its project schedule at its September 15 meeting.

Council Member Grooms had no report.

Council Member Ayers commended staff for completion of many projects and the Parks and Recreation Department for continuing to engage the community despite COVID.

Council Member Richardson thanked Chief Franks for handling the traffic due to the Chestnut Roundabout construction.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on three items:

- CATS Light Rail Alignment – Jason Lawrence presented on update on the Silver Line alignment options. This presentation is attached to these minutes and therefore incorporated herein.
- CARES Act Update – Town Manager Sewell reported that the Town had submitted a request for \$960,749 for COVID reimbursement. The county would be allocating the funds in the upcoming weeks.
- Greenway and Parks and Recreation Update – Parks and Recreation Director Platts reported that the Greenway Consultant would give the Council an update at the next regularly schedule meeting regarding trail alignment and easement agreements. Ms.

Platts also reported that the Parks and Recreation has had a variety of programs even through COVID.

3. Agenda Approval

Town Manager Sewell requested to remove Agenda Item 5, *CZ20.06.02 – True Homes*, from the Agenda at the request of the applicant. It was also requested to move Agenda Item 10, *Idlewild Small Area Plan (Recessed from 07-13-2020)*, to Agenda Item 8.A.

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

4. CZ20.06.01 – Sherin Ln.

Mayor Dunn opened the public hearing. Town Planner explained this was a request for consideration of a conditional zoning from Liquid Management to allow the subject property to be used for warehousing with outside storage. A gravel lot was also requested. The property address was 100 Sherin Lane and the current zoning was C-74. The site was 3.5 acres. The use was not consistent with the Town's Land Use Plan and had been issued code violations for conditions on the site. The Staff Zoning presentation on this item is attached to these minutes and therefore incorporated herein.

Matthew Kirchner (Eagle Engineering), MacKenzie Moser, and Tom Crouch were online for the meeting call representing the applicant. The applicant's presentation is attached to these minutes and therefore incorporated herein.

Council discussed the item with the applicant. There was no one joining the meeting who wished to give public comment on this item. Mayor Dunn closed the public meeting. Council would vote on the item at its next meeting.

5. CZ20.06.02 – True Homes

This item was removed from the Agenda.

6. TX20.06.01 – Orissa Holdings

Mayor Dunn opened the public hearing. Town Planner Hair explained this was a request by Orissa Holdings to amend the development ordinance for the height for attached single family from 25' to 45' for properties located within the Monroe Bypass Small Area Plan. The Staff Zoning presentation on this item is attached to these minutes and therefore incorporated herein.

Applicant Chris Hanson with presented Council with information regarding the request noting it would be comprised of 92 total units with two-car garages. This presentation is attached to these minutes and therefore incorporated herein.

Council discussed the item with the applicant. There was no one joining the meeting who wished to give public comment. Mayor Dunn closed the public meeting. Council would vote on the item at its next meeting.

7. Development Ordinance Amendments & Policies (Recommended by SAP Subcommittees)

Mayor Dunn opened the public hearing for all of these items associated with Agenda Item 7.

Town Planner Hair reported that the Planning Board recommended approval of all the following text amendments.

A. TX20.06.02

Town Planner Hair explained this was a Text Amendment to amend the Development Ordinance to remove language linking the Ordinance to Small Area Plans.

Robert Ragon, 5000 Cinnamon Drive, stated that he was concerned with removing the language because he felt that without the language to tie the ordinance and the small area plans, it would be a free fall for developers and no reason to deny a project.

B. TX20.06.03

Town Planner Hair explained this was a text amendment to change Development Agreement requirements to apply only to large projects, 25 acres or more in size. Council discussed the proposed change.

Robert Ragon, 5000 Cinnamon Drive, was concerned with giving up 25 acres and did not feel it was good practice.

C. TX20.06.04

Town Planner Hair explained this was a text amendment to create a process where the Comprehensive Land Use Plan and Small Area Plans were amended as a rezoning (CZ) process.

Robert Ragon, 5000 Cinnamon Drive, felt this made the Council think about approving CZs that were consistent with the CLUP.

D. TX20.06.05

Town Planner Hair explained this was a text amendment amend the Table of Uses and make Townhomes and other identified uses within the MU-1 and MU-2 districts conditional zoning (CZ).

