



## BOARD OF ALDERMAN

Monday, December 09, 2024 at 6:00 PM

Landis Board Room

### MINUTES

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#### PLEASE SILENCE ALL CELL PHONES

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

**Staff Present:** Town Manager Michael Ambrose, Finance Director Jeneen McMillen, HR Director/Town Clerk Madison Stegall, Deputy Town Clerk Maddalyn Shuffler, Police Chief Matthew Geelen, Fire Chief Jason Smith, Public Works Director Blake Abernathy, Parks and Rec Director Jessica St. Martin, Town Attorney Rick Locklear

#### 1. INTRODUCTION:+

##### 1.1 Call Meeting to Order

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

##### 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 the Pledge of Allegiance

##### 1.4 Adoption of Agenda

**ACTION:** A MOTION WAS MADE TO ADOPT THE AGENDA AS PRESENTED WITH THE ADDITION OF ITEM 6.5 CONSIDER APPROVAL OF THE FINAL CHANGE IN THE ARPA GRANT PROJECT ORDINANCE.

Moved by: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting for: Ashley Stewart, Tony Corriher, Ryan Nelms, Darrell Overcash

## 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.*

- 2.1 **Consider Approval of Meeting Minutes from November 12, 2024, Board of Alderman Special Called Meeting**
- 2.2 **Consider Approval of Text Amendment to Article 23 of the Landis Land Development Ordinance**
- 2.3 **Consider Approval of Adopting a Policy Prohibiting Pornography on Town Networks and Devices and Consider Approval of Corresponding Resolution 2024-12-9-2**
- 2.4 **Consider Approval of Budget Amendment #11 to Increase Fund Balance for the Portion Landis Will Need to Pay for the Kannapolis Wastewater Feasibility Study**
- 2.5 **Consider Approval of Budget Amendment #14 to Reallocate Funds to Cover Expenses Created by Hurricane Helene**

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

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

## 3. PUBLIC HEARINGS:

### 3.1 **Consider Zoning Map Amendment ZMA-2024-12-09 Town-Owned Parcels on Coldwater Street from CIV to SFR-2**

Town Manager Michael Ambrose gave a brief overview of the Zoning Map Amendment on Coldwater Street. The parcel is currently zoned civic and is a Town owned property; the property is being sold to Mr. Jerry Long. The Planning Board brings a unanimous recommendation for this Zoning Map Amendment.

**ACTION:** A MOTION WAS MADE TO OPEN THE PUBLIC HEARING FOR TOWN OWNED PARCELS ON COLDWATER STREET FROM CIV TO SFR-2.

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

No comments were made.

**ACTION:** A MOTION WAS MADE TO CLOSE THE PUBLIC HEARING FOR TOWN OWNED PARCELS ON COLDWATER STREET FROM CIV TO SFR-2.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**ACTION: A MOTION WAS MADE TO APPROVE ZONING MAP AMENDMENT ZMA-2024-12-09 TOWN-OWNED PARCELS ON COLDWATER STREET FROM CIV TO SFR-2.**

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**3.2 Consider Approval of Master Sign Plan for First Reformed Church of Landis**

Town Manager Michael Ambrose gave a brief overview of the Master Sign Plan for First Reformed Church of Landis. There was a variance on this property due to the sight triangle on some of their signs, however, there is very minimal impact. This sign plan is unanimously passed by the Planning Board as there is very minimal impact from these signs to sight distance.

**ACTION: A MOTION WAS MADE TO OPEN THE PUBLIC HEARING FOR MASTER SIGN PLAN FOR FIRST REFORMED CHURCH OF LANDIS.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**Public Hearing Comments:**

Doug Pierce with Innovative Signs and Graphics for First Reformed Church – “I’m with Innovative Signs and Graphics in Burlington North Carolina. We did all the planning for these signs and attended the Planning Meeting. No comments other than we are available to answer any comments that anyone may have”

No further comments were made.

**ACTION: A MOTION WAS MADE TO CLOSE THE PUBLIC HEARING FOR MASTER SIGN PLAN FOR FIRST REFORMED CHURCH OF LANDIS.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**ACTION: A MOTION WAS MADE TO APPROVE THE MASTER SIGN PLAN FOR FIRST REFORMED CHURCH OF LANDIS.**

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**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 nothing has been put out about the employee that was injured on North Beaver Street a few months ago. To me, this was a workplace accident and should have been reported to OSHA. The Fire that happened at the apartments being built on Mt. Moriah Church Road a few weeks ago, in my searching for information about it, I found where someone called it in about 4:57 AM. I can only imagine

who would have been out at that time in the morning and seen the fire. Here's wishing all Board members a Merry Christmas and a Happy New Year."

