



WORK SESSION

Thursday, June 06, 2024 at 5:30 PM

Landis Board Room

MINUTES

PLEASE SILENCE ALL CELL PHONES

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

Absent: Darrell Overcash

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

INTRODUCTION:

1.1 Call Meeting to Order

Mayor Smith called the meeting to order at 5:32 PM.

1.2 Welcome

Mayor Smith Welcomed those in attendance.

1.3 Adoption of Agenda

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

Moved By: Ashely Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

2. CONSIDERATIONS:

2.1 Consider Discussion of the Agenda Packet for the June 10, 2024, Regular Scheduled Meeting in Order to Provide Opportunities for Board Members to Study Issues, Gather and Analyze Information, and Clarify Direction for Staff

2.2 Consider Approval to Purchase 50 Residential Water Meters and MXU Antennas
ACTION: A MOTION WAS MADE TO AMEND AND ADOPT THE AGENDA WITH THE ADDITION OF ITEM 2.2 AND ADDITIONALLY TO APPROVE THE PURCHASE OF 50 RESIDENTIAL WATER METERS AND MXU ANTENNAS FROM FERGUSON WATERWORKS IN THE AMOUNT OF \$18350.00.

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

06/10/24 Agenda Items Discussed: (The Agenda for 06/10/2024 was discussed sequentially, only items that were deliberated will be mentioned below.)

3. PUBLIC HEARINGS:

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

Planning, Zoning, & Subdivision Administrator Rick Flowe gave a brief overview of the Keller Property on Mt. Moriah Church Road. The frontage is in the town and the rear is outside of the town limits. The proposal is to annex the portion outside of the town that goes all the way back to our lake. The second part is to designate zoning on both portions of the property to MU1. What's behind that is the watershed regulations for the lake which will set a density regardless of the zoning district to the same thing. What the proposed MU1 does instead of them developing all the way back to the lake, is for them to save all the back property, and develop closer to Mt. Moriah Church Road. The Planning Board recommended MU1. The Developer originally requested MU2, which has no difference in the density or standards, but does limit the uses to more residential, with maybe a corner coffee shop.

Mayor Smith asked Mr. Flowe to explain what they're asking for zoning one more time.

Mr. Flowe gave a brief description of how right now part of the property is out in the County. We are asking for a mixed-use district, so they can meet the watershed rules in a more cost-effective way. The Planning Board supports this unanimously.

Mayor Smith asked if it was going to be a housing development.

Mr. Flowe responded yes.

Mayor Smith asked if Mr. Flowe knew what we were told it was going to be.

Mr. Flowe stated "This is a situation where I think the developers branding has cost him some perceptions. We've heard that stumps and other debris and hauling and grading equipment. That's not a listed use in that district by any means. Right now, keep in mind Mayor, the rear part of that property is out in the County, and this lessens the risk of anything like that happening.

Mayor Smith expressed that on social media the Town of Landis is getting a lot of flak about the apartments at the corner of Ryder and Mt. Moriah, everyone's talking about those, and they are DOT

roads. Have the developers reached out to DOT about those roads. The citizens are going to want to know about traffic. The people all think that the Keller property is going to be a quarry.

Mr. Flowe responded with “That’s not true. At least I say it’s not true if it is annexed into the Town of Landis. If it remains outside of the Town of Landis, we have no control over that. The watershed rules are not going to prevent a quarry. I’d have to check the County’s ordinance on it. Watershed rules regulate density and presence of sewer and certain industrial uses, but most of your mining and things of that nature are exempted. The option recommended by the Planning Board is by far the best option for the town to preserve and protect those neighbors in that area and to protect our water supply. It doesn’t matter what the developer even says himself, our zoning is not going to allow it. We have severe penalties on mass clearing and grading without approvals in fact it’s \$10,000 if they start cutting trees without approval. Back to the DOT aspects, any new subdivision is required to be submitted to DOT as part of our technical review process. We don’t set a separate standard for a traffic impact analysis. There is no reason to have a separate standard because the DOT manages that road. Even if it’s a subdivision that’s not on a state road it goes to DOT, that is the state law. When DOT receives the comment package, they will probably respond back to us that a traffic impact analysis is necessary. They will give us those parameters to provide to the developer. This is simply just the first step which brings the property under town control or not.”

The Board Members discussed among themselves and looked at the maps of the property surrounding Keller Property on Mt. Moriah Church Road.

Town Attorney Rick Locklear asked if this is a voluntary annexation, was the annexation requested conditioned upon a particular zoning.

Mr. Flowe responded with no they requested a zoning classification when they requested the annexation.

Mr. Locklear, if you vote down the zoning being requested, where does that leave the annexation.

Mr. Flowe said the annexation would become effective at the end of this month, immediately actually, but your taxes would be prorated in whole months. Mr. Flowe gave the recommendation to go ahead and apply zoning so at least it’s not under County zoning, make it consistent with what’s on the front and staff can get the developer back to the table to work out a conditional district that would be more acceptable.

