



July 10, 2023
 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	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda A. ARPA 4th Quarter Documents - Grant Project Ordinance Amendment	Wyatt Dunn, 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.	7:45 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve Agenda
4.	7:47 p.m.	TX23.05.02 – Home Occupation <i>(Recessed from 06-26-2023)</i> A. To add text to Article 10.1-21, stating that automobile repair shops, body shops, and garages are not allowed as a home occupation. (1) Re-open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote B. Statement of Consistency and Reasonableness	Ruben Ortiz, Code Enforcement Officer	Approve/Deny text amendment
5.	8:00 p.m.	Event and Programming Registration Fee Change/Addition (1) Open Public Hearing (2) Information from Staff (3) Public Hearing (4) Close Public Hearing (5) Council Vote	Eunice Donnelly, Parks and Recreation Director	Approve/Deny fee

6.	8:10 p.m.	Idlewild Road Widening Candidate Project Description Amendment	Bjorn Hansen, Union County Transportation Planner	Support project description amendment
7.	8:25 p.m.	Silverline Consultant (CRTPO grant) Selection Process	Max Hsiang, Planning Director	Select Consultant
8.	8:35 p.m.	Annexation 57 – Lawyers Road A. Certificate of Sufficiency B. Resolution Fixing Public Hearing Date	Erinn Nichols, Asst. Town Mgr.	Approve resolution
9.	8:40 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn



AMENDED Grant Project Ordinance for the Town of Stallings American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds – June 2023

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Stallings (Town) has received the first tranche in the amount of \$2,572,685.12 of CSLFRF funds. The total allocation is \$5,145,370.24, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Law enforcement services for period of July 1, 2022 through December 31, 2024	6.1	Salaries and Benefits	\$5,145,370.24
	TOTAL			\$5,145,370.24

Section 4: The following revenues are anticipated to be available to complete the project:

ARP/CSLFRF Funds:	\$5,145,370.24
General Fund Transfer:	\$ 455,424.43 (FY22-23, Qtr. 1)
	\$ 609,990.40 (FY22-23, Qtr. 2)
	\$ 502,628.20 (FY22-23, Qtr. 3)
	- \$ <u>516,909.30</u> (FY22-23, Qtr. 4)

Total: \$3,060,417.91

Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 6: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 7: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

Section 8: This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Adopted this is the 10th day of July, 2023.

Wyatt Dunn, Mayor

Attest:

Erinn Nichols, Town Clerk

Approved as to form:

Melanie Cox, Town Attorney



MEMO

To: Town Council
From: Ruben Ortiz, Code Enforcement Officer
Date: 7/10/2023
Re: TX23.05.02 - Amendment to Article 10.1-21 Home Occupation

Request:

To add text to Article 10.1-21, stating that automobile repair shops, body shops, and garages are not allowed as a home occupation.

History:

Home occupations allow residents of Stallings to conduct a business under Article 10.1 -21, that does not create an adverse impact in their surrounding neighborhood.

Reasoning:

We have had complaints from residents in different neighborhoods, about loud noises (nighttime), aerosols/odors, increased street traffic, and junk vehicles from the operation of automobile repair shops, body shops, and garages in residential zones areas. Thus, creating an adverse impact on the surrounding neighborhoods.

Staff Recommendation:

Staff recommends approval of TX23.05.02 to maintain the community's safety, appearance, and property values.

Text Amendment:

The text amendment request reads as follows:

10.1-21 Home Occupation.

(A.) Zoning Districts where additional standards below apply: "AG", "SRF", "MFT", "TNDO", "TC", "CIV", "MU", "C 74", "CP 485", "BC" and "IND". (Amended September 26, 2022)

(B.) Development Standards:

- (1.) No display of goods, products, or services, or other advertising shall be visible from outside the dwelling, except that home occupations shall be allowed one pole sign in accordance with the provisions of Article 17, and such sign shall not be illuminated.
- (2.) Home occupations shall be principally conducted by residents of the dwelling. However, a maximum of one (1) full-time equivalent non- resident of the dwelling may be employed as part of the home occupation.
- (3.) On premise retail sales shall not be a component of the home occupation.
- (4.) A maximum of twenty-five (25%) percent of the gross floor area of the dwelling unit may be used for the home occupation. If the home occupation is housed in an accessory

structure, the square footage of the accessory structure shall not exceed twenty-five (25%) percent of the square footage of the principal structure (home).

