



## BOARD OF ALDERMAN

Monday, November 13, 2023 at 6:00 PM

Landis Board Room

### AGENDA

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**PLEASE SILENCE ALL CELL PHONES**

#### 1. INTRODUCTION:

- 1.1 Call Meeting to Order
- 1.2 Welcome
- 1.3 Moment of Silence and Pledge of Allegiance
- 1.4 Adoption of Agenda

#### 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.*

***REQUESTED ACTION: Motion to Approve Consent Agenda as presented***

- [2.1](#) Consider Approval of Work Session Meeting Minutes from October 5, 2023 and Regular Scheduled Meeting Minutes from October 9, 2023
- [2.2](#) Consider Approval of Budget Amendment #32 to Correct Budget Amendment #19

#### 3. PUBLIC HEARINGS:

- [3.1](#) Public Legislative Hearing - Landis Development Ordinance (LDO) Zoning Text Amendment (ZTA) - recommended by staff with unanimous recommendation by Planning Board on 23 October 2023

**4. CITIZEN COMMENTS:**

*All citizen comments are limited to 3 minutes.*

4.1 Citizens' Comments

**5. ORDINANCES/RESOLUTIONS:**

5.1 Consider Approval of South Central Ave. Christmas Event Resolution #20231113 of Intent and Authorization to Enter Agreement to Close a Portion of South Central Avenue On-Street Parking and Public Sidewalk and Consider Approval of Release and Hold Harmless Agreement

5.2 Consider Approval of Ordinance #2023-11-13-1 Declaring the Closure of Portions of Both South and North Main Streets for the Southern Rowan Christmas Parade

**6. CONSIDERATIONS:**

6.1 Consider Approval to Accept State Appropriations for the South Rowan High School Water Line Project

6.2 Consider Approval of Reduction of Speed Limit on S Kimmons Street to 25 MPH from 35 MHP

6.3 Consider Approval of the New Harris Local Government Smart Fusion Financial and Utility Billing Software Contract

6.4 Consider Approval of Dissolving the Utility Services Director Position and Creating Two Utility Billing/Accounts Receivable Clerk Positions

6.5 Consider Approval of the Donation of the Fire Smokehouse to Boonville Fire Department for Refurbishment

6.6 Consider Approval of Receiving State Appropriations for the Purpose of Downtown Revitalization in the Amount of \$100,000

6.7 Consider Approval of Applicants for the D.C. and Frances Linn Park Committee

6.8 Consider Approval of Closing Town Hall at 10:00 AM on November 21, 2023, in Preparation for the Southern Rowan Christmas Parade

**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)|

7.4 Downtown S Central Sidewalk Project Update

**8. UPCOMING EVENTS:**

[8.1](#) December Events (Included in the Board packet)

**9. CLOSING:**

9.1 Board Comments

9.2 Motion to Adjourn



# Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Madison Stegall, Town Clerk

**ITEM TYPE:** Meeting Minutes

**AGENDA SECTION:** Consent Agenda

**SUBJECT:** **Consider Approval of Work Session Meeting Minutes from October 5, 2023 and Regular Scheduled Meeting Minutes from October 9, 2023**

**DETAILS:**



# WORK SESSION

Thursday, October 05, 2023 at 5:30 PM  
Landis Board Room

## MINUTES

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PLEASE SILENCE ALL CELL PHONES

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**Present:** Mayor Meredith Smith, Mayor Pro-Tem Ashley Stewart, Alderman Darrell Overcash, Alderman Tony Corriher, Alderwoman Katie Sells

**Staff Present:** Town Manager Michael Ambrose, Human Resources Director/Town Clerk Madison Stegall, Finance Director Jeneen McMillen, Deputy Town Clerk Angie Sands

### 1. INTRODUCTION:

**1.1 Call Meeting to Order**

Mayor Smith called the meeting to order at 5:30 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 Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

### 2. PRESENTATIONS:

**2.1 Consider Approval of D.C. and Frances Linn Park Architect Presentation**

D.C. and Frances Linn Park Committee Chairman, Ryan Nelms, presented Park Renderings to the Board of Aldermen alongside Bill Burgin of Ramsey Burgin Smith Architects, and Lynn Ryker (Landscape Architect). The three of them took the Board and those present through a series of photos and videos that walked through the envisioned design of the future D.C. and Frances Linn Park.

**3. CONSIDERATIONS:**

**3.1 Consideration of Discussion of the Agenda Packet for October 9, 2023 Regular Scheduled Meeting in Order to Provide Opportunities for Board Members to Study Issues, Gather and Analyze Information, and Clarify Direction for Staff.**

**10/9/23 Agenda Items Discussed: (The Agenda for 10/9/2023 was discussed sequentially, only items that were deliberated will be mentioned below.)**

Town Manager, Michael Ambrose, listed each agenda item and a brief description for each. There was no deliberation for the 10/9/23 agenda items.

**4. CLOSING:**

**4.1 Motion to Adjourn**

**ACTION: A MOTION WAS MADE TO ADJOURN AT 6:26 PM.**

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

Respectfully Submitted,

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Madison T. Stegall, Town Clerk



# BOARD OF ALDERMAN

Monday, October 09, 2023 at 6:00 PM

Landis Board Room

## MINUTES

**PLEASE SILENCE ALL CELL PHONES**

**Present:** Mayor Meredith Smith, Mayor Pro-Tem Ashley Stewart, Alderman Darrell Overcash, Alderman Tony Corriher, Alderwoman Katie Sells

**Staff Present:** Town Manager Michael Ambrose, Human Resources Director/Town Clerk Madison Stegall, Town Attorney Rick Locklear, Finance Director Jeneen McMillen, Deputy Town Clerk Angie Sands, PZ&S Administrator Rick Flowe

### 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 present 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.**

Moved by Tony Corriher, seconded by Ashley Stewart

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

## 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 September 7, 2023 and Regular Scheduled Meeting Minutes from September 11, 2023**
- 2.2 Consider Approval of Fall Festival Road Closure Ordinance**

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

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

## 3. PUBLIC HEARINGS:

- 3.1 Consider Public Legislative Hearing for Revised Water & Sewer Ordinance and Corresponding Ordinance #W&S-2023-10-9**

Planning, Zoning, and Subdivision Administrator, Rick Flowe, gave a brief overview of the Revised Water and Sewer Ordinance explaining that this revision is to help with clarification of items within the existing policy.

**ACTION: A MOTION WAS MADE TO OPEN THE PUBLIC LEGISLATIVE HEARING FOR THE REVISED WATER AND SEWER ORDINANCE AND CORRESPONDING ORDINANCE #W&S-2023-10-9.**

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

No Comments or Questions were made.

**ACTION: A MOTION WAS MADE TO CLOSE THE PUBLIC LEGISLATIVE HEARING FOR THE REVISED WATER AND SEWER ORDINANCE AND CORRESPONDING ORDINANCE #W&S-2023-10-9.**

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

**ACTION: A MOTION WAS MADE TO APPROVE THE REVISED WATER AND SEWER ORDINANCE AND CORRESPONDING ORDINANCE #W&S-2023-10-9.**

Moved by Ashley Stewart, seconded by Katie Sells

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells



#### 4. PRESENTATIONS:

##### 4.1 Swearing in of Chief of Police (Matthew Geelen)

Mayor Smith presented Matthew Geelen with the Chief of Police Oath of Office and swore him into office.

#### 5. CITIZEN COMMENTS:

*All citizen comments are limited to 3 minutes.*

##### 5.1 Citizens' Comments

- **Nadine Cherry- 410 W. Garden Street**

“Of all things, I had my things written down what I was going to talk about, and walked off and forgot them. But one thing that I did have was about the power bills. Now there’s no since in them keep being late and getting worse every month. We have cleaned house over at Utility Department, so, what’s going on? Just a thought. We also have a new ADA Coordinator. What is he doing? Is he keeping up with self-evaluation and transition plan? I mean because this can not be kept waiting. This can not keep being let go, this was supposed to be done back in the 90’s. You look at how many coordinators ADA Coordinators we’ve supposedly have had since about 2000. And there was one or two other things I had to talk about, but, like I said I forgot my paper, so I’m not gonna get into anything else. Thank you.”

- **Sam Deadmon- 503 W. Mills Street**

Mr. Deadmon provided a typed letter to the Mayor and Board addressing the candidates for the upcoming election. Mr. Deadmon requested the candidates respond to the 2023 Rowan County Candidates Questionnaire from the Salisbury Post and additionally requested that both candidates address the following items in writing and publish their comments on the Landis NC News and Current Events Facebook page and elsewhere as seen fit for all citizens to read. 1. Qualifications and experience for holding the office of mayor, 2. Accomplishments during the past four years while serving as an elected official, 3. Goals and objectives for the next four years and beyond, 4. Why do you want to be mayor, and 5. Any other information showing why you are the best person for the office of mayor. A copy of Mr. Deadmon’s letter is included in the Board packet.

- **Willard Long- 3660 Linn Ave**

Mr. Long asked the Board what the procedure is to de-annex from town limits. He stated that he “asked to come in and is now asking to go out.” Attorney Rick Locklear addressed Mr. Long and explained to him that there is not a process that he is aware of to be de-annexed from town limits, and it would be something that would need to be looked into further.

#### 6. CONSIDERATIONS:

##### 6.1 Consider Approval of D.C. and Frances Linn Park Renderings

Mayor Smith explained that during the Work Session on 10/5/23, the Board was presented with photo and video renderings of the park, and if approved, these renderings would be available to view at the Landis Fall Festival.

Alderman Corriher expressed that he was contacted by multiple citizens, and he feels that the renderings should be voted on by them considering the large amount of money that the park will cost.

Alderman Overcash suggested that the splash pad be moved to the swimming pool. D.C. and Frances Park Chairman, Ryan Nelms, stated that this was not going to be a “real” splash pad, but

instead, a water feature that doubles as a splash pad. Mayor Smith further explained that it is another avenue for the kid zone area in the park for kids to enjoy instead of the normal playground equipment. Alderman Corriher stated the heavy maintenance it would require. Mayor Pro-Tem Stewart asked if approving the specific renderings presented to them would lock The Board into not being able to make changes to the design renderings at a later date if needed. Town Manager, Michael Ambrose, informed the Board that by approving the renderings, it in no way locked them into not being able to make changes in the future, and this was a necessary action that needed to be taken in order for the committee to begin their next phase. Alderman Corriher stated that the park renderings were not what he believed Mr. Linn would have wanted. Alderwoman Sells expressed that Mr. Linns daughters were an active part in the process.

The Board allowed Sam Deadman to speak, and he expressed that if the Board can show citizens how the park is being funded and that the responsibility will not fall on them to fund it, that he thinks the citizens will be comfortable with the park. Mayor Smith added that she has heard positive comments from citizens that are excited for something like this to be in their home town and close to them.

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

Moved by Tony Corriher, seconded by Ashley Stewart

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

**6.2 Consider Approval of the Electric 12KV Conversion Materials**

Town Manager, Michael Ambrose, stated that this project material was bid out and there was not a vendor that could accommodate all material items needed within a year. After reviewing the proposals, and taking the delivery time into consideration, staff recommends an order for various electrical items totaling \$23,263.05 (plus tax) be awarded to WESCO and an order for the remaining electrical material in the amount of \$48,806.36 (plus tax) be awarded to Boarder States (the list of items are included in Board Packet). Additionally, Staff recommends awarding the transformers bid to Southeastern Transformer Company in the amount of \$25,252.00 (plus tax). These conversion costs were budgeted for in our FY24 budget, therefore a budget amendment will not be needed.

