

**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 November 27, 2023, at 7:00 p.m. at the Stallings Government Center, 321 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-Rae Drake, Heather Grooms, Graham Hall and Brad Richardson.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Stuart Valzonis, Planning Technician; Kevin Parker, Town Engineer; and Eunice McSwain, Parks and Recreation Director.

Invocation, Pledge of Allegiance and meeting called to order

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

Planning Director Hsiang Max introduced new Code Enforcement Officer Matt Dillard to the Council and Parks and Recreation Director Donnelly reminded the Council of Christmas in the Park the upcoming weekend.

Public Comments

Anna Gaddy, 3304 Timber Mill Drive, Stallings, thanked the Council for allowing her to speak and its efforts with her neighborhood. Ms. Gaddy was not pleased with the results of the work that was happening in her neighborhood. She was seeing more holes and did not have any documentation of the work. Ryan Homes was not willing to extend warranties. She did not feel safe in her home and could not decorate for Christmas out of fear. She asked the Council to get soil reports and some other results. She felt very uneasy and did not feel it was ethical.

1. Approval of Consent Agenda Items

- A. Amended Budget Ordinance 9 – Stallings Park New Playground Equipment
- B. Amended Budget Ordinance 7.A. – Amends Amended Budget Ordinance 7 for clerical error
- C. Updated FY24-25 Budget Creation & Priority Setting Process

Council Member Richardson made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Ayers which passed unanimously by Council. *Amended Budget Ordinance 9 – Stallings Park New Playground Equipment* and *Amended Budget Ordinance 7.A. – Amends Amended Budget Ordinance 7* are attached to these minutes and therefore incorporated herein.

2. Agenda Approval

Town Manager Sewell requested adding Agenda Item 10.A. as *Resurfacing Inspection Services Contract*. Council Member Grooms made the motion to approve the Agenda with the additional item noted above. The motion was passed unanimously by Council after a second from Council Member Drake.

3. TX23.09.02

A. Staff requests a text amendment to add sign regulations for removing or replacing signs due to eminent domain in Article 17.4

Planning Director Hsiang explained this was a staff request to add sign regulations for removing or replacing signs due to eminent domain in Article 17.4. Eminent domain was the right of governments (like the Town of Stallings or NCDOT) to take private property for public use with fair compensation. The Planning Board and Staff recommended approval of this text amendment. Staff's memo regarding the request is attached to these minutes and therefore incorporated herein.

Mayor Dunn opened the public hearing. There was no one present to give public comment on this item. Mayor Dunn then closed the public hearing.

Council Member Grooms made the motion to approve TX23.09.02. Council Member Scholl seconded the motion to which the Council approved unanimously.

B. Statement of Consistency and Reasonableness

Mayor Dunn read the Statement of Consistency and Reasonableness for TX23.09.02 in the record. The Statement of Consistency and Reasonableness for TX23.09.02 was approved unanimously by Council after a motion by Council Member Grooms and a second from Council Member Ayers. The Statement of Consistency and Reasonableness for TX23.09.02 is attached to these minutes and therefore incorporated herein.

4. TX23.09.03

A. Staff requests a text amendment to add vested rights extension for Conditional Zoning (CZ) in Article 5.4-3(l)

Mayor Dunn opened the public hearing. Planning Director Hsiang explained this was a staff request to add vested rights extension for Conditional Zoning (CZ) in Article 5.4-3(l). Currently, the only recourse for developers facing loss of Zoning Vested Rights for conditional zoning was to resubmit their application for conditional zoning, essentially restarting the entire process. The Planning Board and Staff

recommended approval of this text amendment. Staff's memo regarding the request is attached to these minutes and therefore incorporated herein.

There was no one present to give public comment on this item. Mayor Dunn then closed the public hearing.

Council Member Grooms made the motion to approve TX23.09.03 to add vested rights extension for Conditional Zoning (CZ) in Article 5.4-3(I). Council Member Ayers seconded the motion to which the Council approved unanimously.

