



BOARD OF ALDERMAN

Monday, September 11, 2023 at 6:00 PM
Landis Board Room

MINUTES

PLEASE SILENCE ALL CELL PHONES

Present: Mayor Meredith Smith, Mayor Pro-Tem Ashley Stewart, Alderman Darrell Overcash, Alderman Tony Corriher, Alderwoman Katie Sells

Staff Present: Town Manager Michael Ambrose, Human Resources Director/Town Clerk Madison Stegall, Town Attorney Rick Locklear, Finance Director Jeneen McMillen, Deputy Town Clerk Angie Sands, PZ&S Administrator Rick Flowe, Fire Chief Jason Smith

1. INTRODUCTION:

1.1 Call Meeting to Order

Mayor Smith called the meeting to order at 6:00 PM.

1.2 Welcome

Mayor Smith welcomed those in attendance.

1.3 Proclamation: Patriot Day 2023

Mayor Smith presented the 2023-Patriot Day Proclamation and Fire Chief, Jason Smith, honored those fallen with the Ringing of the Bells ceremony to symbolize the devotion that these brave souls had for their duty.

1.4 Moment of Silence and Pledge of Allegiance

Mayor Smith led those present in a Moment of Silence and the Pledge of Allegiance.

1.5 Adoption of Agenda

ACTION: A MOTION WAS MADE TO ADOPT THE AGENDA AS PRESENTED.

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

2. CONSENT AGENDA:

All items below are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will be no separate discussion on these items unless an Aldermen member so requests, in which event, the item will be removed from the Consent Agenda and placed in the appropriate corresponding Agenda Section to then be considered.

ACTION: A MOTION WAS MADE TO ADOPT THE CONSENT AGENDA AS PRESENTED.

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

2.1 Consider Approval of Regular Scheduled Meeting Minutes from August 14, 2023, and Special Called Meeting Minutes from August 24, 2023

2.2 Consider Approval of Amended Martin Starnes and Associates Contract

2.3 Consider Approval of ARPA Resolution Accepting the Funding Offer of \$400,000 and Consider Approval of Authorizing Town Manager to Sign the Corresponding Funding Offer Acceptance, ARPA Engineering Services Procurement Certification, and the Landis Sales Tax Certification

3. PUBLIC HEARINGS:

3.1 Consider Public Legislative Hearing to Hear Comments on a Draft Development Agreement with Developers of Kimball Landing Townhome Project

Planning, Zoning, and Subdivision Administrator, Rick Flowe, gave a brief overview of the Draft Development Agreement.

ACTION: A MOTION WAS MADE TO OPEN THE PUBLIC LEGISLATIVE HEARING TO HEAR COMMENTS ON A DRAFT DEVELOPMENT AGREEMENT WITH DEVELOPERS OF KIMBALL LANDING TOWNHOME PROJECT.

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

No Comments or Questions were made.

ACTION: A MOTION WAS MADE TO CLOSE THE PUBLIC LEGISLATIVE HEARING TO HEAR COMMENTS ON A DRAFT DEVELOPMENT AGREEMENT WITH DEVELOPERS OF KIMBALL LANDING TOWNHOME PROJECT.

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

ACTION: A MOTION WAS MADE TO ADOPT ORDINANCE #DA-2023-09-11 AND THE DEVELOPMENT AGREEMENT FOR THE KIMBALL LANDING TOWNHOME PROJECT.

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

3.2 Consider Public Legislative Hearing for Zoning Map Amendment (rezoning) Request - 630 Kimball Road

Planning, Zoning, and Subdivision Administrator, Rick Flowe, gave a brief overview of the Zoning Map Amendment Request (rezoning) for 630 Kimball Road. Mr. Flowe expressed that This Zoning Map Amendment was a unanimous recommendation from the Planning Board.

ACTION: A MOTION WAS MADE TO OPEN THE PUBLIC LEGISLATIVE HEARING FOR ZONING MAP AMENDMENT (REZONING) REQUEST – 630 KIMBALL ROAD.

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

No Comments or Questions were made.

ACTION: A MOTION WAS MADE TO CLOSE THE PUBLIC LEGISLATIVE HEARING FOR ZONING MAP AMENDMENT (REZONING) REQUEST – 630 KIMBALL ROAD.

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

ACTION: A MOTION WAS MADE TO ADOPT ORDINANCE #ZMA-2023-09-11 TO AMEND THE OFFICIAL ZONING MAP.