**ACTION: A MOTION WAS MADE TO AWARD \$23,263.05 PLUS TAX TO WESCO, \$48,806.36 PLUS TAX TO BOARDER STATES, AND \$25,252.00 PLUS TAX TO SOUTHEASTERN TRANSFORMER COMPANY FOR THE ELECTRIC 12KV CONVERSION MATERIALS.**

Moved by Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

**6.3 Consider Approval of Purchasing Electric Utility Poles for the 12KV Conversion Project**

Town Manager, Michael Ambrose, stated that staff have been unsuccessful in receiving quotes from any vendor except for Koppers Utility. Staff recommends using this vendor, as they can provide us with the necessary utility poles in a timely manner. This was included in our FY24 Budget; therefore, a budget amendment is not needed for this purchase.

**ACTION: A MOTION WAS MADE TO APPROVE KOPPERS UTILITY BID FOR THE ELECTRIC UTILITY POLES.**

Moved by Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

**6.4 Consider Approval of Sidewalk Replacement on N. Chapel Street**

Town Manager, Michael Ambrose, asked the Board to consider approving the replacement of the sidewalk on N. Chapel between E. Garden Street, and E. Blume Street, and patching a small section of sidewalk in front of 406 E Ryder Ave. Manager Ambrose stated that the sidewalk is a trip hazard and needs to be replaced in accordance with ADA guidelines. Staff received two quotes on this project and recommends awarding the project to Yates and Funderburk Concrete Finishing, Inc in the amount of \$13,032.00. This replacement will come from the Powell Bill funding, and a budget amendment will not be needed.

Mayor Pro-Tem Stewart asked Manager Ambrose why this is needed. Manager Ambrose directed the Board to the photos located in the Board packet and explained to them that from his own personal experience, he could not push his daughter in a stroller down the sidewalk because of how deep the divots are.

**ACTION: A MOTION WAS MADE TO AWARD THE SIDEWALK REPLACEMENT ON N. CHAPEL STREET TO YATES AND FUNDERBURK CONCRETE FINISHING, INC. IN THE AMOUNT OF \$13,032.00.**

Moved by Tony Corriher, seconded by Ashley Stewart

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

**6.5 Consider Approval for Hosting OneBlood Blood Drive October 26th for Employees and Citizens and Consider Employee Incentive of 4-Vacation Hours to Donate Blood**

Town Manager, Michael Ambrose, explained that OneBlood Blood Drive has reached out to host a blood drive on October 26<sup>th</sup> for employees and citizens. The Town has had a great success with this in the past and would like to offer an incentive of 4-vacation hours to those employees that donate as previously incentivized.

**ACTION: A MOTION WAS MADE TO APPROVE HOSTING THE ONEBLOOD BLOOD DRIVE ON OCTOBER 26, 2023, AND TO OFFER AN INCENTIVE OF 4-VACATION HOURS TO EMPLOYEES WHO DONATE.**

Moved by Ashley Stewart, seconded by Katie Sells

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

**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 November Events (Included in the Board packet)**

**9. CLOSING:**

**9.1 Board Comments**

**Alderman Overcash:** asked about item 6.4, and if some of the sidewalk damage looks like it could have been done from people driving/backing up on them since they are next to driveways. Manager Ambrose stated that they planned to expand the apron to avoid this in the future.

**Mayor Smith:** Informed everyone that the Planning Board meeting scheduled for 10/10/23 was canceled due to no quorum.

**9.2 Motion to Adjourn**

**ACTION: A MOTION WAS MADE ADJOURN.**

Moved by Darrell Overcash, seconded by Ashley Stewart

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Katie Sells

Respectfully Submitted,

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Madison T. Stegall, Town Clerk



## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Jeneen McMillen, Finance Director

**ITEM TYPE:** Budget Amendment #32

**AGENDA SECTION:** Consent Agenda

**SUBJECT:** **Consider Approval of Budget Amendment #32 to Correct Budget Amendment #19**

**DETAILS:** Consider the approval of Budget Amendment #32, which will correct Budget Amendment #19, that was created in FY23. This budget amendment was created to reflect payments made to Utility Customers who were billed in error.

Town of Landis, NC  
Budget Amendment  
Friday, June 30, 2023  
Amendment #32 for 2022-2023

Account Number	Account Description	Current Amount	Increase	Decrease	Adj Budget
30-0000-4999	Retained Earnings Appropriation		21,146.86		
10-0000-4999	Fund Balance Appropriated	443,646.86		21,146.86	422,500.00
30-1000-5350	Contingency	22,406.86		21,146.86	1,260.00
30-1000-5340	Miscellaneous Expense		21,146.86		
			42,293.72	42,293.72	0.00

To correct Budget Amendment #19 to reflect payments that were made to utility customers in FY23.

Was presented to the Board of Aldermen and approved on 11/13/23

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Input by: \_\_\_\_\_

Date: \_\_\_\_\_



# Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Richard Flowe, Planning, Zoning, & Subdivision Administrator

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** Public Hearings

**SUBJECT:** **Consider Public Legislative Hearing - Landis Development Ordinance (LDO) Zoning Text Amendment (ZTA) - recommended by staff with unanimous recommendation by Planning Board on 23 October 2023**

**DETAILS:**

- a) Open Public Legislative Hearing
- b) Close Hearing
- c) Consideration of Ordinance to Amend the LDO (See Ordinance #ZTA-2023-11-13, and new Article 20 Stormwater)"

AN ORDINANCE AMENDING  
THE “LANDIS DEVELOPMENT ORDINANCE”  
OF THE TOWN OF LANDIS, NORTH CAROLINA

Ordinance Number ZTA-2023-11-13

WHEREAS, on May 10, 2021 the Town Board of Aldermen’s newly adopted Landis Development Ordinance, also known as the LDO, became fully effective; and,

WHEREAS, the amendment of the LDO to incorporate up-to-date stormwater standards and specifications is both consistent with the adopted *Town Plan 2040* by continuing to meet the adopted goals of *Town Plan 2040* emphasizing management of growth and reasonable because of the Town’s need to achieve compliance with applicable federal mandates; and,

THEREFORE BE IT ORDAINED by the Town Board of Aldermen that the Landis Development Ordinance be amended as follows:

**PART 1. Articles 20 is hereby amended to read as it appears on the following pages:**

**PART 2. This Ordinance shall be effective at 12:01 AM EST on November 14, 2023.**

**ADOPTED on this the 13<sup>th</sup> day of November 2023.**

s/ \_\_\_\_\_

**Meredith Bare Smith, Mayor**

s/ \_\_\_\_\_

**Madison Stegall, Town Clerk**



**ARTICLE 20**  
**STORMWATER**

*(Amended in its entirety November 13, 2023)*

**Section 20.1 Title**

This Article may be cited as the Town of Landis Stormwater Ordinance.

**Section 20.2 Purpose**

This Article is adopted for the purposes of:

- a. The stormwater management regulations of this Article shall protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of stormwater runoff associated with new development. Proper management of stormwater runoff will protect property, control stream channel erosion, prevent increased flooding associated with new development, protect floodplains, wetlands, water resources, riparian and aquatic ecosystems, and otherwise provide for environmentally sound use of the Town’s natural resources; and
- b. Establishing procedures through which these purposes can be fulfilled.

**Section 20.3 RESERVED**

**Section 20.4 Definitions Supplemental to this Article**

As used in this Article, unless the context clearly indicates otherwise, the following definitions apply:

- a. Applicant - An owner or Developer of a site who executes the Stormwater Permit application pursuant to the Town of Landis’s Stormwater Ordinance.
- b. Buffer Zone - means the strip of land adjacent to a lake or natural watercourse.
- c. Connection. Any ditch, pipe, or other device for the diversion or transmission of storm drainage, which will in any way affect the operation or maintenance of the drainageways.
- d. Conveyance - Any feature of the landscape or earth, manmade or natural, that carries water in a concentrated flow.

- e. Detain. To store and slowly release stormwater runoff following precipitation by means of a surface depression or tank and an outlet structure.
- f. Development. Any land disturbing activity which adds to or changes the amount of impervious or partially pervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil, or increases total runoff from the site, other than a rebuilding activity that does not qualify as redevelopment. Drainage structures shall include swales, channels, storm sewers, curb inlets, yard inlets, culverts, and other structures designed or used to convey stormwater.
- g. Final Certificate of Occupancy - means the document required by the North Carolina State Building Code certifying that a new building shall not be occupied, or a change made in occupancy, nature, or use of a building until after all required building and services systems have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the Town’s Planning Services Department and the Rowan County Code Enforcement Department.
- h. RESERVED.
- i. High-Density Development – A project is high-density if it contains more than twenty-four percent (24%) built-upon area or more than two dwelling units per acre or in the case of lots less than one acre, if more than 10,000 square feet of impervious surface exists.
- j. High Quality Waters - means those classified as such in 15A NCAC 2B.0101 (e) (5) - General Procedures, which is incorporated herein by reference to include further amendments.
- k. High Quality Water (HQW) Zones - means areas that are within one mile and drain to HQW’s.
- l. Impervious surface. Any surface that, in whole or in part, restricts or prevents the natural absorption of water into the ground. Such surfaces may include, but are not limited to, compacted and/or mixed aggregate gravel, concrete, asphalt or other paving material, and all areas covered by the footprint of buildings or structures. Excludes uncompacted washed stone used in landscape beds where vehicular traffic is prohibited.
- m. Lake or Natural Watercourse - means any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.

- n. Land disturbing activity- Any use of, or operations on, the land by any person in residential, industrial, educational, institutional, or commercial development, including road construction and maintenance, that results in a change in the natural cover or topography.
- o. Local Government - means any county, incorporated village, town, or city, or any combination of counties, incorporated villages, towns, and cities, acting through a joint program pursuant to the provisions of the Act.
- p. Low-density Development – A project is low-density if it has no more than twenty-four percent (24%) built-upon area or no more than two dwelling units per acre.
- q. May – means contingent upon the discretion of the Administrator or their designee.
- r. One-year, 24-hour storm. The surface runoff resulting from a 24-hour rainfall of an intensity expected to be equaled or exceeded, on average, once in 12 months and with a duration of 24-hours.
- s. Parent - an affiliate that directly, or indirectly through one or more intermediaries, controls another person.
- t. Person - means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, council, board, public or private institution, utility, cooperative, interstate body, or other legal entity.
- u.. Plan - means a Stormwater Control Plan.
- v. Recurring Violation – means a violation that has not been corrected within the time specified by the Town of Landis, or, a reoccurrence of a violation from which a previous notice has been issued, notwithstanding natural occurrences exceeding design requirements.
- w. Retain. To capture and hold stormwater runoff following precipitation by means of surface depression allowing the water to infiltrate into the soil, thus reducing the hydrologic and pollution impacts downstream.
- x. Shall – means a requirement.
- y. Stormwater - Any surface flow, runoff, and drainage consisting entirely of water from rainfall events.
- z. Velocity – means the average speed of flow through the cross-section of the main channel at the peak flow of the storm of interest. The cross-

section of the main channel shall be that area defined by the geometry of the channel plus the area of the flow below the flood height defined by vertical lines at the main channel banks. Excludes overload flows.