B. Statement of Consistency and Reasonableness

Mayor Dunn read the Statement of Consistency and Reasonableness for TX23.09.03 in the record. The Statement of Consistency and Reasonableness for TX23.09.03 was approved unanimously by Council after a motion by Council Member Ayers and a second from Council Member Grooms. The Statement of Consistency and Reasonableness for TX23.09.03 is attached to these minutes and therefore incorporated herein.

5. TX23.09.04

A. Denis & Vlad Pinchuk requests a text amendment to add Coffee Roastery as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district

Mayor Dunn opened the public hearing. Planner I Valzonis explained with was a request for a text amendment to add Coffee Roastery as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district. Staff's presentation on TX23.09.04 (and TX23.09.05, the following item) is attached to these minutes and therefore incorporated herein. The Planning Board and Staff recommended approval of this text amendment.

There was no one present to give public comment on this item. Mayor Dunn then closed the public hearing.

Council Member Grooms made the motion to approve TX23.09.04 to add Coffee Roastery as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district. Council Member Drake seconded the motion to which the Council approved unanimously.

B. Statement of Consistency and Reasonableness

Mayor Dunn read the Statement of Consistency and Reasonableness for TX23.09.04 in the record. The Statement of Consistency and Reasonableness for TX23.09.04 was approved unanimously by Council after a motion by Council Member Grooms and a second from Council Member Drake. The

Statement of Consistency and Reasonableness for TX23.09.04 is attached to these minutes and therefore incorporated herein.

6. TX23.09.05

A. Denis & Vlad Pinchuk requests a text amendment to add Mentoring Services, Tutoring as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district.

Mayor Dunn opened the public hearing. Planner I Valzonis explained with was a request for a text amendment to add Mentoring Services, Tutoring as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district. Staff's presentation on TX23.09.04 (and TX23.09.04, the previous item) is attached to these minutes and therefore incorporated herein. The Planning Board and Staff recommended approval of this text amendment.

There was no one present to give public comment on this item. Mayor Dunn then closed the public hearing.

Council Member Grooms made the motion to approve TX23.09.05 to add Mentoring Services, Tutoring as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district. Council Member Scholl seconded the motion to which the Council approved unanimously.

B. Statement of Consistency and Reasonableness

Mayor Dunn read the Statement of Consistency and Reasonableness for TX23.09.05 in the record. The Statement of Consistency and Reasonableness for TX23.09.05 was approved unanimously by Council after a motion by Council Member Grooms and a second from Council Member Drake. The Statement of Consistency and Reasonableness for TX23.09.05 is attached to these minutes and therefore incorporated herein.

7. TX23.10.01

A. Staff requests a text amendment to amend outdoor storage acreage and zoning requirements in Article 10.1-36 Outdoor Storage

Mayor Dunn opened the public hearing. Town Planner Hsiang explained this was a staff request to add a text amendment to amend outdoor storage acreage and zoning requirements in Article 10.1-36 Outdoor Storage. Council instructed staff to investigate the possibility of implementing a text amendment to the zoning regulations governing outdoor storage in industrial zones. Following research, staff concluded that the text amendment proposed below represents the most straightforward, uncomplicated, and expeditious approach to enhance outdoor storage options for

industrial businesses without negatively impacting the community. Staff's memo regarding the request is attached to these minutes and therefore incorporated herein. The Planning Board and Staff recommended approval of this text amendment.

There was no one present to give public comment on this item. Mayor Dunn then closed the public hearing.

Council Member Grooms made the motion to approve TX23.10.01 to amend outdoor storage acreage and zoning requirements in Article 10.1-36 Outdoor Storage. Council Member Richardson seconded the motion to which the Council approved unanimously.

B. Statement of Consistency and Reasonableness

Mayor Dunn read the Statement of Consistency and Reasonableness for TX23.10.01 in the record. The Statement of Consistency and Reasonableness for TX23.10.01 was approved unanimously by Council after a motion by Council Member Grooms and a second from Council Member Richardson. The Statement of Consistency and Reasonableness for TX23.10.01 is attached to these minutes and therefore incorporated herein.

