



September 14, 2026
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Town Council Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	David Scholl, Mayor	NA
	7:05 p.m.	Public Comment	David Scholl, Mayor	NA
1.	7:15 p.m.	Consent Agenda A. Minutes from the following meetings: (1) 08-10-2026 B. 2026 Order of Collection C. Stallings Municipal Park Pickleball Courts Non-Conforming Approval D. Stallings Police Department and Central Piedmont Community College Memorandum of Understanding for use of 2725 Old Monroe Road	David Scholl, Mayor	Approve Consent Agenda
2.	7:17 p.m.	Reports A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	Council and Staff	NA
3.	7:30 p.m.	Agenda Approval	David Scholl, Mayor	Approve agenda as written
4.	7:32 p.m.	Public Records Request Special Assessment <i>Recessed from 08-10-2026</i>	Melanie Cox, Town Attorney	Continued discussion
5.	7:45 p.m.	Encroachment Agreement Ordinance and Fee Schedule Updates	Kevin Parker, Engineering Dir.	Approved/Deny amended fee
6.	8:00 p.m.	CRTPO Discretionary Grants Program Project Applications	Kevin Parker, Engineering Dir.	Discussion
7.	8:15 p.m.	Council Discussions: A. Fiber Installation Concerns (<i>Couzens</i>) B. Communications Plan (<i>Couzens</i>) C. State Capital Funds (<i>Scholl</i>)	Council Member Couzens Mayor Scholl	Discussion and possible action
8.	8:50 p.m.	Adjournment	David Scholl, Mayor	Adjournment

**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 10, 2026, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Pro Tempore Brad Richardson; Council Members Steven Ayers, Mike Couzens, Graham Hall, Jon Van de Riet, and Laurie Wojtowicz.

Those absent were: Mayor David Scholl.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Justin Russell, Associate Engineer; Jessie Williams, Finance Officer; Brig Sheehy, GIS/Planning Technician; June Rappe, Stormwater Administrator; Eunice Donnelly, Parks and Recreation Director; and Melanie Cox, Town Attorney.

Town Manager Alex Sewell announced the passing of Stallings colleague Kyle Haupt and asked for a moment of silence in his memory.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tempore Brad Richardson welcomed everyone to the meeting and gave the invocation. Mayor Pro Tempore Richardson then led the Pledge of Allegiance and called the meeting to order.

Public Comments

Joe Horvath, expressed his condolences to Stallings for the passing of Kyle Haupt. He then expressed his displeasure with the proposals on the Agenda that would limit public input and the way the public got information. He stated that information had been impossible to find and requests stemmed from the Stevens Village Project. Mr. Horvath stated that the Council discussed prioritize communication at its January planning session but had not seen any evidence of that. He stated that the Council could not say that citizens engagement was critical and vote for the proposals to limit public comment and formalize charging people for information. Without public records requests, the public would not know things the developer put in materials because Staff did not put all information in their reports concerning traffic data and counts for the Stevens Village Project. He stated it was frustrating that most Staff did not live in Stallings. Those Staff members should be spending time making policies that safe guarded the public. *(Added after the other public comments)* Many people asked for an updated TIA with the Stevens Village Project and asked NCDOT to perform a signal study. Now, NCDOT said that area did warrant a signal but now since the project was already approved, the residents had to wait for NCDOT to install it instead of making the developer pay for it.

William Watson, 726 Donovan Court, asked the Council not to approve the public comment policy and the public records policy. He stated he understood that meetings needed to be orderly and that large public records request could consume Staff time but the policies were too strict. Public should not be limited and should be able to give criticism. Citizens getting public records should not be based on their ability to pay. Transparent government had a cost. He asked that both policies be revised and not approved.

Tom Twitchel, 910 Bailey Court, he hoped that the Council would approve the recreational courts policy on the Agenda as written. He hoped it be retroactive to current facilities. He also wanted to address the public records policy and the public comment policy on the Agenda. He stated there were 17,000 people in Stallings and that Council had a responsibility for transparency and appropriate representation in the time and duration of public comment. He said that there was a transparency issue reflected by the few number of people present at the meeting. He stated the Council had a Town standard to meet as well as an ethical standard.

Jeannie Lindsay, Stallings, agreed with previous speakers and requested a meeting with NCDOT and Council to go over the changes being made in the Idlewild and Lawyers corridor. She also stated that there was a need for a traffic signal at the corner of Shannamara and Stevens Mill. She would like the Council not to allow the developers to clear land until they had water and sewer allotments.

1. Consent Agenda

A. Minutes from the following meetings:

- (1) 06-08-2026
- (2) 06-08-2026 – closed
- (3) 06-22-2026 – special
- (4) 06-22-2026
- (5) 07-13-2026
- (6) 07-13-2026 - closed

B. Amended Budget Ordinance 1 – Stormwater Capital Project Fund Creation

C. Capital Improvements Plan Addition - Highway 74/Stallings Road Water Tank Logo

D. Town Manager Amended Contract

E. Space Needs Study Contract; Mini Brooks Act Exception Resolution

F. Pavement Condition Survey Agreement - Pavement Navigators

Council Member Couzens made the motion to approve the Consent Agenda as presented. The motion was passed unanimously after a second from Council Member Van de Riet. *Amended Budget Ordinance 1 – Stormwater Capital Project Fund Creation and Space Needs Study Mini Brooks Act Exception Resolution* is attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from Mayor

The Mayor was not present to give a report.

B. Report from Council Members/Town Committees

Council Members Ayers and Hall had no reports.

Council Member Couzens reported he was still working with Town Staff and residents in Hunley Creek and Willowbrook to ensure repairs in their yards were completed due to fiber installation in the right-of-way. He also asked Engineering to consider including a sign at the front of neighborhoods for contractor information during any encroachment agreements. He also noted that the tree clearing for Stinson Farms that was done in late July was done prematurely because permits had not been obtained.

Council Member Van de Riet had no report.

Council Member Wojtowicz noted that one of her neighbors had his mailbox damaged by the fiber installation, but it has since been repaired.

Council Member Richardson had no report.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported the following:

- Budget Line Items Transfer List – The *July 2026 Budget Line Item Transfer* is attached to these minutes and therefore incorporated herein.
- He also noted that while fiber providers cannot be stopped legally, Staff can try to help residents get assistance from any damages done by these companies. He explained that the Town's flat fee for encroachment agreements was not enough for the time Staff was spending on those issues. Therefore Staff would be bringing Council a fee adjustment for those types of uses.

3. Agenda Approval

Council Member Richardson explained that he would recommend removing Agenda Item 9.A., *Rules of Procedure, Rule 5 - Public Address to the Council*, noting that while the Staff was being responsible for bringing the information to the Council for consideration, due to the fact that the Town was not in the position where they needed to address public comment at the present time. He also noted the difference between public comments (generic comments) and public hearings (specific cases). Council Member Hall recommended that Agenda Item 9.B., *Public Records Request Special Assessment*, be moved to Agenda Item 4.A.

Council Member Hall the motion to approve the Agenda with the changes above. The motion was seconded by Council Member Wojtowicz and passed unanimously.

4. TX26.07.01

A. Recreational Facilities and Community Amenities Text Amendment

Mayor Pro Tem Richardson opened the public hearing. Planning Director Max Hsiang explained at the request of Council, Staff prepared a text amendment to establish consistent development standards for pickleball and similar recreational amenities in the Stallings Development Ordinance. Existing regulations provide limited standards for certain recreational uses but did not establish uniform requirements governing the location, design, expansion, and operation of many modern recreational facilities and accessory amenities. The amendment established objective standards intended to promote compatibility with surrounding development and address potential impacts related to noise, lighting, operational intensity, and proximity to residential neighborhoods. The proposed framework provided clearer expectations for applicants, neighboring property owners, and Town staff during development review, permitting, inspections, and enforcement. The Planning Board recommended approval of the text amendment changing start time to 8 a.m. instead of 7 a.m. as well as increasing the setback from 140 ft. to 160 ft. Staff also recommended approval. The Staff's report regarding this text amendment is attached to these minutes and incorporated herein.

Glenda Ray, Shannamara, stated that she had lived peacefully in her neighborhood for 26 years and was not opposed to recreation. The courts were built 25 ft. from her property line and 100 ft. from her home. She heard sharp popping sound of the pickleball which traveled to the middle of her home with doors and windows closed. She noted that pickle ball noise was a national issue. She thanked the Planning Board for approval of this language and asked the Council to support reasonable standards for these courts. She requested the noise be a consideration as well as the lights for the courts which were on until 10 p.m. She would like the end time to be 8 p.m. She stated that the HOA installed the lights on the tennis courts without a permit.

Tom Twitchell, stated that the previous speaker was his neighbor and that their property value had been negatively impacted. He stated the courts violated the current ordinance; courts did not get proper permits; the courts light switches had been broken into; and there was lots of profanity used on the courts. He thought there was a way to mediate the policy.

Council discussed the item. Council Member Richardson closed the public hearing. Council Member Hall made the motion to approve TX26.07.01 as presented with the minor correction to Article 3 definition of recreational facility. Council Member Van de Riet seconded the motion to which Council approved unanimously.