## **Section 20.5 Exclusions**

The stormwater management regulations of this Article do not apply to any of the following development activities:

- a. Activities including the breeding and grazing of livestock, undertaken on agricultural land for the production of plants and animals useful to man, including but not limited to:
  - 1) Forages and sod crops, grains and feed crops, tobacco, cotton and peanuts.
  - 2) Dairy animals and dairy products.
  - 3) Poultry and poultry products.
  - 4) Livestock, including beef cattle, sheep, swine, horses, ponies, mules and goats.
  - 5) Bees and apiary products.
  - 6) Fur producing animals.
- b. Activities undertaken in forestland for the production or harvesting of timber and timber products and conducted in accordance with best management practices as set out in Forest Practice Guidelines Related to Water Quality.
- c. Activities for which a permit is required under the mining act, G.S. 74-46 et seq.
- d. Commercial development on lots less than one acre that are not part of a larger common plan of development or sale.
- e. Residential development that disturbs less than one acre, including total buildout of the site that are not part of a larger common plan of development or sale.
- f. Any development in which the owner has accrued a vested right. A vested right is recognized if either a preliminary plan has been approved by the *Planning, Zoning & Subdivision Administrator* that meets the required standards and specifications of the Town of Landis Development Ordinance (LDO), or a Land Disturbing Permit has been issued pursuant to Rowan County Soil Erosion and Sedimentation Control ordinance in effect on or before the effective date of this Ordinance, and that such plan or permit remains unexpired.
- g. A party in interest in a particular plan found to have no vested right to construct or develop on or before the effective date of this Ordinance may appeal to the Town of Landis Board of Adjustment for a hearing de novo.

Such hearing shall be expedited and shall be limited to the issue of whether the landowner has a vested right to construct or develop their site under plans submitted prior to the effective date of this Ordinance.

- h. Redevelopment or expansions to uses included in the above categories are not subject to the stormwater requirements unless it would result in an expansion of impervious surface on commercial lots in size equal to or greater than one acre, would result in commercial redevelopment where more than 50% of the square footage of a structure is replaced on a lot in size equal to or greater than one acre, or would result in a total developed acreage of one acre for residential development.

**Section 20.6 Review and Decision-Making Entities**

The Town of Landis Planning, Zoning & Subdivision Administrator will administer this Ordinance. The Town Manager will designate a Stormwater Administrator to review plans as requested by the Planning, Zoning & Subdivision Administrator. In addition to the powers and duties that may be conferred, the Stormwater Administrator shall have the following powers and duties under this Article:

- a. To review and approve or disapprove applications for approval of plans pursuant to this Article.
- b. To make determinations and render interpretations of this Article.
- c. To establish application requirements and schedules for submittal and review of applications and appeals, to review and approve applications.
- d. To enforce the provisions of this Article in accordance with its enforcement provisions.
- e. To make records, maps, and official materials as relate to the adoption, amendment, enforcement, or administration of this Article.
- f. To provide expertise and technical assistance to the Town.
- g. To designate appropriate other person(s) who shall carry out the powers and duties of the Stormwater Administrator.
- h. To take any action necessary to administer the provisions of this Article.

**Section 20.7 Review and Appeals Procedures**

- a. A Stormwater Management Permit is required for all development and redevelopment which equals or exceeds one acre of residential or commercial development, unless exempt pursuant to Section 5 of this

Article and projects less than an acre that are part of a larger common plan of development or sale.

- b. The Board of Aldermen shall establish permit review fees.
- c. For all activities which are subject to this Article, no person shall initiate, proceed, or undertake any land disturbing or development activity for which a permit is required without first being issued a written stormwater control permit.

All other required applications must be received, and permits must be obtained prior to the start of the work. These may include but are not limited to Soil Erosion and Sedimentation Control, Flood Damage Prevention, Zoning, Subdivision, Building Permits and Inspections, NC Department of Transportation, NC Division of Water Quality, US Army Corps of Engineers, and NC DENR-Dam Safety.

- d. Plan review fees shall be double the amount when activity subject to this Article begins before a Stormwater Management Permit is obtained. Re-inspection fees will be charged for follow-up inspections when required, due to deficiencies discovered upon initial routine inspections.
- e. Two (2) copies of the Stormwater Management Plan shall be submitted to the Planning, Zoning & Subdivision Administrator for review by the Stormwater Administrator or their designee.
- f. The Stormwater Administrator or their designee shall review the plan for completeness and for compliance with the requirements of this Article. An incomplete or nonconforming Stormwater Management Plan will be returned to the applicant with an explanation of issues requiring resolution before Stormwater Management Plan approval simultaneously with Zoning Site Development Plan, Preliminary Plat and/or Construction Plans in accordance with Article 7 of this Ordinance.
- g. Within forty-five (45) days of receipt of application for Stormwater Management Plan approval, the Stormwater Administrator shall take action on the plan.
- h. Approval, approval with modifications, or denial of the proposed Stormwater Management Plan shall be in writing. In the case of denial, the reasons for denial shall be clearly stated. The applicant may appeal the decision of the Stormwater Administrator to the Town of Landis Board of Adjustment within 15 days after receipt of written notice of disapproval or approval with modifications. All applications for a Stormwater Management Permit constitute consent to physical inspection of the drainage structures and stormwater management measures during and after

construction by the Town and/or DEQ.

- i. Hearings held pursuant to this section shall be conducted by the Board of Adjustment within 30 days after the date of the appeal or request for hearing.
- j. The Board of Adjustment shall decide appeals within 15 days after the date of the hearing on any Stormwater Management Plan.
- k. The Board of Adjustment will conduct a hearing in the nature of a quasi-judicial proceeding with all findings of fact supported by material evidence and qualified testimony.
- l. Decisions appealing the final decision by the Board of Adjustment may be filed in Rowan County Superior Court, to be reviewed by proceedings in the nature of certiorari, within thirty (30) days of the final decision of the Board of Adjustment.
- m. The Stormwater Administrator shall take action on revisions to a Stormwater Management Plan which has been previously denied, within fifteen (15) days of receipt of the revised plan application for approval.
- n. If a revised application is not re-submitted within sixty (60) calendar days from the date the applicant was notified, the application shall be considered withdrawn, and a new submittal (re-application) for the same or substantially the same project shall be required along with the requisite fee and pursuant to the standards and specifications in effect at the time of re-application.
- o. Application for an amendment to an approved Stormwater Management Plan in written and graphic form may be made at any time. Until such time that any amendment is approved by the Stormwater Administrator, it shall be unlawful to deviate from the approved plan.
- p. An approved plan shall become null and void if the applicant has failed to make progress on the site within one-year after the date of approval in accordance with GS 160D-108(d). The Stormwater Administrator may grant a single, six-month extension of this time limit, for good cause shown, upon receiving a written request from the applicant before the expiration of the approved plan.

**Section 20.8 Penalties for Violation**

- a. Civil penalties may be imposed as follows:
  - 1. Any person who violates any of the provisions of this Article, or

rules or orders adopted or issued pursuant to this Article, or who initiates or continues a development for which a Stormwater Management Plan is required, except in accordance with the terms, conditions, and provisions of an approved plan, is subject to a civil penalty. The maximum civil penalty for a violation of this Article is \$5,000 per day. Each day of a continuing violation shall constitute a separate violation. Additional fees may be charged for remedies and enforcement of this Article.

2. No penalty shall be assessed until the applicant has been notified of the violation in accordance with Article 23, Section 23.5-1 of this Ordinance. The notice shall describe the violation with reasonable particularity, specify a reasonable time period within which the violation can be corrected, and warn that failure to correct the violation within the time period will result in the assessment of further civil penalties or other enforcement actions.
  3. If the violation has not been corrected within the designated time period, a civil penalty may be assessed from the date the violation is detected.
  4. Refusal to accept the notice or failure to notify the Stormwater Administrator of a change of address shall not relieve the violator's obligation to pay such a penalty.
  5. The Stormwater Administrator or other authorized agent may refuse to issue a certificate of occupancy for any building or other improvements constructed or being constructed on the site and served by the stormwater practices in question until the applicant has taken the remedial measures set forth in the notice of violation and cured the violations described therein.
- b. Penalties: Any person violating any provisions of this Article shall be subject to the penalties appearing in Article 23 of this Ordinance as additional administrative remedies and enforcement penalties referenced in Sub-section 20.8-a.1 above. Each day that the violation continues shall constitute a separate violation.

**Section 20.9 Permit Application and Plans**

- a. The Stormwater Management Permit application and plan shall refer to the drawings and technical documentation for planned site improvements necessary to fulfill the drainage and stormwater management requirements of this Article. This shall include but not be limited to:



1. Location and topographic maps with the total drainage area delineated including both on-site and off-site areas and sufficient information to define all ridges, existing streams, location of the 100-year floodplain and floodway, drainage ways, wetland areas, existing springs, and elevation of any proposed discharge point, and any additional information required to evaluate the existing and proposed drainage system, which may include a soil analysis.
  2. Architectural and engineering drawings showing plan, profile and details of piping, drainage structures, swales, and channels tying into a network of pre-existing manmade or natural channels.
  3. Written project specifications governing work performance and materials.
  4. Computations and assumptions sufficient to support the design of piping, drainage structures, retention/detention ponds, and permanent erosion control measures.
  5. Whatever other narrative statements are necessary to adequately describe the proposed site improvements and the measures planned to comply with the requirements of this Article.
- b. The Stormwater Management Permit application and plan shall be prepared by and shall bear the seal and signature of a professional engineer or landscape architect licensed in the state of North Carolina, competent to perform all aspects of design.
  - c. The Stormwater Management Permit application and plan shall be prepared to meet the basic objectives and design standards for drainage and stormwater management as described in this Article.
  - d. The Stormwater Management Permit application and plan shall show the existing site topography and proposed site drainage improvements in sufficient detail to facilitate plan review and construction. The plan drawings shall be presented at a scale no smaller than 1 inch = 50 feet.

**Section 20.10 Maintenance Manual**

- a. The Stormwater Management Permit application and plan shall be accompanied by an operations and maintenance manual. The manual shall contain a narrative describing each installed measure and device and its design specifications. The manual shall indicate for each installed measure and device what operation and maintenance actions are needed and what specific quantitative criteria will be used to determine when these actions will be taken. The manual must indicate the steps that will be taken to

- restore a measure or device to the design specifications if a failure occurs.
- b. After the permit and plan is approved and installation is complete, if changes have been made to any installed measure or device, the manual shall be revised to reflect these changes, and such changes shall be subject to the review and approval of the Stormwater Administrator.

**Section 20.11 As-built Plans and Specifications**

- a. The designer of the stormwater control plans shall provide as-built plans of all stormwater control and management plans showing the field location, size, depth, and planted vegetation of all measures and devices as installed. If the previously submitted plans remain unchanged, an as-built certification to the existing plans will be required. No certificate of compliance or occupancy shall be issued without said as-built plans.
- b. The designer shall certify, under seal, that the as-built stormwater measures and devices and their installation are in compliance with the Town’s stormwater Article.
- c. The designer shall submit a final electronic file of the Stormwater Management Plan that is readable by GIS systems, geo-referenced to the NC State Plane 1983 (Feet).

**Section 20.12 Stormwater Management Objectives**

- a. In order to reduce drainage related damage and hazards, adequate natural drainage systems or stormwater management installations are required to collect and transmit stormwater flows into either existing drainage facilities or a natural drainage system.
- b. All storm drainage facilities shall be designed, constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such improvements. Specifically:
  - 1. Offsite areas which drain to or across a site proposed for development must be accommodated in the Stormwater Management Plans for the development. The stormwater management system must be capable of conveying the existing offsite flows through or around the development such that the volume and rate of flow from the adjacent property is not altered. If offsite flows are carried in the site system, any detention system shall be sized to accommodate this flow. The flow must be released to the original drainage area.
  - 2. Storm drainage facilities shall be designed to limit the discharge from the site to the rate for the 24-hour storm that existed prior to

development of the site. For projects that are redeveloping a developed site, the discharge will be limited to that which occurs before any new development. The type and location of the discharge will be as occurred before the current development unless the discharge is to a manmade conveyance system.

