



# BOARD OF ALDERMAN SPECIAL CALLED MEETING

Monday, August 12, 2024, at 6:30 PM

Landis Board Room

## MINUTES

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### PLEASE SILENCE ALL CELL PHONES

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

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

### INTRODUCTION:

#### 1.1 Call Meeting to Order

Mayor Smith called the meeting to order at 6:32 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 the Pledge of Allegiance.

#### 1.4 Adoption of Agenda

**ACTION:** A MOTION WAS MADE TO APPROVE THE AGENDA AS PRESENTED WITH THE ADDITION OF ITEM 4.4 CONSIDER APPROVAL OF BOARDROOM DOOR OPENING TIMES.

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

## 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 Minutes from July 15, 2024, Board of Alderman Meeting

### 2.2 Consider Appointing Ian Kenner (Electric Foreman) to the NCMPA1 Board of Commissioners as Second Alternate

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

Moved By: Darrell Overcash, seconded by Ashley Stewart

Motion Passed: 4-0

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

## 3. CITIZEN COMMENTS:

*All citizen comments are limited to 3 minutes.*

### 3.1 Citizens' Comments

- Nadine Cherry – 410 W. Garden Street – “My comment has to do with you Mayor Smith, signing off on the embezzlement case, about the monies owed back to the Town of Landis. This paperwork was also signed by Richard D. Locklear Attorney for Plaintiff, Douglas Reid Linn, Defendant, James A. Davis Attorney for Defendant Linn, and Attorney Timothy J. Redding for Defendant Linn, Ginger Gibson, Defendant, Vernon A. Russell Attorney for Defendant Gibson. I would like to know why we the citizens of Landis have not been told about this. If I read the paperwork correctly, you signed the paperwork on April 11, 2024, this year. I am asking why you want to keep we the citizens in the dark?”
- Gary Martin – 301 S. Central Ave – Mr. Martin had concerns regarding bulk item pickup and items being left at his curb for 2-3 weeks before being collected.
- Susan Shirley – 1015 Woodfield Drive – Ms. Shirley had strong concerns regarding fireworks being set off during the 4<sup>th</sup> of July that caused elevated stress for pets, elderly, and veterans. Mayor Smith urged citizens to call 911 or the Landis Police non-emergency line to report these disturbances so that officers can respond.
- Phil Austin – 103 Jefferson Ave – Mr. Austin had strong concerns regarding fireworks and gunshots from the 4<sup>th</sup> of July that caused serious elevated stress to his horses and other animals. Police Chief Geelen encouraged all citizens to call 911 or the Landis Police non-emergency line for any disturbances so that officers can respond. Chief Geelen explained that citizens can remain anonymous if that would make you as the caller feel safer.

#### 4. ORDINANCES/RESOLUTIONS:

##### 4.1 Consider Approval of 5K Road Closure Ordinance for the South Rowan Public School's Bible Teaching Associations "5-K Run for the Word"

**ACTION: A MOTION WAS MADE TO APPROVE ORDINANCE #2024-08-12 5K ROAD CLOSURE ORDINANCE FOR THE SOUTH ROWAN PUBLIC SCHOOL'S BIBLE TEACHING ASSOCIATION 5K RUN FOR THE WORD.**

Moved By: Darrell Overcash, seconded by Ashley Stewart

Motion Passed: 4-0

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

##### 4.2 **TABLED** Consider Approval to Close and Vacate the Property located at 314 Town Street and Corresponding Ordinance #2024-08-12-1

John Ganus, Code Enforcement Officer, gave a brief overview of the property at 314 Town Street. In May of 2021 numerous complaints were made concerning nuisance conditions on the property. The dwelling is without water or electricity and the system would need to be upgraded.

Christopher Johnson addressed the Board and stated that the house belonged to his mother-in-law who recently passed away. He stated that he had been paying some back taxes from 2016 and that he gave a guy named Mark Absher \$800ish dollars to get the power back on, and he never did the work. They arrested him in Cabarrus and Rowan County.

Mayor Smith stated that she could verify Mark Absher is a licensed contractor.

Mr. Johnson stated that he has been working and trying to pay the taxes every month trying to catch up since 2016.

**ACTION: A MOTION WAS MADE TO TABLE THE CLOSE AND VACATE OF PROPERTY LOCATED AT 314 TOWN STREET AND CORRESPONDING ORDINANCE #2024-08-12-1 UNTIL THE SEPTEMBER 9<sup>TH</sup> 2024 BOARD OF ALDERMEN MEETING.**

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: 4-0

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

##### 4.3 Consider Amending Chapter 90 of the Town of Landis Code of Ordinances to Include Control of Domestic Animal Feces

**ACTION: A MOTION WAS MADE TO ADOPT ORDINANCE #2024-08-12-2 TO AMEND CHAPTER 90 OF THE TOWN OF LANDIS CODE OF ORDINANCES TO INCLUDE CONTROL OF DOMESTIC ANIMAL FECES.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

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

#### **4.4 Consider Approval of Boardroom Door Opening Times**

Alderman Nelms stated that the current time the door opens to the public is 15-minutes prior to meetings and there's no set time for members or staff. Discussion was had amongst Board members. Manager Ambrose clarified that this would apply to all Boards to include the Planning Board.