B. Statement of Consistency and Reasonableness

Council Member Couzens made the motion to approve the Statement of Consistency and Reasonableness for TX26.07.01 as it was both reasonable and consistent with the Town's Land Use Plan. The motion was approved unanimously by Council after a second from Council Member Van de Riet. The *Statement of Consistency and Reasonableness for TX26.07.01* is attached to these minutes and therefore incorporated herein.

4.A. Public Records Request Special Assessment

Original Agenda Item 9.B.

Town Attorney Cox explained that Council had a memo in their Agenda Packets that gave all the background information on this item. She highlighted there had been a huge increase in public records requests and the types of public records requests over the past several months. She noted that North Carolina General Statutes 132-6.B allowed municipalities to charge special service charges for extensive use of technology resources or extensive clerical or supervisory assistance. The Public Records Special Assessment Policy outlined the structure that would trigger the special charge which was a request taking over four hours of Staff time. The complete proposed policy is attached to these minutes and therefore incorporated herein.

Council discussed the policy and held consensus to defer a decision on this item until a September Council Meeting with Council sending any edits to the policy to the Town Manager.

5. Engineering Items

A. Southstone Subdivision Public Road Infrastructure Acceptance

Associate Engineer Justin Russell explained Pulte, the developer of Southstone Subdivision, had requested the Town accept the right-of-way designated as public right-of-way (R/W) in the approved Southstone Subdivision, a total of 1.896 miles. The R/W included the roads, sidewalks, streetlights (and coordinating monthly costs), and stormwater infrastructure. All Town criteria had been met and approved by Town Staff.

B. Courtyards at Lawyers Subdivision Public Road Infrastructure Acceptance

Associate Engineer Russell explained EPCON, the developer of Courtyards at Lawyers Subdivision, had requested that the Town of Stallings accept the right-of-way designated as public right-of-way (R/W) in the approved Courtyards at Lawyers Subdivision, a total of 1.43 miles. The R/W

included the roads, sidewalks, streetlights (and coordinating monthly costs), and stormwater infrastructure. All Town criteria had been met and approved by Town Staff.

Council Member Wojtowicz made the motion to accept Southstone Subdivision and Courtyards at Lawyers Subdivision R/Ws into the Town's systems. The motion was passed unanimously by Council after a second from Council Member Van de Riet. The Staff memos on both the Southstone Subdivision and Courtyards at Lawyers Subdivision that included information on all roads affected is attached to these minutes and therefore incorporated herein.

6. Splash Pad Design Contract

Parks and Recreation Director Eunice Donnelly explained the existing splash pad pump building in Stallings Municipal Park required an addition dedicated to chemical storage. The Town appropriated \$500,000 in the FY27 budget to address the chemical storage room, and the proposed design services were a necessary part of that funded process. The addition should be completed before the facility returned to regular public operation in the summer of 2027 so that treatment chemicals could be stored and handled in a purpose-built space that met applicable building, fire, accessibility, structural, mechanical, electrical, plumbing, and site requirements. The project was an alteration to a public facility involving chemical hazards, existing equipment, utilities, drainage, egress, and permit review. McAdams, one of the Town's on-call consultants, would act as the prime design firm and project coordinator satisfying the Town's established professional-services procurement pathway. There was an option of limiting the survey to just the new building needed (\$71,180) instead of the whole park (\$105,480) as recommended by the Town Engineering while the surveyors were onsite.

Staff requested the Council approve McAdams proposal for the amount of \$71,180 or \$105,480, and authorize the Town Manager to execute the agreement and issue notice to proceed, subject to final legal review and budget availability. Staff's memo regarding this project is attached to these minutes and therefore incorporated herein.

Council Member Hall made the motion to approve the McAdams proposal for the amount of \$71,180 (project scope survey only). After a second from Council Member Wojtowicz, the Council approved the motion unanimously.

7. Community Committee Application

Assistant Town Manager Nichols explained applicant Bruce Harapcio was present and eligible to be appointed to the Community Committee with a term ending 03-31-2028. Mr. Harapcio told the Council he was glad to be present that evening and was a proud resident of Stallings who hoped to contribute to the committee. Council Member Wojtowicz made a motion to appoint Bruce Harapcio to the Community Committee with a term ending 03-31-2028 to which Council Member Couzens seconded. Council approved the motion unanimously.

8. E-Bike Information

Chief Dennis Franks reminded the Council it had requested Staff provide an overview of current North Carolina law governing electric bicycles (e-bikes) and electric scooters, summarize recent community concerns, and present policy options for the Town Council's consideration. While the Town had the authority to adopt local ordinances that impose regulations beyond the minimum requirements established by state law, the relatively low number of complaints concerning e-bikes did not currently suggest a widespread problem. Although several neighboring municipalities had recently adopted local ordinances to provide greater regulatory authority over e-bikes and electric scooters, the available data did not indicate that immediate legislative action was necessary in Stallings.

Staff recommended that the Town pursue a comprehensive public education initiative prior to adopting a new ordinance that regulated e-bikes. The Stallings Police Department's Traffic Education and Safety Team could develop and implement a community outreach program focused on:

- Educating riders and motorists on the applicable laws governing e-bikes and electric scooters.
- Promoting safe operation on public roadways and sidewalks.
- Providing parents and youth with information regarding the risks associated with these devices and strategies for safe operation.
- Increasing awareness of where these devices may and may not be legally operated within the Town.

Council held consensus to have the Chief conduct an educational outreach program and include getting that information to the Town's Homeowners Associations.

9. Council Policies

A. Rules of Procedure, Rule 5. Public Address to the Council Update

This item was removed from the Agenda.

B. Public Records Request Special Assessment

This item was moved to Agenda Item 4.A.

10. Adjournment

Council Member Hall moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 8:58 p.m.

Approved on September 14, 2026.

David Scholl, Mayor

Approved as to form:

Cox Law Firm, PLLC

Erinn E. Nichols, Town Clerk



July 24, 2026

TAX CHARGE FOR FISCAL YEAR 2026-2027

TO: Vann Harrell, Tax Administrator for the County of Union

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the 2026 tax records as filed in the Office of Tax Administrator, and in the tax receipts delivered to the Tax Administrator's Office in August 2026, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien on all real property of the respective taxpayers in the Town of Stallings. You are further authorized, empowered, and commanded to collect the 2026 taxes charged and assessed as provided for by law for adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law.

This Order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property and attach wages and/or other funds of such taxpayers, for and on account thereof, in accordance with the law.

The Tax Charge will be adjusted monthly according to releases, discoveries, and motor vehicle billings.

Tax Charge	
General Tax	\$8,122,107.35
Stormwater Fees	\$1,049,817.90
Late List Penalties	\$8,183.56
Total Tax	\$9,180,108.81

Witness my hand and official seal this _____ day of _____, 2026

Mayor, Town of Stallings

Vann Harrell, Tax Administrator

Attest:

Clerk, Town of Stallings



MEMO

To: Town Council
From: Max Hsiang, Planning Director
Date: 09/14/2026
Re: Consent to Pickleball Distance Requirement under N.C.G.S. § 160D-601(d)

Recommended Action

Approve the written consent and authorize the Mayor to execute it on behalf of the Town.

Background

On August 10, 2026, the Town Council adopted Text Amendment TX26.07.01, which established distancing requirements for pickleball courts. The existing pickleball courts at Stallings Municipal Park do not meet the new distance requirement.

Stallings Municipal Park is owned by the Town and is located in the Civic zoning district, which is not a residential zoning district. Because the amendment creates a nonconforming site element on property in a nonresidential zoning district, it constitutes down-zoning under N.C.G.S. § 160D-601(d)(3).

Based on staff's review, TX26.07.01 does not create a nonconformity on any other property in Town. The existing Town-owned pickleball courts at Stallings Municipal Park are the only facilities identified as becoming nonconforming under the new distance requirement.

N.C.G.S. § 160D-601(d) provides that an amendment that down-zones property may not be initiated, enacted, or enforced without the written consent of all affected property owners. Subsection (d)(3) defines down-zoning to include the creation of any type of nonconformity on land outside a residential zoning district, including a nonconforming use, lot, structure, improvement, or site element.

The written consent below documents the Town's consent as owner of the affected property and permits the new distance requirement to be applied and enforced as to this parcel. Providing consent does not make the existing courts conform to the new distance requirement.

Written Consent

The Town of Stallings, as owner of Stallings Municipal Park, located at 340 Stallings Road and identified as Union County Parcel Identification Number 07129317, hereby provides its written consent under N.C.G.S. § 160D-601(d) to the down-zoning of the property resulting from Text Amendment TX26.07.01, adopted by the Town Council on August 10, 2026.

The Town acknowledges that application of the new pickleball distance requirement creates a nonconforming site element on the property, which is located in the Civic zoning district.

Mayor: _____ Date: _____



MEMO



To: Mayor and Town Council
From: Dennis Franks, Chief of Police
Via: Alex Sewell, Town Manager
Date: September 8, 2026
RE: MOU with CPCC

Purpose

The purpose of this memorandum is to request Town Council authorization to enter into a Memorandum of Understanding (MOU) with Central Piedmont Community College allowing its Basic Law Enforcement Training (BLET) program to utilize the Town-owned facility located at 2725 Old Monroe Road for practical exercises and scenario-based law enforcement training.

