

**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 11, 2019, at 7:00 p.m. at the Stallings Town Hall, 315 Stallings Road, Stallings, North Carolina.

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members John Martin, Lynda Paxton, Deborah Romanow, and Shawna Steele.

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 Wyatt Dunn welcomed everyone to the meeting and then delivered the invocation.

Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

There was no one present to give public comment.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

- (1) 01-28-19 – special
- (2) 01-28-19 – closed
- (3) 01-28-19
- (4) 02-09-19 – special
- (5) 02-11-19

Council Member Paxton requested a few changes to the 02-11-19 minutes:

- Changing MUMPO to CRTPO
- Referring to Union County Delegates as Union County Legislators

Council Member Paxton made the motion to approve the Consent Agenda with the above noted changes. A second was obtained by Council Member Steele and the motion passed unanimously.

2. Reports

A. Report from the Mayor

Mayor Dunn reported that he and the Town Manager had attended the QUAD meeting last week with full attendance. He felt the organization had value and did not cost the Town to be a member. Mayor Dunn also reported he had met with Atrium Health representatives to give him an update on the project

and were pleased with staff cooperation. Atrium Health also indicated they were prepared to landscape, etc. the area at Stallings Road and Hwy. 74 in the area of their project for aesthetic purposes.

#### B. Reports from Council Members/Town Committees

Council Member Paxton thanked Town Planner Lynne Hair for her presentation to the Metropolitan Transit Commission. She then reported the following:

- Stallings was now officially included in the Metropolitan Transit Commission's plan for the locally preferred alternative for the light rail plan to come into Stallings.
- Union County CRTPO meeting – Comprehensive Transportation Plan was being revised and updated; METRO QUEST – information for citizens about transportation projects and offered citizen an outlet for feedback on those projects.
- Union County Critical Intersection Process was active and would be utilizing a new matrix for project consideration. The Transportation Advisory Committee (TAC) advised a resubmittal of the Lawyers Road intersection under the new matrix criteria.
- 80,000 transactions were received on the Monroe Expressway on Martin Luther King Weekend, the highest to date.
- TAC Meeting:
  - Discussed the possibility of the Town to adopt an ordinance addressing on-street parking and requested the Council consider that for safety and emergency vehicles.
  - Lake Norman Transportation Committee was an effective entity and the TAC thought the QUAD could do something similar.
- A draft of the Citizen Academy structure was provided for the Council. Feedback was requested on the draft.

Council Member Martin reported that he and Council Member Paxton had been meeting with an informal inter-municipality group on a variety of topics. The subject of sex trafficking in Charlotte was discussed by that group and its growing problem in the area. The group also discussed county communications and water infrastructure.

Council Members Romanow and Scholl had no reports.

Council Member Steele noted that the Touch-A-Truck Event was a great event and thanked all staff involved for their efforts and the vendors for their participation.

There were no committee reports.

#### C. Report from Town Manager/Town Departments

Town Manager Sewell reported the following:

- Touch-A-Truck– 5000 people were in attendance. Parks and Recreation, Public Works and the Police Department was to be commended for a job well done.
- Emergency Table Top Exercise would be held on Wednesday, March 13 under the direction of Deputy Town Manager Erinn Nichols.
- The Boomerang contract for the Second Fl. Town Hall Renovations received a price reduction per the Council’s request and would be executed.
- New Town Hall Construction – 700 cubic yards of soil needed to be replaced onsite (\$40,000) but could be paid for out of the construction contingency line (\$99,000) for that project.
- Vickery subdivision – There had been several concerns about the speed of infrastructure improvements therefore staff would be meeting with residents later that week to serve as facilitators in that project.
- Idlewild Corridor – Negotiations with NCDOT were ongoing to change the superstreet design.
- Litter Sweeps – Code Enforcement Officer Kolleen Dickenson had planned Spring litter sweeps for several Saturdays in April.

Chief Minor Plyler recognized citizen Barbara Estes and presented her an award for her support and caring of the department and officers since the department’s inception in 2004. She had brought untold number of baked goods and snacks to the department as well as inviting officers to stop by her house during holidays.

Chief Plyler then noted that he had reached out to fire and EMS concerning the on-street parking issue. To date, there had been no fire or EMS complaints, but the officers did note that on-street parking increased by 50% in the evenings. He also explained that the Union County Sheriff’s Office crime mapping product, which the Town utilized, was not working at the moment. The County had outsourced it to another vendor. That vendor would be getting Stallings a quote as to what it would cost to combine Stallings data with that program.

### 3. Agenda Approval

Mayor Dunn recommended adding a closed session pursuant to NCGS 143-318.11(a)(3) and (5) for informational only as Agenda Item 9.A.

Council Member Romanow made the motion to approve the Agenda with the above addition. The motion seconded by Council Member Martin and passed unanimously.

### 4. TX19.02.01

Mayor Dunn opened the public hearing. Town Planner Lynne Hair presented the Council information on TX19.02.01, a request from Terwilliger-Pappas to amend Article 9.4.3 Multi-Family Building

Type Section (A)(4) to allow a building height of 41 feet. The current ordinance allowed 36 feet in building height. Ms. Hair explained that the new small area plans increased density in certain areas of Town but made no changes to the height of structures in the higher density areas. The Zoning Staff Report for TX19.02.01 is attached to these minutes and therefore incorporated herein.

