

**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 August 8, 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, and Brad Richardson.

Those absent were: Mayor Wyatt Dunn and Council Member Graham Hall.

Staff present were: Alex Sewell, Town Manager; Mary McCall, Deputy Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Patrick Blaszyk, Planning Technician; Marsha Gross, Finance Officer; Karen Reid, Human Resources Director; Melanie Cox, Town Attorney and Mac McCarley, Planning Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

Joyce Rupert, 3026 Freesia Place, thanked the Council, staff, and contractors for excellent work for fixing stormwater projects on her property. She also thanked Town Manager Sewell for getting the lights corrected in the park.

Roxanne Hoots, 2019 Donavon Drive, was not pleased that only shrubbery was being offered as a buffer between her home and the greenway

Abby Gold, 2015 Donavon Drive, would like the Council to put a fence up on the greenway for privacy.

Tim Russell, 2009 Donavon Drive, would like the Council to put a fence up on the greenway for privacy and address the stormwater issue. He also thanked the Town Manager for coming out to inspect the issue. Mr. Russell was concerned about safety.

1. Approval of Consent Agenda Items

- A. Minutes of the following meetings:
 - (1) 07-11-2022
- B. Park Security Cameras Purchase

- C. Twin Pines Project Contract
- D. Police Department Pay Grades
- E. Community Service Work Program
- F. Personnel Policy Changes
- G. Amended Budget Ordinance 3 – Police Vehicle Funds
- H. Amended Budget Ordinance 4 – Vickery Greenway

Council Member Richardson made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Drake which passed unanimously by Council. Amended Budget Ordinance 3 – Police Vehicle Funds and Amended Budget Ordinance 4 – Vickery Greenway are attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

The Mayor was not present to give a report.

B. Reports from Council Members/Town Committees

Council Member Scholl reported that he had completed an advance leadership training at the UNC School of Government.

Council Member Ayers reported that there was no WUMA meeting for July and the WUMA meeting would be held at Stallings Town Hall for August.

Council Members Richardson, Grooms and Drake had no reports.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on the following:

- National Night Out was held the following week and went well.
- Downtown Finance Initiative (DFI) contract and meetings have begun for the Stallings Downtown

3. Agenda Approval

Council Member Drake requested moving Agenda Item 11, Greenway Pinch Point Fencing (Drake), to 4.C. Council Member Richardson made the motion to approve the Agenda with the above noted change. The motion was passed unanimously by Council after a second from Council Member Drake.

4. RZ22.07.01

A. General Rezoning from MU-2 to SFR-1

Mayor Pro Tem Scholl opened the public hearing. Planning Director Hsiang explained that this was a request for a rezoning at 2125 Stallings Rd, PID 07099002 General Rezoning from MU-2 to SFR-1. The property was approximately 23 acres, and the request was inconsistent with the Land Use Plan. The Planning Board recommended approval of the request. Staff Report for RZ22.07.01 is attached to these minutes is attached and therefore incorporated herein.

There were no public who wanted to speak on this issue. The applicant requested the Council approve the request as the Planning Board recommended. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Richardson made the motion to approve RZ22.07.01 and the Statement of Consistency and Reasonableness for RZ22.07.01. The motion was seconded by Council Member Grooms and passed unanimously by Council. The Statement of Consistency and Reasonableness for RZ22.07.01 is attached to these minutes and therefore incorporated herein.

4.C. Greenway Pinch Point Fencing (Drake)

Original Agenda Item 11

Council Member Drake reminded the Council that the Vickery residents were requesting a privacy fence along the Greenway for the house at the pinch points of 20-30' buffers in the name of safety and privacy.

Council Member Drake made the motion to direct staff to work with an outside consultant to develop a cost for insuring wetlands/floodplain compliance, developing a design and estimate for implementation for adding a fence. Council approved the motion unanimously after a second from Council Member Ayers.

5. TX22.07.01

Planning Director Hsiang explained that this was a request for text amendments for Conditional Zoning Amendments to Articles 5.4-3, 5.4-4, 8.2, and 8.3. The Planning Board recommended approval of the request. Staff Report for TX22.07.01 is attached to these minutes is attached and therefore incorporated herein.

Mayor Pro Tem Scholl opened the public hearing. There were no public who wanted to speak on this issue. The Planning Board recommended approval of this item. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Richardson made the motion to approve TX22.07.01 and the Statement of Consistency and Reasonableness for TX22.07.01. The motion was seconded by Council Member Drake and passed unanimously by Council. The Statement of Consistency and Reasonableness for TX22.07.01 is attached to these minutes and therefore incorporated herein.

6. TX22.07.02

Mayor Pro Tem Scholl opened the public hearing. Planning Director Hsiang explained that this was a request for text amendments for Development Agreement Amendments to Articles 7.15-1(B), 8.4-6(B), and 8.5-1(B). The Planning Board recommended approval of the request. Staff Report for TX22.07.02 is attached to these minutes is attached and therefore incorporated herein.