8. RZ23.10.01

A. MMDi, Inc. d/b/a Steelpoint requests a general rezoning for 500 Union West Blvd PID#07102010R from US 74 Commercial (C-74) to Industrial (IND)

Mayor Dunn opened the public hearing. Town Planner Hsiang explained this was a general rezoning for 500 Union West Blvd PID#07102010R from US 74 Commercial (C-74) to Industrial (IND). The request was made by Steelpoint. Staff's memo regarding the request is attached to these minutes and therefore incorporated herein. The Planning Board and Staff recommended approval of this text amendment.

The Applicant Deborah Edwards owned Steelpoint, along with her husband, which made heavy duty trailers. Ms. Edwards explained that the company was created because it saw a need for industry-ready trailers with Home Depot and Lowes being their main customers. The trailers were shipped all throughout the United States. The final assembly of the trailers was done on the property in question.

There was no one present to give public comment on this item. Mayor Dunn then closed the public hearing.

Council Member Grooms made the motion to approve RZ23.10.01, a general rezoning for 500 Union West Blvd PID#07102010R from US 74 Commercial (C-74) to Industrial (IND). Council Member Drake seconded the motion to which the Council approved unanimously.

B. Statement of Consistency and Reasonableness

Mayor Dunn read the Statement of Consistency and Reasonableness for RZ23.10.01 in the record. The Statement of Consistency and Reasonableness for RZ23.10.01 was approved unanimously by Council after a motion by Council Member Grooms and a second from Council Member Drake. The Statement of Consistency and Reasonableness for RZ23.10.01 is attached to these minutes and therefore incorporated herein.

9. Planning Board Appointment Consideration

Mayor Dunn explained that Town had received a Planning Board Application from Council Member Heather Grooms. Ms. Grooms' term on Council would end on Monday, December 11, 2023, after which time Ms. Grooms was eligible to serve on the Stallings Planning Board.

Council Member Hall made a motion to appoint Heather Grooms to the Stallings Planning Board effective Tuesday, December 12, 2023, with the term ending March 31, 2025. The Council passed the motion unanimously after a second from Council Member Drake.

10. Council Transition Plan

Town Manager Sewel explained that the Council Transition Support Plan was intended to support the education, integration, and required ethics training of all elected officials so the new Town Council can operate as an ethical, effective, and functional governing board.

The plan included a New Member Bootcamp, which would go over all things about the Town's organization structure as well as learning about each department and what they do, as well as training from the UNC School of Government's Essential of Municipal Government course which included the required ethics component.

For all Council, the Plan included the Annual Retreat and the optional WorkPlace Big Five Personality Assessment.

Council held consensus to move forward with the Plan as presented with the exception of the WorkPlace Big Five Personality Assessment.

10.A. Resurfacing Inspection Services Contract

Engineering Director Parker explained this contract would provide inspection and material testing services for the approved FY2025 Resurfacing Contract. The services were necessary to ensure the roadway standards were being met, suitable material was being implemented, and appropriate roadway reconstruction methods were occurring. SUMMIT Engineering, Laboratory, and Testing, Inc. was the only and lowest estimate received by Staff.

Council Member Hall made the motion to authorize the Town Manager to execute the inspection and material testing services contract with SUMMIT Engineering, Laboratory, and Testing, Inc. for \$21,990. The motion was passed unanimously by Council after a second from Council Member Grooms.

11. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Hall, and the motion received unanimous support. The meeting was adjourned at 8:09 p.m.

Approved on December 11, 2023.

s/Wyatt Dunn

Wyatt Dunn, Mayor

s/Erinn Nichols

Erinn E. Nichols, Town Clerk

Approved as to form:

s/Cox Law Firm, PLLC

Cox Law Firm, PLLC