Planning Board and Staff were in support of the request. Staff also suggested the Council consider allowing four stories in those higher density areas in order to accommodate higher ceilings, architectural elements, and elements which were elements of a higher quality project. It was noted that the local fire departments had no concerns with four story buildings.

Craig Miller and Jeff Smith, the developer team, were present from Terwilliger-Pappas to present the project to Council. The presentation by Terwilliger-Pappas is attached to these minutes and therefore incorporated herein.

Billy Birt, Jr., Stonewood Subdivision, questioned if the community would be gated and would be manned by security. He was concerned that this type of project would cause crime.

Larry Falcone, Fairhaven Subdivision, thought this was a good product and that this developer created a quality product. He also felt that the ordinances should allow for higher buildings.

Mayor Dunn then closed the public hearing. Council Member Romanow made the motion to approve TX19.02.01. The motion was seconded by Council Member Martin and passed unanimously.\* Mayor Dunn then read the ordinance into the record which approved TX19.02.01. The Ordinance for TX19.02.01 is attached to these minutes and therefore incorporated herein.

Mayor Dunn then read the Statement of Reasonableness and Consistency for TX19.02.01 into the record. Council Member Romanow made the motion to approve the Statement of Reasonableness and Consistency for TX19.02.01. The Council passed the motion unanimously after a second from Council Members Scholl. The Statement of Reasonableness and Consistency for TX19.02.01 is attached to these minutes and therefore incorporated herein.

\*amended 03-09-2020

##### 5. U-5808 – US 74 and Chestnut Parkway – Superstreet Powder Coating for Mast Arms

Town Manager Sewell explained that NCDOT had approached the Town on potentially paying DOT to powder coat a mast arm pole and two signal head pedestals as part of U-5808. The cost to the Town would be approximately \$1900. Indian Trail was having its poles costed as well.

Council Member Romanow made the motion to approve paying \$1900 to NCDOT to powder coat the pole and signal head pedestals as NCDOT requested. The motion was seconded by Council Member Paxton and passed unanimously.

#### 6. 91.15 Keeping of Certain Animals Prohibited; Exceptions

Town Manager Sewell reminded the Council that there was an ongoing code enforcement situation concerning pot belly pigs at a residence in Fairfield Plantation. The Town had initially received a complaint about two pigs in that subdivision. The owner had reported that the pigs were kept as pets. Fairfield Plantation HOA determined that its rules allowed the pigs. However, Section 91.15 of the Town's Ordinances prohibited the pigs on residentially zoned parcels.

Ms. Somerset, owner of the pot belly pigs in question, stated that the neighborhood agreed that the pigs were not a nuisance. The pigs were behind a six-foot privacy fence and were not loud. The county did not prohibit pot belly pigs. She also noted that the person complaining about the pigs had not been at any meeting.

Council Member Paxton made the motion to do nothing and not to amend the Town ordinances to allow the pigs. The motion died for lack of a second. The Council took no other action on this item, therefore making no changes to the Town's ordinances.

#### 7. Blasting Ordinance

Council Member Martin explained that he had heard from residents in a few different neighborhoods that existing blasting across I485 had affected residents. As there may be potential blasting at closer projects on Stevens Mill, residents had concerns over potential damage, notification, etc. Union County had an ordinance concerning blasting. Council Member Martin would like Council to discuss the need of creating a blasting ordinance for Stallings.

Jeff Kissinger, 1222 Hawthorne Drive, stated that the company VCE, a survey company which provided developers with a survey of property pre-blast and after blast, had contacted him. He checked with Union County and there was no permit for blasting in the area. Other municipalities had ordinances regarding blasting in addition to Union County. Mr. Kissinger was worried about the ripple effect from blasting.

Council Member Martin felt it was something to consider when approving developments near residential areas.

8. 2019-20 Council Priorities – Action Items

Town Manager Sewell went over the 2019-2020 Council Priorities. The Council held consensus to approve the final draft. The 2019-2020 Council Priorities are attached to these minutes and therefore incorporated herein.

9. Police Chief Hiring Process

Town Manager Sewell explained with the approaching retirement of the Police Chief, he suggested the Council consider an outside firm to assist to in finding a replacement. He suggested Developmental Associates from Chapel Hill, NC. Mr. Sewell walked the Council through the proposed process. Developmental Associates would provide this service for a cost of \$17,500.

Council held consensus to use Developmental Associates to assist the Town Manager in the selection process of the new Police Chief.

9.A. Closed Session Pursuant to 143-318.11(a)(3) and (5)

Council Member Scholl made the motion to go into closed session pursuant to 143-318.11(a)(3) and (5). The motion was seconded by Council Member Romanow and passed unanimously.

*Council went into closed session at approximately 8:53 p.m. and returned to open session at 9:20 p.m.*

Town Manager Sewell announced that two (2) letters of interest had been received for the District Seat 5 open vacancy.

10. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Martin, and the motion received unanimous support. The meeting was adjourned at 9:23 p.m.

Approved on April 8, 2019.

*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