- c. All site improvements shall be provided with a drainage system that is adequate to prevent the undue retention of surface water on the development site.
- d. These goals for discharge can be accomplished by designing, constructing, and maintaining all stormwater management installations to the extent practicable:
  - 1. Avoid increases in surface runoff volume and velocity by including measures which promote the infiltration of stormwater,
  - 2. Maximize the time of concentration of stormwater runoff, and
  - 3. Promote the filtration and precipitation of pollutants from stormwater runoff in order to protect the water quality of the receiving watercourse.
- e. Whenever practicable, the drainage system of a development site shall coordinate with and connect to the drainage systems or drainage ways on surrounding properties or streets. Permission must be received from other applicable entities for connection.
- f. To the extent practicable, all site improvements shall conform to the natural contours of the land, and without disturbance, utilize the preexisting natural and preexisting manmade drainage ways.
- g. To the extent practicable, lot boundaries within subdivisions shall be made to coincide with, but not encroach into as per Section 16.2-3(D), natural and preexisting man-made drainage ways to avoid creation of lots that can only be built upon by altering such drainage ways.
- h. Stormwater shall not be diverted from one natural drainage basin into another.
- i. Stormwater shall not be channeled or directed into sanitary sewers.
- j. Stormwater controls shall not be located within the designated floodway.
- k. Stormwater controls shall not be located within 30 feet landward from any perennial and intermittent surface waters. A surface water shall be deemed

present if the feature is approximately shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the US Department of Agriculture or the most recent version of the quadrangle topographic maps prepared by the USGS.

- l. Streams shall not be relocated unless it is demonstrated that the relocation of the stream will have a positive impact on water quality while reducing velocity. All other applicable permits must be received.
- m. High-density projects shall be required to adopt or install storm drainage facilities pursuant to this section, paragraph b.2.

**Section 20.13 Stormwater Management Design Standards**

- a. Design standards are established for the purpose of promoting sound development practices which respect, preserve and enhance watercourses and are not intended to prohibit the use of innovative and alternative techniques which can be demonstrated to have the potential for successfully achieving the objectives stated in Section 20.2 herein.
- b. Design Storm:
  1. The measures shall control and treat at a minimum the stormwater runoff from the first inch of rainfall volume leaving the project site. Runoff volume drawdown time shall be a minimum of 48 hours, but not more than 120 hours.
  2. All structural stormwater treatment systems used to meet the requirements of this Article shall be designed to have a minimum of 85% average annual removal for Total Suspended Solids (TSS).
  3. The design of drainage facilities in flood hazard areas shall be consistent with the requirements of Article 18 of this Ordinance. No stormwater controls shall be allowed within the floodway. No stormwater controls shall be within 30 feet landward of any perennial and intermittent surface water.
  4. The computation of stormwater runoff shall follow established engineering practice. Acceptable methods of computation include the Rational Method, the Peak Discharge Method as described in USDA Technical Release Number 55 (TR-55), and USGS Regression Equations, where applicable. If an alternate method is proposed, the method should be described and justification for using this method should be provided. The same method must be used for both the pre- and post-development conditions.

5. Runoff coefficients shall be based on full development of the project and of the watershed to the extent of the current zoning or land use patterns and shall include the complete development of the site through build-out, including roof tops and other impervious areas that may be proposed.
6. Stormwater detention shall be provided to insure that the rate of discharge for the 24-hour storm does not exceed the pre-development rate of discharge. In order to demonstrate this, inflow-outflow calculations shall also be submitted for any stormwater detention ponds.

#### **Section 20.14 Technical Standards & Specifications Manual**

The Town of Landis's Planning and Development Services Department may furnish additional guidance and standards for the proper implementation of the regulations of this Article and may provide such information in the form of a Technical Standards & Specifications Manual. Stormwater management practices that are designed, constructed, or maintained in accord with the Technical Standards & Specifications Manual must be presumed to comply with these regulations. However, the Stormwater Administrator shall have the right to consult other engineers and duly qualified professionals, and to impose any conditions or require any modifications deemed necessary to meet the purpose, intent and requirements of this Article. In the absence of a Technical Standards & Specifications Manual standards and specifications set forth in the *NCDOT Subdivision Roads Minimum Construction Standards*, specifically *Section I - Construction Standards, Subsection I-A - Drainage* and structures to meet *Subsection I-B Structures* (Bridges, Culverts, Dams and Retaining Walls) shall apply.

#### **Section 20.15 Construction of Stormwater Management Structures**

- a. Stormwater management facilities shall be constructed in accordance with approved plans and maintained in proper working condition. The applicant/property owner is responsible for ensuring that the construction of drainage structures and stormwater management measures are completed in accordance with the approved plan and specifications. Inspections which may be performed by the Town of Landis or its agents during construction will not relieve the Developer of the responsibility to install stormwater management and drainage facilities in accordance with the approved plan.
- b. In response to a complaint, or as a compliance check with the requirements of the Article, the Stormwater Administrator or the designee shall perform a physical inspection of the construction of drainage structures and stormwater management measures or monitor long term

maintenance procedures.

- c. The property owner will be notified in writing of any substandard and/or nonconforming work identified by the Stormwater Administrator. The notification shall state the specific work that is out of compliance, the specific reasons for noncompliance, and the corrective measures necessary to bring the work into compliance.
- d. Failure of the property owner or Developer to correct substandard and/or nonconforming work identified by the Stormwater Administrator shall be sufficient reason to refuse any action or services such as, but not limited to building permits, or occupancy permits for buildings serviced by said work. Appeals on determination of noncompliant or substandard work and/or the adequacy of the corrective measures executed shall be made in accordance with Section 20.7.h, of this Article. Pending the ruling on the appeal, the determination of the Stormwater Administrator remains in effect.
- e. Revisions which affect the intent of the design, or the capacity of the system shall require prior written approval by the Stormwater Administrator.

**Section 20.16 Performance Security for Installation**

- a. The Developer shall provide a performance guarantee in accordance with Section 16.1-9(B) of this Ordinance prior to issuance of a Stormwater Management Permit to ensure the Stormwater Management System is installed by the Developer and functions as required by the approved Stormwater Management Plan.
- b. Compliance with the required Stormwater Management Permit, installation of Stormwater Management Plan measures, and maintenance of such measures shall be ensured by the Developer to avoid a failure to perform. The performance guarantee shall be subject to the terms and conditions of Section 16.1-9(C) of this Ordinance.

**Section 20.17 Completion**

The property owner/Developer is responsible for completing all stormwater improvements in accordance with the requirements of this Article and other applicable ordinance and laws.

**Section 20.18 Assurance that Improvements will be Maintained.**

All stormwater improvements must be maintained so they will continue to serve their intended functions.

- a. Development Phase. The Developer must maintain stormwater improvements until accepted by a property owners association or lot owner. The Developer must disclose which party will be responsible for continued maintenance on the record plat and on the Stormwater Management Plan. The Developer will be responsible for the installation, operations, and maintenance of the stormwater controls until ownership is conveyed. The responsibility and agreement for operations and maintenance for the Stormwater Management System is transferred with title, as each property is conveyed. The Developer will provide a written warranty to guarantee the stormwater improvements for 2 years after initial transfer of ownership.
- b. Before improvements are accepted for maintenance by the property owners association or lot owner, the Developer or the Developer's licensed North Carolina professional engineer or landscape architect, must certify to the grantee (property owners association and/or lot owner) and to the Town of Landis that improvements are complete and functioning as designed.
- c. The Developer must record, and reference on the record plat, an operations and maintenance plan that instructs the grantee about the required operations and maintenance tasks.
- d. The person responsible for maintenance of any stormwater structure or feature installed pursuant to this Article shall submit to the Stormwater Administrator an inspection report annually from a qualified registered North Carolina professional engineer, surveyor, or landscape architect performing services only in their area of competence. The report shall contain the following:
  - 1. The name and address of the landowner.
  - 2. The recorded book and page number of the lot of each stormwater control.
  - 3. A statement that an inspection was made of all stormwater controls and features.
  - 4. The date the inspection was made.
  - 5. A statement that all inspected controls and features are performing properly and are in compliance with the terms and conditions of the approved maintenance agreement required by this Article.
  - 6. The signature and seal of the engineer, surveyor, or landscape architect.

An original inspection report shall be provided to the Stormwater Administrator beginning one year from the date of as-built certification and each year thereafter on or before the date of the as-built certification. It shall be the responsibility of the property owner's association or lot owner to update the plan annually.

- e. The Developer must record, and reference on the record plat, a maintenance agreement, or restrictive covenant that sets forth the property owners association's or lot owner's continuing responsibilities for maintenance, including specifying how cost will be apportioned among lot owners served.
- f. The maintenance agreement must provide that the association and its individual members are jointly and severable liable for maintenance.
- g. The Developer must record easements for access, maintenance, inspections and conduct monitoring or other activities approved by the Stormwater Administrator by any property owner's association and by the Town of Landis.
- i. All maintenance documents required by this Article must be submitted to the Stormwater Administrator before record plat approval, and such documents must be referenced on the record plat, or, in the case of single-lot developments not requiring record plats, documentation must be submitted to the Stormwater Administrator before Certificate of Occupancy issuance. Failure to submit all maintenance documents shall constitute a violation of this Article and be subject to penalties in accordance with Section 20.8 of this Article.
- j. The Town of Landis may create special tax assessments for residential subdivisions to fund maintenance, fund maintenance for Stormwater Management Systems through stormwater utilities, or other alternative enterprise authority permissible by North Carolina law.

**Section 20.19 Illicit Discharges and Connections**

- a. Illicit Discharges

No person shall cause or allow the discharge, emission, disposal, pouring, or pumping directly or indirectly to any stormwater conveyance, waters of the State, or upon the land in manner and amount that the substance is likely to reach a stormwater conveyance or the waters of the State, any liquid, solid, gas, or other substance other than stormwater; provided that they do not significantly impact water quality. The following discharges are excluded from this provision:



1. Water line flushing;
2. Landscape irrigation;
3. Diverted stream flows;
4. Rising ground waters;
5. Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));
6. Uncontaminated pumped ground water;
7. Discharges from potable water sources
8. Foundation drains;
9. Air conditioning condensation;
10. Irrigation water;
11. Springs;
12. Water from crawl space pumps
13. Footing drains;
14. Lawn watering;
15. Individual residential car washing;
16. Flows from riparian habitats and wetlands;
17. Dechlorinated swimming pool discharges;
18. Street wash water; and
19. Other non-stormwater discharges for which a valid NPDES discharge permit has been approved and issued by the State of North Carolina, and provided that any such discharges to the municipal separate storm sewer system shall be authorized by the Town.

Prohibited substances include but are not limited to: oil of any source, anti-freeze, chemicals and/or chemical solutions, animal waste, paints, garbage, and litter.

b. Illicit Connections

1. Connections to a stormwater conveyance or stormwater conveyance system that allow the discharge of non-stormwater, other than the exclusions described in Section 20.20.a above, are unlawful. Prohibited connections include, but are not limited to: floor drains, waste water from washing machines or sanitary sewers, wash water from commercial vehicle washing or steam cleaning, and waste water from septic systems.
2. Where such connections exist in violation of this section and said connections were made prior to the adoption of this provision or any other ordinance prohibiting such connections, the property owner or person using said connection shall remove the connection within one year following the effective date of this Ordinance. However, the one-year grace period shall not apply to connections which may result in the discharge of hazardous material or other

discharges which pose an immediate threat to health and safety or are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat.

- 3. Where it is determined that said connection:
  - i. May result in the discharge of hazardous materials or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat, or
  - ii. Was made in violation of any applicable regulations or ordinance;
 the non-stormwater connection shall be removed.

In setting the time limit for compliance, the Stormwater Administrator shall take into consideration:

- i. The quantity and complexity of the work,
- ii. The consequences of delay,
- iii. The potential harm to the environment, to public health, and to public and private property, and
- iv. The cost of remedying the damage.