- Jerry Long – 1135 Coldwater Street – Mr. Long talked about the East Landis water system. He discussed his discrepancies about the Town owning the East Landis water system and requested information on when the purchase of the water system happened, who the authorizer of the purchase was, and if proper protocols were followed during the purchase. Mr. Long also had questions about an easement that is located off Dial Street.

Mayor Smith explained that board members do not respond to citizens' comments, however, Town Manager Michael Ambrose and Town Attorney Richard Locklear may respond if they wish.

Mayor Pro-Tem Ashley Stewart asked for clarification from Mr. Long about what role he holds in regard to the East Landis water system. Mr. Long explained that he is a customer and the Vice President of the water system.

A discussion was had between Mr. Long, Town Manager Michael Ambrose, Town Attorney Richard Locklear, and Mayor Meredith Smith. The conclusion was made that the questions asked by Mr. Long would be able to be answered during a sit-down meeting between all parties involved at a later date.

## 5. ORDINANCES/RESOLUTIONS:

### 5.1 Consider Approval of the Resolution And Subsequent Capital Project Ordinance of Tentative Award for Construction of the Mount Moriah Church Road - North Main Street Waterline Replacements to B.R.S., Inc. (Project 25-04)

Town Manager Michael Ambrose gave a brief overview of the Resolution and Capital Project Ordinance. He explained this is with state ARPA dollars and there is no money coming from Town taxes for this project. Finance Director Jeneen McMillen expressed that along with tentatively awarding the North Main Street Waterline Replacements to B.R.S. Inc., there is also a Resolution that must be approved and a subsequent Capital Project Ordinance as well. She also explained that the Town Clerks office only received one bid at the first bid opening. The single bid that was received was then returned to the bidder and another advertisement was ran for a second bid. At the second bid opening for this project there were two sealed bids received by the Town Clerks office and are as follows, B.R.S., Inc. in the amount of \$2,931,777.30 and State Utility Contractors, Inc. in the amount of \$4,225,023.00. Town staff made the recommendation to award the contract to B.R.S. Inc. due to cost effectiveness.

Town Manager Michael Ambrose elaborated on the funding for this project by explaining that the sewer project on South Main Street (Project 25-02), has come in way less than the original allocated ARPA funds, and the DEQ has awarded us the remainder of the funds from the South Main Street Rehab to cover the extra costs from this bid. There will be no local taxpayer dollars going to fund this project.

**ACTION: A MOTION WAS MADE TO APPROVE AWARDING THE BID FOR NORTH MAIN STREET WATERLINE REPLACEMENTS TO B.R.S INC. PROJECT 25-04 IN THE AMOUNT OF \$2,931,777.30.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**ACTION: A MOTION WAS MADE TO APPROVE RESOLUTION #2024-12-09 FOR PROJECT 25-04 - NORTH MAIN STREET WATERLINE REPLACEMENTS.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**ACTION: A MOTION WAS MADE TO APPROVE CAPITAL PROJECT ORDINANCE #2024-12-09 FOR PROJECT 25-04 - NORTH MAIN STREET WATERLINE REPLACEMENTS.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**5.2 Consider Approval of the Amendment to Capital Project Ordinance #GP-2024-08-12-3 for the 100,000 Gallon Water Tank (Project 25-05), And Budget Amendment #13 To Receive The State Grant Funds**

Town Manager Michael Ambrose gave an overview of the Amendment to Capital Project Ordinance #GP-2024-08-12-3 and Budget Amendment #13 for the 100,000 Gallon Water Tank Project. Manager Ambrose explained that these amendments come from the engineering costs that go along with building the 100,000 gallon water tank. He also expressed that the DEQ has allotted the town with additional funds for this project, therefore no local funds will be needed.

**ACTION: A MOTION WAS MADE TO APPROVE THE AMMENDMENT TO CAPITAL PROJECT #GP-2024-08-12-3 FOR THE 100,000 GALLON WATER TANK (PROJECT 25-05).**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**ACTION: A MOTION WAS MADE TO APPROVE BUDGET AMENDMENT #13 TO RECEIVE THE STATE GRANT FUNDS FOR PROJECT 25-05.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**5.3 Consider Approval of the Resolution And Subsequent Capital Project Ordinance Accepting Funding for the Patterson Road / Flat Rock Road Waterline (Project 25-07), And Budget Amendment #12 To Receive The State Grant Funds**

Town Manager Michael Ambrose explained Resolution #2024-12-09-1 and subsequent Capital Project Ordinance #CPO 2024-12-09-1 along with budget amendment #12 to receive the state grant dollars for this project. Manager Ambrose stated this is state appropriation funds and there are no town funds needed to match the state grant funds.