Background

Central Piedmont Community College has expressed an interest in utilizing the Town facility at 2725 Old Monroe Road to conduct practical exercises and scenario-based training. This partnership would provide Central Piedmont with an appropriate location to conduct realistic law enforcement training while also providing a benefit to the Town and Stallings Police Department. The MOU specifically recognizes the training of law enforcement personnel and the availability of trained candidates for future Town employment as a public benefit.

MOU Provisions

Under the proposed MOU, Central Piedmont would be permitted to use the facility solely for approved BLET practical exercises, instructional activities, and scenario-based training. All activities would be supervised by qualified instructors and conducted in accordance with applicable state training standards and established safety protocols.

The MOU contains several provisions intended to protect the Town and its property:

- CPCC must maintain appropriate insurance coverage,
- provide the Town with evidence of coverage,
- ensure participants execute waivers and releases,
- prohibit live ammunition during training activities, and
- assume responsibility for damage caused by its personnel, students, instructors, or agents.

The facility would be provided without a use fee in recognition of the public purpose and mutual benefit of the arrangement. The MOU allows the Town to revisit the fee waiver. The Town would also retain the ability to suspend or cancel use of the facility because of unsafe conditions, emergencies, or other facility-related issues.

Recommended Action

Staff believes this partnership supports the training and development of future law enforcement officers and creates an opportunity for SPD to build relationships with potential future employees.

Staff recommend that Town Council authorize the Town Manager to execute the Memorandum of Understanding with Central Piedmont Community College, subject to final review and approval by the Town Attorney, and authorize staff to move forward with implementation of the agreement.



MEMO

To: **Mayor and Town Council**
Via: Alex Sewell, Town Manager
From: Kevin Parker, P.E., Town Engineer
Date: September 14, 2026
RE: Right-of-Way Encroachment Ordinance and Fee Schedule

Background

The Town currently utilizes a single Right-of-Way Encroachment Agreement and charges a uniform \$100 fee for all encroachments, regardless of the size, complexity, or type of work proposed within Town-maintained right-of-way.

Historically, many encroachment requests have involved relatively minor installations with limited impacts to Town infrastructure and minimal staff review. More recently, however, the Town has experienced a significant increase in large-scale right-of-way construction projects, including fiber/broadband and other linear facility installations.

These larger projects require substantially more staff involvement, including construction-plan review, contractor coordination, preconstruction meetings, field inspections, resident and Council communications, restoration monitoring, and follow-up on construction-related concerns. The existing \$100 flat fee does not adequately reflect the Town resources required to administer these larger encroachments.

Staff's review of recent major encroachment projects has demonstrated that these projects can require more than 30 hours of combined staff time for plan review, construction coordination, field inspections, resident and Council communications, restoration monitoring, and follow-up on construction-related concerns.

Based on this experience and a review of staff time associated with right-of-way projects, staff has worked with the Town Manager, Finance Department, and Town Attorney to develop a revised Right-of-Way Encroachment Ordinance and Fee Schedule.

Proposed Changes

The proposed ordinance establishes a more comprehensive framework for regulating and administering work within Town-maintained rights-of-way. The ordinance is intended to apply uniformly to right-of-way users, including electric, gas, water, sewer, telecommunications, cable, and fiber/broadband providers, as well as other entities performing work within Town rights-of-way.

As part of this update, staff is also establishing two general categories of encroachment agreements:

Minor Encroachments are intended for smaller, lower-impact installations, such as non-standard signs and similar privately owned or maintained improvements within the Town right-of-way.

Major Encroachments are intended for larger or more complex construction projects, including linear utility and facility installations, fiber/broadband construction, water and sewer installations, road crossings, and similar projects requiring more extensive plan review, construction coordination, inspection, and restoration monitoring.

The proposed fee structure is intended to more closely align the fee charged with the level of Town resources required to administer each type of encroachment.

Proposed Fee Schedule

The proposed fee schedule includes the following:

Encroachment Type / Charge	Proposed Fee
Minor Encroachment	\$100
Major Encroachment Base Fee – projects up to 50 linear feet	\$1,000
Major Encroachment – projects greater than 50 linear feet	\$1000 Base Fee + \$0.37 per linear foot
Road Crossing / Cut	\$500 per crossing
Restoration / Security Bond	Determined by the Town Engineer or designee

The proposed \$0.37-per-linear-foot rate was developed based upon documented staff involvement associated with recent large-scale encroachment projects and is intended as a cost-recovery mechanism rather than a revenue-generating fee.

The ordinance similarly establishes that encroachment fees are to be reasonably related to the Town's actual and anticipated costs associated with reviewing, permitting, inspecting, coordinating, and administering right-of-way work and are not intended to generate general revenue.

The ordinance also provides mechanisms for additional review, inspection, reinspection, after-hours inspection, and restoration/security requirements when applicable to a particular project.

Purpose of the Update

The primary goals of the proposed changes are to:

- Create a more equitable fee structure based upon the scale and complexity of proposed right-of-way work;
- Maintain a relatively simple and low-cost process for minor encroachments;
- Recover a reasonable portion of the Town's administrative, engineering, inspection, and coordination costs associated with larger projects;
- Establish clearer requirements and expectations for major right-of-way construction;
- Improve accountability for restoration and protection of Town infrastructure; and
- Apply the Town's requirements consistently and uniformly to similarly situated right-of-way users.

The proposed ordinance would repeal the Town's existing uniform \$100 encroachment fee and replace it with the revised structure described above.

Requested Action

Staff requests that Town Council:

1. Adopt the proposed Right-of-Way Encroachment Ordinance; and
2. Approve the revised Right-of-Way Encroachment Fee Schedule.

These changes will provide the Town with a more appropriate framework for administering both minor encroachments and increasingly complex right-of-way construction projects while maintaining a fee structure tied to the Town's actual administrative and Engineering responsibilities.



TOWN OF STALLINGS, NORTH CAROLINA
AN ORDINANCE ESTABLISHING A RIGHT-OF-WAY
ENCROACHMENT FEE SCHEDULE APPLICABLE TO ALL
RIGHT-OF-WAY USERS, INCLUDING UTILITY AND
FIBER/BROADBAND PROVIDERS, FOR THE TOWN OF
STALLINGS, AND REPEALING THE EXISTING UNIFORM
ENCROACHMENT FEE

WHEREAS, the Town of Stallings (the "Town") holds and controls, in trust for the public, the streets, sidewalks, and public rights-of-way within its corporate limits pursuant to N.C. Gen. Stat. § 160A-296, including the authority to regulate the use of such rights-of-way;

WHEREAS, N.C. Gen. Stat. § 160A-296.1 authorizes the Town to determine reasonable guidelines for permit requirements, including a timeframe for the Town to respond to all submissions and to impose reasonable installation guidelines, and require prompt repair of damage caused by the applicant within the public rights-of-way;

WHEREAS, N.C. Gen. Stat. § 160A-174 authorizes the Town to adopt ordinances regulating the use of public property and to charge fees reasonably related to the cost of administering such regulation;

WHEREAS, 47 U.S.C. § 253(c) preserves the authority of the Town to manage the public rights-of-way and to require fair and reasonable compensation, imposed on a competitively neutral and nondiscriminatory basis, from telecommunications providers for use of the rights-of-way;

WHEREAS, G.S. 160D-935 through 160D-940 separately and specifically govern the collocation of small wireless facilities in city rights-of-way, including statutory fee caps, mandatory review timelines, and limited grounds for denial, and this Ordinance is not intended to, and shall not be construed to, conflict with, duplicate, or supersede those provisions;

WHEREAS, the Town currently imposes a uniform encroachment agreement fee of \$100.00 regardless of the scope, length, complexity, or type of the proposed installation or the identity of the Right-of-Way User;

WHEREAS, the Town's Engineering Department, which operates with limited staffing, has determined that linear utility and fiber/broadband installation projects and installations requiring one or more street crossings, require substantially greater plan review, field coordination, inspection, and restoration-monitoring time than the current flat fee reflects, and that reinspection, after-hours response, and restoration-bond administration likewise impose costs on the Town not recovered under the existing fee structure;

WHEREAS, the Town's Engineering Department has conducted a review of staff hours historically and typically devoted to reviewing, permitting, inspecting, and administering right-of-way encroachments, and has determined the average staff time reasonably required per linear foot of installation, per street crossing, and per inspection or reinspection visit, which time has been multiplied by the Town's fully loaded hourly personnel and consultant costs to derive the fees set forth in this Ordinance, as further documented in the cost basis memorandum referenced in Section 6;

WHEREAS, it is the intent of the Town Council that this Ordinance, and the fees established herein, apply uniformly to all Right-of-Way Users, including without limitation utility, electric, gas, water, sewer, cable television, telecommunications, and fiber/broadband providers, and any other person or entity performing work within the Town's rights-of-way, without regard to the type of utility, facility, or technology involved;

WHEREAS, it is the intent of the Town Council that the fees established by this Ordinance be set at a level reasonably related to, and not in excess of, the Town's actual and reasonably anticipated direct and indirect costs, measured by documented time incurred, of reviewing, permitting, inspecting, and administering right-of-way encroachments, and that such fees not be used as a means of raising general revenue;

WHEREAS, it is further the intent of the Town Council that the fees established by this Ordinance be applied uniformly, on a competitively neutral and nondiscriminatory basis, to all Right-of-Way Users seeking to install facilities within the Town's rights-of-way, without regard to the identity, size, or type of the Right-of-Way User;

WHEREAS, the Town Council finds that adoption of this Ordinance is necessary and in the public interest to ensure adequate cost recovery, to protect the structural integrity of Town streets and rights-of-way, and to ensure the continued availability of Engineering Department resources to review and inspect right-of-way work in a timely manner;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, as follows:

Section 1. Purpose and Findings.

