

**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 14, 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; Kevin Parker, Town Engineer; Justin Russell, Assistant Town Engineer; Jamie Privuznuk, Finance Officer; Eunice McSwain, Parks and Recreation Director; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

Joyce Rupert, 3026 Fresia Place, inquired about the laws governing boarding houses/transit houses. She said that a neighboring home had people coming and going all night. It was a rental home and had been going on for two years.

1. Approval of Consent Agenda Items

A. Minutes from the following meetings:

- (1) 06-12-2023
- (2) 06-12-2023 – closed
- (3) 06-26-2023
- (4) 06-26-2023 – closed
- (5) 07-10-2023
- (6) 07-10-2023 – closed

B. Amended Budget Ordinances

- (1) 01 – CRTPO Grant Transfer
- (2) 02 – General Fund Encumbrance
- (3) 03 – Powell Bill Encumbrance

C. Park and Recreation Department Christmas Lights Installation

D. Police Department Vehicle Purchase

E. Union County Emergency Action Plan Amendment Resolution

Council Member Scholl made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Drake which passed unanimously by Council. *Amended Budget Ordinance 01 - CRTPO Grant Transfer; Amended Budget Ordinance 02 - General Fund Encumbrance; Amended Budget Ordinance 03 - Powell Bill Encumbrance; and Union County Emergency Action Plan Amendment Resolution* are attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

Mayor Dunn reported that he contacted NCDOT about the intersection at Stevens Mill/Idlewild Road and it would be repaired by NCDOT with spot repairs.

B. Reports from Council Members/Town Committees

Council Member Graham stated that the Back-to-School Drive was a success.

Council Members Drake, Grooms, Ayers, and Scholl had no reports.

Council Member Richardson reported that the Chestnut area roundabout which was in the state roadway mowing program was an inadequate schedule for the necessary maintenance. Staff was researching landscaping costs for that area.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported:

- The Department Head Team was very strong currently. Staff had been engaging in team exercises to grow more as a team. Mr. Sewell would like to have a consultant on board regarding bonding in the near future and would go through the RFQ process.
- 2725 Old Monroe Road Property/Former Tractor Dealership: Water lines were too small going to the building to accommodate the desire use of the Council. Also, the staff was investigating the sewer line sizes that may have to be upgraded to allow for the types of businesses the Council desired in the strategic plan.
- Chief Dennis Franks reported that the Back to School Bash was very successful for the community with over 300 attendees with 21 volunteers. Over 115 backpacks were given out including three bicycles.
- Parks and Recreation Director Eunice Donnelly reported on Middle School Madness from the previous week. There were about 60% Stallings residents at the event and was a successful event.
- Assistant Town Manager Erinn Nichols reported that the Staff would be participating in an Emergency Tabletop Exercise with Union County Emergency Services in the coming week in order to further prepare for different types of disaster scenario.

3. Agenda Approval

Council Member Grooms requested removing Agenda Item 9, *Swimming Pool Setbacks (Grooms)*.

Council Member Richardson made the motion to approve the Agenda with the above noted change. The motion received Council's unanimous approved after a second from Council Member Scholl.

4. Annexation 57 – Lawyers Road

A. Public Hearing

Mayor Dunn opened the public hearing. Assistant Town Manager Nichols explained this was the final step in Annexation 57 – Lawyers Road. The property proposed for annexation was 1.23 acres located off of Lawyers Road near Stevens Mill Road.

Rob Carpenter, Millbrook Lane, wanted to know the zoning on the surrounding the properties.

Mayor Dunn closed the public hearing.

B. Ordinance to Extend

Council Member Richardson made the motion to adopt the *Ordinance to Extend – Annexation 57 – Lawyers Road*. The motion was seconded by Council Member Scholl and passed unanimously by Council. The *Ordinance to Extend – Annexation 57 – Lawyers Road* is attached to these minutes and therefore incorporated herein.

5. RZ23.06.01 – 14721 Lawyers Rd

A. General Rezoning from Union County R-20 to MU-2

Mayor Dunn opened the public hearing.

Planning Director Hsiang presented the Council with the information on the requested zoning explain the request was a general rezoning request for Union County Residential 20 (R-20) to Mixed-Use 2 (MU-2) at the location at parcel ID #08324001, a property 1.23 acres in size at 14721 Lawyers Rd. Planning Board and Staff recommended approval. Planning Director Hsiang's presentation is attached to these minutes and therefore incorporated herein.

Ms. Curtis, 1240 Avalon Place, stated a motorcycle shop was being operated there prior to the home being burned down. She wanted the Council to consider the surrounding areas before rezoning.