**ACTION: A MOTION WAS MADE TO APPROVE RESOLUTION #2024-12-09-1 TO ACCEPT STATE FUNDING FOR THE PATTERSON ROAD/FLAT ROCK ROAD WATERLINE (PROJECT 25-07).**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**ACTION: A MOTION WAS MADE TO APPROVE CAPITAL PROJECT ORDINANCE #CPO-2024-12-09-1 TO ACCEPT STATE FUNDING FOR THE PATTERSON ROAD/FLAT ROCK ROAD WATERLINE (PROJECT 25-07).**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**ACTION: A MOTION WAS MADE TO APPROVE BUDGET AMENDMENT #12 TO RECEIVE A DIRECTED PROJECTS GRANT FROM THE 2023 APPROPRIATIONS ACT, SESSION LAW 2023-134, THROUGH THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PATTERSON ROAD/FLAT ROCK ROAD WATERLINE (PROJECT #25-07).**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**6. CONSIDERATIONS:**

**6.1 Consider Approval of a Digital Filing System for all Town Records**

Town Manager Michael Ambrose gave a brief explanation of the Laserfiche Digital Filing System. Manager Ambrose explained that in December of 2023 the Board had met to discuss a different filing system that came with additional costs, and since, staff have worked with this vendor, and they are unable to deliver the services we need in the product. The Laserfiche Digital filing system is an all in one system that will allow for the Town to have all of our files digitally.

**ACTION: A MOTION WAS MADE TO APPROVE THE LASERFICHE DIGITAL FILING SYSTEM FOR ALL TOWN RECORDS IN THE AMOUNT OF \$25,075 ALONG WITH THE \$9,030 ANNUAL EXPENSE.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**6.2 Consider Approval of 2025 Appointments to the Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC) of the Cabarrus-Rowan Urban Area Metropolitan Planning Organization (CRMPO)**

Town Manager Michael Ambrose explained that each year the North Carolina Department of Transportation (NCDOT) requires the CRMPO to supply a list of current TAC and TCC representatives along with their alternates. Manager Ambrose recommended reappointing himself as representative and appointing Chief of Police Matthew Geelen as alternate representative to the TCC.

The Board agreed with Manager Ambrose's recommendation for the TCC and recommended Mayor Meredith Smith as representative and Alderman Ryan Nelms as alternate for the TAC.

**ACTION: A MOTION WAS MADE FOR TOWN MANAGER MICHAEL AMBROSE TO BE THE REPRESENTATIVE AND POLICE CHIEF MATTHEW GEELLEN AS ALTERNATE FOR THE TCC FOR 2025 AND MAYOR MEREDITH SMITH TO BE THE REPRESENTATIVE AND ALDERMAN RYAN NELMS TO BE THE ALTERNATE FOR THE TAC FOR 2025.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**6.3 Consider Approval of 2025 Appointments to the Centralina Regional Council Board of Delegates**

Town Manager Michael Ambrose stated that currently Alderman Ryan Nelms serves as the primary Centralina Board of Delegates member and Mayor Meredith Smith serves as the alternate member.

The Board agreed that Mayor Pro-Tem Ashley Stewart would step in as the primary delegate and Mayor Smith would remain the alternate.

**ACTION: A MOTION WAS MADE FOR MAYOR PRO-TEM ASHLEY STEWART TO BE THE PRIMARY DELEGATE AND MAYOR SMITH TO BE THE ALTERNATE FOR THE CENTRALINA REGIONAL COUNCIL BOARD OF DELEGATES FOR 2025.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

#### **6.4 Consider Approval of The Landis Pool Deck Repair (Project 25-74)**

Parks and Recreation Director Jessica St. Martin gave a brief explanation of the condition of the Landis Pool Deck. Director St. Martin explained that the metal expansion joints that were put down when the concrete was originally poured at the pool deck have rusted and began to rise above the concrete surface. She explained that this is a safety concern and in order to remedy this hazard a contractor will have to cut 500 linear feet of concrete and remove the concrete in 2-foot sections along the joints. New concrete will be poured with rebar dowels and finished to match the existing concrete. The Town received two quotes, one from Yates and Funderburk for \$26,625.00 and one from Lafave's Construction for \$26,600.00. Both quotes included the removal of all of the construction debris offsite but do not include the repainting of the lines which will be done at a later date. Town staff makes the recommendation to award the bid to Yates & Funderburk due to their current work schedule, as they can begin the work within the week of approval.

**ACTION: A MOTION WAS MADE TO AWARD THE LANDIS POOL DECK REPAIR BID TO YATES & FUNDERBURK FOR \$26,625.00.**

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

#### **6.5 Consider Approval of the Final Change in the ARPA Grant Project Ordinance**

Town Manager Michael Ambrose gave a brief explanation of the ARPA Grand Project Ordinance. He stated that this ordinance shows that all funds have been allocated and where they are allocated to. Finance Director Jeneen McMillen explained that all funds must be allocated by December 31, 2024. Mayor Smith asked to clarify that since all funds have been allocated there are no funds left and Director McMillen agreed.