The recitals set forth above are incorporated herein as findings of the Town Council and as the legislative basis for this Ordinance. The purpose of this Ordinance is to establish a fee schedule, applicable to all Right-of-Way Users, which recovers the Town's actual and reasonably anticipated administrative, review, and inspection costs as measured by documented staff and consultant time, applied on a uniform, competitively neutral, and nondiscriminatory basis, consistent with N.C. Gen. Stat. §§ 160A-296, 160A-296.1, and 160A-174, and with 47 U.S.C. § 253(c).

Section 2. Definitions.

For purposes of this Ordinance, the following definitions shall apply:

"Right-of-Way User" or "Applicant" means any person, utility, telecommunications provider, cable operator, fiber/broadband provider, contractor, or other entity seeking to install, construct, maintain, repair, or otherwise place a Facility within the Town's rights-of-way, without regard to the type of utility, technology, or service involved. This Ordinance and the fees established herein apply equally to all Right-of-Way Users, including without limitation providers of electric, gas, water, sewer, cable television, telecommunications, wireless, and fiber/broadband service, and to any other person or entity performing work within the Town's rights-of-way that requires an encroachment permit.

"Facility" means any pipe, conduit, cable, wire, line, duct, pole, equipment cabinet, vault, or other physical infrastructure of any kind installed or maintained within the Right-of-Way by a Right-of-Way User, regardless of the utility, service, or technology it supports.

"Encroachment" means any Facility, structure, or installation placed within a Town street, sidewalk, or right-of-way by a Right-of-Way User.

"Linear Foot" means each linear foot, or fraction thereof, of Facility installation measured along the route approved in the encroachment permit.

"Street Crossing" means each instance in which an installation crosses, bores under, or cuts a Town-maintained street, whether by open-cut or trenchless method.

"Right-of-Way" means any Town street, roadway, alley, sidewalk, or other public way, together with the land lying within the Town's dedicated or plated right-of-way width.

"Small Wireless Facility" means a small wireless facility as defined in Part 4 of Article 9 of Chapter 160D of the North Carolina General Statutes (G.S. §§ 160D-931 through 160D-940) and includes associated utility pole or Town utility pole installation, modification, or replacement governed by those statutes.

"Documented Time" means staff or consultant hours contemporaneously recorded by task and date in the Town's time-tracking system or equivalent records, as the basis for fees calculated under Section 6.

"Minor Right-of-Way Encroachment" means an Encroachment consisting of a smaller, lower-impact installation, such as a non-standard sign or similar privately owned or maintained improvement within the Right-of-Way, which does not qualify as a Major Right-of-Way Encroachment Project under this Section.

"Major Right-of-Way Encroachment Project" means an Encroachment involving a linear utility or Facility installation, fiber/broadband construction, water or sewer installation, a Street Crossing, or a similar project requiring plan review, construction coordination, field inspection, or restoration monitoring beyond that required for a Minor Right-of-Way Encroachment. Any

Encroachment involving a Street Crossing, or any linear Facility installation, is a Major Right-of-Way Encroachment Project regardless of length.

Section 3. Applicability: Permit Required.

This Ordinance and the fee schedule set forth in Section 5 apply to all Right-of-Way Users and to all Facilities of every type, without regard to the utility, technology, or service the Facility supports, including without limitation electric, gas, water, sewer, cable television, telecommunications, wireless, and fiber/broadband Facilities. No Right-of-Way User shall install, construct, maintain, or repair any Facility within a Town right-of-way without first obtaining an encroachment permit and paying the fees established in Section 5 below. This Ordinance does not apply to the collocation of a Small Wireless Facility except as, and to the extent, provided in Section 4 below.

Section 4. Small Wireless Facility Collocation; State Law Controls.

Notwithstanding any other provision of this Ordinance, the collocation of a Small Wireless Facility, and any associated installation, modification, or replacement of a utility pole or Town utility pole, are governed by G.S. 160D-935 through 160D-940, including without limitation: the application fee cap and technical consulting fee cap under G.S. 160D-935(e) and (f); the application-completeness and deemed-approved review timelines under G.S. 160D-935(d); and the limited, documented grounds for denial under G.S. 160D-935(d)(5). To the extent any fee, procedure, or timeline set forth elsewhere in this Ordinance would conflict with G.S. 160D-935 through 160D-940 as applied to a Small Wireless Facility collocation application, those statutes control and this Ordinance's general fee schedule and procedures in Sections 5 through 10 shall not apply to that application.

Nothing in this Section limits the Town's authority, preserved under G.S. 160D-935(i), to require a separate work permit, and to charge the fees set forth in Section 5 of this Ordinance, for excavation, or for work that affects traffic patterns or obstructs vehicular traffic in the Right-of-Way, in connection with a Small Wireless Facility collocation or associated pole work. Any fee charged under this Ordinance for such a work permit is separate from, and in addition to, any application or technical consulting fee properly charged under G.S. 160D-935(e) or (f), and shall be limited to recovering the cost of the excavation or traffic-related work permit itself, not the collocation review already addressed by those statutory fees.

Section 4A. Broadband Deployment Applications; 30-Day Decision Requirement.

For any encroachment permit application submitted by an entity deploying broadband service, the Town shall issue a written decision approving or denying the application within 30 days of submission, as required by G.S. 160A-296.1(a). If the Town has not issued a written decision within that period, the application is deemed approved by operation of law. For any such application that will be reviewed as a Major Right-of-Way Encroachment Project under this Ordinance, the Town Engineer shall track the 30-day period from the date of submission and shall ensure that a written decision including, where appropriate, a written denial without prejudice based on application incompleteness, is issued within that period, notwithstanding that the Town's full plan review, fee collection, or bond posting process for the project may not yet be complete.

Section 5. Fee Schedule.

The following fees are hereby established for right-of-way encroachment permits and apply uniformly to all Right-of-Way Users. The Major Right-of-Way-Encroachment Base Fee applies to every for Major Right-of-Way Encroachment Project. Where the total linear footage of a Major Right-of-Way Encroachment Project exceeds 50 linear feet, the per-linear-foot fee applies, in addition to the Base Fee, to the entire linear foot project. The per-crossing fee applies, in addition to the Base Fee and any per linear foot fee, to each street crossing included in the project. These fees are cumulative and are calculated based on the linear footage and number of street crossings shown on the approved permit plans. The Fee Schedule is reviewed and updated annually.

Where a project qualifies as a Major Right-of-Way Encroachment Project under this Section, the Minor Right-of-Way Encroachment fee shall not separately apply. Fees for Additional Review, Field Inspection, Reinspection, After-Hours Inspection, and the Restoration/Security Bond apply in addition to the applicable base fee in every case.

See Exhibit A, the current fee schedule for FY26-27 for Right of Way Encroachment Permits, attached hereto and incorporated by reference.

Section 6. Cost Justification; Time-and-Motion Basis for Fees.

The fees set forth in Section 5 are derived from a cost study conducted by the Town's Engineering Department, which measured the average staff and consultant time reasonably required to review, permit, inspect, coordinate, and administer right-of-way encroachments of varying scope, including time attributable to plan review per linear foot of installation, coordination and inspection per Street Crossing, and reinspection and after-hours response. That average time was multiplied by the Town's fully loaded hourly personnel and consultant costs to derive the per-linear-foot, per-crossing, and per-visit fees set forth in Section 5.

For major right-of-way encroachment projects, the Town shall maintain, and the Town Engineer shall cause the Engineering Department staff and any consultants engaged on major right-of-way encroachment matters to maintain, contemporaneous documented time records identifying the date, task, and duration of time spent reviewing, inspecting, coordinating, or otherwise administering each encroachment permit. All fees billed under Section 5 as "actual cost," including additional review, field inspection, and after-hours/emergency inspection fees, shall be calculated from such documented time records at the Town's then-current adopted hourly rates, and the Town shall provide the Right-of-Way User an itemized statement of the documented time and rates supporting any such invoice upon written request.

A memorandum setting forth the cost study methodology and results underlying the fees in Section 5 shall be maintained on file with the Town Clerk and made available for public inspection and shall serve as the documented cost basis for purposes of any challenge to the reasonableness of the fees under N.C. Gen. Stat. § 160A-296.1 or 47 U.S.C. § 253(c).

Section 7. Competitive Neutrality; Nondiscriminatory Application.

The fees established by this Ordinance shall be applied uniformly to all Right-of-Way Users and to all similarly situated encroachments, without regard to the identity, market position, or type of utility, technology, or service of the Right-of-Way User, consistent with 47 U.S.C. § 253(c). No fee under this Ordinance shall be waived, reduced, or increased on a basis that would result in discriminatory treatment among Right-of-Way Users of like Facilities.