**ACTION: A MOTION WAS MADE FOR STAFF AND BOARD MEMBERS TO ARRIVE 10-MINUTES PRIOR TO SCHEDULED MEETING TIMES FOR ALL BOARD MEETINGS AND DOORS TO THE PUBLIC WILL OPEN 8-MINUTES PRIOR TO SCHEDULED MEETING TIMES FOR ALL BOARD MEETINGS.**

Moved By: Ryan Nelms, seconded by Darrell Overcash

Motion Passed: 4-0

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

### **5. CONSIDERATIONS:**

#### **5.1 Consider Approval of Passive Park Phases**

**ACTION: A MOTION WAS MADE TO APPROVE PASSIVE PARK PHASES.**

Moved By: Ryan Nelms, seconded by Ashley Stewart

Motion Passed: 4-0

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

#### **5.2 Consider Approval of Two (2) New Police Vehicles**

**ACTION: A MOTION WAS MADE FOR THE APPROVAL OF PURCHASING A 2024 CHEVROLET SILVERADO IN THE AMOUNT OF \$46,771 FROM MODERN CHEVROLET AND OF PURCHASING A 2025 FORD EXPLORER IN THE AMOUNT OF \$44,605.96 FROM PARKS AUTO GROUP.**

Moved By: Tony Corriher, seconded by Darrell Overcash

Motion Passed: 4-0

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

#### **5.3 Consider Approval of Upfit of two Police Vehicles**

**ACTION: A MOTION WAS MADE FOR APPROVAL OF UPFIT OF (2) POLICE VEHICLES IN THE AMOUNT OF \$13,626.18 FROM DANA SAFETY SUPPLY.**

Moved By: Darrell Overcash, seconded by Tony Corriher

Motion Passed: 4-0

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

#### **5.4 Consider Approval of Park Swings for the Lake Corriher Wilderness Park**

**ACTION: A MOTION WAS MADE FOR APPROVAL OF PURCHASING PARK SWINGS FOR THE LAKE CORRIHER WILDERNESS PARK IN THE AMOUNT OF \$15,233.87 FROM PEGGS RECREATION.**

Moved By: Tony Corriher, seconded by Ryan Nelms

Motion Passed: 4-0

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

**5.5 Consider Approval to Award 100,000 Gallon Elevated Water Storage Tank Bid**

**ACTION: A MOTION WAS MADE FOR APPROVAL TO AWARD 100,000-GALLON ELEVATED WATER STORAGE TANK BID TO MAGUIRE IRON, INC, (SPHEROID) IN THE AMOUNT OF \$1,725,000.**

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: 4-0

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

**ACTION: A MOTION WAS MADE TO APPROVE GRANT PROJECT ORDINANCE #GP-2024-08-12-3.**

Moved By: Darrell Overcash, seconded by Tony Corriher

Motion Passed: 4-0

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

**ACTION: A MOTION WAS MADE TO APPROVE CORRESPONDING RESOLUTION OF TENTATIVE AWARD OF 100,000-GALLON ELEVATED WATER STORAGE TANK BID TO MAGUIRE IRON, INC, (SPHEROID) IN THE AMOUNT OF \$1,725,00.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

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

**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 Upcoming Events (Included in Board Packet)**

**8. CLOSING:**

**8.1 Board Comments**

Alderman Darrell Overcash asked if the town was doing what we can to help the patrons in the new restaurant. Mayor Smith replied as far as she knew, everything that possibly could be done has.

Mr. Locklear addressed the order that was signed involving Reid and Ginger mentioned during citizen comments. Mr. Locklear explained that the order recognized that the local government retirement system is governed by not only state legislation but federal laws as well. What we had there was a lawsuit that had been filed and going on over 4 years. The court was pressuring us to get some resolution. The Town, Reid and Ginger, their attorneys, nor himself, decide on the amount that is calculated. Essentially what that order was saying was that we recognize that someone else will need to come up with the numbers and that we will agree to it.

Mayor Smith thanked Town Manager Ambrose for the new chairs in the boardroom and thanked the fire department for assembling them.

## 8.2 Motion to Adjourn

**ACTION: MOTION TO ADJOURN AT 7:39 PM.**

Moved By: Darrell Overcash, seconded by Tony Corriher

Motion Passed: 4-0

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

Respectfully Submitted,

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Madison T. Stegall, Town Clerk