

**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 October 28, 2019, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Council Members Billy Birt, Jr., John Martin, Lynda Paxton, Brad Richardson, and Shawna Steele.

Those absent were: Mayor Pro Tempore David Scholl.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Deputy Town Manager/Town Clerk; Chief Minor Plyler; Lynne Hair, Town Planner; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Dunn recognized newly appointed Council Member Brad Richardson to the Council dais. He welcomed everyone to the meeting and delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comment

Joe McLaughlin, 3205 Strawberry Road, heard some of the Council did not like some of the Council's responses to Council Member Paxton's survey she had created, that they was felt the results were biased. He encouraged other Council Members to do their own surveys for the residents. Mr. McLaughlin said there was a large number of people who were opposed to high density. He also said that Council Members had eluded to the fact that they had a lot of Town residents who supported high density and he asked for documentation for that opinion. Mr. McLaughlin thought it was important for everyone's opinion to be noted.

Pam Bartom, 1101 Serandon Drive, loved the small town of Stallings and only heard that residents were opposed to the development. She wanted to know if the Town was considering the open space. The residents were limited to irrigating to three days a week. That if don't have irrigation for yards, how could it have enough for more housing? Ms. Bartom said there was a huge issue with roadways. She wanted to know if the Council were considering what the residents were thinking.

1. Agenda Approval

Mayor Dunn requested adding *Sign Ordinance* as Agenda Item 7.A. and a *Closed Session Pursuant to NCGS 143-318.11(a)(3)* as Agenda Item 7.B.

Council Member Richardson made the motion to approve the Agenda with above additions. The motion was approved by Council Member Paxton and passed unanimously.

2. NCDOT – Idlewild Road – Continuation from special meeting at 6 p.m.

This item was not needed as Council concluded its discussion on this item at its Special Meeting on the same night prior to this meeting.

3. TX19.08.01 (Tabled from 09-23-19)

Mayor reopened the public hearing.

Town Planner Hair explained this was a text amendment request by staff to Development Ordinance article 8.4-6 (F)(2) to clarify the minimum lot size requirement of 6,000 square feet applied to single family detached housing type. It was just an amendment to apply in MU2 only.

Mayor Dunn then closed the public hearing. Council Member Birt made the motion to approve the TX19.08.01 - Ordinance Amending the Stallings Development Ordinance. The motion received Council's unanimous approval after a second from Council Member Martin. The TX19.08.01 - Ordinance Amending the Stallings Development Ordinance is attached to these minutes and therefore incorporated herein.

Mayor Dunn then read the Statement of Consistency and Reasonableness for TX19.08.01 into the record. The motion was made by Council Member Birt to approve the Statement of Consistency and Reasonableness for TX19.08.01 and seconded by Council Member Steele. Council approved the motion unanimously. The Statement of Consistency and Reasonableness for TX19.08.01 is attached to these minutes and therefore incorporated herein.

4. Annexation 53 – Chestnut Lane (Tabled from 10-14-19)

Mayor Dunn reopened the public hearing for Annexation 53 – Chestnut Lane and recessed it until November 12, 2019.

The applicant explained he was trying to amend the plan with more open space and larger buffers, and amend the plan so that the development did not cross the creek.

5. CZ19.08.01 (Tabled from 10-14-19)

Mayor Dunn reopened the public hearing.

Patricia Pflug, 1011 Deborough Drive, stated that all studies of land had been done before and were rejected by Indian Trail when the developer tried to develop in Indian Trail. Brookhaven had a meeting with Stallings, Indian Trail, and Weddington and stated that anything done would affect everyone. She wanted the road and sewer and traffic be addressed before allowing the development.

Richard Bullock, 509 Red Barn Trail, understood that construction and growth were inevitable, but the running water was destroying the property already. He wanted to know how clearing the property would affect the water run-off.

Leslie Bullock, 509 Red Barn Trail, had been there since 2005 and showed the Council a video of the flooding in her area.

Elena Aquino, 1109 Desborough Drive, thanked the developer for still working on the plan to address the environmental concern and impact. Ms. Aquino would like to know when a new site plan would be available. She was not against the development but was against the noise and speeding and wanted to protect the eco system. Ms. Aquino asked the Council to stand up for the residents.

Joe McLaughlin, 3205 Strawberry Road, was concerned that this development wanted to be in Indian Trail but Indian Trail did not want it, so it came to Stallings. He thought the Council needed to examine setbacks.

Philip Hayes, 3440 Ternington Way, Charlotte, Developer, explained there was a series of events surrounding Indian Trail and that the developer actually withdrew its application with Indian Trail and did not get denied.

Mayor Dunn recessed the public hearing on CZ19.08.01 until November 12, 2019

6. Annexation 54 – Boyd Funderburk

Assistant Town Manager Nichols presented the Council with the Certificate of Sufficiency for Annexation 54 – Boyd Funderburk. The Certificate of Sufficiency for Annexation 54 – Boyd Funderburk is attached to these minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve the Resolution Setting the Public Hearing Date for Annexation 54 – Boyd Funderburk. Council Member Steele seconded the motion. The motion passed by a 4 to 1 vote with Council Member Martin opposing. The Resolution Setting the Public Hearing Date for Annexation 54 – Boyd Funderburk is attached to these minutes and therefore incorporated herein.

7. TX19.09.03 – Statement of Consistency and Reasonableness

Mayor Dunn read TX19.09.03 – Statement of Consistency and Reasonableness into the record.

Council Member Paxton made the motion to approve TX19.09.03 – Statement of Consistency and Reasonableness which was seconded by Council Member Martin. The motion received Council's unanimous support. The TX19.09.03 – Statement of Consistency and Reasonableness is attached to these minutes and therefore incorporated herein.

7.A. Sign Ordinance (Dunn)

Code Enforcement Officer Dickinson explained that any signs which were not allowed according to the Town's sign ordinance were picked up daily and brought to Town Hall for pick-up if the owner would like their signs back. Signs were not allowed off premise, common areas or right of way. A citizen was requesting a change to that rule so that he could place a house for sale at the beginning of his street.

Council discussed and decided to think about the ordinance and if it wanted any amendment to the sign ordinance. It directed the Town Attorney to research the item.

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

The motion was made by Council Member Birt to go into closed session pursuant to NCGS 143-318.11(a)(3). Council Member Steele seconded the motion which was supported unanimously by Council.

Council went into closed session at approximately 8:14 p.m. and reconvened in open session at approximately 8:30 p.m.

Council held consensus to hold a special meeting with Demetri Batches and Rick Flow on the Small Area Plans on November 7 at 6 p.m.

Assistant Town Manager Nichols stated there seemed to be some confusion on the recycling perimeters. Union County was trying to educate all residents with a campaign on recycling. Glass could be recycled at a Union County convenient site. Waste Connections would be mailing the same recycling information to the residents as Union County. Stallings would also try to communicate to residents that Waste Connections and God Bless USA was the same company.

8. Adjournment

Council Member Birt moved to adjourn the meeting, seconded by Council Member Steele, and the motion received unanimous support. The meeting was adjourned at 8:45 p.m.

Approved on December 9, 2019.

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