

**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 June 28, 2021, 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/91631126520?pwd=Y1VOMVJ3aFpWNG0vT1JkZTNiNFh5UT09>) or the Zoom app (Meeting ID: 916 3112 6520; Password: 130960)

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; Melanie Cox, Town Attorney; Mac McCarley, Planning and Zoning Attorney; Lynne Hair, Town Planner; Matthew West, Planning Technician; Marsha Gross, Finance Officer; Ashley Platts, Parks and Recreation Director; Brian Price, Public Works Director; Kolleen Dickinson, Code Enforcement Officer; and Dennis Franks, Police Chief.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting. Council Member Ayers gave the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

There was no one joining the meeting who wished to give public comments.

1. Agenda Approval

Council Member Paxton made the motion to approve the Agenda as presented. The motion was seconded by Council Member Richardson and passed unanimously by Council.

2. TX21.04.02

Request to amend Article 12.3-9 of the Stallings Development Ordinance amending language defining commercial Vehicles as having two or more axles; and the addition of a definition of Commercial Vehicle to Article 3.

Mayor Dunn opened the public hearing. Town Planner Hair presented the Council information explaining TX21.04.02. Staff's report regarding this item is attached to these minutes and therefore incorporated herein. Planning Board recommended approval of the request.

Council held consensus to continue discussion the public hearing of this item at its next meeting. Mayor Dunn then recessed the public hearing until July 12, 2021.

3. TX21.06.06

Proposed text amendment to Article 17, Table 17.1 of the Stallings Development Ordinance to provide standards for residential pole signs.

Mayor Dunn opened the public hearing. Planning Technician West explained this text amendment was to address the gap in the sign ordinance to allow for residential pole signs. Mr. West's memo with the recommended changes is attached to these minutes and therefore incorporated herein.

No one was present who wanted to give public comment on this item. Mayor Dunn then closed the public hearing. The Council would vote on this item at its July 12, 2021, Council Meeting.

4. TX21.06.01 - General Statute 160D

Proposed Text Amendment to amend Land Development Code in accordance with General Statute 160D. Chapter 160D consolidates existing city and county planning and development regulation statutes into a single, unified chapter and does not make major policy changes or shifts in the scope of authority granted to local governments.

Town Planner Hair reminded Council this was a text amendment required by NCGS160D which dealt with zoning issues throughout the state. The majority of the changes are legislative and the public hearing on the item was held on June 14, 2021.

Council Member Richardson made the motion to approve TX21.06.01 - General Statute 160D. Council Member Scholl seconded the motion to which Council passed unanimously. The Ordinance Approving TX21.06.01 - General Statute 160D is attached to these minutes and therefore incorporated herein.

The motion was made by Council Member Scholl to approve the Statement of Consistency and Reasonableness for TX21.06.01 - General Statute 160D. The motion received Council's unanimous support after a second from Council Member Martin. The Statement of Consistency and Reasonableness for TX21.06.01 - General Statute 160D is attached to these minutes and therefore incorporated herein.

5. Finance Items

A. Fund Balance Policy Change

Finance Officer Gross review the Fund Balance Policy change which lowered the threshold of reserves in the Fund Balance from 30% to 20%. Ms. Gross' memo regarding this change in attached to these minutes and therefore incorporated herein.

Council Member Scholl to lower the threshold of reserves in the Fund Balance from 30% to 20%. Council Member Martin seconded the motion. The motion passed by a 5 to 1 vote with Council Member Paxton opposing.

B. Capital Project Budget Ordinance Amendment

Finance Officer Gross explained there was a need to make an amendment to the Capital Project Budget Ordinance for Potter/Pleasant Plains Intersection Project. Due to the fact that this project was spanning several fiscal years and the fact that more Town funds had been spent on the project due to utilities and engineering/architecture costs.

