



**May 29, 2018**  
 Stallings Town Hall  
 315 Stallings Road  
 Stallings, NC 28104  
 704-821-8557  
[www.stallingsnc.org](http://www.stallingsnc.org)

|    | Time      | Item  | Presenter                                       | Action Requested/Next Step  |
|----|-----------|---|---|---|
|    | 7:00 p.m. | Invocation<br>Pledge of Allegiance<br>Call the Meeting to Order   | Wyatt Dunn,<br>Mayor                            | NA  |
|    | 7:05 p.m. | Public Comment  | Wyatt Dunn,<br>Mayor                            | NA  |
| 1. | 7:20 p.m. | Agenda Approval   | Wyatt Dunn,<br>Mayor                            | Approve agenda as written.<br><i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i><br><br><b>Motion:</b> I make the motion to:<br>1) Approve the Agenda as presented; or<br>2) Approve the Agenda with the following changes:                             |
| 2. | 7:25 p.m. | 2018-19 Proposed Budget Presentation                              | Alex Sewell,<br>Town Manager                    | NA  |
| 3. | 7:35 p.m. | Transportation Advisory Committee Application                     | Wyatt Dunn,<br>Mayor                            | Consider application for appointment<br><br><b>Motion:</b> I make the motion to appoint ( <u>applicant's name</u> ) to the Transportation Advisory Committee with a term ending March 31, 2019. *<br><br>*The vacancy on this committee has a term ending March 31, 2019. |
| 4. | 7:40 p.m. | Review of Development Agreement Process and Proposed Fee Schedule | Lynne Hair,<br>Town Planner                     | Approve/Deny process and fee schedule.<br><br><b>Motion:</b> I make the motion to approve/deny the Development Agreement Process and Fee Schedule   |
| 5. | 7:55 p.m. | Parks and Recreation Advisory Committee Rules of Procedure        | Ashley Platts,<br>Parks and Recreation Director | Approve document.<br><br><b>Motion:</b> I make the motion to approve the Parks and Recreation Advisory Committee Rules of Procedure.  |

|     |           |   |                                  |   |
|-----|-----------|---|----------------------------------|---|
| 6.  | 8:05 p.m. | 2017-18 Amended Budget Ordinance #7 – Potter Rd./Pleasant Plains Capital Improvement Fund | Marsha Gross,<br>Finance Officer | Approve ordinance.<br><br><i>Motion: I make the motion to approve the 2017-18 Amended Budget Ordinance #7 – Potter Rd./Pleasant Plain Capital Improvement Fund in the amount of \$80,000.</i> |
| 7.  | 8:10 p.m. | Town Insurance Policies Renewal   | Alex Sewell,<br>Town Manager     | Discussion and Possible Action  |
| 8.  | 8:20 p.m. | Chestnut Sidewalk   | Chris Easterly,<br>Town Engineer | Discussion and Possible Action  |
| 9.  | 9:00 p.m. | Outstanding 2011 Survey Items   | John Martin,<br>Council Member   | Discussion and Possible Action  |
| 10. | 9:20 p.m. | Adjournment   |                                  |   |



## MEMO:

TO: Town Council  
FROM: Lynne Hair, Planning Director  
SUBJECT: Development Agreement Process and Associated Fee Schedule  
DATE: May 21, 2018

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Development Agreements (DA) are an integral part of the Town's new development ordinance and plan review process. Before the Town receives its first development proposal it is important to have a process and fee schedule in place.

Staff is proposing a six (6) step process that includes negotiations with staff, council sub-committee negotiations, planning board review, council review and public hearing for adoption. It is the goal to conduct the DA process simultaneous with the plan review process, so once complete the applicant will have a permit in hand and can begin construction.

A fee to re-coup administrative cost is being suggested in the amount of \$5750. We anticipate twenty (20) hours of staff time at \$100/hour, ten (10) hours of legal consultation at \$225/hour, five (5) hours of consulting time at \$200/hour and advertising fees of \$500.

As we begin receiving applications, we anticipate adjustments to either the process, fee, or both may be necessary, but believe this is a good starting point.

