



## BOARD OF ALDERMEN

Monday, July 15, 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 Angie Sands, Town Attorney Rick Locklear, P&Z Administrator Rick Flowe, Fire Chief Jason Smith, Police Chief Matthew Geelen, Public Works Director Blake Abernathy, Parks & Recreation Director Jessica St.Martin, Officer Austin Gribble, NC Lead Fellow Robert Shinn

#### 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 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 AGENDA AS PRESENTED.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**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 Work Session meeting Minutes from June 6, 2024, and Regular Scheduled Meeting Minutes from June 10, 2024**
- 2.2 Consider Approval of the 12KV Line Work Bid**
- 2.3 Consider Approval for the Fire Department to Apply for the Colonial Pipeline Community Commitment Grant**
- 2.4 Consider Approval for the Fire Department to Apply for the Norfolk Southern Public Safety Grant**
- 2.5 Consider Approval of Workers Compensation FY25 Premium**

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

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**3. PUBLIC HEARINGS:**

- 3.1 Consider Concurrent Legislative Hearing and Approval of Annexation ANNEX-2024-07-15 and of Zoning Map Amendment ZMA-2024-07-15-1 - Two-Ten Concrete Plant Additional Parcels to Industrial (IND)**

Planning, Zoning, & Subdivision Administrator Rick Flowe gave a brief overview of Public Concurrent Legislative Hearing for Annexation ANNEX-2024-07-15 and corresponding Zoning Map Amendment ZMA-2024-07-15-1 – Two-Ten Concrete Plant Additional Parcels to Industrial (IND). There are a couple of houses on the property now and the petitioner is asking the property to be consistent with the plant that they have there today. Mr. Flowe asked for the clerk to the Board to state for the record if notice of the hearing has been duly made in accordance with applicable requirements. Town Clerk Madison Stegall stated “Yes, I attest that the notice of this hearing has been made.”

**ACTION: A MOTION WAS MADE TO OPEN PUBLIC LEGISLATIVE HEARING OF ANNEXATION ANNEX-2024-07-15 AND OF ZONING MAP AMENDMENT ZMA-2024-07-15-1.**

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 4-0

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

*No Comments or Questions were made by Public or Board*

**ACTION: A MOTION WAS MADE TO CLOSE PUBLIC LEGISLATIVE HEARING OF ANNEXATION ANNEX-2024-07-15 AND OF ZONING MAP AMENDMENT ZMA-2024-07-15-1.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

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

**ACTION: A MOTION WAS MADE TO APPROVE ANNEXATION ORDINANCE #ANNEX 2024-07-15.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**ACTION: A MOTION WAS MADE TO APPROVE ZONING MAP AMENDMENT ORDINANCE #ZMA-2024-07-15-1.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

### **3.2 Consider Public Legislative Hearing and Approval of Zoning Map Amendment ZMA-2024-07-15-2 - DC Linn Park - Akers Parcel To CIV**

Planning, Zoning, & Subdivision Administrator Rick Flowe gave a brief overview of Public Legislative Hearing for Zoning Map Amendment ZMA-2024-07-15-2 -DC Linn Park – Akers Parcel to CIV. Mr. Flowe stated that this property is at the back of the property where the town plans to put the DC and Frances Linn Park. The property is currently designated residential, and the proposal is to make it civic. The Planning Board recommends this ZMA with a unanimous vote. Mr. Flowe asked for the clerk to the Board to state for the record if notice of the hearing has been duly made in accordance with applicable requirements. Town Clerk Madison Stegall stated “Yes, I attest that the notice of this hearing has been made.”

**ACTION: A MOTION WAS MADE TO OPEN PUBLIC LEGISLATIVE HEARING OF APPROVAL OF ZONING MAP AMENDMENT ZMA-2024-07-15-2 - DC LINN PARK – AKERS PARCEL TO CIV.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

*No Comments or Questions were made by Public or Board*

**ACTION: A MOTION WAS MADE TO CLOSE PUBLIC LEGISLATIVE HEARING OF APPROVAL OF ZONING MAP AMENDMENT ZMA-2024-07-15-2 - DC LINN PARK – AKERS PARCEL TO CIV.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

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

**ACTION: A MOTION WAS MADE TO APPROVE ZONING MAP AMENDMENT ORDINANCE #ZMA-2024-07-15-2.**

Moved By: Ashley Stewart seconded by Darrell Overcash

Motion Passed: 4-0

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

**3.3 Consider Public Legislative Hearing and Approval of Zoning Map Amendment ZMA-2024-07-15-3 - Golden - Coldwater at E. Mills to MU-2**