Section 8. Use of Fees.

Fees collected under this Ordinance shall be used solely to recover the Town's actual and reasonable direct and indirect costs, as measured by documented time and the cost study referenced in Section 6, of administering, reviewing, permitting, inspecting, and enforcing right-of-way encroachments, including restoration monitoring, and shall not be used to generate general revenue for the Town unrelated to such costs.

Section 9. Restoration and Security Bond.

Prior to permit issuance for any encroachment involving disturbance of Town pavement, curb, sidewalk, or other improved surface or infrastructure that is Town-owned and/or maintained, the Right-of-Way User shall furnish a restoration and security bond, letter of credit, or cash escrow, in an amount determined by the Town Engineer based on the impacts to the area to be disturbed and the Town's then-published per-unit restoration costs, subject to the

minimum set forth in Section 5. No bond is required below that threshold or where no such surface is disturbed. This requirement applies uniformly to all Right-of-Way Users engaged in comparable ground-disturbing activity, regardless of service or facility type.

Acceptable security includes: (i) a surety bond from a company authorized to do business in North Carolina, rated at least A- by A.M. Best; (ii) an irrevocable letter of credit from a federally insured institution; or (iii) a cash escrow with the Town. The Town Engineer shall inspect and certify or deny satisfactory restoration within 30 days of the User's completion notice; upon certification, the Town shall promptly release the security or any unused portion.

This Section's requirement is a generally applicable street-management and cost-recovery measure under G.S. 160A-296(a)(6), independent of and not an additional condition on any application governed by G.S. 160A-296.1.

Section 10. Payment; Nonpayment.

Fees under Section 5 that are calculated at the time of application, including the Minor or Major Right-of-Way Encroachment fee, the Street Crossing fee, and the Restoration/Security Bond, shall be paid, before the Town issues the permit for that application. The Town shall review and process a complete application regardless of any dispute over, or delinquency in, amounts owed under a separate, prior permit; nonpayment of a separate matter is not, standing alone, grounds to delay or decline review of a current, complete application.

Fees for Additional Review, Field Inspection, Reinspection, and After-Hours Inspection that arise during or after performance of permitted work shall be invoiced, together with the itemized documented time statement described in Section 6, upon completion of the applicable work, and are due within thirty (30) days of invoice. If such an invoice remains unpaid and undisputed more than sixty (60) days after the date of invoice, the Town Manager shall provide the Right-of-Way User written notice of the delinquency and not less than thirty (30) days' opportunity to cure before declining to issue a permit for any subsequent application by that Right-of-Way User. This remedy shall be applied uniformly to all Right-of-Way Users and is in addition to, and not in lieu of, the Town's right to pursue collection of any delinquent amount, with interest at the maximum legal rate, by civil action.

Section 11. Repeal

The Town's existing uniform \$100.00 encroachment agreement fee, and any prior fee schedule or provision in conflict with this Ordinance, is hereby repealed to the extent of such conflict.

Section 12. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 13. Effective Date.

This Ordinance shall become effective upon adoption.

Adopted this ____ day of _____, 2026.

David Scholl, Mayor

Attest:

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

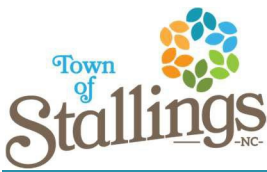
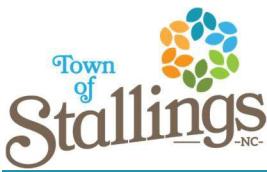


EXHIBIT A

FEE SCHEDULE 2026-2027

Residential & Non-Residential Plan Review*	
Preliminary Site Development Plan Review (Concept Plan Major & Minor)	\$600.00
Major Subdivision & Construction Document Preliminary Review (Article 7.7-1)*	
0 to 10 acres	\$2,000.00 plus \$350.00 per total acre
10+ acres	\$2,500.00 plus \$375.00 per total acre
Minor Subdivision Review (Article 7.7-2)	
Residential - 4 lots or less created	\$250 for the first lot or unit plus \$150.00 for each additional lot or unit
Non-Residential	\$500
Final Subdivision Plat Review (Preliminary Plat & Final Plat)	
Per Map	\$600.00 plus \$75 per lot or unit
Fee In Lieu	See Article 21
Revisions	
Minor (4 lots or less)	\$250.00
Major (5 or more lots & Non-Residential)	\$500.00
Excessive (determined by the Development Administrator)	1/3 of the total original review fee
Resubmittals	
Minor (w/ 4th plan submittal & each submittal thereafter)	\$250.00
Major (w/ 4th plan submittal & each submittal thereafter)	\$500.00
Excessive Resubmittals (determined by the Development Administrator)	1/3 of the total original review fee per submittal
Two or more years dormant	Re-payment of fees from current fee schedule
*Additional Engineering and Stormwater Fees apply.	

Engineering & Stormwater Fees	
Engineering	
Traffic Impact Analysis	Defined Per TIA Ordinance (Article 7)
Bond Review	\$100.00
Driveway Permit (New)	\$100.00
Driveway Permit (Any Modifications)	\$50.00
Minor Right-of-Way Encroachment Agreements (small, low-impact installations)	\$100.00
Major Right-of-Way Encroachment Base Fee - projects up to 50 linear feet (large or more complex construction projects)	\$1,000.00
Major Right-of-Way Encroachment - projects greater than 50 linear feet	\$1,000.00 Base Fee + \$0.37 per linear foot
Road Crossing/Cut	\$500.00 per crossing
Restoration/Security Bond	Determined by Town Engineer or designee
Retaining Walls within Public Rights-of-Way and/or Easements	3 rd Party Review - TBD Upon Submittal (Approx. \$1,000.00 per wall)



FEE SCHEDULE 2026-2027

Storm Water Review Fees (if Article 19 is triggered)	
Floodplain Development & Certification Permit	\$2,500.00 plus \$100.00 per total acre
Minor- Stormwater Review	\$250.00 plus \$150.00 per total acre
Major Construction Documents - Stormwater Review	\$2,500.00 plus \$100.00 per total acre
Surcharge per on-site detention facility	\$1,000.00
Appeal of PCSWO	\$1,000.00

Zoning Amendment Fees	
Text Amendment - Development Ordinance	\$600.00
Vested Rights Zoning Permit - Major Subdivision	\$300.00
Vested Rights Zoning Permit - Minor Subdivision	\$250.00
Conventional - Zoning Map Amendment (General Rezoning)	
Less than 2 acres	\$600.00
2-10 acres	\$800.00
Greater than 10 acres	\$1,500.00 plus \$75 per total acre
Conditional Zoning (CZ) - Zoning Map Amendment (Article 5.4)	
Less than 2 acres	\$1,000.00
2-10 acres	\$1,400.00
Greater than 10 acres	\$2,400.00 plus \$100 per total acre
Board of Adjustment Request (Quasi-Judicial)	
Appeal Request	\$600.00
Variance Request	\$600.00
Special Use Permit Request (Quasi-Judicial)	
Less than 2 acres	\$600.00
2-10 acres	\$1,000.00
Greater than 10 acres	\$1,800.00 plus \$50 per total acre
Revisions	
Any modifications to Zoning Amendment submittal.	\$250.00 per revision submittal

Administrative Planning & Zoning Fees	
Zoning Permits (Article 7.5)	
Residential - New Construction	\$150.00 per unit
Residential - New Construction for Multi-Family (Apartments only)	\$150.00 plus \$75.00 per unit
Residential - Accessory Structure, Additions, Interior Upfit	\$75.00 each
Pool Installation Permit	\$150.00
Use Permit - Permanent & Accessory (Non-Residential)	\$50.00 per use
Home Occupation Use Permit (Article 10.1-21)	\$75.00
Temporary Use Permit	\$50.00

FEE SCHEDULE 2026-2027

Commercial - New Construction	\$250.00
Commercial - Accessory Structure, Additions, Interior Upfits not requiring site plan review	\$100.00 each
Sign Permits (Article 17)	
Permanent Wall Sign	\$75.00 per sign
Permanent Free-Standing Sign (Monument, etc.)	\$125.00 per sign
Temporary Sign Permit (Banners, Feather Flags, etc.)	\$25.00 per sign
Master Sign Plan (Article 17.10)	\$200.00
Certificate of Zoning Compliance (Zoning Compliance Inspection)	
Residential Zoning Compliance Inspection - New Construction	\$150.00 per unit
Residential - Accessory Structures & Additions Requiring Site Plan Review	\$50.00 each
Commercial Zoning Compliance Inspection - New Construction & Additions Requiring Site Plan Review	\$200.00
Commercial - Accessory Structures/Additions Requiring Site Plan Review	\$75.00
w/ 4 th inspection & each inspection thereafter	Original fee plus \$50.00 for each inspection thereafter
Letter of Zoning Compliance (Zoning Verification Letter)	\$75.00
Miscellaneous Fees	
Chicken Permit	\$25.00
Demolition Permit - Residential	\$50.00 per structure
Demolition Permit - Non-Residential	\$100.00 per structure
Development Agreement (Article 7.15)	\$8,500.00
Special Events & Temporary Structures Permit	\$50.00
Tree Disturbance Permit (Article 11.10)	\$150.00 plus \$150.00 per ½ acre disturbed
Land Disturbance Permit (non-structural)	\$150.00 plus \$150.00 per ½ acre disturbed
Revisions	
w/ 3rd revision & each thereafter	Original Fee
Post Facto Fees	
Minor work without a permit (<i>Applies to minor projects such as residential additions, signage, driveway expansions, etc.</i>)	Required permit + \$50.00 to base fee per permit
Major work without a permit (<i>Applies to major projects such as commercial, industrial developments, land disturbance activities and other major activities as determined by the Development Administrator.</i>)	Required permit + \$300.00 to base fee per permit