Please see the attached chart for detail on the proposed process.

## Phase 1: Project Evaluation

### *Concept Plan/Application Submitted*

#### **Facilitated Town Technical Review of Proposed Development**

**Considerations:** Submitted site plans, application, comprehensive land use plan, small area plans, UDO, engineering data, public works data, fire/police/safety data, school enrollment data, any other data that staff feels is necessary to evaluate the project.

**Who Is Involved:** Staff led technical review may include town planning staff, town engineer, town manager, police chief, fire marshal office representative, public works department, UCPW, legal counsel, any other person(s) staff sees as necessary for review of the project.

**Outcome:** Written comments/information provided to applicant to start discussion of development agreement.

## Phase 2: Staff Agreement Negotiations\*

### *Staff Level Negotiations with Applicant*

**Begin negotiation of an agreement for long-term trade-offs and benefits of a development with Staff.**

**Considerations:** Comments/Considerations from Phase 1, developers comments/response to phase 1 requests, discussion of requested items/improvements

**Who Is Involved:** Planning Staff, Town Engineer, Town Manager, Applicant, Legal Counsel and Land Use Consultant as necessary

**Outcome:** Draft Development Agreement

\*May require multiple meetings

## Phase 3: Council Sub Committee Agreement Negotiations\*

### *Council Sub Committee Level Negotiations with Applicant*

**Presentation of Draft Agreement to a Council Sub Committee. Council Sub Committee receives draft agreement and may negotiate directly with the applicant.**

**Who Is Involved:** Town Council Sub Committee made up of three council members as follows:

Committee 1: Council Members from Districts 1 & 6

Committee 2: Council Members from Districts 2 & 5

Committee 3: Council Members from Districts 3 & 4

The third Committee Member will be from the district in which the development is occurring. Also involved will be the Applicant, Planning Staff, Town Manager, Legal Counsel and Land Use Consultant as necessary. A rotating schedule for which sub committee serves will be created and provided to Council.\*\*

**Outcome:** Draft Development Agreement

\*May require multiple meetings

\*\* If the project falls within the district of a subcommittee member assigned to that rotation, the next subcommittee in the rotation will review to ensure three-member participation.

## Phase 4: Planning Board Review

### *Planning Board Level Negotiations with Applicant*

**Presentation of Draft Agreement to the Planning Board**

**Considerations:** Draft Development Agreement

**Who Is Involved:** Planning Staff, Town Engineer, Town Manager, Applicant, Legal Counsel and Land Use Consultant as necessary

**Outcome:** Draft Development Agreement Recommendation

### **Phase 5: Council Agreement Negotiations\***

#### ***Council Level Negotiations with Applicant***

**Presentation of Draft Agreement to entire Council.** Council receives draft agreement and may negotiate directly with the applicant.

**Who Is Involved:** Entire Town Council, Applicant, Planning Staff, Town Manager, Legal Counsel and Land Use Consultant as necessary.

**Outcome:** Final Development Agreement

\*May require multiple meetings

### **Phase 6: Public Hearing**

#### ***Public Hearing/Council Decision***

**Required public hearing held and negotiated agreement adopted by Town Council.**

**Who Is Involved:** Town Council, Applicant, Planning Staff, Town Manager, Legal Counsel

**Outcome:** Council Decision/Finalized Agreement



Town of  
**Stallings**

315 Stallings Road • Stallings, North Carolina 28104

**LAND DEVELOPMENT FEES**

|   |  |
|---|--|
| <b>Residential</b>                          |  |
| Concept Plan Review                         | \$500.00   |
| <b>Major Subdivision Preliminary Review</b> |  |
| 0 to 10 acres                               | \$2000.00 plus \$350.00 for each acre or portion thereof |
| 10+ acres                                   | \$2500.00 plus \$350.00 for each acre or portion thereof |
| <b>Minor Subdivision Review</b>             |  |
| Up to 5 lots created                        | \$50 for first lot plus \$100.00 for each additional lot |
| <b>Final Subdivision Plat Review</b>        |  |
| Per Map                                     | \$275.00 plus \$50 per lot                               |
| <b>Revisions</b>                            |  |
| Minor (5 lots or less)                      | \$200.00   |
| Major (more than 5 lots)                    | \$500.00   |
| Excessive                                   | 1/3 of total review cost                                 |
| <b>Storm Water Review Fees</b>              |  |
| Surcharge per on site detention facility    | \$500.00   |
| Appeal of PCSWO                             | \$100.00   |