- (5.) Only one (1) vehicle principally used in connection with the home occupation shall be parked or stored on premise. Such a vehicle shall not display any signage designed to be visible beyond the property boundaries. Such a vehicle shall not be parked in a conspicuous place and shall be stored in a conforming on-site parking space meeting the provisions of Article 12
- (6.) No equipment or process shall be used in connection with the home occupation that creates noise, vibrations, glare, fumes, odors, or electrical interference off premises.
- (7.) In addition to required parking as stipulated in Article 12, one (1) additional off-street parking space shall be provided for use in conjunction with the home occupation.
- (8.) Instruction in music, dancing, art, or similar subjects shall be limited to no more than five (5) students at one time.
- (9.) The home occupation shall not materially increase the traffic that is found in its vicinity when the use is not in operation. Pursuant to this, a maximum of six (6) individuals per day may visit the home occupation, with the exception of the instruction occupations addressed in Section 10.1-21 (B.) (8.) above.

(C.) Without limiting the generality of the foregoing, automobile repair shops, body shops, and garages shall not be allowed as Home Occupations unless Conditional Zoning approval from Town Council is granted.



Statement of Consistency and Reasonableness

TEXT AMENDMENT: TX23.05.02

REQUEST: To add text to Article 10.1-21, stating that automobile repair shops, body shops, and garages are not allowed as a home occupation.

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

THEREFORE, The Town Council hereby recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land-use regulations established through NCGS § 160D. The Town Council recommends to **APPROVE** the proposed amendment and stated that the Planning Board finds and determines that the text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) This recommendation is a way to help maintain the safety, appearance, and property values of the community.

Recommended this the 26 day of June, 2023.

Mayor

Attest:

Clerk



MEMO

To: Stallings Town Council
From: Eunice McSwain, Stallings Parks & Recreation - Director
Via: Alex Sewell, Town Manager
Date: Friday, March 10th, 2023
RE: **Fee Schedule Addition - Parks and Recreation**

Background/Issue:

The Town of Stallings Parks and Recreation Department wants to move forward with charging participants a minimal fee for participating in programs/events. This fee would NOT be added to every event and would range from \$5-\$35. This would allow our Parks and Recreation Department to "Break-even" at some programs as well as bringing in revenue from some of a larger event if we ever wanted to charge in the future for certain activities.

Proposal/Solution:

The Parks and Recreation department wants to move forward with adding an Event & Program Participation fee to help ease the cost of programs, camps, & allowing us to charge for specific activities if need be.

Requested Actions:

The Parks Department recommends adding the Event and Program Participation fee to the '23-'24 Fee Schedule ranging from \$5 - \$35.

MEMORANDUM

TO: Town of Stallings Mayor and Council
FROM: Bjorn Hansen, Senior Planner – Long Range Planning
DATE: June 30, 2023
RE: Idlewild Road Widening Candidate Project Description Amendment

The Charlotte Regional Transportation Planning Organization (CRTPO) is currently holding a public comment period on its candidate projects (<https://arcg.is/1GKjH9>) to be considered for submitting to the NCDOT for evaluation through its project evaluation process, called Strategic Transportation Investments (STI). This process evaluates projects for inclusion in the Statewide Transportation Improvement Program, or STIP. Projects in the STIP proceed for implementation as funds are available.

Idlewild Road from 485 to Indian Trail-Fairview has previously been submitted as a project (Project ID H192047) but has not received funding in previous evaluation processes. The project has subsequently been split into two sections, north and south of Stevens Mill Road. I understand Stallings does not support the proposed design for the section north of Stevens Mill and has requested it be removed from consideration. The southern section still exists as a candidate project.

