

**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 April 26, 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/93345690136?pwd=ZFQ2WlhCNDhFK1I3YUtiYkV4WVFTdz09>) or the Zoom app (Meeting ID: 933 4569 0136; Password: 401807).

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; Chris Easterly, Town Engineer; Ashley Platts, Parks and Recreation Director; Lynne Hair, Town Planner; Matthew West, Planning Technician; Police Chief Dennis Franks; and Mac McCarley, Planning Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

Gina Burke, 5635 Anglesey Court, did not like Stinson Farms project and wanted to see a Burkedale Village like in Huntersville and did not believe that more fast food and gas stations was going to draw people.

Jim Huben, 8048 Sapwood Court, Parkside at Stallings, regarding the Potter/Pleasant Plains Intersection, he wanted to make sure that it was going to be improved. Mr. Huben stated he would like to see the potholes in the area fixed in the interim.

Melissa McCartney, 634 Rosecrea Court, believed the Town had a right to decide what it wanted to be. She was a member of the Charlotte business alliance board member and administrator at Queens University. She stated there was a shift in the work force and millennials were working from home. She said this plan was inconsistent with land use plans and was not a walkable neighborhood. DR Horton had

been disingenuous through the whole process and had EPA violations. She urged the Town to vote no as it was not a good fit for Stallings.

Bill Macminn, 4634 Shannamara Drive, was against the DR Horton development and felt high density housing had to go. The developer was only doing token road improvements and needed to be extended down Stevens Mill.

Greg Pillar, 634 Rose Crea Court, strongly objected to the DR Horton development and felt there were many issues that had been addressed. The buffers had to be addressed and using landscaping to replace landscaping was not adequate. He urged the Council to vote on the development.

John Delgado, 809 Clonmel Drive, was concerned with the crime that came with multiuse family. He would hate to see Stallings being annexed into the drug corridor. He felt the tone of DR Horton letters was negative. Stallings was not unprogressive but did not want development that would destroy home values. The traffic solutions were unacceptable. As the Gateway to Stallings, he did not want a giant mess and urged the Council to do the right thing for the community.

Larry Falcone, wanted to know if the development would be built before Idlewild would be widened.

Mary Phelps, 1212 Mountain Laurel Court, stated she had been in Stallings for three years. She was a profession artist and was interested in preserving the landscape. She wanted the Council to hold fast to its idea of How Home Should Feel.

Jeanne Lindsay, 5639 Anglesey Court, shared the concerns of her neighbors and felt DR Horton was using bait and switch tactics. She wanted developers who were prepared to partner with the Town. She felt the Town was being ignored. Gateway signage would not make the site Gateway worthy. The property was the last large track of land in the Town. This was about livability and a 50-year perspective. The bottled neck of traffic on Idlewild was not good for business. The project was not up to gold standards. Residents were wondering if residents still had a voice in this matter.

Michael Gorak, 611 Rose Crea Court, echoed everyone's concern, was concerned about stormwater, and was against the plan.

#### 1. Agenda Approval

Mayor Dunn requested the Council add Agenda Item 5, *Stinson Farms*, to 2.A. Council Member Martin requested adding Agenda Item 7 as *Resolution Opposing SB 349/HB 401 ("Increase Housing Opportunities")*. Staff requested adding Agenda Item 7.A. as Amended Budget Ordinance – Chestnut Roundabout and 7.B. as Union County Water and Sewer Agreement. Council Member Martin made the motion to approve the Agenda with the above change and additions. The motion was seconded by Council Member Scholl and passed unanimously by Council.

## 2. DA19.11.03 - Stallings Farms

Mayor Dunn opened the public hearing. Town Planner Hair explained this was a request for a Development Agreement, Stallings Farms, located at the intersection of Stallings Road and Stevens Mill Road. The project was 83.12 acres and zoned MU-1 with 222 lots. The Zoning report on this item is attached to these minutes and therefore incorporated herein. The Planning Board heard the request on March 16, 2021 and recommended unanimous approval.

Applicant John Ross addressed the Council along with Gary Fankhauser and Bob Bennett, builder and developer.

No one joined the meeting who wished to give public comment on the item. Mayor Dunn then closed the public hearing. The Council would vote on this request at its May 10, 2021, Meeting.

### 2.A. Stinson Farms

*Original Agenda Item 5*

#### A. DA19.01.06/DA19.11.02

Town Planner Hair explained this item was two Development Agreements under the Stinson Farms project, a 72-acre project on Idlewild Road with multifamily and commercial components. The public hearing for this item was held on March 22, 2021. The Sub-Committee for these DAs met on April 7, 2021, for additional discussion with the applicant. Ms. Hair's update presentation to the Council is attached to these minutes and therefore incorporated herein.