There were no public who wanted to speak on this issue. The Planning Board recommended approval of this item. Mayor Pro Tem Scholl then closed the public hearing.

Council Member Ayers made the motion to approve TX22.07.02 and the Statement of Consistency and Reasonableness for TX22.07.02. The motion was seconded by Council Member Drake and passed unanimously by Council. The Statement of Consistency and Reasonableness for TX22.07.02 is attached to these minutes and therefore incorporated herein.

7. Annexation 56 – Castlebridge Lane

Town Manager Sewell reminded the Council this was the last step in approving Annexation 56 – Castlebridge Lane. Applicant Jud Violette stated that he wanted to become a part of Stallings because he was invested in the neighborhood, three-fourths on this neighborhood was already in Stallings, and he would like recycling services.

Council Member Drake made the motion to approve Annexation 56 – Castlebridge Lane and extend the corporate limits of the Town of Stallings. Council Member Drake seconded the motion to which Council unanimously approved. The Ordinance for Annexation 56 – Castlebridge Lane is attached to these minutes and therefore incorporated herein.

8. Bypass Phase II Landscape Plan/Irrigation

Public Works Director Price reminded Council that at its meeting on 06-28-2022, the bypass landscaping plan was presented to Council for feedback. That feedback was given to the NCDOT. Jeff Lackey with NCDOT presented the Council with an updated plan. This plan is attached to these minutes and therefore incorporated herein. The planting goal was Fall 2022.

Council approved the installation on the two irrigation sites on the plan as well as the plan itself. Council Member Drake made the motion to approve NCDOT Landscape Plan for the Highway 74 Hillside and the Gateway Monument Roundabout and entered into an Intergovernmental Agreement with NCDOT for installation and short-term maintenance as well as irrigation at the identified areas. Council Member Grooms seconded the motion to which the Council approved unanimously.

9. Gateway Signage Bid Results

Town Manager Sewel reminded the Council that one of its top goals was to maximize the area around the hospital and invest in beautification. One of the strategies was to install gateway monument signage at the end of the fiscal year. After going out to bid for the project, the lowest responsible bidder was \$461,921.28. The Council had set aside \$300,000 in the budget as a placeholder. Finance Officer Gross stated that the funds could be covered by the budget.

Council made the motion not to move forward with the building of the Gateway Signage during the present fiscal year. Council passed the motion unanimously after a second from Council Member Richardson.

10. Interlocal Agreement/Atrium

Atrium Hospital was required to do transportation improvements due to traffic analysis for the hospital construction. One of the intersections was located in Indian Trail. Indian Trail wanted to use the money set aside for that intersection and add it to funds they were planning to use for additional upgrades to that intersection. Doing all the improvements at once would allow for a more seamless and cost-effective improvements.

Town Attorney Cox further explained that the original interlocal agreement for this effort was between Stallings and Indian Trail however due to the pandemic, Atrium was not prepared to turnover the funds. On July 26, 2022, Stallings received an amendment to the original agreement which allowed Atrium to provide funds instead of doing the actual roadway improvements. Due to the fact that Ms. Cox

now also served Indian Trail as its Town Attorney, Ms. Cox would only be representing Stallings in this agreement and Indian Trail had another attorney representing its interest in this agreement.

Council Member Scholl made the motion having been fully informed of the conflict of interest and Town Attorney Cox's reasonable belief that she will be able to provide competent and diligent representation to the Town of Stallings notwithstanding the conflict of interest; and further having been informed that Stallings has the right to seek other Counsel to represent its interest in the matter, the Town Council consents to Ms. Cox's continued representation of the Town. Council Member Ayers seconded the motion to which the Council approved unanimously.

Council Member Scholl made the motion to approve the Interlocal Agreement with the Town of Indian Trail for construction and road improvements contingent upon the Town of Indian Trail's approval. The motion received Council's unanimous support after a second from Council Member Drake.

Council Member Scholl made the motion to authorize Town Manager Sewell to execute the amendment of the development agreement upon Indian Trail's execution of the interlocal agreement. Council Member Ayers seconded the motion. The motion was passed unanimously by Council.

Council Member made the motion to approve Amended Budget 5 – Atrium Road Improvements which was seconded by Council Member . The motion received Council's unanimous support. The Amended Budget 5 – Atrium Road Improvements is attached to these minutes and therefore incorporated herein.

11. Greenway Pinch Point Fencing (Drake)

This Item was moved to Agenda Item 4.C.

12. 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) inviting Humans Resources Director Karen Reid into the meeting. The motion received a second by Council Member Ayers to which Council approved unanimously.

Council went into closed session at approximately 8:58 p.m. and reconvened in open session at approximately 9:55 p.m.

13. Adjournment

Council Member Richardson moved to adjourn the meeting, seconded by Council Member Scholl, and the motion received unanimous support. The meeting was adjourned at 9:55 p.m.

Approved on September 12, 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