Moved by Ashley Stewart, seconded by Katie Sells

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

4. CITIZEN COMMENTS:

All citizen comments are limited to 3 minutes.

4.1 Citizens' Comments

- Nadine Cherry- 410 W. Garden Street

“I would like to know why town residents are still allowed to put or pile objects onto the sidewalks in town. I do remember when Brandon Lynn was here. I believe he talked about having to have a meeting with all citizens before a certain date, which I do not remember exactly when it is supposed to be done, about things that should or shouldn't be done. As for as who is running for reelection or election, you will not receive a vote from me the way you have treated me. Mayor Smith, remember the day of the retreat back in March? You told me if I did not go out you were going to call the police on me, and that time period was lunch break. I felt I had every right to sit into the Board Room rather than have to go outside and stay in the heat. Yes, I have every intention of

going outside during the ‘Executive Session.’ Mayor Pro-Tem Stewert, also during the retreat, I raised my hand not being able to hear what was being said. The remark you made ‘you can’t hear someone 6ft away?’ Alderwoman Sells, if you will remember me texting you about the phone system not working at the side of the police station when I tried to use it. You stated to call the Couty and make another complaint. You just don’t want to use the microphone like you are supposed to. Mayor Smith, Mayor Pro-Tem Stewart, and Alderwoman Sells, I could go on and on, you just don’t get it. Have a nice evening.”

- David Roberts- 506 North Central Avenue

“My wife, Gay Roberts, and I are part of the Leadership Team of the South Rowan Public Schools BIBLE Teaching Association. Our Association raises funds to reimburse Rowan Salisbury Schools for the salary and fringe benefits paid by them to our 2 full-time BIBLE teachers, Bertha Flores and Emily Griggs, who teach classes in "BIBLE History" at J.C. Carson High School, South Rowan High Schools, Corriher-Lipe Middle School in Landis, and China Grove Middle School. We have been encouraged to offer BIBLE classes at Southeast Middle School, a long-range goal of our Association.

Our Association offers 3 major fundraising events each school year. The first event is the "Run for the word 5-K Race" which was held this past Saturday Morning, September 9, at Trinity Lutheran Church in Landis. The second fundraiser is the "Fall BIBLE Golf Tournament" to be held at Irish Creek Golf Course in Kannapolis, scheduled for Monday, October 30. The third fundraiser is the "L.D. Gray Memorial Spring BIBLE Banquet" or " Drive-thru Barbecue Chicken Dinner" to be held at First Reformed Church in Landis on Thursday, May 9, 2024.

Please allow me to express our sincere thanks to the Town of Landis Board of Aldermen, to Madison Brown, Kevin Young, and Joe Halyburton, as well as the entire staff of Landis Police and Fire Departments, for their leadership in working with our team in planning and executing a safe and well executed 5-K race fundraiser on Saturday morning. We were praying for favorable weather, for many runners, walkers and volunteers to participate in this event, and for everyone to be well pleased with this final results. God was faithful in answering all of our prayers. Many of the runners, walkers and volunteers made glowing comments about the event and the great job that the Landis Police & Fire personnel and their volunteers did in making the Saturday race a safe and very special event for them.

Landis Mayor Meredith Bare Smith greeted the runners and walkers prior to the start of the race, and her appearance and comments of encouragement were meaningful to those in attendance. Thanks again for ALL that the Town of Landis contributed to the success of our BIBLE Teaching ministry in the local public schools. Very much appreciated. Best wishes.”

5. CONSIDERATIONS:

5.1 Consider Approval of South Zion Street Speed Bumps

Town Manager Ambrose expressed to the Board that this item is being brought back from the August agenda in order to finalize a purchase for speed bumps to place on South Zion St. Manager Ambrose stated that staff recommends the HoF Equipment speed bumps for purchase (four (4) in total).

Alderman Overcash asked if appropriate signage would be purchased as well. Manager Ambrose stated that it would be.

ACTION: A MOTION WAS MADE TO PURCHASE FOUR (4) SPEED BUMPS FROM HoF EQUIPMENT ALONG WITH THE PURCHASE OF APPROPRIATE SIGNAGE.