Terry Williams, DR Horton, clarified that the letters indicating potential legal action was from the landowners/applicant and not the developer, DR Horton. John Carmichael, Attorney for Stinson Farms objected to statement that the developer was acting in bad faith stating every change the developer has made had been more restrictive; have not acted in bad faith.

Council Member Paxton made the motion to approve DA19.01.06/DA19.11.02 contingent on the approval of CZ21.02.01. Council Member Richardson seconded the motion. The motion failed by a 2 to 4 vote with Council Members Martin, Scholl, Grooms, and Ayers voting against the motion.

#### B. CZ21.02.01

*This item was deferred until a later meeting.*

## 3. TX21.03.01 and TX21.03.02

Mayor Dunn opened the public hearing. Town Planner Hair explained that Council requested Staff bring language for adoption to amend Development Ordinance Article 2 and 16 to address

concerns with structures being built within floodplains, and the appearances of fences throughout the Town. The Planning Board recommended unanimous approval of these text amendments at its March 16, 2021, meeting. Mrs. Hair's presentations on these items are attached to these minutes and therefore incorporated herein.

Larry Falcone, 2121 Blue Iris Drive, stated that all HOAs have the restriction on the fences already and was not sure why the Town needed to have to text amendment.

Mayor Dunn then closed se the public hearing. Council would vote on the text amendments at its May 10, 2021, meeting.

#### 4. TX21.03.03 - Open Space

Mayor Dunn opened the public hearing. Planning Technician Matthew West presented the Council with the proposed open spaces amendments. Mr. West's presentation is attached to these minutes and therefore incorporated herein.

Larry Falcone, would like to see some guidance incorporated to the plan on the type of species of plants that could be planted in the open space.

Mayor Dunn then closed the public hearing. Council would vote on the text amendments at its May 10, 2021, meeting.

#### 5. Stinson Farms

*This item was moved to Agenda Item 2.A.*

#### 6. 2020-2021 Road Resurfacing Interlocal Agreement with Indian Trail

Town Manager Sewell reminded the Council that the Town does annual road resurfacing. The Town had the option of partnering with Indian Trial in order to drive the price down. Partnering with Indian Trail would require an interlocal agreement. The Town Manager's memo describing this process is attached to these minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve the 2020-2021 Road Resurfacing Interlocal Agreement with Indian Trail; authorize the Town Manager to enter into a subsequent agreement with Indian Trail for resurfacing execution contingent on Town Attorney approval, to let the

resurfacing project, and award the project/contract with the lowest responsible bidder contingent on the bid being within the allocated budget parameters. The motion received Council's unanimous approval after a second from Council Member Scholl.

7. Resolution Opposing SB 349/HB 401 ("Increase Housing Opportunities")

*Please note: This Agenda Item also included HB496 and HB291.*

Council Member Ayers explained that Resolution Opposing SB 349/HB 401 ("Increase Housing Opportunities") expressed the Town's opinion against SB349 and HB 401.

Council Member Scholl and Martin expressed interested in Council also considering a resolution opposing HB496 and HB291.

Council Member Ayers made the motion to approve Resolution Opposing SB 349/HB 401 ("Increase Housing Opportunities"). The motion passed unanimously after a second from Council Member Scholl. The Resolution Opposing SB 349/HB 401 ("Increase Housing Opportunities") is attached to these minutes and therefore incorporated herein.

7.A. Chestnut Roundabout Budget Amendment

Council Member Scholl made the motion to approve Amended Budget Ordinance 8 – Chestnut Roundabout and authorize payment to Chestnut Farm Apartments LLC c/o Terwilliger Pappas Multifamily partners, LLC per the agreement with this party and the Town. Council Member Martin seconded the motion which was passed unanimously by Council. The Amended Budget Ordinance 8 – Chestnut Roundabout as well as the memo explaining this amendment is attached to these minutes and therefore incorporated herein.

7.B. Union County Water and Sewer Agreement

Town Manager Sewell explained Union County Board of Commissioners directed its staff to engage with Stallings for Union County Water and Sewer Agreement. Stallings staff would work with County staff on these negotiations to reach an agreement.

Council Member Martin made the motion to authorize the Town Manger to begin negotiations with Union County on the Union County Water and Sewer Agreement. Council Member Paxton seconded the motion to which Council approved unanimously.

6. Adjournment

Council Member Ayers moved to adjourn the meeting, seconded by Council Member Grooms, and the motion received unanimous support. The meeting was adjourned at 9:33 p.m.

Approved on July 12, 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