Mayor Pro Tem Ashley Stewart asked if the property owner knew on Monday, and if he understands that these are two separate action items and that decisions are going to be made on both.

Mr. Flowe assured the Board that he had been told.

Mr. Locklear asked once an annexation occurs, what period are you required to designate it.

Mr. Flowe responded with 60 days. “If you don’t designate within the 60 days, the County’s zoning evaporates and there’s no zoning and then there’s your quarry. You don’t want to let it go past the 60 days and go without zoning. That would lock them in on land use entitlement.”

4. CONSENT AGENDA:

4.3 Consider Approval of Amended Water and Sewer Ordinance #W&S-2024-06-10

Town Manager Michael Ambrose gave a brief overview of the Amended Water and Sewer Ordinance #W&S 2024-06-10. This ordinance will add connection fees for developers. The developers install their own taps, and this is just a connection fee. Mr. Ambrose clarified to the Board that the blue highlighted areas are the new and the yellow highlighted areas are the existing.

4.6 Consider Awarding Asphalt Repair Bid for Kimball Road

Town Manager Michael Ambrose gave a brief overview of the repair needed to Kimball Road due to a utility mishap.

Mayor Smith asked if staff had received 3 bids.

Manager Ambrose answered yes and DW Castleberry is the lowest bidder at \$26,000.

Public Works Director Blake Abernathy gave a brief overview of the 3 quotes that were received on this bid. DW Castleberry \$26,000, Around Town Paving \$28,500, and Carolina Siteworks \$28,963. Director Abernathy gave the recommendation for DW Castleberry, who was the cheapest and has several recommendations from Cabarrus County, Town of Mount Pleasant, and Town of Granite Quarry. DW Castleberry is ready to go with the project.

Manager Ambrose added that the town usually uses Carolina Siteworks for this type of project, however they are backed up with work. DOT said they would need this roadway repaired before they were able to do that, and it would take away from Powell Bill funds. That's the reason staff are asking to go forward with DW Castleberry verses Carolina Siteworks.

Director Abernathy gave a brief overview of the scope of the work and the reason for the cost of the project. The patch is expensive because it is a DOT road and will have to be a flowable fill. The road will have to be dug down to 36 inches, flowable fill put in place and it will have to set 24 – 36 hours. The contractors will place steel plates across the road to allow that to cure.

Mayor Smith asked if it would be possible to have the developer pay for some of the costs.

Manager Ambrose explained that was not an option considering it was a utility incident.

Alderman Nelms asked where on Kimball Road was this happening.

Manager Ambrose answered across from Kimball Landing.

4.7 Consider Approval for the Police Department to Apply for a Gary Sinse Grant to Purchase Rifle Plates for Police Vests

Police Chief Matthew Geelen gave a brief overview of the Grant. It is a 100% grant funded for rifle plates and carriers. These vests are different than ballistic vests. Ballistic vests are soft plates, and these plates are hard.

Mayor Pro Tem Ashley Stewart asked if the police department already had anything like that.

Chief Geelen replied “No Sir.”

Alderman Tony Corriher stated that he did not know that the regular vests would not stop a rifle bullet, and these plates will.

Manager Ambrose added that this is a 100% grant, and no matching would be required by the town.

4.8 Consider Approval for the Fire Department to Apply for a Dickey Foundation Grant to Purchase Ten Sets of Fire Turnout Gear

Fire Chief Jason Smith gave a brief overview of the Dickey Foundation Grant, and that it is a 100% grant requiring no match from the town. The Fire Department would be using this funding to purchase 10 sets of fire turnout gear.

5. ORDINANCES/RESOLUTIONS:

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

Mr. Flowe gave a brief overview of the properties on Old Beatty Ford Road; it is three parcels that the concrete plant has purchased with the intent to move their buffer over to get it further away from the concrete plant. There is not any physical expansion of the concrete plant, but they do want it zoned industrial.

7. CONSIDERATIONS:

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

Manager Ambrose gave a brief overview of the project.

Mayor Smith asked if the contractors could start and do all the dates that are needed and be able to get it done.

Manager Ambrose stated yes, but with limited issues to the school, they are looking at a day and a half without water.

7.5 Consider Awarding FY24 Paving Project Bid

Mr. Ambrose gave a brief overview of the paving project. The NJR Group is the contractors for the NCDOT, and our dollar amount went farther with them because they are already in the area with paving. We are getting 2 years' worth of roads paved without costs affecting us.

Mayor Smith asked if we could get an updated list from SEPI that would let us know what we have next year.

3. CLOSING:

3.1 Motion to Adjourn

ACTION: A MOTION WAS MADE TO ADJOURN THE WORK SESSION AT 6:48 PM.

Moved By: Ashely Stewart, seconded by Tony Corriher

Motion Passed: 3-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms

Respectfully Submitted,

Madison T. Stegall, Town Clerk