4. Spills

Spills or leaks of polluting substances released, discharged to, or having the potential to be released or discharged to a stormwater conveyance system, shall be contained, controlled, collected, and properly disposed. All affected areas shall be restored to preexisting conditions.

Persons in control of the polluting substances and persons owning the property on which the substances were released or discharged shall immediately notify the Town of Landis Public Works Department of the release or discharge, as well as making any required notifications under state and federal law. Notification shall not relieve any person of any expenses related to restoration, loss, damage, or any other liability which may be incurred as a result of said spill or leak, nor shall such notification relieve any person from other liability which may be imposed by law.

5. Nuisance

Illicit discharges and illicit connections which exist within the jurisdiction of the Town of Landis and this provision are hereby found, deemed and declared to be dangerous or prejudiced to public health or public safety and are found, deemed, and declared to be public nuisances.



## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval of South Central Ave. Christmas Event Resolution #20231113 of Intent and Authorization to Enter Agreement to Close a Portion of South Central Avenue On-Street Parking and Public Sidewalk and Consider Approval of Release and Hold Harmless Agreement**

**DETAILS:** The businesses on S Central Avenue are preparing an event on December 2nd, 2023. They have requested the use of our public sidewalks and parking spaces for the event. The event is planned to have a beer trailer, craft vendors, and treats with Santa in the parking spaces and sidewalks requested. The parking spaces requested are only the spaces closest to the buildings from E Ryder Avenue to Chuck's Trains. If approved, all affected businesses will be contacted.



Post Office Box 8165, Landis NC 28088

**RESOLUTION OF INTENT AND AUTHORIZATION TO ENTER AGREEMENT TO CLOSE A PORTION OF SOUTH CENTRAL AVENUE ON-STREET PARKING AND PUBLIC SIDEWALK**

Resolution #20231113

WHEREAS, The Landis Mayor and Board of Aldermen may authorize the temporary closure of public streets and sidewalks along with their customary appurtenances within the Town Limits; and

WHEREAS, The Town of Landis has received a request to exercise such authority for the purpose of a *Special Event of Public Interest*; and

WHEREAS, The Town of Landis Central Avenue business area is an ideal venue for such events; and

WHEREAS, Closure for a temporary period of time consisting of one day commencing 8:00 P.M on December 1, 2023 and ending 5:00 P.M. on December 2, 2023 is likely to provide certain public benefit; and

WHEREAS, The area consisting of all public on-street parking spaces and public sidewalk(s) situated along South Central Avenue between East Ryder Avenue and East Mill Street has alternative access.

THEREFOR BE IT RESOLVED, The Mayor and Board of Aldermen hereby declare that upon execution of a Release and Hold Harmless Agreement by the owners or tenants of properties fronting upon the area defined herein above, the area shall be temporarily closed for the period described herein above.

ADOPTED THIS THE 13<sup>TH</sup> DAY OF NOVEMBER, 2023

\_\_\_\_\_  
Meredith Bare Smith, Mayor

\_\_\_\_\_  
Madison Stegall, Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF ROWAN

RELEASE AND HOLD HARMLESS AGREEMENT  
SPECIAL EVENT AND STREET CLOSURE ON DECEMBER 1 AND 2, 2023

WHEREAS, in the interest of the public benefit, the Town of Landis Mayor and Board of Aldermen, by Resolution adopted on November 13, 2023, deemed it necessary the premises herein described below be recognized a *Special Event of Public Interest* venue for a temporary period of time consisting of one day commencing 8:00 P.M on December 1, 2023 and ending 5:00 P.M. on December 2, 2023; and

WHEREAS, by authority granted by said Resolution the Town of Landis agrees to allow the Special Event of Public Interest upon the public domain defined as the "premises" herein.

NOW THEREFORE, the Town of Landis as responsible trustee(s) and keepers(s) of the premises do hereby grant to \_\_\_\_\_, hereafter referred to as the "Grantee(s)", authority to conduct a *Special Event of Public Interest*, including any and all objects and other things in the discretion of the Grantee necessary for the conduct of the *Special Event of Public Interest* for a period of one day commencing 8:00 P.M on December 1, 2023 and ending 5:00 P.M. on December 2, 2023, upon which any and all encroaching objects and other things shall be removed and the premises be cleared of any and all debris, rubbish and materials resulting from the Special Event of Public Interest.

**Premises are described as follows:** All public on-street parking spaces and public sidewalk(s) situated along South Central Avenue between East Ryder Avenue and East Mill Street.

And, we, \_\_\_\_\_, as Grantee(s) and contiguous landowner(s) to the premises do realize that cost of any clearance and administration will be placed as a lien against any and all private property contiguous to the premise owned by the Grantee, collectable as taxes and do hereby release and relieve the Town of Landis, their agents and contractors from any and all liability in both the activities during and/or resulting from any and all actions occurring during the *Special Event of Public Interest* and/or from the performance of clearing and cleaning as herein before set forth.

WITNESS my (our) hand(s) this \_\_\_\_\_ day of November, 2023.

\_\_\_\_\_  
\_\_\_\_\_

State of North Carolina  
County of Rowan

I, \_\_\_\_\_, Notary Public of said State and County, do hereby  
certify that \_\_\_\_\_ personally appeared  
before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
My Commission expires

\_\_\_\_\_  
Notary Public

DRAFT 9 Nov. 2023



## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Madison Stegall, Town Clerk

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Ordinances/Resolutions

**SUBJECT:** **Consider Approval of Ordinance #2023-11-13-1 Declaring the Closure of Portions of Both South and North Main Streets for the Southern Rowan Christmas Parade**

**DETAILS:** Consider the approval of Ordinance #2023-11-13-1 to close portions of both South and North Main Streets for the Southern Rowan Christmas Parade.

**Date:** Tuesday, November 21, 2023

**Times:** 2:00 p.m. – 6:00 p.m.

**Route Description:** South Main Street beginning at its intersection with Sixth Street to North Main Street at its intersection with Coach Deal Drive.



**ORDINANCE #2023-11-13-1**

**AN ORDINANCE DECLARING THE CLOSURE OF PORTIONS OF BOTH SOUTH AND NORTH MAIN STREETS FOR THE SOUTHERN ROWAN CHRISTMAS PARADE**

**WHEREAS**, the Town of Landis annually participates in the Southern Rowan Christmas Parade event for the pleasure of its citizens; and

**WHEREAS**, this festival requires the closure of portions of South and North Main Streets (US 29A) in order to provide adequate security and crowd control; and

**WHEREAS**, the proposed street closures are not likely to unreasonably interfere with public transportation and emergency services.

**NOW, THEREFORE BE IT ORDAINED** by the Town of Landis Board of Aldermen pursuant to the authority granted by G.S. §20-169, that they do hereby declare a temporary road closure during the date and times set forth below on the following described portions of a State Highway System route:

**Date:** Tuesday, November 21, 2023

**Times:** 2:00 p.m. – 6:00 p.m.

**Route Description:** South Main Street beginning at its intersection with Sixth Street to North Main Street at its intersection with Coach Deal Drive.

This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this 13<sup>th</sup> day of November 2023.

\_\_\_\_\_  
Town Mayor, Meredith Bare Smith

Attested by:

\_\_\_\_\_  
Town Clerk, Madison Stegall





## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval to Accept State Appropriations for the South Rowan High School Water Line Project**

**DETAILS:** Consider approval of accepting NC State Appropriations for the South Rowan High School Water Line Project and Consider the approval of earmarking the funds for the South Rowan Water Line Project and authorizing the Town Manager to present the project to the NCDEQ.



# Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider the Approval of Reduction of Speed Limit on S. Kimmons Street to 25 MPH from 35 MPH**

**DETAILS:** Consider the approval of reducing the speed limit on S. Kimmons Street to 25 MPH from 35 MPH. The Town has received numerous complaints of excessive speed on S. Kimmons Street, and with various pedestrians throughout the day, staff recommend the reduction of the speed limit along with more police enforcement of speeding violations.



## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval of the New Harris Local Government Smart Fusion Financial and Utility Billing Software Contract**

**DETAILS:** Consider the approval of the new Harris Local Government Smart Fusion Financial and Utility Billing Software Contract. The Town currently operates the Harris Local Government Smart Fusion Software for all our Utility Billing, and Financial services. The Town paid approximately \$32,000 dollars last year in this contract and were expected to pay \$35,000 this year to continue services with them. This current version of a new contract with Harris has been negotiated down to \$27,500 a year for the next five years, beginning December 1, 2023. Harris has added our Accounts Receivable Module in this pricing, which will help with some of our billing issues that were occurring in the past. Harris has also added 25 hosted users to our account, where before only 10 users were allowed on the system. This will allow for any additional positions we may need to add in the future. I make the recommendation to keep Harris Local Government as our vendor under this new contract presented.

**Maria Bocker**  
Director, RD/Support Services

Harris Local Government  
2017 East Main St., Suite T  
Easley SC 29640

Phone: 228-271-3618  
Email: [mbocker@harriscomputer.com](mailto:mbocker@harriscomputer.com)



October 25, 2021

Michael D. Ambrose  
Town Manager  
312 South Main St.  
Landis, North  
Carolina 28088-8165  
United States

Dear Mr. Ambrose,

Harris Local Government is pleased to provide the Town of Landis with the following proposal for the amendment to your current SmartFusion maintenance agreement. The terms henceforth will be replaced with the following contract and be in effect upon signing. Changes to the current maintenance agreement will bring a total annual cost of \$27,500 for the current solutions listed in detail under the "pricing proposal". The new initial term will be 5 years during which this cost is locked in with no annual increase for the initial term.

Sincerely,

Maria Bocker  
Director of Client Support  
Harris Local Government



# Proposal for SmartFusion Integrated Financial Solution





Date: October 25, 20213  
 Quotation No: MB-TL-102523  
 Prepared By: Maria Bocker

# Proposal Pricing

This understanding between Town of Landis, NC at 312 South Main St. Landis, North Carolina 28088 ("Purchaser") and **Computer Software Innovations, Inc.** at 2017 East Main Street, Easley, SC 29640 ("Harris") confirms the purchase of the following licensed software products and/or services:

<b>Town of Landis,</b>			
SmartFusion solution maintenance			
	<b>Description</b>	<b>Qty</b>	<b>Payment term</b>
CSI-HLG MAINT SF	Purchasing	1	Annually
CSI-HLG MAINT SF	Cash Collections	1	Annually
CSI-HLG MAINT SF	Accounts Payable	1	Annually
CSI-HLG MAINT SF	Accounts Receivable	1	Annually
CSI-HLG MAINT SF	Budget Preparation	1	Annually
CSI-HLG MAINT SF	Check Reconciliation	1	Annually
CSI-HLG MAINT SF	Fund Ledger	1	Annually
CSI-HLG MAINT SF	System Manager	1	Annually
CSI-HLG MAINT SF	Utility Billing	1	Annually
CSI-HLG MAINT SF	Handheld Interface	1	Annually
CSI-HLG SAAS SF	MyGovHub Online Utility Payments	1	Annually
CSI-HLG SAAS SF	MyGovHub eNotification	1	Annually
CSI-HLG SAAS SF	SmartFusion Hosting (10 full-time, 15 part-time)	25	Annually
CSI-HLG MAINT SF	Mass Meter Change	1	Annually
CSI-HLG TPM SF	Basic Gemini Data Backup & Recovery included	1	Annually
		<b>Total:</b>	<b>\$27,500</b>

# Agreement Terms and Conditions

## 1. Definition

“Software Applications” are the computer programs explicitly listed above in the section titled “Software Products” and those indicated using initials by the Purchaser in the section title “Software Options”.