Planning, Zoning, & Subdivision Administrator Rick Flowe gave a brief overview of Public Legislative Hearing and Approval of Zoning Map Amendment ZMA-2024-07-15-3 – Golden - Coldwater at E. Mills to MU-2. The parcel on the map highlighted in blue (ZMA-2024-07-15-3 Attachment “A”) is under the town’s C-29 zoning district that was initiated in 2021 with the new LDO. The remainder of the block to the right of the image that is highlighted by Rowan County’s Sold Signs was rezoned from C-29 to MU-2 category a couple of years ago. Directly across Ryder’s North side you also have MU-2 and that’s where the Landis/Ryder Place Project is located. There is quite a bit of Mixed Use in that area. The difference between C-29 and MU-2 is that it reduces the commercial privileges and increases the residential in that area. Mr. Flowe asked for the clerk to the Board to state for the record if notice of the hearing has been duly made in accordance with applicable requirements. Town Clerk Madison Stegall stated “Yes, I attest that the notice of this hearing has been made.”

**ACTION: A MOTION WAS MADE TO OPEN PUBLIC LEGISLATIVE HEARING OF ZONING MAP AMENDMENT ZMA-2024-07-15-3 – GOLDEN - COLDWATER AT E. MILLS TO MU-2.**

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 4-0

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

*No Comments or Questions were made by Public or Board*

**ACTION: A MOTION WAS MADE TO CLOSE PUBLIC LEGISLATIVE HEARING OF ZONING MAP AMENDMENT ZMA-2024-07-15-3 – GOLDEN - COLDWATER AT E. MILLS TO MU-2.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

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

**ACTION: A MOTION WAS MADE TO APPROVE ZONING MAP AMENDMENT ORDINANCE #ZMA-2024-07-15-3.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**4. PRESENTATIONS:**

#### **4.1 Life Saving Award Presented to Officer Austin Gribble**

Chief Matthew Geelen gave a brief overview of the distress call that Officer Gribble responded to involving a dog attack and presented Officer Gribble with a plaque to honor him.

#### **4.2 NCDOT Presentation - Traffic Study US 29 / Old Beatty Ford Road**

Division Engineer for Division 9, Pat Ivy stated that a few months ago Mayor Smith and I were speaking at the Cabarrus County meeting, she brought it to my attention some concerns she had about the safety of the intersection of US 29, Ryder, and Old Beatty Ford Road. Mayor Smith asked if NCDOT could look at the situation there and give some possible alternatives to improve the area. I have with me tonight, Deputy Division Engineer John Rhyne, Assistant Division Maintenance Engineer JP Couch, and District Engineer Kelly Sikes to talk about a relatively new concept to this area, but not to North Carolina called the Reduced Conflict Intersection that we believe is a wonderful option that we wanted the Town of Landis to consider.

John Rhyne stated that the Reduced Conflict Intersections is a geometric design that DOT uses for laned highways to improve safety in traffic flow and reduce the number of conflict points. The Reduced Conflict Intersection does not allow the driver to make a left turn. The driver would have to go down and make the left turn or U turn.

JP Couch explained that typically there are 32 contact points that a driver could be involved in during a collision. The Reduced Conflict Intersection would reduce it down to 14 contact points, that is a 59% reduction in crashes. DOT has 93 installed in North Carolina. They are unsignalized intersections and won't stop traffic. When the traffic grows and needs a signal, DOT can install and signalize a particular leg, whether it be the U turn, left turn or the other side of the street that is right turn. Not all will have to be signalized, just the ones you have problems with. The FHWA study shows a 70% reduction in fatal crashes, and 42% injury. In the last five years at this intersection there were 36 crashes. DOT believes 22 of those could have been prevented with the Reduced Conflict Intersection.

After the NCDOT presentation the Board discussed the proposal and decided that they wanted more information and to get a citizen input.

### **5. CITIZEN COMMENTS:**

*All citizen comments are limited to 3 minutes.*

#### **5.1 Citizens' Comments**

- Nadine Cherry – 410 W. Garden Street – “I know we were told earlier this year the minutes from the past were going to be archived and they would be put out to where we could look at them. I would like to know what is taking so long to get this done. While I am speaking, I would like to know why the water tank was allowed to run dry on May the 25th. I do remember there were questions asked on the Landis News and Current Events Facebook page that day about the west side of town having low water pressure. Must be something happen you don't want the citizens to know about.”

Town Manager Michael Ambrose clarified that the water never ran dry, the tank was never empty, it was low but never empty, and staff were notified immediately. Town staff responded as well as Kannapolis and the problem was resolved. It was a pressure issue not a contaminant issue.