Council Member Richardson made the motion to approve the Capital Project Budget Ordinance for Potter/Pleasant Plains Intersection Project to which Council Member Scholl seconded. The motion passed by a Council's unanimous vote. The Capital Project Budget Ordinance for Potter/Pleasant Plains Intersection Project is attached to these minutes and therefore incorporated herein.

C. FY2021-22 Budget Ordinance Adoption

Council Member Richardson made the motion to adopt the FY2021-22 Budget Ordinance. Council Member Martin seconded the motion. The motion passed by a 5 to 1 vote with Council Member Scholl opposing. The FY2021-22 Budget Ordinance is attached to these minutes and therefore incorporated herein.

D. Fee Schedule Adoption

Finance Officer Gross noted that the highlighted changes were due to Development Agreements as well as towing costs. Council Member Paxton made the motion to adopt the 2021-2022 Fee Schedule. The motion received Council's unanimous support after a second from Council Member Scholl. The 2021-2022 Fee Schedule is attached to these minutes and therefore incorporated herein.

E. CMIIP Adoption

A motion was made by Council Member Richardson to adopt the 2021-2026 Capital Maintenance and Infrastructure Improvement Plan (CMIIP) to which Council Member Ayers seconded. Council unanimously supported the motion. The updated 2021-2026 CMIIP is attached to these minutes and therefore incorporated herein.

6. Stallings Fest

Parks and Recreation Director Platts reminded the Council that is had requested some changes to Stallings Fest and therefore staff proposed dropping fireworks and the heavier amusement rides from the 2021 Stallings Fest. Ms. Platts' memo regarding these changes is attached to these minutes and therefore incorporated herein.

Council Member Scholl made the motion to drop the fireworks and the heavier amusement rides from the 2021 Stallings Fest. The motion received the Council's unanimous support after a second from Council Member Ayers.

7. Bypass Landscaping

Jeff Lackey with NCDOT presented the Council with a landscaping plan for Hwy. 74 and Stallings Road and the bypass intersection. Council held consensus to vote on irrigation and plantings for the bypass intersection at is July 12, 2021, Council Meeting.

8. Potter and Pleasant Plans Intersection – NCDOT Supplemental Agreement & How To Move Forward.

Town Manager Sewell reviewed his memo outlining the Potter and Pleasant Plains Intersection history, timeline and needs mowing forward. This memo is attached to these minutes and therefore incorporated herein.

It was noted that the project additional estimated out-of-pocket cost for the Town was \$2,081,758. Council held consensus to table a decision on this item until the Town's next meeting in July and continue to talk with NCDOT and State Representatives regarding this matter.

9. Police Department Retirement Sidearms Consideration

Police Chief Franks explained it was customary and allowed by state statute for retiring officers to purchase their sidearms for \$1 from the Town upon retirement. The motion was made by Council Member Scholl to sell Sgt. Doug Hearne and Asst. Chief John Flynn their sidearms for \$1 upon

retirement on September 1 and August 1 respectfully. Council supported the motion unanimously after a second from Council Member Ayers.

10. Ordinance Adopting Supplement 11 of the Code of Ordinances

Assistant Town Manager Nichols explained this was the latest version of the Code of Ordinances that had been recently codified with the most recent ordinances adopted by the Council.

Council Member Martin made the motion to adopt Ordinance Adopting Supplement 11 of the Code of Ordinances which was seconded by Council Member Scholl. The Council passed the motion unanimously. The Ordinance Adopting Supplement 11 of the Code of Ordinances is attached to these minutes and therefore incorporated herein.

Mayor Dunn noted that the Town Council Meeting would be in person on July 12, 2021, at the Stallings Government Center. There would also be a ribbon cutting for the Stallings Government Center on July 12, 2021.

11. Adjournment

Council Member Paxton moved to adjourn the meeting, seconded by Council Member Scholl, and the motion received unanimous support. The meeting was adjourned at approximately 10:04 p.m.

Approved on September 13, 2021.

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