## 2. Payment Terms

Order will be processed with the return of signed contract and an initial payment will follow the current renewal term and be due on Dec. 1<sup>st</sup>, 2023. This Agreement shall commence on the Effective Date “date of contract signing” and shall continue for a period of five (5) years from the initial renewal date “Dec. 1<sup>st</sup>, 2023”. After the Initial Term, the Agreement shall be automatically renewed for successive one (1) year periods (each a “Renewal Term”) subject to Harris then-current price structure unless either party provides written notice to the other party of its intention not to renew not less than one hundred and twenty (120) days from the end of the then current term. The Initial Term and Renewal Term(s) shall collectively be referred to as the “Term”.

Any other remaining fees for the Software Applications shall be invoiced after delivery to Purchaser and due thirty (30) days from the date of invoice.

License Transfer Fees, if applicable, shall be invoiced at the start of the project and due in thirty (30) days.

Professional Services and any applicable travel and lodging expenses shall be billed monthly as the work is performed.

\* All charges are exclusive of out-of-pocket expenses for Professional Services performed. Charges for actual and reasonable out-of-pocket expenses including, but not limited to, travel and lodging expenses will be billed monthly as incurred. All pricing is exclusive of applicable sales, use or similar taxes. Customer is responsible for any such taxes that may apply; if Customer is tax exempt, evidence of such tax exemption must be provided. Lapsed payments may lead to denial of access to the Service in accordance with Section 16(b)(ii) of the Agreement.

State Taxes are applicable on prices listed. If the Purchaser is Tax Exempt, a Tax Exemption Certificate must be provided with this signed Contract.

## 3. Delivery Media Type

Electronic Transfer

## 4. Delivery Schedule

The parties will agree upon an appropriate training, project, and delivery schedule based on, among other things, the modules in respect of which training is required and the skills and availability of both the Purchaser and Harris staff members.

## 5. Data Conversion

The success of a data conversion is based on the format and quality of the input data. Unless otherwise indicated, conversion is strictly limited to non-dollar amounts. A typical utility billing conversion includes information such as names, addresses, phone numbers, and services. Only information explicitly listed in this document will be converted. Initial cost estimates for conversion are included in system pricing proposals but these are only estimates until inspections or sample data can be examined to verify data formats and data integrity. Only then can accurate conversion costs be established. Any costs associated with obtaining the data from the existing vendor are

the responsibility of the Purchaser. Sample data shall be provided in standard fixed length format with ASCII display characters only. Data must be on a media format readable by Harris. File layouts must include: record size, field length, field starting and ending points, field name, field type, data field description. Our acceptable file formats are listed below:

- a. Microsoft SQL Server database
- b. Microsoft Access database
- c. Visual FoxPro/DBase (DBC/DBF)
- d. Excel Spreadsheets - with flat data (one record per row/CSV)
- e. Delimited ASCII files (pipe "|" delimited preferred)

Wherever possible, the data extraction shall be done twice. The first extraction is to test and create the conversion tools. The second extraction is done when the implementation is ready to go live.

In the event a data re-conversion is required, for whatever reason, Purchaser will be billed at the original rate quoted above in the Conversion section of the Agreement.

60 Day Integrity Window - it is our goal to get your data right, thus you as a client have 60 days from the first day of their Go Live to review data for any discrepancies. Items not contained within their source data are excluded. All items found after this 60-day window will be changed at a minimum charge of \$350.00.

**6. Maintenance and Support Fees**

Maintenance and Support fees ("MSF") include all program updates, enhancements, and general releases that Harris makes available to the Purchaser as part of its regular software maintenance program. MSF does not include fees for any third-party licenses or Harris services that may be necessary to perform a third-party license upgrade. MSF also includes access to the Harris support hot line.

**Payment is due upon receipt of invoice.** Following five (5) year Initial term price lock from contract execution Harris reserves the right to change maintenance fees with notification ninety (90) days prior to any renewal term.

Subsequent years' MSF shall be rendered at the beginning of each year in which services are to be furnished. Lapses in annual MSF and/or balances not paid over sixty (60) days will be monitored and will lead to denial of support, and upgrade privileges. In the event of a lapse, Purchaser will be subject to reactivation fees not to exceed 40% of the current annual MSF applied to each year of the lapse including partial year lapses plus the amount representing "the lapsed" MSF. The specific services provided by the technical support staff are outlined in the Harris Software Support Agreement Standard Guidelines.

**7. Additional Customization(s)**

The Purchaser and Harris have jointly reviewed the Software Applications and have determined that all items are adequate except as noted in the CUSTOMIZATIONS section. Additional customization(s) or report modifications not identified in this Agreement will be quoted as requested and billed at the hourly rate of \$195.00. Customizations and/or report modifications requested one year or more from the date of this agreement will be billed at the then current Harris hourly rate. No additional customizations will be undertaken without prior agreement by both parties on cost, scope of functionality, and the impact on the project schedule.

Twenty-two percent of any fees associated with any customization services will automatically be added to the Purchaser's MSF.



**Out of Scope Services:**

- Create or Modify Chart of Accounts or Data Table Headers.
- Data Extraction from a Non-Supported System (either Harris or 3rd party).
- Data “clean up” or data correction during the conversion process.
- Communication & Coordination with 3rd Party Data Management Entities.
- Additional equipment.
- Accommodation for any 3<sup>rd</sup> party software or manual processes.
- Additional client identified Reports and / or Queries.
- Changes to print programs.
- Software Modifications or Customizations including accommodation of Existing Software.

**Additional Billables Indicators:**

- If turnover of any key user happens between Initial Training and Final Go Live.
- Rescheduling Training with less than 24 hours’ notice.
- Failure to demonstrate proficiency on the Harris-supplied training kits which are provided after Initial Training.
- Rescheduling Go Live Dates any time after the initial conversion.
- Delay in stakeholder input.
- Initial Data and Final Data not provided in the same format.

**8. Forms**

Purchaser agrees to use standard forms unless otherwise indicated. If purchaser does not order forms from Harris, forms must be approved by Harris Project Manager (named below in Section 15) before ordering. A Change Order may be issued to purchaser by Harris for any report modifications, which will be billed at a rate of one hundred-seventy-five dollars (\$195.00) per hour.

**9. Professional Services**

Additional professional services are available on-site or virtually. Virtual work is billed at \$195.00 per hour and \$140.00 per hour for data conversion work. On-site work is billed at \$1,365.00 per day plus travel, travel time, lodging and per diem expenses. Work performed one year or more from the date of this agreement will be billed at the

then current Harris rates. Help line support does not include training. New employees must be trained by Purchaser or by making arrangements with Harris.

In the event, Purchaser wishes to schedule any professional services on a Saturday; there is a \$250.00 surcharge. Application consulting and setup services may include but are not limited to: software installation, configuration, data validation, system setup, system balancing, interface setup, interface testing, process training, application training and business requirements gathering.

Scheduling: Harris will use its best efforts to select a mutually agreeable date for services. Cancellation or rescheduling of services must be done five business days or one calendar week prior to scheduled service date. A five hundred-dollar (\$500.00) cancellation fee will be assessed for cancellations/rescheduling done outside of the time frame specified.

**10. Travel and Lodging Expenses**

Travel and lodging expenses will be billed in conjunction with any services work performed at the Purchaser’s offices by Harris personnel. Lodging expenses will include hotel expenses and will only be charged if an employee is required to spend the evening. Travel expenses may include airfare if the employee is required to travel by air to reach the Purchaser’s offices. Travel may include the cost of a rental car. If an employee uses his/her personal vehicle, mileage will be charged at the currently published IRS reimbursement rate. Travel time will be charged for all onsite work at a rate of three hundred dollars (\$300.00) for up to three days and six hundred

dollars (\$600.00) for four days or more onsite. When an employee is at or traveling to the Purchaser's offices, fifty-five dollars (\$65.00) per day will be charged to cover meals and incidentals. If an employee must travel on Saturday, Sunday, or a holiday, or is at the purchaser's office on a holiday, one hundred-ten dollars (\$130.00) per day will be charged to cover meals and incidentals.

Harris will use its best efforts to minimize all travel and lodging expenses. Only actual travel and lodging expenses will be billed to the Purchaser.

**11. Grant of License**

Harris hereby grants Purchaser a nontransferable, nonexclusive, nonrefundable license under the terms of this Agreement to use the Software Applications on its equipment subject to the following:

- a. The Purchaser may not sublicense, rent, lease or assign the Software Applications.
- b. No license is given to Purchaser for the source code to the Software Applications. The Purchaser is expressly prohibited from reverse engineering, decompiling, or disassembling the Software Applications or from creating a derivative or modified copy of the Software Applications.
- c. Initial delivery of the Software Application shall be COTS (Commercial Off The Shelf) Purchaser is not relying upon any future product availability or functionality upon entering into the payment obligations under this Agreement

**12. Performance by Customer**

- a. Co-operation by Purchaser: The Purchaser acknowledges that the success and timeliness of the implementation process shall require the active participation and collaboration of the Purchaser and its staff and agrees to act reasonably and cooperate fully with the Consultant to achieve the Completion of Services.
- a. Required Programs: The Purchaser acknowledges that if the use of the Software requires that the Purchaser obtain and install additional software programs, then the Purchaser agrees that the acquisition of the additional software programs shall be at its sole cost and that the cost thereof is not included in the fees herein. The Purchaser further acknowledges that the operation of the Software requires the Purchaser's hardware to be of sufficient quality, condition and repair, and the Purchaser agrees to maintain its hardware in the appropriate quality, condition and repair at its sole cost and expense, in order to facilitate the achievement of Completion of Services.
- b. Project Manager: The Purchaser shall appoint a project manager who shall work closely with Harris Staff to facilitate the successful completion of the implementation process and who shall be responsible for supervising the staff of the Purchaser and their co-operation with and participation in such process.

**13. Warranty Disclaimer**

Harris does not make, and hereby disclaims, any and all express and/or implied warranties regarding the services or any material provided by Harris to Purchaser pursuant to this agreement, including, but not limited to, warranties of merchantability, fitness for a particular purpose, and non-infringement, and warranties arising from a course of dealing, usage or trade practice. Further, Harris does not warrant that the Software Licenses will meet any exact user requirements, and that the software will operate error free or uninterrupted. In the event an error is discovered in one of the Software Applications currently covered by MSF, and the error is confirmed, Harris will make reasonable efforts to provide Purchaser with a correction.

It is acknowledged by the parties hereto that the Hardware provided by Harris to Customer pursuant to this Agreement was manufactured and delivered to Customer by a third-party manufacturer and Harris is reselling it to Customer. As such, Harris makes no warranties, express or implied, with respect to the Hardware, including, without limitation, their merchantability or fitness for a particular purpose. Any warranty Customer has with respect to the Hardware shall

be solely provided by the manufacturer(s)."

**14. Limitations on Liability**

Purchaser agrees that Harris' liability hereunder for damages, regardless of the form of action, shall be limited to actual direct damages and shall not exceed the charges hereunder paid by Purchaser to Harris. Purchaser further agrees that Harris will not be liable for any other damages including consequential, incidental, special, exemplary damages, lost profits, failure to realize anticipated savings, data loss, loss of goodwill, business opportunities or reputation, economic loss or for any claim or demand by any third party, except a claim for patent or copyright infringement with respect to Licensed Software.

**15. Change Order Process**

With respect to any proposed changes to the Services defined by this Agreement, the parties will cooperate in good faith to execute Change Orders in respect thereof and will not unreasonably withhold approval of such proposed changes. If either party causes or requests a change in the allocation of the resources of Harris applied to a task, changes in completion schedules for individual tasks or for overall implementation, and changes in staffing that require Harris to provide additional work hours, Harris may propose a change to cover the additional work effort required of it. Approval of any such proposed changes will not be unreasonably withheld (it being acknowledged that any such material changes may require modifications to the consideration paid, and timelines governing, the Services), and any disputes regarding changes shall be handled initially by discussions between the parties which will be convened in good faith by the parties to resolve any such matters in dispute.