FEE SCHEDULE 2026-2027

Copies & Maps	
Copies	\$0.50 per page
Maps (color)	
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

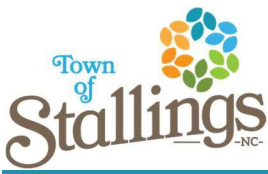
Police Department	
Wrecker Services	
Vehicles 8,500 pounds or less (including passenger vans and motorcycles)	\$175 per vehicle
Waiting time after the first hour of arrival	\$10 per hour
Winching service	\$30 per vehicle
Motorcycle towing (in addition to basic towing)	\$10
Tire Change	\$60 per vehicle
Out of gas	\$60 per incident
Unlock Vehicle	\$45 per vehicle
Gate Fee (if applicable) - Transport trucks, car haulers, and large equipment	\$25
Tarp Fee	\$10
Motorist Assist / Disabled Vehicles under 8,500 pounds	\$75 7:00 am to 7:00 pm
	\$85 7:00 pm to 7:00 am
Storage	\$25 per day
Clean up of debris or spilled cargo requiring more than 30 min to secure and remove	\$25 per hour
Towing more than one motorcycle	\$130 apportioned between each vehicle owner
Service charges for vehicles larger than 8,500 pounds or subject to Asset Forfeiture Evidence Holds	\$250
Miscellaneous Fees	
Fingerprint Card	\$15.00 for each card
Report Copies	No charge for reports only a few pages in length. The Town's per-page fee may apply for large printing requests.
Solicitation Permit	\$150.00
Amplified Sound Permit	\$10.00

FEE SCHEDULE 2026-2027

Parks & Recreation		
Vendor Fees for Events		
Retail vendors (Flat rate/event)	\$25 - \$50 (dependent upon event)	
Food truck vendors (Flat rate/event)	\$25 - \$75 (dependent upon event)	
Park Rental Fees		
	Resident	Non-Resident
Shelter A	\$30	\$50
Shelter D / Heath Guion Shelter	\$50	\$70
Picnic Pods	\$20	\$30
Park Staff Fee for Large Reservations		
	Charge per hour	
Hourly Basis	\$15.00 per staff member per hour	
Event and Program Participation Fee		
Range is based on event type	\$0-\$35	
Other Fees		
Government Agency Fee	\$25	
Lot Rental Fee	\$75/month	
Food truck permit	\$50	

Miscellaneous Fees	
Returned payment fees	
Returned check fees	\$35 (maximum fee as set by NC G.S. 25-3-506)
Returned payment fee, other than checks	Actual Town costs

Fee Schedule Revisions:
Town Council Authority
The Town Council reserves the right to amend any fee amount listed in this schedule through official decision-making processes.
Unlisted Fees
Any fee not explicitly listed herein is officially set at \$100.00 or the rate designated most recently by Town Council decision.
Amended
September 14, 2026



FEE SCHEDULE 2026-2027

Hourly Rates*	
Town Manager	\$118.47
Assistant Town Manager/Clerk	\$87.46
Engineer	\$100.10
Associate Engineer	\$68.85
Stormwater Compliance Manager	\$63.71
Planning & Zoning Director	\$84.49
Planner I	\$47.77
Planning Technician	\$43.18
Code Enforcement Officer	\$51.30

*Rates calculated using salary and benefit amounts effective July 2026.



MEMO

To: **Mayor and Town Council**
Via: Alex Sewell, Town Manager
From: Kevin Parker, P.E., Town Engineer
Date: September 14, 2026
RE: CRTPO Discretionary Grants Program – Bicycle Pedestrian Project Applications

Background

At its July 13, 2026 meeting, Town Council approved moving forward with the Chestnut Road sidewalk project in partnership with the Town of Indian Trail. During that discussion, Staff advised Council that additional bicycle and pedestrian projects on the north side of Town would be evaluated for potential submission through the Charlotte Regional Transportation Planning Organization's (CRTPO) Fall 2026 call for projects.

CRTPO opened its 2026 Discretionary Grants Program call for projects on August 17, 2026. Approximately \$52.3 million is available through the program, with approximately \$10.3 million targeted toward non-highway projects. The maximum award for an individual non-highway project is approximately \$2.59 million, and a minimum 20% local match is required at the time of application. Final applications are due October 30, 2026.

Staff has identified four potential bicycle and pedestrian project applications for Council consideration:

- Northern Spine Greenway – Segment A
- Northern Spine Greenway – Segment B
- Northern Spine Greenway – Segment C
- Lawyers Road Sidewalk Connectors

The three Northern Spine Greenway segments would collectively advance the Town's planned greenway corridor along Stevens Mill Road between Blair Mill Park and Lawyers Road. The Lawyers Road project would address frequently requested sidewalk gaps between the Courtyards at Emerald Lake, the Emerald Lake Roundabout, and Gold Dust Lane, along with enhanced pedestrian crossings near the Buckingham subdivision.

Full Project Delivery Option

Staff initially evaluated submitting each project for full project delivery, including engineering, right-of-way, utilities, and construction.

The four projects have a combined preliminary estimated cost of approximately \$22.6 million. Based on CRTPO's approximately \$2.59 million maximum award per non-highway project, the Town would need to commit approximately \$13.1 million in local funding, while requesting approximately \$9.55 million from CRTPO.

Project	Total Estimate	Local Match	CRTPO Request
Northern Spine Greenway – Segment A	\$7,701,868	\$5,391,308	\$2,310,561
Northern Spine Greenway – Segment B	\$7,488,570	\$5,241,999	\$2,246,571
Northern Spine Greenway – Segment C	\$3,942,595	\$1,379,908	\$2,562,687
Lawyers Road Sidewalk Connectors	\$3,471,120	\$1,041,336	\$2,429,784
Total	\$22,604,154	\$13,054,551	\$9,549,603

While full-delivery applications are possible, the required local commitment would be substantial. Additionally, the combined CRTPO funding request of approximately \$9.55 million represents a significant portion of the approximately \$10.3 million currently targeted toward all non-highway projects region-wide.

Staff's preliminary application scoring estimates range from approximately 40% to 49%. These are Staff estimates based on the current CRTPO scoring criteria and are not official CRTPO scores. Based on the anticipated costs, local funding requirements, and overall competitiveness, Staff does not recommend relying solely on full project delivery funding as the strategy for advancing these projects.

Preliminary Engineering Funding Option

As an alternative, the Town may submit applications seeking funding for Preliminary Engineering (PE) as an initial project phase rather than requesting funding for full project delivery.

This approach would allow the Town to advance survey, design, environmental review, permitting coordination, right-of-way identification, utility coordination, and refined construction cost estimates while significantly reducing the Town's near-term financial commitment. Future right-of-way, utility, and construction funding would still need to be identified separately.

Because the Town does not currently have the staff capacity to administer these federally funded projects internally, Staff anticipates that project development would need to be substantially consultant-driven. For planning purposes, Staff has therefore added a 50% factor to the current PE estimates to account for additional consultant support associated with federal/NCDOT administration, coordination, documentation, and project requirements.

The resulting preliminary PE-only funding scenario is summarized below:

Project	Current PE Estimate	Adjusted PE Estimate	Town Match (20%)	CRTPO Request
Northern Spine Greenway – Segment A	\$561,935	\$843,000	\$169,000	\$674,000
Northern Spine Greenway – Segment B	\$760,265	\$1,140,000	\$228,000	\$912,000
Northern Spine Greenway – Segment C	\$396,660	\$595,000	\$119,000	\$476,000
Lawyers Road Sidewalk Connectors	\$363,605	\$545,000	\$109,000	\$436,000
Total	\$2,082,465	\$3,123,000	\$625,000	\$2,498,000

The 50% adjustment is intended as a conservative planning allowance and may be refined as the project scopes and consultant needs are better defined.

Benefits and Considerations of PE-Only Funding

A PE-only approach would substantially reduce the Town's immediate local funding commitment while advancing the projects toward greater design and construction readiness. Completing preliminary engineering would also provide better information regarding environmental permitting, utility conflicts, right-of-way needs, constructability, and overall project costs, which could strengthen future applications for construction or other grant funding opportunities.

However, funding PE does not guarantee future funding for right-of-way, utilities, or construction. Federally funded project development also introduces additional NCDOT and federal administrative requirements,

which is a primary reason Staff anticipates significant consultant involvement. Additionally, completed design work may require updates if construction funding is not secured within a reasonable timeframe.