|  |  |
|--|--|
| <b>Commercial, Industrial or Non-Residential Plan Review</b> |  |
| <b>New Construction</b>                                      |  |
| 0 to 10 acres  | \$2000.00 plus \$350.00 for each acre or portion thereof |
| 10+ acres  | \$2500.00 plus \$350.00 for each acre or portion thereof |
| <b>Expansion</b>   |  |
| Less than 1 acre only  | \$500.00   |
| <b>Revisions</b>   |  |
| Minor  | \$200.00   |
| Major  | \$500.00   |
| Excessive  | \$1/3 of total review fee                                |

|  |          |
|--|----------|
| <b>Zoning Fees</b>                         |          |
| <b>Board of Adjustment Request</b>         |          |
| Appeal Request                             | \$150.00 |
| Variance Request                           | \$300.00 |
| <b>Planning Board Request</b>              |          |
| <b>Zoning Map Amendment - Conventional</b> |          |
| Less than 2 acres                          | \$150.00 |
| 2-10 acres                                 | \$300.00 |

|  |   |
|--|---|
| Greater than 10 acres                            | \$900.00  |
| <b>Zoning Map Amendment – Conditional Zoning</b> |   |
| Less than 2 acres                                | \$300.00  |
| 2-10 acres                                       | \$600.00  |
| Greater than 10 acres                            | \$1200.00   |
| Conditional Use Permit Request                   | \$300.00  |
| Zoning Text Amendment - UDO                      | \$500.00  |
| <b>Administrative Request</b>                    |   |
| <b>Zoning Permit</b>                             |   |
| New Construction                                 | \$75.00   |
| Accessory Structure, Additions, Interior Upfit   | \$50.00   |
| Use Permit                                       | \$50.00   |
| <b>Certificate of Zoning Compliance</b>          |   |
| Residential – New Construction                   | \$100.00  |
| Residential – Accessory Structures/Additions     | \$50.00   |
| Commercial                                       | \$150.00  |
| Letter of Zoning Compliance                      | \$50.00   |
| <b>Sign Permit</b>                               |   |
| Permanent  | \$50.00   |
| Temporary Banner                                 | \$15.00   |
| Development Agreement                            | \$5750.00   |
| Temporary Use Permit                             | \$50.00   |
| <b>Miscellaneous Fees</b>                        |   |
| Demolition Permit                                | \$50.00   |
| Traffic Impact Analysis Review Fee               | \$5 per AM and PM peak period generated by the site |
| Annexation Fee (Voluntary)                       | \$300.00  |
| Driveway Permit                                  | \$100.00  |
| <b>Ordinance/Maps/Copies</b>                     |   |
| Copying of UDO                                   | \$50.00   |
| <b>Maps (color)</b>                              |   |
| A Size (8.5 X 11)                                | \$1.00  |
| B Size (11 x 17)                                 | \$5.00  |
| C Size (17 x 22)                                 | \$10.00   |
| D Size (22 x 34)                                 | \$15.00   |
| E Size (34 x 44)                                 | \$20.00   |
| Custom Maps                                      | \$35.00 per hour rounded to ¼ hour                  |
| Copies   | \$.10 per page                                      |
| Audio CD of Meeting                              | \$1.00  |
| Returned Check Fee                               | \$25.00   |



**Rules of Procedure for the Parks and Recreation Advisory Committee, Town of Stallings****Rule 1. Membership**

The Parks and Recreation Advisory Committee shall consist of: Eight (8) full citizen members; one (1) youth ex-officio member; at least one (1) Council Member. Appointments are two-year terms. A staff liaison(s) will be appointed by the Town Manager.