The following individuals are authorized to sign off on change orders on the Purchaser's behalf:

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

The following individuals are authorized to sign off on change orders on Harris's behalf:

- 1. **Jason Kelly – Director of Professional Services**
- 2. **Sakura Gibson – Professional Services Manager**
- 3. **Ben Culbertson – Vice President of Sales**

**16. Cancellation Policy**

In the event of cancellation of the Agreement by either party for any reason, Purchaser agrees to pay for all Software Applications delivered, the balance of the then term, any Professional Services rendered, and T&L expenses incurred prior to the cancellation. Initial down payment of deposit is non-refundable. Purchaser must provide written notification to Harris if it wishes to cancel the Agreement. Cancellation of any on-site Services by Purchaser is allowed for any reason if done in writing more than fourteen (14) days in advance of such Services. Cancellation by Purchaser with fourteen (14) days or less of scheduled on-site Services will be billed at fifty percent (50%) of the on-site fee, plus any non-recoverable costs incurred by Harris due to advance scheduling of travel. Additionally, Purchaser hereby acknowledges that cancellation of on-site Services means that such on-site Services will be rescheduled as Harris' then current schedule permits. Harris is not responsible for any delay in Purchaser's project resulting from Purchaser's cancellation of consulting. If additional services are required because the Purchaser was not adequately prepared for the on-site services, Harris will provide a Change Order to the Purchaser for the additional services.

**17. Governing Law; Venue**

This Agreement shall be governed by the substantive and procedural laws of the State of Texas. Purchaser hereby agrees to submit to the exclusive jurisdiction of, and venue in, the courts in the State of Texas in any dispute arising out of or related to this agreement.

**18. Entire Agreement**

This Agreement shall constitute the entire agreement between the parties hereto with respect to the matters covered herein. Any modification or waiver of this Agreement is effective only if it is in writing signed by an authorized representative of the party to be charged. Provisions of a Customer purchase order or similar document are not applicable if they conflict with or add to the terms of this Agreement.

**Purchaser: Town of Landis, NC**

**Computer Software Innovations LLC:**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Purchaser's Project Leader:**

Contact Name: \_\_\_\_\_

Contact Title: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Phone #: \_\_\_\_\_

**Purchaser's Accounts Payable Dept. Information:**

Billing Address: \_\_\_\_\_

Accounts Payable Contact: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone & Fax #: \_\_\_\_\_

Alternate Contact: \_\_\_\_\_



## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval of Dissolving the Utility Services Director Position and Creating Two Utility Billing Clerk Positions**

**DETAILS:** Consider the approval of dissolving the Utility Services Director Position and Creating Two Utility Billing/Accounts Receivable Clerk Positions. Our Utility Billing Department currently has a Utility Services Director that is in charge of starting/stopping services, billing discrepancies, disconnect days, bill payment due dates, and Town IT Support. Adding these two clerk positions will allow these key roles to be undertaken by multiple staff members, instead of everything on one member. I am recommending placing these positions in the Salary Grade 14, so therefore a budget amendment will not be needed for this position, as the salaries will still fall in line with the salaries budgeted.



## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval of the Donation of the Fire Smokehouse to Boonville Fire Department for Refurbishment**

**DETAILS:** Consider the approval of the donation of the Fire Smokehouse to Boonville Fire Department for refurbishment. The Town acquired this Smokehouse from Kannapolis as a donation, and we are unable to use it due to its poor condition. Boonville Fire Department has approached us about the possibility of it being donated to them for refurbishment. This unit is recommended to be donated in an "as-is" condition. The Town has located various inflatable smokehouse options, which are easier to store, and operate for approximately \$6,000. The Fire Department has also researched companies who have agreed to give partial donations on this expense, and we anticipate being able to fund the inflatable smokehouse with those donations.

# Fire Smokehouse





## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval of Receiving State Appropriations for the Purpose of Downtown Revitalization in the Amount of \$100,000**

**DETAILS:** Consider the approval of receiving appropriations from the State for the purpose of Downtown Revitalization in the amount of \$100,000 and consider approval of earmarking the money into the Beautification Budget. Mayor Smith, and I worked with Senator Carl Ford, and Representative Kevin Crutchfield, to secure \$100,000 for our downtown revitalization. This project was approved in the state budget and will require a motion to accept these appropriations.





## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval of Applicants for the D.C. and Frances Linn Park Committee**

**DETAILS:** Consider the approval of the following applicants for the D.C. and Frances Linn Park Committee.

- Lee Ann Freeze
- Randall F. (Randy) Peterman
- Michelle Gray



## Item Cover Page

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**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Consideration

**AGENDA SECTION:** Considerations

**SUBJECT:** **Consider Approval of Closing Town Hall at 10:00 AM on November 21, 2023, in Preparation for the Southern Rowan Christmas Parade**

**DETAILS:** Consider the approval of closing Town Hall at 10:00 AM on November 21, 2023, in order to provide staff time to prepare for the Southern Rowan Christmas Parade. Town Hall staff will be assisting with China Grove in the preparations for the parade.



# Item Cover Page

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**MEETING TYPE** Board of Alderman  
**DATE:** November 13, 2023  
**SUBMITTED BY:** Staff  
**ITEM TYPE:** Report  
**AGENDA SECTION:** Reports  
**SUBJECT:** **Departmental Reports**  
**DETAILS:** Reports in Order:

- Parks and Recreation Report
- Utility Billing Report
- Public Works Report
- Police Report
- Fire Report
- Planning and Zoning Report
- Code Enforcement Report



## Item Cover Page

**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Jessica St. Martin, Parks and Recreation Director

**ITEM TYPE:** Report

**AGENDA SECTION:** Departmental Reports

**SUBJECT:** **October Report**

**DETAILS:**

**Events:** The annual Fall Festival/Trunk or Treat was held Saturday Oct 28<sup>th</sup> from 2:00-6:00pm. The event had 22 Craft Vendors, 12 Food Vendors, and 18 Trunk or Treat participants, including several of the Downtown Businesses. It was estimated over 1000 in attendance again this year. We held a Scarecrow decorating contest for the businesses on Central. Voting took place during the event for the “People’s Choice Award.” There were 6 entries, the winner being Landis Creamery.

**Upcoming Events:** Tuesday Nov. 21<sup>st</sup> – South Rowan Christmas Parade & Tree Lighting 3:00-7:00  
 Wednesday Dec. 6<sup>th</sup>- Christmas Senior Luncheon/ Bingo 12:00 Trinity Lutheran Church  
 Saturday Dec. 9<sup>th</sup>- Campfire Christmas by the Lake / 4:00-7:00

**Park Operations:** Off season park hours went into effect October 1<sup>st</sup>. Hours are 8:00am-5:00pm. Kayak and boat rentals are on hold until Spring. Maintenance on trails, campsites, and disc golf course continues.

Campsite Rentals: 25 Shelter Rentals: 0 Daily Fishing Passes Sold: 434 State License: 16

Boat Registrations: 4

2020 Ford Explorer Mileage: 44952

# Public Works Monthly Reporting

Completed By Tristin Walter Date 11-9-2023

## 1. Water - Sewer

- Taps 2
- Irrigation Taps 2
- Water Main breaks 0
- Meter Box Replacement 0
- Hydrant (Water Quality Flushing) Routes 10
- Meter/MXU Change Out 3
- Water Pump Station (quantity 1) Quality 31
- Sewer lift station (quantity 10) y Monitoring and Repairs needed y
- Customer calls/ resident needs 30
- New / Current Resident work orders start& stop service 25

## 2. Stormwater

- Requested Repair Quotes requested for attached maps
- Storm drain repair and maintenance (All Public works employees help)

## 3. Electricity

- Current / New Resident Work orders 3
- New (Temp) Service 5
- Disconnects 66
- Streetlights 10
- Security Lights 8
- Pole Repair/Replace 5
- Outages: Cause, Environmental YES Load Demanded 0 Vehicle Wreck 0 Other 5

## 4. Streets

- Weekly Schedule: Monday thru Wed Bulk Pick up, Thursday thru Friday Chipping/ Leaves
- Rowan County Dump Runs 6
- Customer calls YES Work Orders YES Go Gov YES

Comments: \_\_\_\_\_  
\_\_\_\_\_



## Item Cover Page

**MEETING TYPE:** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Matthew Geelen, Police Chief

**ITEM TYPE:** Report

**AGENDA SECTION:** Departmental Reports

**SUBJECT:** **October Report**

**DETAILS:**

Total Calls for Service (Including Self-initiated calls) - 682

Self-Initiated Calls – 559

Calls for Service – 113

Traffic Stops - 92

Traffic Accidents - 6

Vehicle Mileage:

LPD-081: 135,171      LPD-173: 75,435

LPD-101: 103,500      LPD-174: 52,620

LPD-131: 98,613      LPD-175: 61,967

LPD-151: 64,650      LPD-176: 53,136

LPD-161: 68,599      LPD-177: 75,562

LPD-171: 59,312      LPD-212: 16,374

LPD-172: 84,672



# Item Cover Page

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**MEETING TYPE:** Board of Alderman  
**DATE:** November 13, 2023  
**SUBMITTED BY:** Jason Smith, Fire Chief  
**ITEM TYPE:** Report  
**AGENDA SECTION:** Departmental Reports  
**SUBJECT:** **October Report**

**DETAILS:**

**Total calls August 2023**

Month: 83  
Fire: 37  
Medical: 42  
Traffic Acc: 4  
M/A Given: 30  
M/A Received: 11

**Vehicle Mileage**

Chief Vehicle: 15669  
E443: 95178  
E442: 36693  
E581: 28610  
L58: 20851  
Car 44: 135750

LANDIS DEVELOPMENT PLANS UNDER REVIEW

Section 7, Item 7.1

Application #	Name (surveyor & owner)	Job Address	Type/# of lots	Status FEES PD
<p><b>SITE-07-21</b>  <b>PLANNER OFFICE</b>                      (GRAY FILE DRAWER) WAS  <del>JOHNSON/WOOD- NEW</del>  <u>NAME: VILLAS AT LANDIS</u>  <b>RYDER PLACE (11-8-22)</b></p>	<p>Yarbrough-Williams &amp; Hoyle                      (Nest Communities, LLC/Johnson Wood Townhomes)                      FEES PD:</p>	<p>Corner of E. Ryder Ave &amp; Upright Streets                      Map 109 149 &amp; 133 165</p>	<p>Major Subdivision Duplex, Townhomes, SF</p>	<p>10-11-21 Application/sketch rec'd  <b>10/11/21 \$100 SKETCH REVIEW</b>                      10-12-21 sketch plan reviewed by RF  <b>11-16-21 \$100</b> rec'd for review  <b>11-29-21 \$2,092.11</b> rec'd for technical review of plans.                      12-8-21 TECH REV TEAM MTG                      3-29-22 Zoning verification letter                      4-12-22 Received updated infrastructure information- Capacity Analysis                      6-2-22 PLANS REC'D                      6-21-22 TRC REVIEW of PLANS                      8-10-22 PL. BD REV. *SITE DEV PLAN APPROVED AS NOTED- NEXT STEP: CONSTRUCTION PLANS                      8-23-22 email with St. light update to plan  <b>9/20/22 \$22,026.16 CONSTRUCTION PLANS REC'D WITH CALCULATIONS (BESIDE MAP CAGE)</b>                      11-15-22 ENGINEER memorandum rec'd.                      11-28-22 emailed-waiting on water/sewer plans                      12-6-22 Water/sewer plans emailed, waiting on hard copies-                      REC'D 12-7-22                      12-8-22 NCDOT driveway permit completed and rec'd.                      12-15-22 final initial comments on w/s notified applicant to p/up their set of plans w/comments ✓                      12-19-22 PICKED UP                      1-3-23 ACTIVE FILE                      1-5-23 REC'D NCDOT DRIVEWAY PERMIT W/CONDITIONS                      2-2-23 REC'D REQ. FOR HIGH DENSITY DEV. AGR.                      3-20-23 PUB. HEARING FOR DEV. AGREEMENT                      3-20-23 Board Approved Dev. Agreement                      4-12-23 revised plans rec'd                      4-26-23 RF reviewed plans, waiting on stormwater review. (Tristin is aware)                      5-16-23 Stormwater review completed.                      NEXT STEP CONSTRUCTION CONFERENCE date: 05-24-23 @ 2pm                      5-17-23 DEV. PLANS &amp; DEV. AGR P/UP                      5-23-23 1<sup>st</sup> submittal POST DEV. PLAN, NCDEQ FORM, DEEDS, USGS MAP, WETLAND DELINEATION</p>