Requested Action

Staff requests that Town Council provide feedback on the proposed project scopes and preferred funding strategy.

Council may consider the following options:

1. Submit full project delivery applications for the proposed projects;
2. Submit PE-only applications to advance project development while reducing the Town's near-term local funding commitment;
3. Submit applications for selected projects only; or
4. Provide other direction to Staff.

If additional discussion is needed, Staff can return to Council on September 28, 2026 for final direction.

Mandatory CRTPO pre-submittal meetings must occur by October 16, 2026, and final applications are due by 5:00 p.m. on October 30, 2026.



CRTPO Discretionary Grants Program Bike/Ped Project Applications

September 14, 2026

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Purpose

- Introduce four proposed bicycle/pedestrian applications for CRTPO consideration.
- Provide Council with an updated funding strategy based on preliminary costs, local match requirements, and project competitiveness.
- Discuss whether full project delivery applications or PE-only applications are the better first step.
- Request feedback and direction before the October application deadline.

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Introduction

- At the July 13, 2026, meeting, Council approved the Chestnut Road sidewalk project in partnership with Indian Trail.
 - Project Scope - Complete 5-foot sidewalk gaps along the north side of Chestnut Road from Matthews-Weddington Road to Potter Road
- During that presentation, Staff advised Council that additional projects on the North side of Town would be presented for possible submission to CRTPO's Fall 2026 call for projects.
- Four project applications for consideration:
 - Northern Spine Greenway (Three Logical Segments)
 - Lawyers Road Sidewalk Connector(s)

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CRTPO Call for Projects

- Call for projects through CRTPO's Discretionary Grants Program
 - Opened August 17, 2026
- \$52.3 Million Total Available (80/20 Target Split Between Highway and Non-Highway Projects)
 - Approximately \$41.5 Million for Highway
 - Approximately \$10.3 Million for Non-Highway
- Project Award Cap of 25% (\$2.59 Million for Non-Highway Projects)
 - Minimum 20% Local Match must be committed to at time of application submittal
- Project applications due October 30, 2026

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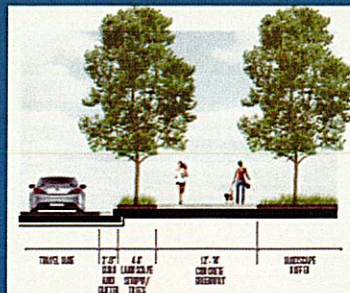
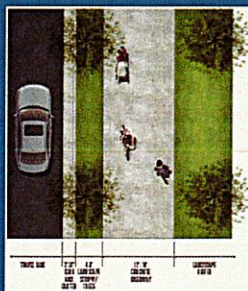
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Northern Spine Greenway

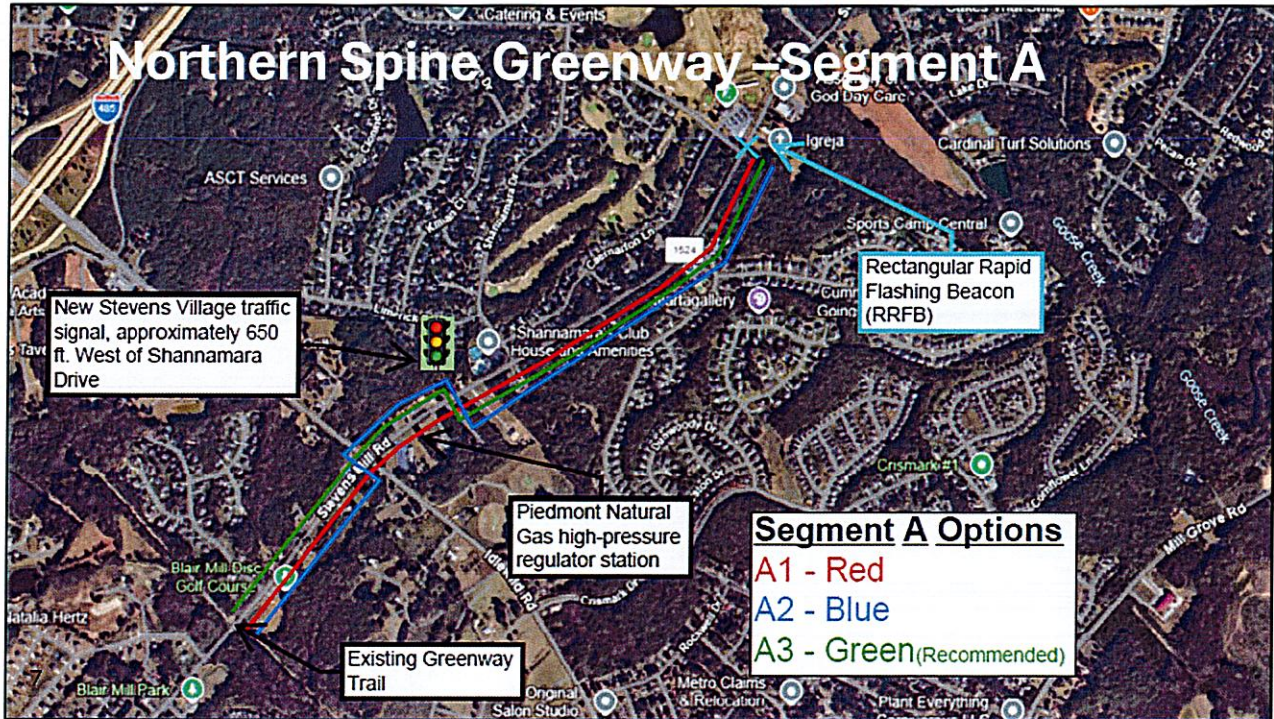
- Greenway Master Plan
- Proposed 14-foot-wide concrete Greenway along Stevens Mill Road from Blair Mill Park to Lawyers Road



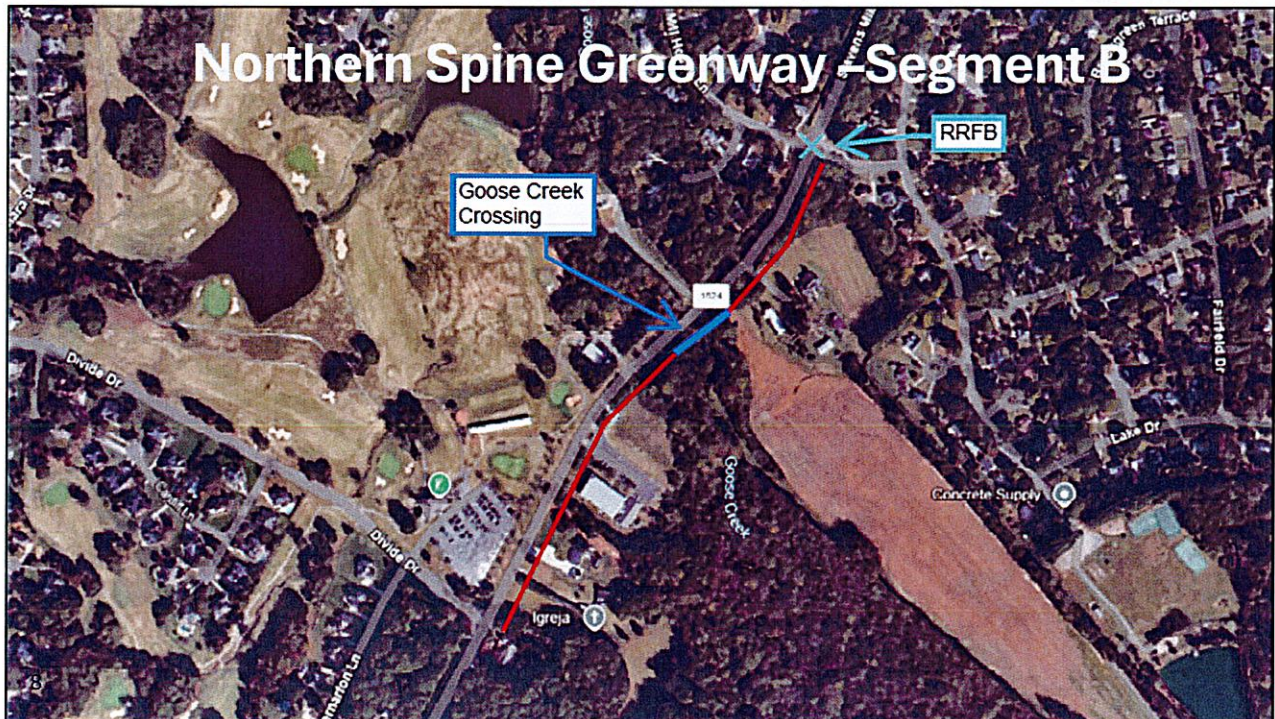
- Boardwalk Crossing at Goose Creek
- 4 RRFB Crossings Along Corridor

