

**MINUTES OF THE TOWN COUNCIL MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for a meeting on May 24, 2021, at 7:00 p.m. via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link (<https://zoom.us/j/91735161272?pwd=TWICUDUzcWRmYVpmRGU0R2grQkQxdz09>) or the Zoom app (Meeting ID: 917 3516 1272; Password: 562412).

Those present and visible on camera were: Mayor Wyatt Dunn; Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, Heather Grooms, John Martin, Brad Richardson, and David Scholl.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Melanie Cox, Town Attorney; Lynne Hair, Town Planner; Marsha Gross, Finance Officer; Ashley Platts, Parks and Recreation Director; Brian Price, Public Works Director; Karen Williams, Human Resources Director; and Dennis Franks, Police Chief.

Invocation, Pledge of Allegiance and meeting called to order

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

Public Comments

There was no one joining the meeting who wished to give public comments.

1. Agenda Approval

Council Member Scholl requested replacing Agenda Item 8 with Signage Discussion. Council Member Scholl made the motion to approve the Agenda with the above noted change. The motion was seconded by Council Member Grooms and passed unanimously by Council.

2. TX21.04.01 - Tree Disturbance Permit

Mayor Dunn opened the public hearing. Town Planner Hair presented the Council information explaining TX21.04.01 - Tree Disturbance Permit. She explained this item was from staff requesting a change to Article 7.1 Permit and/or Approval Required which establishes activities requiring Town approval. The requirements for a Tree Disturbance Permit were outlined in Article 11.10 but were

absent from the list of activities requiring a permit in Article 7.1. To clear up confusion to the development community, the requirement for a tree disturbance permit had been added to the activities requiring Town approval. Ms. Hair's memo regarding this change is attached to these minutes and therefore incorporated herein.

The Planning Board recommended approval of this text amendment. No one joined the meeting who wished to give public comment on this item. Mayo Dunn then closed the public hearing. The Council would vote on this item at its June 14, 2021, meeting.

### 3. CZ20.07.02 – Shirley White Trustees

Town Planner Hair reminded the Council this was a request by Pulte Homes to change the elevations. The public hearing on this item was held on May 10, 2021, and the Planning Board recommended approval of this item. The Staff presentation on this item is attached to these minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve CZ20.07.02 – Shirley White Trustees with the following conditions:

1. Project is subject to approval from NCDOT, Union County Public Works, DENR, and Town Engineer.
2. Elevations approved as shown (keep new elevations on file)
3. Setbacks
  - 30' on periphery of property
  - Front and Rear: 20'
  - Side: 5'
  - Between Buildings: 10'
  - Max Height: 35'
4. 30' undisturbed buffer along southern property line where adjacent to single family residential. Buffer is inclusive of setback, not in addition.
5. Sidewalk connecting the commercial portion in the east side of the property to the Town home development
6. Two (2) lifts of asphalt are required on all streets within the development
7. The overall density for the project shall not exceed 2.0 units per acre.

Applicant Matt Kearns verbally agreed to the above listed conditions. Council Member Scholl seconded Council Member Richardson's motion. The motion passed unanimously by Council. The Ordinance Amendment Approving CZ20.07.02 – Shirley White Trustees is attached to these minutes and therefore incorporated herein.

Mayor read the Statement of Consistency and Reasonableness for CZ20.07.02 – Shirley White Trustees into the record. Council Member Paxton made a motion to approve the Statement of

Consistency and Reasonableness for CZ20.07.02 – Shirley White Trustees. The motion was passed unanimously by Council after a second by Council Member Ayers. The Statement of Consistency and Reasonableness for CZ20.07.02 – Shirley White Trustees is attached to these minutes and therefore incorporated herein.

#### 4. Resolution Supporting a Citizen Referendum on Transportation Funding (CATS Light Rail)

Town Manager Sewell explained this was a resolution which expressed the Town's support of the referendum for the light rail funding. Council Member Paxton read the Resolution Supporting a Citizen Referendum on Transportation Funding (CATS Light Rail) into the record. Council recommended slightly amending the resolution to state that Union County has 55,000 residents currently commuting daily to Mecklenburg County and Mecklenburg County has 7,000 residents currently commuting daily to Union County.

Council Member Paxton made the motion to approve the resolution with the amendment above. Council Member Scholl seconded the motion to which the Council recommended unanimously. The Resolution Supporting a Citizen Referendum on Transportation Funding (CATS Light Rail) is attached to these minutes and therefore incorporated herein.

#### 5. Idlewild Road Widening Options

Town Manager Sewell reviewed his memo regarding the Idlewild Road Widening. This memo is attached to these minutes and therefore incorporated herein.

Council held consensus to push this item to the June 14 meeting in order to think on the matter more before a decision was made.

#### 6. Open Burning Ordinance Amendment

Town Manager Sewell explained that Code Enforcement Officer Dickinson noticed that Union County's website stated that opening burning was not allowed in Stallings or any municipality where trash collection was provided. Further research confirmed that this was in fact the case. The North Carolina Administrative Code which contained the administrative rules of 26 state agencies plus over 50 licensing boards for North Carolina, stated when opening burning without an air quality permit was allowed. Under 15 NCAC 02D .1903 opening burning was not allowed unless there are no public pick up services available. Since trash and yard waste was provided to Stallings' residents, it was Town Attorney

Cox's recommendation that Council adopt the amendment to Ordinance 95.02 to comply with North Carolina regulations.

Council Member Scholl made the motion to approve the Open Burning Ordinance Amendment. Council passed the motion unanimously after a second from Council Member Martin. The Open Burning Ordinance Amendment is attached to these minutes and therefore incorporated herein.

7. Budget - Amended Budget Ordinance 9 and 10

Finance Officer Gross explained that Amended Budget Ordinance 9 was needed to fund the legal costs in the Economic and Physical Development department due to the development agreements. Council Member Ayers made the motion to adopt Amended Budget Ordinance 9 followed by a second by Council Member Richardson. The motion was approved unanimously by Council. The Amended Budget Ordinance 9 is attached to these minutes and therefore incorporated herein.

Finance Officer Gross explained that Amended Budget Ordinance 10 to account for the civil citations which were received and refunded in the Economic and Physical Development department. Council Member Paxton made the motion to adopt Amended Budget Ordinance 10 followed by a second by Council Member Ayers. The motion was approved unanimously by Council. The Amended Budget Ordinance 10 is attached to these minutes and therefore incorporated herein.

8. FY2021-22 Continued Budget Discussions

*This item was replaced with Signage Discussion during Agenda Approval.*

Council Member Scholl explained that he would like to see more signage for Town facilities in order to identify Stallings. Parks and Recreation Director Platts reminded the Council of the approved signage package for various facilities. Public Works Director Price also updated the Council on the Town Hall landscaping plans. After a brief discussion by Council, it held consensus to discuss signage during budget discussions.

9. Closed Session Pursuant to NCGS 143- 318.11(a)(3)

Council Member Paxton made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) to which Council Member Scholl seconded. The Council passed the motion unanimously.

*Council went into closed session at 8:31 p.m. and reconvened in open session at 8:58 p.m.*

10. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at approximately 8:59 p.m.

Approved on August 9, 2021.

s/Wyatt Dunn

Wyatt Dunn, Mayor

Approved as to form:

s/Cox Law Firm, PLLC

Cox Law Firm, PLLC

s/Erinn Nichols

Erinn E. Nichols, Town Clerk