**Rule 2. Purpose/Objective**

The Committee's purpose and objectives as issued by the Town Council are:

- (1) Establishment of a system of supervised recreation for the Town;
- (2) Setting apart lands and buildings for parks, playgrounds, recreational centers, and other recreational programs and facilities;
- (3) Acquiring real property, either within or without the corporate limits of the Town, including water and air rights, parks and recreation programs and facilities by gift, grant, purchase, lease, exercise of the power of eminent domain, or any other lawful method;
- (4) Providing, acquiring constructing, equipping, operating, and maintaining parks, playgrounds, recreation centers, and recreation facilities, including all buildings, structures, and equipment necessary or useful in connection therewith;
- (5) Accepting any gift, lease, loan, bequest, or devise of real or personal property for parks and recreation programs;
- (6) Support other Parks and Recreation needs as required.

Members are encouraged to attend and volunteer at park and recreation events and activities.

**Rule 3. Regular Meetings**

The committee shall hold a regular meeting on the last Thursday of each month unless the Committee votes to change the meeting to another time. The meetings shall be held at the Stallings Civic Building or Stallings Town Hall and the meetings shall begin at 7:00 p.m. A copy of the Committee's current meeting schedule shall be filed with the Town Clerk.

**Rule 4. Special Meetings and Cancelled Meetings**

**(a) Special Meetings:** Any two members of the committee may at any time call a special meeting by vote of the committee in open session during their regularly scheduled meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least forty-eight hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (1) posted on the Town's principal bulletin

board, or if none, at the door of the committee's usual meeting room; and (2) posted on the Town's website. Only those items of business specified in the notice may be discussed or transacted at a special meeting called in this manner, unless all members are present or those not present have signed a written waiver of notice, and the committee determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

**(b) Cancelled Meetings:** A properly called regular or special meeting may be cancelled due to inclement weather, lack of agenda items, or another significant reason by the Committee with majority consent. The cancellation shall be communicated immediately to the Committee and to the public via the Town's normal communication channels.

### **Rule 5. Officers**

The Committee shall elect a citizen Chairman and citizen/Council Member Vice-Chairman during its first regular meeting of a new calendar year or at the next regular meeting following the vacancy of the Chairman or Vice-Chairman.

#### **(a) Chairman Responsibilities:**

- (1) Conducts Committee meetings.
- (2) Principal contact with staff.
- (3) Attend other Town meetings as necessary.
- (4) Principal contact with staff on items that have not been delegated to another Committee member.
- (5) Attends all Parks and Recreation meetings and events.
- (6) Attend at least one Town Council meeting per year.

#### **(b) Vice-Chairman Responsibilities:**

- (1) Performs Chairperson's duties when the Chairperson is unavailable.
- (2) Attends all Parks and Recreation meetings and events.

### **Rule 6. Requirements of Committee**

**(a) Agendas:** Items of business for discussion at the meeting shall appear on the agenda. Business which is not identified on the agenda may be considered only after approval of a majority of a vote of the membership. Additions to the agenda at the meeting should be made only in time sensitive situations to allow the public to participate as fully as possible in meetings.

**(b) Public Body Requirements:** This committee is considered a public body and shall be governed by all rules and regulations for public bodies contained in North Carolina's Open Meetings regulation (i.e., NCGS 143-318.10 et seq.). Meetings shall proceed by agenda and follow the rules of procedure as adopted by Town Council.

**(c) Quorums:** A quorum, a majority of members of the Committee, shall be required before any vote is taken. Whenever a quorum is not present, at a regular or special meeting, those present may adjourn the meeting to another day or hold the meetings for the purpose of considering such matters as are on the agenda.

**(f) Voting:** No action taken at a meeting shall be final or official unless and until the matter is put before the Committee by a proper motion and a vote is taken thereon at a meeting where a quorum of the Committee is present. Voting, at the discretion of the Chairman, shall be by voice or show of hands. All matters to be voted on by the Committee shall be by a duly made motion and second.