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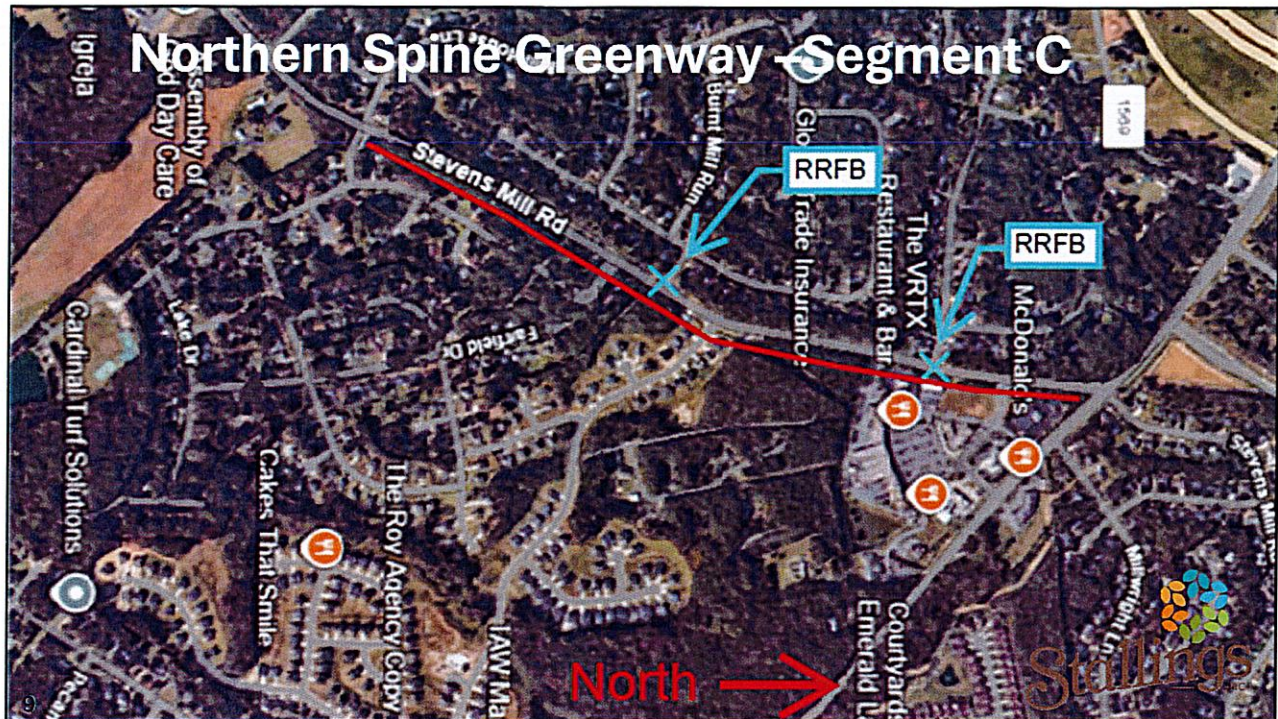
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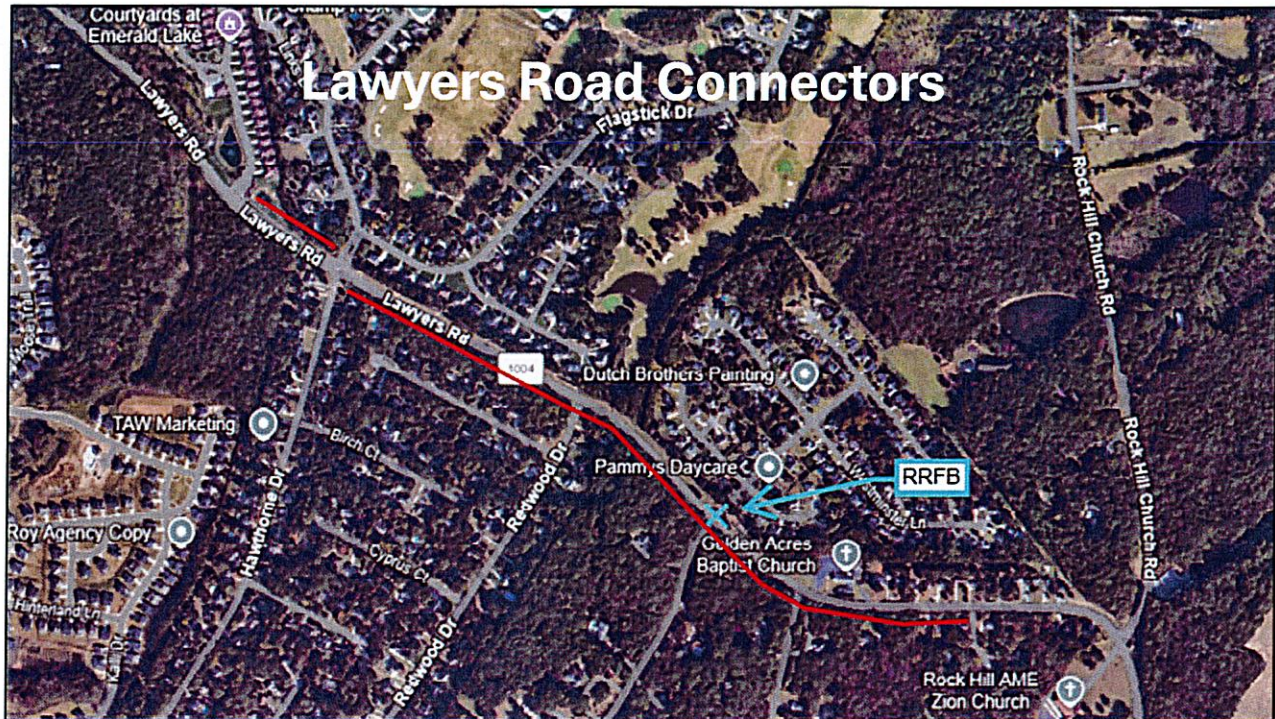
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Lawyers Road Sidewalk Connectors

- Addresses frequently requested sidewalk connections along Lawyers Road.
- Two proposed 5-foot sidewalk connections along Lawyers Road
 - Courtyards at Emerald Lake to Emerald Lake Roundabout
 - Emerald Lake Roundabout to Gold Dust Lane
- RRFB Crossings at Buckingham Subdivision

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Cost Estimates – Full Project Delivery

Project	Total Estimate	Local Match (%)	Local Match (\$)	CRTPO Funding Request (\$)	CRTPO Project Score (%)
NS – Segment A	\$7,701,868	70%	\$5,391,308	\$2,310,561	49%
NS- Segment B	\$7,488,570	70%	\$5,241,999	\$2,246,571	41%
NS – Segment C	\$3,942,595	35%	\$1,379,908	\$2,562,687	40%
Lawyers Road	\$3,471,120	30%	\$1,041,336	\$2,429,784	40%
Total	\$22,604,154		\$13,054,551	\$9,549,603	

- Full-delivery applications are possible, but would require a substantial local commitment.
- Combined CRTPO request is approximately \$9.5M, compared to approximately \$10.3M targeted for all non-highway projects region-wide.
- Preliminary estimated scores are in the 40–49% range and are not official CRTPO scores.
- Staff does not recommend relying on full construction funding as the only strategy at this time.

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Stallings

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Alternative Strategy: Fund PE First

- Instead of requesting full delivery funding now, the Town could submit PE-only applications to advance design, environmental review, permitting coordination, ROW identification, and refined cost estimates.
- PE-only funding reduces the near-term local commitment and advances projects toward shovel-readiness.
- Construction, utilities, and right-of-way would remain unfunded future phases.
- This approach may be more appropriate for the larger Northern Spine Greenway segments.

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PE-Only Funding Option

Project	Current PE Estimate*	+50% Consultant Factor	Local Match (20%)	CRTPO Funding Request (\$)
NS – Segment A	\$561,935	\$843,000	\$169,000	\$674,000
NS- Segment B	\$760,265	\$1,140,000	\$228,000	\$912,000
NS – Segment C	\$396,660	\$595,000	\$119,000	\$476,000
Lawyers Road	\$363,605	\$545,000	\$109,000	\$436,000
Total	\$2,082,465	\$3,123,000	\$625,000	\$2,498,000

- *Current PE estimate reflects the CRTPO budget forms' PE phase cost, including contingency, inflation, and NCDOT charges. The 50% factor is a conservative planning assumption for consultant-led federal process support.

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PE-Only Option: Benefits and Considerations

Pros

- Greatly reduces the local funding commitment.
- Improves project definition, environmental review, permitting pathway, utility/ROW needs, and cost certainty.
- Creates stronger future applications for ROW, utilities, construction, or other grant opportunities.
- May avoid requesting nearly the entire regional non-highway funding target in one call.

Key Considerations

- Does not guarantee future construction, ROW, or utility funding.
- Federal/NCDOT process adds administrative burden and timing constraints.
- Design work could need updates if construction funding is not awarded and/or delayed.
- Typically all PE funds are required upfront, and reimbursements from NCDOT are provided as the project progresses.

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Requested Action and Next Steps

Staff requests Council feedback on the proposed project scopes and preferred funding approach.

- Option 1: Full project delivery applications
- Option 2: PE-only applications to advance project development and reduce near-term local commitment
- Option 3: Submit selected projects only

Next Steps:

- If additional discussion is needed, Staff can return on September 28, 2026 for final direction.
- Mandatory CRTPO pre-submittal meetings must occur by October 16, 2026.
- Final applications are due to CRTPO by 5:00 p.m. on October 30, 2026.

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