There was no one joining the meeting who gave public comment for this item.

E. Conditional Zoning Subcommittee Policy

Town Planner Hair explained the Council had requested staff include the subcommittee process within the conditional zoning process. The recommended policy is attached to these minutes and therefore incorporated herein.

Mayor Dunn closed the public hearing. Council would vote on the items associated with Agenda Item 7 at its next meeting.

Clerk's Note: The Council took a short recess at 9:23 p.m. and reconvened at 9:28 p.m.

The Mayor called a special meeting for Monday, August 24 at 6:30 p.m. for the Council to vote on the items discussed during this meeting which accompanied public hearings.

8. CZ20.02.01 - Courtyards at Weddington Road (Recessed from 07-13-2020)

Town Planner Hair reminded the Council this was a request from Courtyards at Weddington Road HOA to amend Condition #8 of the original zoning approval which required an alternate emergency exit for the project, and having that condition removed.

Council Member Richardson made the motion to approve CZ20.02.01 – Courtyards at Weddington HOA. The motion was seconded by Council Member Scholl and passed unanimously by Council. The Ordinance Amending the Stallings Development Ordinance - CZ20.02.01 is attached to these minutes and therefore incorporated herein.

8.A. Idlewild Small Area Plan (Recessed from 07-13-2020)

Original Agenda Item 10

Town Planner Hair reminded the Council the Idlewild Small Area Plan (SAP) Subcommittee recommended change to the Idlewild SAP which would reflect single family residential where adjacent to Shannamara and include a 100 ft. buffer.

Council Member Scholl made the motion to approve the Amendment to the Idlewild SAP to show single family residential where adjacent to Shannamara and include a 100 ft. buffer. Council

Member Grooms seconded the motion. The motion was passed by a 5 to 1 vote with Council Member Martin opposing.

Clerk's Note: Town Attorney McCarley left the meeting and Town Attorney Cox joined the meeting at approximately 9:42 p.m.

9. DA19.03.03 - Broadstreet Homes, Inc./Stallings Elementary Subdivision (Recessed from 07-13-2020)

Town Planner Hair reminded the Council this item was a request to approve the Development Agreement for a 40-lot single family subdivision located on Stallings Road in parcels #07099049, 07099050, 07099051, 07099052, 07099053, 07099054. Council discussed the agreement and received explanation regarding a Stallings Road buffer by the applicant attorney, Chris Hanson.

Council Member Martin made the motion to approve the DA19.03.03 - Broadstreet Homes, Inc./Stallings Elementary Subdivision contingent upon language added that at least a 6' privacy fence be installed at the homes along Stallings Road and maintained by the homeowners association in same color, size, and material and be installed within 30 days of occupancy. The motion was seconded by Council Member Grooms and passed unanimously.

10. Idlewild Small Area Plan (Recessed from 07-13-2020)

This item was moved to Agenda Item 8.A.

11. Waste Connections (Martin)

Council Member Martin voiced a concern to the Council that the north part of Stallings seemed to have repeated issues with misses of waste collection. Assistant Town Manager Nichols explained there had been significant improvement since new management had been put in place for Waste Connections. Tim Fadul with Waste Connections was present at the meeting and explained to the Council another truck had been added to that route and changed the routes so that the northern part of Town had earlier pick-ups.

12. Western Union County Municipalities Alliance (Paxton)

Council Member Paxton explained this was a request to adopt a resolution to approve an alliance with Marvin, Wesley Chapel, Mineral Springs, and Weddington known as the Western Union County Municipalities Alliance. The alliance started primarily with ETJ concerns however it evolved into

larger collaboration with land use, transportation, and economic development as well as ETJ's. The alliance had no fee involved and was considering monthly meetings.

Council Member Paxton made a motion to approve the Resolution Approving the Alliance with the Western Union County Municipalities Alliance and enter into the interlocal agreement with the Western Union County Municipalities Alliance. Council Member Richardson seconded the motion to which the Council approved unanimously. The Resolution Approving the Alliance with the Western Union County Municipalities Alliance is attached to these minutes and therefore incorporated herein.

The Mayor was approved as the default delegate to the Western Union County Municipalities Alliance and Council Member Ayers was approved as the alternate delegate.

13. 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 10:15 p.m.

Approved on October 12, 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