

**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 March 28, 2022, 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, Heather Grooms, Graham Hall and Brad Richardson.

Those absent were: Council Member Taylor-Rae Drake.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Marsha Gross, Finance Officer; Brian Price, Public Works Director; Ashley Platts, Parks and Recreation Director; and Mac McCarley, Planning Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor 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

No one was present to give public comment.

1. Agenda Approval

Council Member Richardson made the motion to approve the Agenda as presented. The motion was seconded by Council Member Scholl and passed unanimously by Council.

2. CZ21.09.01 – Bailey Mills Expansion

Recessed from 03-14-2022

Planning Director Hsiang reviewed the conditional zoning request with the Council reminding them it was conditional zoning request by Impact LLC for 23 Town homes adjacent to the Bailey Mills Townhome Subdivision. The applicant has submitted a revised site plan for the project which widen a road based on Council's request. Mr. Hsiang reviewed the six suggested conditions:

1. The development meet the standards of the submitted concept site plan.
 - a. Including:
 - i. Density limit increase from 6 units/acre to 13 units/acre.
 - ii. Open space decreased to 3.9% total open space from 10% total open space.

- iii. Reduced buffers from Type A 40' buffer around the entire site to Type C buffer along the Good News Church Building with 6-foot-high composite fence material with landscaping inside.
 - iv. Allow no more than 23 Townhomes.
2. One Homeowner's Association for both Bailey Mills and the expansion.
 3. Architecture be in harmony with the Bailey Mills Subdivision.
 4. All permits required by Federal, State or Local governments must be issued.
 5. The Hendrick area will be acquired and owned by the developer and the developer will build the sidewalk before the Town issues any permits.
 6. The Union County Fire Marshal to give written approval to the developer before construction document approval by the Town.

Applicant Ty Matthews agreed to build the sidewalk listed on the project. Council Member Richardson made the motion to approve CZ21.09.01 – Bailey Mills Expansion with the conditions as stated above. Council Member Scholl seconded the motion. The motion passed by a 4 to 1 vote with Council Member Grooms opposing.

Council Member Richardson made a motion to approve the Statement of Consistency and Reasonableness for CZ21.09.01 – Bailey Mills Expansion. The motion was passed unanimously by Council after a second from Council Member Hall. The Statement of Consistency and Reasonableness for CZ21.09.01 – Bailey Mills Expansion is attached to these minutes and therefore incorporated herein.

3. Table of Uses Text Amendment for MU1 & 2 and IND

Planning Director Hsiang reminded the Council that under Council direction staff reviewed the Table of Uses 8.1 in Article 8 of the Stallings Development Ordinance by zoning district and bring proposed changes periodically to the Council. During the review of the allowed uses, staff noticed redundancies and inconsistencies between the complete list of uses and allowed and not-allowed uses. The proposed updates reduce redundancy and align with the intent of the Comprehensive Land Use Plan and Small Area Plans. The review focused on the MU-1, MU-2, and IND districts and amends a few other zoning districts. Mr. Hsiang's memo outlining the changes is attached to these minutes and therefore incorporated herein.

Mayor Dunn opened the public hearing. No one was present to speak at the public hearing. Mayor Dunn then closed the public hearing.

Council Member Richardson made the motion to approve TX22.01.01 – Table 8.1: Update - Table of Uses Text Amendment for MU1 & 2 and IND. The motion was approved unanimously by Council after a second from Council Member Grooms.

Council Member Richardson made the motion to approve the Statement of Consistency and Reasonableness for TX22.01.01 – Table 8.1: Update to which Council Member Ayers seconded the motion. The motion received Council’s unanimous support. The Statement of Consistency and Reasonableness for TX22.01.01 – Table 8.1: Update is attached to these minutes and therefore incorporated herein.

Planning Attorney McCarley left the meeting at 7:39 p.m.

4. Amended Budget Ordinance – Police Car

Finance Officer Gross reminded the Council that at a previous Council meeting, Council voted and agreed to allow for the purchase of a vehicle up to \$40,000 using asset forfeiture funds. Since then, the Police Department was able to find a suitable vehicle for \$35,000. This amendment shifted available funds with the Police Department to cover the purchase of the vehicle.

Council Member Grooms made the motion to approve the Amended Budget Ordinance 2 – Police Car. Council Member Hall seconded the motion to which the Council approved unanimously. The Amended Budget Ordinance 2 – Police Car is attached to these minutes and therefore incorporated herein.

5. Local Government SCIF Grant

Town Manager Sewell reminded the Council that the Town sought \$1.6 million from the State to help offset the estimated budget deficit on the Potter-Pleasant Plains intersection project (U-5112). Recently the state had provided a grant agreement that would presumably allow the Town to use the \$1.6 million to reimburse itself for part of the purchase price of 2725 Old Monroe Road. This would presumably free up \$1.6 million in equivalent funds that could be used for the Potter-Pleasant Plains intersection project or any other purpose the Town Council deems appropriate. Mr. Sewell’s memo regarding this topic is attached to these minutes and therefore incorporated herein.

Council Member Scholl made the motion to allow staff to use \$1.6M for reimbursement of the purchase of 2725 Old Monroe Road and authorized staff to take necessary action including executing a contract with the State contingent on Town Attorney approval. The motion was seconded by Council Member Richardson and passed unanimously by Council.

Council Member Hall made the motion to allow staff to use the equivalent \$1.6 million in funds towards Potter/Pleasant Plains intersection and directing staff to pursue combining that project with the Old Monroe Road project with NCDOT. The motion received Council's unanimously approval after a second from Council Member Ayers.

6. Closed Session pursuant to NCGS 143-318.11(a)(3) - Lawsuit 21-CVS-1237

Council Member Scholl made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) - Lawsuit 21-CVS-1237 and invite Andy Santaniello into the closed session. The motion was passed unanimously by the Council after a second from Council Member Grooms.

Council went into closed session at 7:55 p.m. and reconvened into open session at 8:39 p.m.

Mayor Dunn reported that he and the Mayor of Indian Trail would be sponsoring a National Day of Prayer Event on May 5 in Stallings Municipal Park at 6:00 p.m.

7. Adjournment

Council Member Richardson moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 8:40 p.m.

Approved on April 11, 2022.

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