**(g) Additional Governance:** The Committee must also adhere to the following policies:

- a) Committee and Board Member Appointment Policy
- b) Committee and Board Member Background Screening Policy
- c) Committee and Board Member Stipend Policy

#### **Rule 7. Amendment of the Rules**

These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, so long as the amendment is consistent with the city charter, general law, and generally accepted principles of parliamentary procedure.

Adoption of an amendment shall require an affirmative vote equal to or greater than two-thirds of all the actual membership of the committee, excluding vacant seats.

#### **Rule 8. Reference to Robert's Rules of Order Newly Revised**

To the extent not provided for in these rules, and to the extent it does not conflict with North Carolina law or with the spirit of these rules, the council shall refer to Robert's Rules of Order Newly Revised, to answer unresolved procedural questions.

APPROVED BY THE PARKS AND RECREATION ADVISORY COMMITTEE OF THE  
TOWN OF STALLINGS, NORTH CAROLINA ON THE 26<sup>TH</sup> DAY OF APRIL 2018.

**AMENDED BUDGET ORDINANCE – NO. 7  
TOWN OF STALLINGS, NORTH CAROLINA  
FISCAL YEAR 2017-2018**

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2017-2018 are hereby amended as set forth below:

| Category   | Account Number | Budgeted Amount | Amend to the Following | Net Increase or (Decrease) |
|--|----------------|-----------------|------------------------|----------------------------|
| <u>General Fund:</u>                                       |                |                 |                        |                            |
| Income:  |                |                 |                        |                            |
| General Fund Balance Appropriation                         | 10-99-3991-600 | \$ 1,427,800    | \$ 1,507,800           | \$ 80,000                  |
| Expense:   |                |                 |                        |                            |
| Transfer to Capital Project Fund                           | 10-99-9840-096 | \$ 1,250,000    | \$ 1,330,000           | \$ 80,000                  |
| <u>Potter Rd./Pleasant Plains Capital Improvement Fund</u> |                |                 |                        |                            |
| Income:  |                |                 |                        |                            |
| Transfer in from General Fund                              | 41-00-3984-097 | \$ 1,000,000    | \$ 1,080,000           | \$ 80,000                  |
| Expense:   |                |                 |                        |                            |
| Right of Way Acquisition                                   | 41-85-8170-088 | \$ 250,000      | \$ 330,000             | \$ 80,000                  |

*Explanation: amendment is appropriate funds from the General Fund to Capital Project Fund for Potter Road / Pleasant Plains Intersection Improvements*

This Amendment to the Budget Ordinance shall be effective upon adoption.

The said Budget Ordinance, except as amended, shall remain in full force and effect.

ADOPTED this the 29th day of May, 2018.

\_\_\_\_\_  
Wyatt Dunn, Mayor

\_\_\_\_\_  
Erinn Nichols, Deputy Town Manager/Town Clerk

Approved as to form:

\_\_\_\_\_  
Melanie Cox, Town Attorney, Cox Law Firm, PLLC

TO: Mayor Dunn; Town Council

FROM: Alex Sewell

DATE: 5/23/18

RE: Renewal of Property & Liability and Workers' Compensation Insurance

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**Purpose:** This memorandum's purpose is to provide the Town Council with information regarding the renewal of the Town's Property & Liability and Workers' Compensation insurance for FY 2018-2019.

**Background:** Main Street Insurance Group<sup>1</sup> has been our insurance broker for both Workers' Compensation and Property and Liability insurance for the past several years. They are an independent agent and for the past 2 years, recommended that we underwrite with Travelers Insurance. During this period, the Town did not have many claims on the Property/Liability side but did experience several workers compensation cases (one large claim in particular). Our experience modification rate was 1.99 for FY 16-17. Due to this high rate, the Town previously had few options when trying to get quotes from other carriers, with some carriers even refusing to quote the Town. While our rate did decrease to 1.78 in the current FY 17-18, it is still unacceptably high.

Based on information from the Department of Labor, the Town implemented multiple initiatives over the past 2 years designed to improve safety/decrease rates including:

- Establishing a Safety and Health and Wellness Program;
- Assigning a manager and provided her training to oversee the Program;
- Conducting monthly safety committee meetings that review work comp and property claims as well as near misses and lessons learned;
- Proactive annual safety training for our employees; and
- Implementing a Return to Work Program to get folks back to work by utilizing them for light duty work if needed.

For the Town's FY 18-19 renewal, staff requested our broker to give us quotes from at least 3 different insurance carriers. Staff also went to the NC League of Municipalities and asked them to quote the current coverages with Travelers.

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<sup>1</sup> Previously Martin & Harrell Insurance.

**Results:** Below is the cost summary for the insurance coverage for FYE 2019.<sup>2</sup>

|                               | FY2018<br>Actual Rate | FY2019<br>Renewal Rate | Cost increase/<br>(decrease) |
|-------------------------------|-----------------------|------------------------|------------------------------|
| <b>Main Street Insurance:</b> |                       |                        |                              |
| Travelers                     | \$ 139,184            | \$ 139,537             | \$ 353                       |
| Houston Casualty              |                       | \$ 99,738              | \$ (39,446)                  |
| Glatfelters                   |                       | \$ 111,004             | \$ (28,180)                  |
| NC League of Municipalities   |                       | \$ 112,413             |                              |
| Rebates/Grants Available      |                       | \$ (10,000)            |                              |
| Net with Grants               |                       | \$ 102,413             | \$ (36,771)                  |

Just looking purely at the bottom line cost, Houston Casualty is the low bidder. Travelers, who we have been with for several years, was the highest. For FY 18-19, the experience modification rate decreased from 1.78 to 1.30 for the Main Street Insurance quotes, and down to 1.24 for the NC League's quote. This decrease is likely due in part to our safety initiatives and that a large work comp claim finally dropped off the "look-back" period.

In reviewing the actual coverage quoted there were a few major differences that need to be noted:

- For all Main Street Insurance policies, general liability and excess liability were originally quoted at \$5M per occurrence with a \$5M aggregate which considers excess liability insurance to get to these limits. The League's quote was for \$5M per occurrence with NO aggregate. In other words, if we had three \$5M claims in separate areas, the League's insurance would pay out \$15M while the Main Street Policies as originally quoted would pay out only \$5M which is the aggregate limit.
- To further limit our coverage, the excess liability insurance quoted by Main Street does apply to all insurance lines except for workers compensation. What this means is that if there were a \$2M claim for employment practices and then another \$5M for general liability, then the employment practices claim would use \$2M of the excess liability for the aggregate leaving only \$3M left to pay towards the general liability claim. This is not the case with

<sup>2</sup> The League grant shown is not guaranteed to be awarded, but it is likely the Town will receive it.

the League quoted lines. Every line whether it is employment practices, auto, property, general liability counts toward its own aggregate.

- Karen, Marsha and I have requested Main Street/Houston Casualty to change their quotes to be comparable with the limits that the League has submitted. While they raised the overall aggregate on General Liability to \$7M, it would stop when claims reached that number. They did not raise aggregate limit on each line of insurance to match the League's levels. While it is typical when comparing insurance levels to have some differences, the League's coverage levels are significantly more generous.
- Support resources are a huge factor to consider for all lines of insurance but especially in the workers compensation and safety areas. Houston Casualty offers support resources too, and Main Street has been a professional broker to the Town. However, staff believe that the League's support resources are significantly more robust including a variety of consultants and attorneys. For example, the League has a dedicated risk management consultant in Concord who will be our go-to for training and account service. He formerly worked for OSHA and understands our biggest challenges when it comes to Workers Compensation. Staff have met with him and have been assured that we will have opportunities for staff training as well as grants for our safety program that will reduce our costs and risk.
- Low bid for Main Street is Houston Casualty for all lines except Workers Compensation which was bid with Key Risk. Houston Casualty is owned by a larger insurance company, Tokio Marine but the Town has only received references for 2 other NC Towns that use Houston Casualty (both of which are less than 5,000 in population). It is concerning that staff have not been shown any other comparable N.C. jurisdictions that use Houston Casualty.