Moved by Ashley Stewart, seconded by Katie Sells

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

5.2 Consider Approval of Akers Residence Demolition for D.C. and Frances Linn Park

Town Manager Ambrose stated that the Passive Park Committee has requested quotes for the demolition of the Akers Residence. Staff reached out to several vendors, and only received three quotes for a total demolition of the residence. The three quotes were from Carolina Demolition & Tank Removal for \$6500 plus landfill fees, Bob's Backhoe and Bobcat for \$8600 plus landfill fees, and Thompson Grading & Hauling Inc for \$9500 plus landfill fees. Staff recommend moving forward with Carolina Demolition & Tank Removal as they are the most cost effective.

Mayor Smith stated that she has been in contact with Vicki Akers letting her know about this demolition so that the family may remove any items they wish from the house.

ACTION: A MOTION WAS MADE TO APPROVE AWARDING THE DEMOLITION TO CAROLINA DEMOLITION & TANK REMOVAL IN THE AMOUNT OF \$6,500 FOR THE DEMOLITION OF THE AKERS RESIDENCE FOR THE PURPOSE OF MOVING FORWARD WITH THE D.C. AND FRANCES LINN PARK.

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

5.3 Consider Approval of Grant Funding

Town Manager Ambrose communicated to the Board that the Town is in the process of applying for multiple grants that will be significantly helpful for the Town's water, sewer, and stormwater.

ACTION: A MOTION WAS MADE TO APPROVE GRANTING THE TOWN MANAGER THE APPROVAL TO APPLY FOR GRANTS THROUGH STATE ARPA AND DEQ FUNDING SOURCES.

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

ACTION: A MOTION WAS MADE TO APPROVE AND ADOPT THE RESOLUTION BY THE BOARD OF ALDERMAN OF THE TOWN OF LANDIS TO APPLY FOR FUNDING FOR THE STORMWATER PLANNING GRANT AND THE PATTERSON ROAD-FLAT ROCK ROAD WATER LINE.

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

ACTION: A MOTION WAS MADE TO APPROVE AND ADOPT THE RESOLUTION ADOPTING THE UPDATED TOWN OF LANDIS' WATER AND WASTEWATER 10-YEAR (2023/24 – 2032/33) CAPITAL IMPROVEMENTS PLAN.

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

ACTION: A MOTION WAS MADE TO APPROVE AND ADOPT THE RESOLUTION ADOPTING THE UPDATED TOWN OF LANDIS' WATER AND WASTEWATER SYSTEM ASSET MANAGEMENT PROGRAM.

Moved by Ashley Stewart, seconded by Katie Sells

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

5.4 Consider Awarding the Substation Breakers Bid to Myers Controlled Power

Town Manager Ambrose expressed to the Board that this was a sealed bid submitted. Staff recommend awarding the Substation Breakers Bid to Myers Controlled Power in the amount of \$90,504.00 (plus applicable sales tax). This component is part of the 12KV conversion which was a part of the initial budget. Manager Ambrose explained that this is a lengthy process to receive these breakers back, and this could potentially run into the next fiscal year. Staff need approval to move forward with this process.

ACTION: A MOTION WAS MADE TO APPROVE AWARDED THE SUBSTATION BREAKER BID TO MYERS CONTROLLED POWER IN THE AMOUNT OF \$90,504.00 (PLUS, APPLICABLE SALES TAX).

Moved by Ashley Stewart, seconded by Katie Sells

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells

6. REPORTS:

6.1 Departmental Reports (Included in the Board packet)

6.2 Financial Report (Included in the Board packet)

6.3 Town Manager Report (Included in the Board packet)

7. UPCOMING EVENTS:

7.1 - Friday, September 22nd: Touch-A-Truck Event 5:00-7:00 PM: Downtown Landis Future D.C. & Frances Linn Park.

- Thursday, October 5th: Board of Aldermen Work Session 5:30 PM: Landis Board Room

- Monday, October 9th: Board of Aldermen Regular Meeting 6:00 PM: Landis Board Room

- Tuesday, October 10th: Planning Board Meeting 6:00 PM: Landis Board Room

- Thursday, October 26th: Community Blood Drive with OneBlood: Landis Town Hall

- Saturday, October 28th: Fall Festival & Trunk or Treat 2:00-6:00 PM: Downtown Landis

8. CLOSING:

8.1 Board Comments

No Board Comments were made.

8.2 Motion to Adjourn

ACTION: A MOTION WAS MADE TO ADJOURN THE MEETING.

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher Katie Sells



Respectfully Submitted,

Madison T. Stegall, Town Clerk