### **6. CONSIDERATIONS:**

**6.1 Consider Approval of NC StRAP Funding for Lake Landis Dam Restoration in the Amount of \$300,000**

Manager Ambrose gave a brief overview of Lake Landis Dam, and the repairs needed. The vegetation needs to be removed and some minor repair work until the town can get more funding. The town is going after additional funding to completely redo Lake Landis Dam and Lake Corriher Dam. The acceptance of funds would require a budget amendment (#2) so that the funds can be formally accepted and allocated to this project.

**ACTION: A MOTION WAS MADE TO ACCEPT NC StRAP FUNDING FOR LAKE LANDIS DAM RESTORATION IN THE AMOUNT OF \$300,000.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

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

**ACTION: A MOTION WAS MADE TO APPROVE BUDGET AMENDMENT #2 TO ACCEPT \$300,000 OF NC STRAP FUNDING.**

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

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

**6.2 Consider Approval of Lowering the Reserve for the 1996 Old Dominion Brush Co. Leaf Vac Machine from \$10,000 to \$4,000**

**ACTION: A MOTION WAS MADE TO APPROVE LOWERING THE RESERVE FOR THE 1996 OLD DOMINION BRUSH CO. LEAF VAC MACHINE FROM \$10,000 TO \$4,000.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**6.3 Consider Approval to Replace the Town's SCADA System for the Water System Communication Control**

**ACTION: A MOTION WAS MADE TO AWARD THE REPLACEMENT OF THE WATER SYSTEM COMMUNICATION CONTROL SCADA SYSTEM TO LKC SERVICES IN THE AMOUNT OF \$17,215.76.**

Moved By: Ashely Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**6.4 Consider Approval of North Central Avenue Beautification Irrigation Project #10**

**ACTION: A MOTION WAS MADE TO AWARD NORTH CENTRAL AVENUE BEAUTIFICAION IRRIGATION PROJECT #10 TO WEBSTER LANDSCAPING, INC IN THE AMOUNT OF \$14,897.00.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**6.5 Consider Approval of South Central Avenue Beautification Irrigation Project #11**

**ACTION: A MOTION WAS MADE TO AWARD SOUTH CENTRAL AVENUE BEAUTIFICAION IRRIGATION PROJECT #11 TO WEBSTER LANDSCAPING, INC IN THE AMOUNT OF \$13,825.00**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**6.6 Consider Approval of North Central Avenue Beautification Landscape Project #12**

**ACTION: A MOTION WAS MADE TO AWARD NORTH CENTRAL AVENUE BEAUTIFICATION LANDSCAPE PROJECT #12 TO WEBSTER LANDSCAPING, INC IN THE AMOUNT OF \$17,567.00.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**6.7 Consider Approval of South Central Avenue Beautification Landscape Project #13**

**ACTION: A MOTION WAS MADE TO AWARD SOUTH CENTRAL AVENUE BEAUTIFICATION LANDSCAPE PROJECT #13 TO WEBSTER LANDSCAPING, INC IN THE AMOUNT OF \$14,651.00.**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**6.8 Consider Approval of Moving the Board of Aldermen November 11, 2024, Regular Scheduled Meeting to November 12, 2024, Due to Veteran's Day Holiday**

**ACTION: A MOTION WAS MADE TO MOVE THE BOARD OF ALDERMEN NOVEMBER 11, 2024, REGULAR SCHEDULED MEETING TO NOVEMBER 12, 2024, AT 5:30 PM DUE TO VETERAN'S DAY HOLIDAY**

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

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

**7. REPORTS:**

- 7.1 Departmental Reports (Included in the Board Packet)
- 7.2 Financial Report (Included in the Board packet)
- 7.3 Town Manager Report (Included in the Board packet)

8. UPCOMING EVENTS:

8.1 Upcoming Events (Included in the Board Packet)

Friday August 2<sup>nd</sup> will be the Cruise In, National Night Out on August 6<sup>th</sup> from 6 PM until 9 PM at the YMCA, WS is on the 8<sup>th</sup> at 5:30 PM, Regular scheduled meeting is on the 12<sup>th</sup>, as of right now Planning Board is on the 13<sup>th</sup>.

9. CLOSING:

9.1 Board Comments

No Comments

9.2 Motion to Adjourn

**ACTION: A MOTION WAS MADE TO ADJOURN AT 7:07 PM.**

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 4-0

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

Respectfully Submitted,

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Madison T. Stegall, Town Clerk