Notably, both Karen and I have experience dealing with the League and have been extremely pleased with the services provided. Additionally, in my experience, the League is less likely than a typical for-profit insurer to provide an artificially low rate in year one as an incentive to switch with the long-term plan to substantially increase the rate in year two to make up the difference. (The classic example of this is signing up with a cable/satellite TV company for an introductory rate only to have the rate increased dramatically after the introductory period ends). For example, the Town switched to the League for health coverage in FY 17-18 and there is no health insurance premium increase for FY 18-19.

**Recommendation:** Considering the additional coverage and a cost savings of approximately \$36,771 over the current fiscal year, staff confidently recommend the Town change our carrier to the NC League of Municipalities for the upcoming insurance renewal.



# Memo

**To:** Mayor and Town Council  
**From:** Kevin P. Parker, E.I, Assistant Town Engineer  
**Date:** May 23, 2018  
**Re:** Chestnut Lane Sidewalk Extension  
Contract Additions & Sidewalk Easement Acquisition

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In accordance with the Stallings Bid Policy and NCGS §143-131 for road construction, staff advertised for the Chestnut Lane and Stallings Elementary sidewalk extensions project on November 1, 2017. On January 8, 2018 the project was awarded to Privette Enterprises, \$22,866.21 for the Chestnut Lane sidewalk and \$128,399.02 for the Stallings Elementary sidewalk, with an additional contingency of \$32,099.76 for a total of \$160,498.78.

Due to complications regarding the location of the right of way along the Chestnut Lane connection, it was deemed by staff implausible that a 5-foot-wide sidewalk could be installed, at a safe distance from Chestnut Lane, without encroaching onto Mr. John Faison's property (2532 Chestnut Lane). Staff had a dialogue with Mr. Faison regarding permission for the Town of Stallings to acquire an sidewalk utility easement in order to install the sidewalk. Mr. Faison had no objections to granting the Town of Stallings a sidewalk easement under certain conditions. These conditions are as follows:

1. The ditch that was created by NCDOT will be filled in in whatever manner necessary.
2. Street curbing will be installed to match the Chestnut and Willowcroft neighborhoods.
3. Landscaping (grass) will be created in a manner that it will smoothly transgress from the street curbing to the ending of the Northern side of the sidewalk.
4. The exact location of the 5-foot sidewalk, curbing, and landscaping details will be provided prior to granting approval of the encroachment.

The cost estimate to implement these conditions will be provided prior to the council meeting on May 29, 2018.



# MEMO:

TO: Town Council  
 FROM: Lynne Hair, Planning Director  
 SUBJECT: Development Agreement Process and Associated Fee Schedule  
 DATE: May 21, 2018

The 2011 Citizen Survey identified several code enforcement issues that were viewed as priorities. Survey results indicated the need for better response to the following:

Table 21 Rank order of pressing code enforcement needs

|   | Very Pressing need | Somewhat of a Pressing Need | Not a pressing need |
|---|--------------------|-----------------------------|---------------------|
| Junked or untagged vehicles                     | 46.9               | 33.3                        | 19.8                |
| Parking on lawns                                | 33.4               | 31.7                        | 34.9                |
| Minimum housing code violations                 | 32.5               | 41.3                        | 26.2                |
| Unkempt lawns                                   | 29.9               | 42.6                        | 27.5                |
| Parking on the street                           | 28.4               | 33.6                        | 38.1                |
| Business operating in residential neighborhoods | 27.7               | 31.8                        | 40.5                |
| Improper Signage                                | 21.5               | 32.9                        | 45.6                |

An action taken as a result of this survey was the hiring of a full-time code enforcement officer. Kolleen Dickinson began working with the Town full time on January 1, 2018. Her reporting numbers to date (5 month period) for the above issues are as follows:

|   |    |
|---|----|
| Junked or untagged vehicles                       | 17 |
| Minimum housing code violations                   | 18 |
| Unkempt lawns                                     | 31 |
| Improper Signage                                  | 9  |
| Businesses operating in residential neighborhoods | 3  |

Currently, the Town does not have ordinances addressing untagged vehicles parked on property, parking on streets, and vehicles parked on lawns. Staff would request direction from Council as to whether they would like ordinances created to address these issues.