

**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 May 23, 2022, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-Rae Drake; Heather Grooms, Graham Hall and Brad Richardson.

Those absent were: Mayor Wyatt Dunn.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Eunice McSwain, Special Events Coordinator; Max Hsiang, Planning Director; Matthew West, Planning Technician; Marsha Gross, Finance Officer; Karen Reid, Human Resources Director; and Mac McCarley, Planning Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tem Scholl welcomed everyone to the meeting and Council Member Grooms delivered the invocation. Mayor Pro Tem Scholl then led the Pledge of Allegiance and called the meeting to order.

Public Comments

No one was present to give public comment.

1. Agenda Approval

Town Manager Sewell requested that the Council add the following items to the Agenda:

- Amended Budget Ordinance 4 – Agenda Item 1.A.
- Planning Board Application – Agenda Item 1.B.
- Closed session pursuant to NCGS 143-318.11(a)(3) – Agenda Item 8.A.

And remove Agenda Item 5, Code of Ordinances 32.10 Amendment - Planning Board Duties and Responsibilities Amendments.

Council Member Richardson made the motion to approve the Agenda with the above listed changes. The motion was passed with Council's unanimous support after a second from Council Member Ayers.

1.A. Amended Budget Ordinance 4

Finance Officer Gross explained the Police Department applied for a NC Governor's Crime Commission Grant to purchase a LiveScan Fingerprint Machine which was needed to perform digital fingerprinting. In order to receive the grant, the department had to purchase the equipment and then apply to be reimbursed for the expense. The machine was purchased this fiscal year and the department received funds in the amount of \$19,436 on May 16, 2022, from the NC Governor's Crime Commission in the form of grant revenue. Staff was requesting the Council approve the FY2022 Budget Amendment 4 which increased grant revenue \$19,436 and the offsetting expense for the Police Department.

Council Member Richardson made the motion to approve Amended Budget Ordinance 4 to which Council Member Hall seconded. The motion received Council's unanimous support. Amended Budget Ordinance 4 is attached to these minutes and therefore incorporated herein.

1.B. Planning Board Application Consideration

Council Member Ayers made the motion to appoint Ryan Awaldt to the Planning Board with the term expiration date of 03-31-2025. The motion received Council's unanimous support after a second from Council Member Hall.

2. RZ22.03.01

A. General Rezoning of 409 Stallings Road from SFR-3 to MU-2

Matthew West, Planner 1, presented the Council with the Staff Report for RZ22.03.01 which is attached to these minutes and therefore incorporated herein. Mr. West explained this rezoning was a request to change the zoning from SFR-3 to MU-2 located at 409 Stallings Road, 0.533 acres. Staff recommended a rezoning to Town Center (TC) instead of Mixed Use 2 (MU-2) be considered for this property. The Planning Board recommended approval of the rezoning.

Mayor Pro Tem Scholl opened the public hearing. Applicant Badran addressed the Council explaining that she planned to put a hair salon on the property.

No one was present to speak on the rezoning. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Richardson made the motion to approve RZ22.03.01 and the Statement of Consistency and Reasonableness for RZ22.03.01. The motion received a second from Council Member Grooms and unanimous support by the Council. The Statement of Consistency and Reasonableness for RZ22.03.01 is attached to these minutes and therefore incorporated herein.

B. Statement of Consistency and Reasonableness

See above motion for this item.

3. TX22.04.01

A. Amend the Stallings Development Ordinance to match 160D amendment to decriminalize violations except in certain instances.

Planning Director Max Hsiang presented the Council with the Staff Report for TX22.04.01 which is attached to these minutes and therefore incorporated herein. Mr. Hsiang explained that the Governor and General Assembly of the State of North Carolina set into law Session Law 2021-138 on the September 2, 2021, amending G.S. 160D to decriminalize violations except in certain instances. Mr. Hsiang went over the changes as they pertained to the Stallings Development Ordinance.

Mayor Pro Tem Scholl open the public hearing. No one was present to give public comment on the item. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Hall made the motion to approve TX22.04.01 and the Statement of Consistency and Reasonableness for TX22.04.01. Council Member Grooms seconded the motion, and the Council unanimously supported the motion. The Statement of Consistency and Reasonableness for TX22.04.01 is attached to these minutes and therefore incorporated herein.

B. Statement of Consistency and Reasonableness

See above motion for this item.

4. Streetscape Design Direction

Recessed form 04-25-22

Planning Director Max Hsiang reminded the Council he presented the Council with the Streetscape Proposed Design in April 2022. Mr. Hsiang wished to bring forward a text amendment in in November to formalize the design requirements.

Council discussion on options and wanted to to have more time to review and make comments. Council held consensus to the recess this item until its June 13, 2022, meeting.

5. Code of Ordinances 32.10 Amendment - Planning Board Duties and Responsibilities Amendments

This item was removed from the Agenda during Agenda Approval.

6. 2022 Summer Concert Series Alcoholic Beverages Consideration

Special Events Coordinator Eunice McSwain explained the Parks and Recreation Department would like to contract with craft-beer and wine providers to sell alcohol at the Summer Concert Series.

Town Ordinance 130.02 prohibits the consumption and possession of alcoholic beverages at Town sponsored special events but allows for exceptions to be made by the Town Council on a case-by-case basis. Specifically, the ordinance states “Exceptions to the provisions of this section can only be made by the Town Council on a case-by-case basis. Such exemptions shall apply to the annual barbeque event.” Staff requested an exception be made to Town Ordinance 130.02 by the Town Council for the Annual Concert Series.

Council Member Ayers made the motion to approve the exception to the Town Ordinance to allow alcohol at the Summer Concert Series. Council Member Richardson seconded the motion to which the Council approved unanimously.

7. Annexation 55 – Lawyers/Epcon3 - Resolution to Direct the Clerk to Investigate

Assistant Town Manager Nichols explained the Town had received a petition for annexation. The first step in that process per state statute was for the Council to approve a resolution to direct the Clerk to investigate the petition.

Council Member Ayers made the motion to approve Annexation 55 – Lawyers/Epcon3 - Resolution to Direct the Clerk to Investigate which was seconded by Council Member Richardson. Council passed the motion unanimously. The Annexation 55 – Lawyers/Epcon3 - Resolution to Direct the Clerk to Investigate is attached to these minutes and therefore incorporated herein.

8. Greenway Request for Bids – Electronic Advertisement Option

Assistant Town Manager Nichols reminded the Council that the Town was requesting proposals for the construction of the Stallings Greenway adjacent to Blair Mill Park on Stevens Mill Road. In addition to the Town’s Bid Policy, the Town must also adhere to the NC Statutes requirements for advertising such a project.

NCGS 143-129(b) allowed for the Town to advertise such a project electronically as long as the governing board approved. For several reasons (cost, other advertising sources, etc.), staff was requesting the Town be allowed to advertise this project electronically.

The motion was made by Council Member Scholl to advertise for the Stallings Greenway Project electronically. Council Member Drake seconded the motion to which Council unanimously approved.

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

Council Member Richardson made the motion to go into closed session pursuant to NCGS 143-318.11(a)(6) and inviting Human Resources Director Karen Reid and Town Planning Attorney Mac McCarley into the closed session. The Council approved this motion unanimously after a second from Council Member Grooms.

Council went into closed session at 7:54 p.m. and reconvened into open session at 8:18 p.m.

9. Adjournment

Council Member Richardson moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 8:20 p.m.

Approved on June 13, 2022.

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