**ACTION: A MOTION WAS MADE TO APPROVE THE FINAL CHANGE IN THE ARPA GRAND PROJECT ORDINANCE.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

### **7. OLD BUSINESS:**

#### **7.1 Consider Approval of the Calendar Year 2025 Board Meeting Schedule**

Mayor Smith explained that there are several Board Meeting dates that would need to be adjusted per the Board. The March 10, 2025 Board of Alderman Meeting will be moved to March 17, 2025, the August 7, 2025 Board of Alderman Work Session will be cancelled, and the October 13, 2025 Board of Alderman Meeting will be moved to October 20, 2025. The Board also made the recommendation to move all Planning Board Meetings to the third Tuesday of each month.

**ACTION: A MOTION WAS MADE TO APPROVE THE CALENDAR YEAR 2025 BOARD MEETING SCHEDULE ALONG WITH MOVING THE PLANNING BOARD MEETING TO THE THIRD TUESDAY OF EACH MONTH.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms



**7.2 Consider Approval of the Routes for the Town of Landis Walking Map (Project 25-63)**

Parks and Recreation Director Jessica St. Martin gave a brief overview of the Town of Landis Walking Map. After receiving feedback from the initial plans, Rowan County came back and has another route for the Board to consider. Director St. Martin did walk these routes with the Rowan County Health Departments representative and was able to confirm they are all on sidewalks. Both routes start at the Landis Pool and will navigate citizens to Main Street along Central Avenue, one route goes along the North side of Central Avenue while the other goes along the South side of Central Avenue. Both of these routes highlight historic and community landmarks along the way. Each loop is 1.5 miles in distance. One loop is being referred to the “red loop” and one is being referred to as the “gold loop”. Some municipalities have given them route-specific names, if the Town would like to consider renaming them then we are asked to submit the names along with the approved map. Director St. Martin also submitted a list of several highlighted landmarks that can be reviewed to be included on the routes. Once all map approvals are final, the project will take 4-8 weeks to complete.

Mayor Smith suggested tabling the renaming of the routes until the Board and Staff are able to work on new slogans that would fit each suggested route. Several Board members discussed other possible landmarks to be included in the routes.

**ACTION: A MOTION WAS MADE TO APPROVE THE ROUTES FOR THE TOWN OF LANDIS WALKING MAP AS PRESENTED AND TO TABLE THE RENAMING OF THE ROUTES.**

Moved By: Darrell Overcash, seconded by Ashley Stewart

Motion Passed: (4-0)

Voting For: Darrell Overcash, Ashley Stewart, Tony Corriher, Ryan Nelms

**7.3 Consider Approval of the Painting of Town Hall Roof **TABLED****

Town Manager Michael Ambrose explained that at this time there is not much information to add to the painting of the roof, however, Mcelroy Metal and LaFave’s Construction have verbally both told staff that this would be covered under warranty.

**ACTION: A MOTION WAS MADE TO TABLE THE PAINTING OF TOWN HALL ROOF TO THE JANUARY MEETING.**

Made by: Ryan Nelms, seconded by Darrell Overcash

Motion Passed: (4-0)

Voting for: Ashley Stewart, Darrell Overcash, Ryan Nelms, Tony Corriher

**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)

- December 10<sup>th</sup> – Planning Board Meeting at 6:00 PM
- December 14<sup>th</sup> – Campfire Christmas at Lake Corriher Wilderness Park from 4:00-7:00 PM
- December 20<sup>th</sup> – Towan Hall Closed for Employee Lunch from 11:00 AM-1:00 PM
- December 24<sup>th</sup>-26<sup>th</sup> – Town Hall Closed in Observance of the Christmas Holiday
- January 1<sup>st</sup> – Town Hall Closed in Observance of New Years Holiday
- January 9<sup>th</sup> – Board of Alderman Work Session Meeting at 5:30 PM
- January 13<sup>th</sup> – Board of Alderman Meeting at 6:00 PM
- January 20<sup>th</sup> – Town Hall Closed for Martin Luther King Jr Holiday
- January 21<sup>st</sup> – Planning Board Meeting at 6:00 PM

## 10. CLOSING:

### 10.1 Board Comments

No Comments

### 10.2 Motion to Adjourn

**ACTION: A MOTION WAS MADE TO AJORN AT 6:43 PM.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: (4-0)

Voting Against: Ashley Stewart, Darrell Overcash, Ryan Nelms, Tony Corriher

Respectfully Submitted,

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Madison T. Stegall, Town Clerk