Koby Huneycutt, 518 Dunfield Drive, owner of the property and applicant, wanted to make it a commercial use that would be positive for the whole neighborhood.

Council heard concerns from neighbors adjoining the lot regarding noise and an inability to sleep and enjoy their property if it was rezoned to commercial. Mayor Dunn then closed the public hearing.

Town Attorney Cox then clarified the rules of a rezoning and how they differed from a conditional

zoning specifically that rezoning did not require a site plan and did not specify a particular use. Council discussed the concerns and that a conditional rezoning would be more favorable than a general rezoning.

Council Member Richardson made the motion to approve RZ23.06.01 – 14721 Lawyers Rd. general rezoning from Union County R-20 to MU-2. Council Member Ayers seconded the motion. The Clerk was asked to conduct a roll call for the vote which is listed below. The motion failed by a 2 to 4 vote with Council Members Hall, Drake, Grooms, and Scholl voting against the motion.

Council Member Hall – Nay
Council Member Drake – Nay
Council Member Grooms – Nay
Council Member Ayers – Yes
Council Member Scholl – Nay
Council Member Richardson – Yes

B. Statement of Consistency and Reasonableness

Mayor Dunn read the *Statement of Consistency and Reasonableness for RZ23.06.01 – 14721 Lawyers Rd.* into the record. Council Member Grooms made the motion to approve *the Statement of Consistency and Reasonableness for RZ23.06.01 – 14721 Lawyers Rd.* to which Council Member Drake seconded. The motion passed by a 5 to 1 vote with Council Member Richardson opposing. The *Statement of Consistency and Reasonableness for RZ23.06.01 – 14721 Lawyers Rd.* is attached to these minutes and therefore incorporated herein.

6. Pleasant Plains Subdivision Roads Acceptance Resolution

Associate Engineer Justin Russell explained to the Council that Lennar had requested the Town of Stallings accept the right-of-way designated as public right-of-way (R/W) in the approved Pleasant Plains subdivision Construction Documents. The public improvements within the R/W consisted of streets, street lighting, sidewalks, and drainage infrastructure. The applicant had met all the established criteria of the Town of Stallings Street Acceptance Policy (Accepting Existing Private Roads by Developer); therefore, staff requested the Council accept the 0.397 miles of R/W designated as public right-of-way (R/W) in the approved Pleasant Plains Subdivision Construction Documents and corresponding maintenance of the public improvements within the R/W consisting of streets, street lighting, sidewalks, and drainage infrastructure. Mr. Russell memo regarding this item is attached to these minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve the *Pleasant Plains Subdivision Roads Acceptance Resolution*. The motion was seconded by Council Member Ayers and passed unanimously by Council. The *Pleasant Plains Subdivision Roads Acceptance Resolution* is attached to these minutes and therefore incorporated herein.

7. Streetscape Plan

A. Plan Adoption and Ordinance Incorporation

Planning Director Hsiang presented the Council with the Stallings Streetscape Plan. Staff requested the following action items:

(1) Plan Adoption and Ordinance Incorporation

- Adoption of the Stallings Downtown Streetscape Plan
- Direct staff to implement Streetscape requirements into the Stallings Development Ordinance

(2) Streetscape Investment

- Decide on whether the Council wanted to invest in Streetscape improvements in front of Town-owned property

Mr. Hsiang presentation is attached to these minutes and therefore incorporated herein.

Council Member Hall made the motion to adopt the Stallings Streetscape Plan and direct staff to implement Streetscape requirements into the Stallings Development Ordinance but hold off on investing in the project. The motion was seconded by Council Member Grooms and passed unanimously by the Council.

B. Streetscape Investment

Please see the above motion for action on this item.

8. Parks and Recreation – Parks Hours Ordinance (First Read)

Park and Recreation Director Donnelly explained that the Parks and Recreation Department was requesting to assign appropriate Park hours into the Code of Ordinances. With the opening of the new greenway, along with our expanding park system, it was in the community's best interest to set a parameter around when it is allowed/not allowed to be on Town's Park Property. This will allow the Police Department to remove patrons from park property outside of the operational hours.

Town Attorney Cox explained due to the criminal penalty in the ordinance, two readings of the ordinance was required. If the Council chose to move forward with the ordinance, it would vote on it at the 09-11-2023 meeting after a second reading.

The Council had no questions and would hold the second reading of this ordinance at its 09-11-2023 Council Meeting.

9. Swimming Pool Setbacks (Grooms)

This item was removed from the Agenda.

10. Adjournment

Council Member Grooms moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 8:03 p.m.

Approved on September 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