The intersections of Mill Grove and Indian Trail-Fairview are currently being evaluated as a single intersection project through the 2023 Critical Intersection Analysis (<https://arcg.is/1XmHyG>), and it scores very well. It will also be an expensive project, and is best considered through the STIP process, where local match funding is not required. Union County has coordinated with Hemby Bridge and Indian Trail to rescope the corridor widening project to instead improve the two intersections and submit to CRTPO for inclusion in the STI process. This proposed intersection(s) project is wholly within Indian Trail and Hemby Bridge, and they both support the change. There is no confirmed design or cost estimate for this project, but a preliminary design would include dual roundabouts.

The CRTPO Comment Period runs through July 22, so any decision is required at the BOCC July 17 meeting. Union County is asking the Town of Stallings to likewise support this project description amendment at its July 10, 2023 meeting.

Please let me know if you have any questions. I may be reached at bjorn.hansen@unioncountync.gov or (704) 283-3690.



MEMO

To: Town Council
From: Max Hsiang
Date: 7/10/2023
Re: Silver Line Consultant (CRTPO Grant) Selection

Request:

The Town was awarded the CRTPO Transportation Grant for up to \$100,000 to maximize positive development around the hospital/light rail (based on the 2023 annual council retreat). The plan is to update our Monroe Expressway Small Area Plan and Comprehensive Land Use Plan and incorporate a Transportation Oriented Development (TOD) Overlay into the Stallings Development Ordinance (SDO) based on the future Silver Line alignment.

There are three main initiatives for the Silver Line Plan Integration:

- 1) Integrate the future Lynx Silver Line Project into the Stallings Comprehensive Land Use Plan to include timelines, benefits, studies, and education;
- 2) Reimagine the Monroe Expressway Small Area Plan/create a Silver Line Station/Atrium Hospital Small Area Plan to include renderings and specs;
- 3) Incorporate an updated Transportation Oriented Development Overlay in the Development Ordinance with preservation and promotion techniques along the proposed Silver Line alignment.

The Town Council approved the project budget for \$125,000 for this fiscal year 2023-2024. The CRTPO Grant will reimburse the Town up to \$100,000 for this project.

The Town sent out RFQs for the Stallings Silver Line Plan and reviewed them, and the staff has selected Bolton & Menk as our consultant.

We are still finalizing the contract with Bolton & Menk now, therefore our request is for the Town Council to give the Town Manager the ability to approve the contract contingent on the Town Attorney's approval of up to \$125,000.



Certificate of Sufficiency

To the Town Council of the Town of Stallings, North Carolina:

I, Erinn E. Nichols, Town Clerk, do hereby certify that I have investigated the petition for the voluntary annexation of parcel number 08324001 – Lawyers Road and have found as a fact that the said petition is signed by all owners of real property lying in the area described therein, in accordance with North Carolina General Statute 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Stallings, this the 10th day of July, 2023.

(SEAL)

A handwritten signature in black ink, appearing to read "Erinn E. Nichols", is written above a horizontal line.

Erinn E. Nichols, Town Clerk



Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to N.C.G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town of Stallings has by adopted a resolution directing the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Stallings that:

Section 1. The area proposed for voluntary annexation encompasses a portion of parcel number 08324001 – Lawyers Road and is described as follows:

Parcel number: 08324001; 1.23 acres

BEGINNING at an iron stake, Morris Biggers' property corner on Mrs. Schoenith's property line and runs thence with said Biggers' line South 6 Degrees 45 Minutes East (crossing a branch) 365 feet to a point in the center of the paved Lavyera Road, a new corner line of the Lawyers Road North 47 degrees 45 minutes West 450.3 feet to a point in the center of said road and on Mrs. Schoenith's property line, a new corner indicated by an iron stake on said line East side of the road; thence and containing 1.23 acres, as surveyed November 28, 1956, by Ralph W. Elliot, L. S. Reference is hereby made to deed recorded in the Book 153 of deeds on page 179, Union County Public Registry.

Section 2. A public hearing on the question of annexation will be held at the Town Hall at 7:00 p.m. on Monday, August 14, 2023.

Section 3. Notice of the public hearing shall be published in the Monroe Enquirer-Journal, a newspaper having general circulation in the Town of Stallings at least 10 days prior to the date of the public hearing.

Adopted this the 10th day of July, 2023.

Wyatt Dunn, Mayor

Attest:

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC