



BOARD OF ALDERMAN

Monday, June 10, 2024 at 6:00 PM

Landis Board Room

MINUTES

PLEASE SILENCE ALL CELL PHONES

Present: Mayor Meredith Smith, Mayor Pro-Tem Ashley Stewart, Alderman Tony Corriher, Alderman Ryan Nelms

Staff Present: Town Manager Michael Ambrose, Finance Director Jeneen McMillen, HR Director/Town Clerk Madison Stegall, Deputy Town Clerk Angie Sands, Town Attorney Rick Locklear, Planning, Zoning & Subdivision Administrator Rick Flowe, Police Chief Matthew Geelen, Fire Chief Jason Smith, Public Works Director Blake Abernathy, Parks & Recreation Director Jessica St.Martin, NC Lead Fellow Robert Shinn

Absent: Alderman Darrell Overcash

1. INTRODUCTION:

1.1 Call Meeting to Order

Mayor Smith called the meeting to order at 6:01 PM.

1.2 Welcome

Mayor Smith welcomed those in attendance.

1.3 Moment of Silence and Pledge of Allegiance

Mayor Smith led those in attendance in a moment of silence and Pledge of Allegiance.

1.4 Adoption of Agenda

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

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: 3-0

Voting For: Tony Corriher, Ashley Stewart, Ryan Nelms

2. PRESENTATIONS:

2.1 Eagle Scout Project Recognition (Lachlan Jackling)

Parks and Rec Director Jessica St.Martin gave a brief overview of Lachlan Jackling's project that he completed at Lake Corriher Wilderness Park. Lachlan is a member of Troop 254 in Kannapolis. Lachlan fabricated and installed three metal signs centered on nature awareness for his Eagle Scout project, along with some help from his fellow Boy Scouts. These signs were placed throughout Lake Corriher Wilderness Park. Mayor Smith recited and presented Lachlan with a resolution to thank Lachlan for his contribution to Lake Corriher Wilderness Park and to congratulate him on his achievement of Eagle Scout.

3. PUBLIC HEARINGS:

3.1 Consider Public Legislative Hearing and Approval of Annexation and Zoning for Keller Property on Mt. Moriah Church Road

Planning, Zoning, & Subdivision Administrator Rick Flowe gave a brief overview of the Annexation and Zoning for Keller Property on Mt. Moriah Church Road. The property is about 22 acres. The front portion is already in the Town limits, and zoned SFR2. The petitioner applied for a MU2 designation. The Planning Board recommended MU1.

ACTION: A MOTION WAS MADE TO OPEN PUBLIC HEARING OF ANNEXATION AND ZONING FOR KELLER PROPERTY ON MT. MORIAH CHURCH ROAD.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

Public Hearing Comments:

- Joseph Keller 5830 Wright Road- "Members of the Board, Mayor and citizens, I appreciate your time coming out tonight. We've had rumors of people saying we were going to open a quarry, and that's just far from the truth and we believe it's just vindictive. What we're planning on is making the highest and best use out of this property, it's just going to be great for the Town of Landis for homes, townhomes, it will be a great addition. I appreciate you guys accepting me."
- LuAnn Barnes 1245 Mt. Moriah Church Road- "Are we able to ask questions here in this or can we only speak?"
Mayor Smith commented "Every Public Hearing is different. It's kind of to my discretion. We do not talk back during citizen comments. Public Hearing is a little different, because if you have questions Mr. Flowe may answer, the developer may answer, it really depends on what it is and if it's already been answered or outlined. You're more than welcome to ask the question and we can go from there. Just don't be offended if I can't answer the question right away."
Luann Barnes- Can anyone explain what MU1 and MU2 in tells?

Mayor Smith made an announcement to those in attendance stating that "we worked hard in 2020, and when I say we, the previous Board along with Mr. Nelms, who has been on our Planning Board for quite some time. The town had zero standards when I was elected in 2019. We tried to make things look better. For example: if it was a single-family resident sitting on a one-acre lot, and the whole street looked like that, we kept it like that. We zoned it that way. I want the citizens to understand when

things are sold in town that are already zoned, it does not have to come before the Board to be zoned again. There is nothing we can do about that if it meets the requirements. We can't stop growth."

Mr. Flowe gave a brief overview of the differences between MU1 and MU2. He also spoke about watershed. The watershed regulations establish a maximum density in that area. The water reservoir is right on the back side of the property. MU1 and MU2 has no difference in the conventional criteria. MU2 has more rights for stores and shops, MU1 is predominately residential with some small-scale corner coffee shops. The watershed aspect sets the maximum number of units that you can do when you're a certain distance from the reservoir.

Mayor Smith gave a brief overview of the work that went into adopting the standards for development for the Town of Landis.

- Joshua Reynolds 1040 Lake Drive- "Hello, I'm Joshua Reynolds, I own property in Lakewood Acres, and I'm here kind of representing Mig Dial, what kind of timeline you are talking about, before you start working."

Joseph Keller stated, "That's not been determined yet."

Joshua Reynolds continued "Well I just wanted to speak out loud that if some way there's some consideration that could be made for a little bit of privacy during the construction for Miggie Dial. When South Rowan opened, she was one of the very first teachers there. She's been dedicated to this town beyond belief, she's such a super citizen, she should get a statue of herself. There's just a small window where there's open space there, but most of it the woods are blocking. I know he's a good contractor, I've done work in his house, Morgan Demolition vouches for him, he's got smart guys he can deal with the water, nothing's going to be dumping over in our land. I just would like some small considerations for her, it's just a tough situation, it's like one of her worst nightmares having a bunch of houses and apartments just come on her and she's at the end of life. So, just some type of cheap landscaping or some kind of barrier so it's not like forced in her face every second. That seems odd but I didn't know the timeline of the construction. There's one last elderly lady in the area if you could not bust the tree line completely out so she doesn't have a natural blockage. Those are just the small things I'd like to mention. I did a lot of research, I saw that the dominos are already falling, there's no reason to be a jerk about anything. It's all good intent, it is going to hurt a lot of people when it comes to property values getting raised considering the population is 89% just regular working-class folks. If you start popping the property rates up and we're rooted down, it hurts you bad."

Mayor Pro Tem Ashley Stewart asked Mr. Flowe to speak on standards and specifications on borders, privacy, setbacks, landscaping standards, etc.

Mr. Flowe stated that "The governing Board does not exercise any discretion when selecting these sorts of materials. The Board sets the policy, and the bar has been set really high. The standards in the ordinance apply, regardless of who owns it or anything of that nature. We've not received any plans for this, there's nothing on paper that we've seen. There's not any need to worry that somethings going to get skipped."

- Tichicus Wilson 275 Rollingwood Ave.- “I just want to know how that is going to affect the area.” (a map of the property was presented, and participants pointed out the areas of discussion.)

Mayor Smith, I think that that is in the watershed area.

Mr. Flowe stated “yes, that is the watershed area and will be protected by the required buffers.”

ACTION: A MOTION WAS MADE TO ADJOURN PUBLIC HEARING ANNEXATION AND ZONING FOR KELLER PROPERTY ON MT. MORIAH CHURCH ROAD.

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

ACTION: A MOTION WAS MADE TO APPROVE ORDINANCE #ANNEX 2024-06-10 INCORPORATING KELLER PROPERTY ON MT. MORIAH CHURCH ROAD INTO VOLUNTARY ANNEXATION.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

Alderman Ryan Nelms asked if there had been a community meeting yet.

Mr. Flowe stated that that is a requirement for rezoning, but for initial zoning it has not been a requirement in the past. Any change would necessitate a rezoning and that’s what triggers the neighborhood meeting.

Mayor Pro Tem Ashley Stewart added on the topic of initial zoning. “With the zoning request from the Planning Board being MU1, and with the front Mt. Moriah Church Road facing property that’s currently within the bounds of the Town sitting as an SFR2, logically from a deduction standpoint what I personally think that would be a right move of consideration would be initially zoning the property as what the portion that is already within the Town limits is (SFR2), then go back to the Planning Board for reconsideration and rezoning to allow that opportunity to have the neighborhood meeting.”

Rick Flowe stated that is certainly an option. “That’s actually a good idea, what that would do is enable the applicant to look at any conditions that they are willing to self-impose on the property. We can’t impose conditions. Conditionally zoning is only available upon the request of the applicant. Usually when they want to get the density and are willing to forgo some other privileges to get the density. In this case, the zoning says spread it out, but the watershed rules say compact it, so, a mixed use with conditions might allow for the best of all worlds and avoid any fears that anyone has. That takes about 60-75 days.”

Mayor Pro Tem Ashley Stewart “I think that would be more diligent from a posturing standpoint within the community and would allow citizens time to gain more comfort with the intent of the property and the differences between SFR2 and MU1 along with the watershed. It’s my recommendation Mayor and Board that consistent with us annexing the property in tonight, that we set the initial zoning at SFR2.”

Alderman Ryan Nelms agreed with Mayor Pro Tem Stewart and added that “when looking at the neighborhoods around the property, with the lot sizes if they were being annexed into Landis, they

would also be SFR2. I think just like any neighbor coming in, meeting your neighbors will do some good and might help in the long run.”

Mayor Smith added that “The Board has done a lot of annexations and rezonings. One example of a rezoning is on Old Beatty Ford Road where there was 140 acres zoned industrial, and when everyone in the front sold out, we zoned it the same way, we didn’t change it. The Board zoned it to what it was matching up to. So, I do think this would be a little more aesthetically pleasing to people, and then the developer can come back in and make that zoning change if needed.”

ACTION: A MOTION WAS MADE TO APPROVE ORDINANCE #ZMA-2024-06-10 ALLOCATING THE INITIAL ZONING FOR THE KELLER PROPERTY AS SFR2.

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 3-0

Voting For: Ashely Stewart, Ryan Nelms, Tony Corriher

3.2 Consider FY25 Budget Ordinance Public Legislative Hearing and Approval of FY25 Budget Ordinance

Town Manager Michael Ambrose gave a brief overview of the proposed FY25 Annual Operating Budget.

ACTION: A MOTION WAS MADE TO OPEN PUBLIC LEGISLATIVE HEARING FOR FY25 BUDGET ORDINANCE.

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 3-0

Voting For: Ashley Stewart, Ryan Nelms, Tony Corriher

Public Hearing Comments:

- Nadine Cherry 410 West Garden Street- “As I remember back during the first Budget Hearing earlier this year the police officers were awarded a raise, which if I remember correctly started the next pay day regardless if I say I approve or disapprove this budget, you are going to pass it. I only received a copy of the proposed budget last Thursday and have not really had a chance or time to completely look over it.”

Mayor Smith – “Ms. Cherry, that was last fiscal year not this year for the police raises.”

Mayor Pro Tem Ashley Stewart asked Town Manager Michael Ambrose to give some key highlights on the budget.

Town Manager Michael Ambrose commented that “Last year the Town tax rate was reduced by .04 cents from .53 cents to .49 cents. This year the Town is keeping that same rate at .49 cents. The Town is not raising taxes and keeping the level of service. This budget ordinance recommended a 4% COLA, and a 2% Merrit increase. A couple of different things the Town has done this year is we’ve completed a lot of capital projects throughout the town. Next year we want to try to revamp the outside of the Town Hall building. There is still \$105,000 left in the old ARPA account. The Town wants to increase our Code Enforcement Clean up to make the Town look better. We are adding a Planning Technician Position as well. Again, not raising the tax rate for that. The Police have requested 2 additional new Police vehicles and will be increasing their training quality with the federal training standards, again

that's all being done with Grant money. We have increased our training and education with the Fire Department. The new Fire Engine is being contributed to with ARPA money as well. The Fire Department is getting a new washer and dryer for their turn out gear."

Mayor Pro Tem Ashley Stewart asked if both Police and Fire had a full roster.

Mr. Ambrose answered, "That's correct, we are at capacity for both departments." Manager Ambrose continued, "In our Street Department we will begin our sign change out. They replaced a lawn mower, increased our beautification in our downtown revitalization, and the Town has received a lot of State Appropriation money and grant funding this year and last year. The mayor has done a great job of helping us get there with that. Thank you, Mayor. The Waste Pro contract sanitation and landfill costs are increasing by \$2.00 per ton. Parks and Rec would like to add the mini splits to the cabins at Lake Corriher Park, replace pool concrete, and add new swings including an ADA approved swing set. We have a substantial amount of debt service \$780,000, 1.3 million for the Town Hall renovations done back in 2007 that the Town currently pays \$60,025 annually in principal and interest. Water and Sewer is our biggest issue right now. We are raising the rate by 50 cents just for outside the town limits citizens. SRU is increasing their costs by 3 1/2 %. Also, a connection fee will be added for developers to help the town offset those costs."

Alderman Ryan Nelms asked to clarify that the town is not raising any water rates for citizens.

Mr. Ambrose answered, "No water or sewer rates will increase for citizens living inside city limits."

Mayor Smith added, "And we are not raising taxes."

Mayor Pro Tem Ashley Stewart added, "And we have a long-term contract that is coming up for negotiation with SRU."

Mr. Ambrose stated "That's correct. The town's 40-year contract is coming up for renewal for SRU, we have already begun working on that as well. We have several bonds with our Water and Sewer Department. The Water bond is \$5 million, NCDEQ bond \$170,000 remaining, Sewer bond \$2.2 million with interest, and a Sewer Improvement which is \$46,970 remaining. Our Storm Water funds, the fees, will remain the same, \$5 for residential and \$10 for commercial. The electric funds, these rates are based on the cost-of-service study through Electricities. The average resident of the Town of Landis will receive a .03% increase to their tax bill for electric rates and that's per wattage. Following the cost-of-service study we are also requesting a new A class lineman for that position, that way we have two full crews when we have outages and line conversions. This will limit our down time, we can get back online faster with two crews, also do more line conversion work for 12kv which will reduce the cost to citizens once it gets completed. That started in 1980 and is looking to wrap up in 2026. This will substantially reduce the cost of power once that project gets completed."

Mayor Pro Tem Ashley Stewart asked where the town was at on the fund balance percentage to where we are entering in the new fiscal year.

Mr. Ambrose stated that when the Board members came into office the town was at a 6% fund balance, and the town is currently around 82% fund balance.

ACTION: A MOTION WAS MADE TO CLOSE PUBLIC LEGISLATIVE HEARING FY25 BUDGET ORDINANCE.

Moved by Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 3-0

Voting For: Ashely Stewart, Ryan Nelms, Tony Corriher

ACTION: A MOTION WAS MADE TO APPROVE THE FY25 ANNUAL OPERATING BUDGET ORDINANCE.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

4. 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 APPROVE THE CONSENT AGENDA AS PRESENTED.

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 3-0

Voting For: Ashley Stewart, Ryan Nelms, Tony Corriher

- 4.1 Consider Approval of Regular Scheduled Meeting Minutes from May 13, 2024**
- 4.2 Consider Approval of FY25 Pay Scale with COLA Increases**
- 4.3 Consider Approval of Amended Water and Sewer Ordinance #W&S-2024-06-10**
- 4.4 Consider Approval of Budget Amendment #22 Reallocating Funds from the Police Foundation to the General Fund for the Shop with a Cop Event**
- 4.5 Consider Approval of the N Focus FY25 Contract**
- 4.6 Consider Awarding Asphalt Repair Bid for Kimball Road**
- 4.7 Consider Approval for the Police Department to Apply for a Gary Sinse Grant to Purchase Rifle Plates for Police Vests**
- 4.8 Consider Approval for the Fire Department to Apply for a Dickey Foundation Grant to Purchase Ten Sets of Fire Turnout Gear**

5. ORDINANCES/RESOLUTIONS:

5.1 Consider Approval of Annexation Initiation for Properties Located on Old Beatty Ford Road

Planning, Zoning, & Subdivision Administrator Rick Flowe gave a brief overview of the Annexation Initiation of Properties located on Old Beatty Ford Road. Two – Ten Investors purchased Parcel ID 133 236, 133 237, and 133 123. Two – Ten Investors purchased these properties so that they can move the buffer area into the area that had some big trees instead of having to plant and wait for them to grow.

ACTION: A MOTION WAS MADE TO SCHEDULE PUBLIC LEGISLATIVE HEARING FOR JULY 15, 2024, AT 6:00 PM.

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 3-0

Voting For: Ashley Stewart, Ryan Nelms, Tony Corriher

6. CITIZEN COMMENTS:

All citizen comments are limited to 3 minutes.

6.1 Citizens' Comments

- Nadine Cherry - 410 W. Garden Street:

“Mayor Smith, last Thursday during the Workshop meeting when the Fire Chief went to the podium to speak, he did not adjust the microphone to his height. So technically he was not speaking into the microphone and at that time I raised my hand signaling you. I could not hear, understand what he was saying. You totally disregarded my hand being raised. I alternated between having my left hand and right hand being raised. This went on for over an hour, my hand being raised. Before you adjourned the meeting you made the statement ‘At this time, I would like to make this very clear, in this board room if we as a board member can hear what is said at that microphone or by anyone speaking into a microphone it is going to stand as being heard.’”

7. CONSIDERATIONS:

7.1 Consider Approval of Sanitation Contract

ACTION: A MOTION WAS MADE TO APPROVE WASTE PRO CONTRACT AT \$11.19 PER CAN.

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

7.2 Consider Awarding Sidewalk Replacement Bid

ACTION: A MOTION WAS MADE TO AWARD THE SIDEWALK REPLACEMENT BID TO ROGER NEWTON CONCRETE IN THE AMOUNT OF \$51,250.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

7.3 Consider Awarding South Upright Street Basin Sanitary Sewer Rehabilitation Project Bid

ACTION: A MOTION WAS MADE TO AWARD SOUTH UPRIGHT STREET BASIN SANITARY SEWER REHABILITATION PROJECT TO LOCK-LANE \$1,698,220.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

7.4 Consider Awarding Patterson Road/Flat Rock Road Waterline Project Bid

ACTION: A MOTION WAS MADE TO AWARD MUNICIPAL ENGINEERING THE PATTERSON ROAD/FLAT ROCK ROAD WATERLINE PROJECT.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For Ashley Stewart, Tony Corriher, Ryan Nelms

7.5 Consider Awarding FY24 Paving Project Bid

Town Manager Michael Ambrose gave a brief overview of the project. Mr. Ambrose clarified that the project would be funded through Powell Bill Funds and the full amount of the project is \$217,233.19. The roads on this project were identified by our last SEPI review to be paved.

Mayor Pro Tem Ashley Stewart asked what procedure would be used for paving.

Public Works Director Blake Abernathy gave a brief overview of the scope of work that would be done. He explained that it will be the mill and fill process where an inch and a half to two inches of the existing surface layer would be removed (milled) and then filled with a new layer of asphalt and put fog seal down. There are some areas that will need a full fill to replace utility cuts and things of that nature so that the top layer that goes back on is smooth.

Mayor Pro Tem Stewart commented that would be much longer term than what was done a year or two ago on certain streets in town that were halted.

Public Works Director Abernathy stated that was correct and we are hoping for more longevity.

Town Manager Ambrose added that the work is projected to start September of 2024 and it could spill over into October based on their paving schedule.

Mayor Pro Tem Stewart asked if he mind speaking for the citizens as far as the streets that are allocated on this year's allocation.

Public Works Director Abernathy gave a brief overview of the streets that are on the list. Tranquil Lake, Lake Drive, Lawing Dr, S. Moriah St., N. Moriah St.

Mayor Smith added that the DOT had reached out to Mr. Ambrose and herself about E. Ryder and W. Ryder and those roads will begin being worked on starting in September of 2024 as well. These two roads will be state DOT funded.

ACTION: A MOTION WAS MADE TO AWARD FY24 PAVING PROJECT BID TO NJR GROUP.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

Mayor Smith added that the Patterson Road/Flat Rock Road Waterline Project is being funded by the state, no funds were coming from the town.

Town Manager Ambrose added that the vehicle tag fee is listed out separately in the budget this year, so there will be more sidewalks that will be able to be repaired. The citizens will actually be able to see exactly where their vehicle tag fee dollars are going now.

7.6 Consider Approval of Installing 8 Sewer Taps for the Kimball Landing Townhomes

Public Works Director Blake Abernathy gave a brief overview of installing 8 sewer taps for Kimball Landing Townhomes. Mr. Abernathy explained that the taps being installed are deeper than the town has the capacity to put them. They range from 8 – 12 feet deep, which exceeds our ability according to OSHA guidelines. Staff recommend Carolina Siteworks for this bid due to previous work they have done for the town.

Manager Ambrose added that this work will be paid for by the developer.

ACTION: A MOTION WAS MADE TO AWARD INSTALLING 8 SEWER TAPS FOR KIMBALL LANDING TOWNHOMES BID TO CAROLINA SITEWORKS.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

ACTION: A MOTION WAS MADE FOR BUDGET AMMENDMENT #1-2025.

Moved By Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

8. REPORTS:

8.1 Departmental Reports (Included in the Board packet)

8.2 Financial Report (Included in the Board packet)

8.3 Town Manager Report (Included in the Board packet)

9. UPCOMING EVENTS:

9.1 Upcoming Events (Included in the Board packet)

Mayor Smith gave a brief overview of upcoming events. We had a great Cruise In on Friday June 7th. The Planning Board Meeting was changed from June 11th to June 18th at 6:00 PM. The town will have a Blood Drive on Friday June 14th located in the Parkdale Parking lot. Landis Town Hall will be closing at 12 noon on June 28th to close the year.

10. CLOSING:

10.1 Board Comments

Mayor Smith commented that she appreciates all the work that went into the budget preparation. We appreciate staff working with Mr. Ambrose on the budget, I know it's not easy and it's tiresome, and you've put a lot of late nights in. We want to thank Mr. Ambrose, Mrs. McMillen, Ms. Stegall, and Ms. Sands. We are very grateful for the progress we have made in Landis; we have come a long way in 5 years. I am happy to report in Landis that good things are happening.

10.2 Motion to Adjourn

ACTION: A MOTION WAS MADE TO ADJOURN AT 7:15 PM.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

Respectfully Submitted,

Madison T. Stegall, Town Clerk