LANDIS DEVELOPMENT PLANS UNDER REVIEW

<p>(CONT.) #07-21 RYDER PLACE</p>				<p>5-24-23 Pre-Construction meeting - **Construction authorized upon completion of fees and several other requirements. 5-30-23 Operation and Maintenance Agreement rec'd 6-6-23 Sent Zoning Permit Application 6-16-23 Stormwater Report From Alley William Carmen &amp; King 7-5-23 Rec'd water system specs. 8-9-23 Stormwater specs reviewed ready for pickup. 8-10-23 stormwater reviews p/up by courier.</p>
<p>SITE 11-21 GRAY FILE DRAWER NEW NAME: <u>LANDIS APARTMENTS</u></p>	<p>Steve Ross – Dynamic Developers of the Carolinas, LLC Mark Siemieniec- Architect</p>	<p>716 W. Ryder Ave &amp; Mt. Moriah Ch. Rd Map 130b 096</p>	<p>PROPOSED TOWNHOMES APARTMENTS</p>	<p>12-22-21 PAYMENT: \$100 SKETCH PLAN REV. 12-28-21 RF to Engineer, email with comments re sketch plan layout. 2-8-22 R. Flowe mtg w/Developer Engineer 5-16-22DEV. MTG WITH R FLOWE SKTECH PLAT REV. 7-5-22 PAYMENT \$100 FOR 5-16-22 REVIEW 7-15-22 REC'D 2 COPIES OF PRELIMINARY SITE PLAN- Location: floor beside map cage Payment: site plan rev. \$388.25 8-10-22 PL. BD REVWD. PLAN REJECTED. DEV WILL SUBMIT ANOTHER SITE PLAN 10-19-22 rec'd revised plan 11-8-22 OVERVIEW W/PL. BD. 11-16-22 MTG W/FLOWE &amp;MNGR- WILL RE-SUBMIT PLANS NO TRC ON CURRENT PLANS. 12-6-22 REC'D REVISED PLANS. R FLOWE COMMENTED. EMAILED ARCHITECT W/COMMENTS 12-21-22 re-sent email of 12-6-22 to architect/confirmed recpt. 1-3-23 ACTIVE FILE 2-8-23 revised plan sent by email- next step is site dev. Plan rev. 2-28-23 PLAN HARD COPIES REC'D 2-28-23 PAYMENT: \$388.25 site plan rev. 3-2-23 REC'D REVISED SITE PLAN 3-15-23 Revised Site Plan approved- next step-construction plans &amp; review 5-17-23 SC spoke w/Arch. M. SIEMIENIEC- Construction plans to be del today- 5-18-23 per M.Siemieniec. plan del delay 5-24-23 CONSTRUCTION PLANS REC'D</p>

LANDIS DEVELOPMENT PLANS UNDER REVIEW

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<p>#11-21 LANDIS APTS</p>				<p><b>5-31-23 FEES PAID FOR REVIEW. \$10,266.55</b>  <b>**Fees include zoning permit application when ready</b>  <b>**=PLAN REVIEW(RD,PARK/LOAD/DRAINAGE,W/S LINES, STORMWATER, PERMIT APPLICATION)</b>  <b>6-23 &amp; 28<sup>th</sup> TRC REVIEW OF PLANS- NOTES ADDED- DEV. P/UP THEIR SET OF PLANS W/NOTES</b>  <b>7-25-23 REC'D 2 SETS OF REVISED CONST PLANS</b>  <b>7-27-23 R FLOWE REVIEWED PLANS- ISSUED EMAIL TO TECH. REV. COMM. TO REVIEW PLANS IN T.HALL</b>  <b>8-3-23 Fire Marshal reviewed plans</b>  <b>8-9-23 Plans ready for p/up, emailed Engineer. ✓</b></p>
<p> <b>YEAR 2022</b></p>				
<p>Application #</p>	<p>Name (surveyor &amp;/OR owner)</p>	<p>Job Address</p>	<p>Type/# of lots</p>	<p>Status FEES PD</p>
<p><b>SITE DEV 09-22</b>  <u>IRISH CREEK PREL. PLAT</u>  <u>LANDIS PORTION PHASE</u>  <u>2&amp;4</u></p>	<p>LENNAR CAROLINAS –                  LAND DESIGN ENGINEER                  NOTICE OF INTENT FOR                  NEW DEVELOPER</p>	<p>CANNON FARM                  RD</p>	<p>430 LOTS- MU-1                  &amp; SFR-2 CZ</p>	<p>9-6-22 REC'D PLAT W/\$3,000                  9-13-22 REC'D MASTER PLAN PRELIMINARY PLAT W/\$5,140                  AND \$4,580 <b>TOTAL \$12,720</b>                  9-13-22 PLAT OVERVIEW W/PL BD. ✓  <b>12-6-22 ACTIVE FILE</b>                  3-7-23 NO ACTIVITY                  7-25-23 NOTICE OF NEW DEVELOPER INTENT FROM                  ATLANTIC AMERICAN PROP.                  9-5-2023 MTG W/PL. DIR. W/NEW DEV.                  9-25-23 MTG W/PL DIR. FLOWE                  9-28-23 REC'D MEETING NOTES</p>
<p><b>SITE DEV 10-22</b>  <u>OLD BEATTY FORD RD</u>  <u>INDUSTRIAL SITE</u></p>	<p>RYAN BEADLE/JACKSON-                  SHAW-                  LIPE, MILLS, DEAL                  PROPERTIES</p>	<p>OLD BEATTY                  FORD RD                  INDUSTRIAL SITE</p>	<p><u>ANNEX &amp; ZMA</u>  <u>LOTS:</u>                  MAP 140,                  PARCELS:                  003,167, 138,                  169 &amp; 170                  11-14-22- BD                  APPROVED                  ANNEXATION                  ZONING: IND                  2-13-23 BD TO                  CONSIDER</p>	<p>9-13-22 REC'VD PAYMENT \$600 ZMA REQ. ANNEX W/ ZMA                  NOV.8 &amp; 14 2022 MTGS                  11-14-22 BD APPROVED ANNEX &amp; IND ZONING                  12-6-22 ACTIVE SITE- PLANS DEVELOPING                  12-8-22 NCDOT TRAFFIC IMPACT STUDY CHECKLIST REC'D                  12-20-22 2 CHECKS OF \$875 REC'D = \$1,750 FOR:                  1) ZMA W/ANNEX APPL. (APPL. REC'D 12-15-22)                  2) &amp; ZTA (TEXT AMEND.)  <b>1-3-2023 ACTIVE FILE</b>  <b>1-09-23 ANNEXATION REQ. TABLED UNTIL FEB</b>  <b>2-13-23 ZTA APPROVED ANNEX AND MAP AMEND SET</b>  <b>FOR MARCH PUB HEARING.</b>  <b>3-1-23 SITE PLAN REV. W/ DEV &amp; PUB. WORKS</b></p>

LANDIS DEVELOPMENT PLANS UNDER REVIEW

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<p><b>DEV #10-22</b> <b>OLD BEATTY FRD RD</b> <b>IND. SITE</b></p>			<p>ANNEXATION WITH PUB. HEARING ON <b>MARCH 20, 2023</b> -BD APPROVED</p>	<p>3-14-23 FUNDS REC'D FOR: SITE PLAN REVIEW &amp; PREL PLAT REVIEW: \$4,801.75</p> <p>3-20-23 Pub. Hearing Annexation additional properties, req. IND zoning. <b>BOARD APPROVED</b></p> <p>4-11-23 Plan revisions received.</p> <p>4-26-23 Plan review completed with comments.</p> <p>4-27-23 R Beadle picked up Dev. Copy with comments.</p> <p>5-25-23 Zoom mtg w/R Flowe</p> <p>6-13-23 NCDOT scoping documents received</p> <p>8-2-23 rec'd updated site dev. Plans from Developer</p> <p>8-2-23 rec'd NCDOT updated TIA scoping docs link</p> <p>9-19-23 REC'D REVISED SITE PLAN PGS 3,4 &amp;5 ON REVIEW TABLE FOR TRC- REVIEWED</p> <p>10-18-23 REC'D W/S WILLINGNESS TO SERVE REQUEST</p> <p>10-23-23 PLANNING BOARD MTG UPDATE ✓</p>
<p>2023</p>	<p>2023</p>	<p>2023</p>	<p>2023</p>	<p>2023</p>
<p>Application #</p>	<p>Name (surveyor &amp; owner)</p>	<p>Job Address</p>	<p>Type/# of lots</p>	<p>Status FEES PD</p>
<p><b>SITE 01-23 BYRNE PROP KIMBALL RD</b></p>	<p><b>SHANNON SPARKS SURVEYOR BYRNE PROP. INC</b></p>	<p>KIMBALL ROAD MAP 123B 115</p>	<p><u>TOWNHOMES</u> <u>9 PROPOSED</u></p> <p>9-11-23 BD ALD APPROVED DEV. AGREEMENT</p>	<p>2-2-23 SKETCH PLAT REVIEW &amp; CONSULT</p> <p>2-2-23 PD \$245 SKETCH PLAT REV. &amp; CONSULT</p> <p>4-13-23 PD \$1085 FOR SITE PLAN REVIEW</p> <p>4-26-23 Plans Reviewed by RF- approved. TRC &amp; PL BD. (JUNE 21,2023)</p> <p>6-27-23 owner paid for all tap fees \$45,000</p> <p>6-29-23 rec'd updated plans</p> <p>8-1-23 rec'd revised plan</p> <p>8-8-23 Pl. Bd to review Dev. Agreement for Kimball Landing</p> <p>9-11-23 BD ALD. Pub. Hearing for Dev. Agreement- APPROVED</p> <p>9-27-23 DEV. AGREEMENT SIGNATURE BY DEV.</p> <p>10-18-23 CONSTR. PLANS REC'D.</p> <p>10-18-23 PAYMENT OF \$325 PLAN REV.</p> <p>10-18-23 PAYMENT OF \$680 (8 TOWNHOMES)</p> <p>10-19-23 RFLOWE REVIEWED. NEED UPDATED BUILDING ELEVATIONS TO CURRENT PLAN.</p> <p>10-24-23 DEVELOPER AWARE OF PLANS NEEDED.</p>

LANDIS DEVELOPMENT PLANS UNDER REVIEW

				<p>10-26-23 UPDATE CONST. PLANS REC'D</p> <p>10-26-23 PAYMENT OF \$627- CONST REVIEW FEES PD.</p>
<p><b>SITE 03-23</b></p> <p><b>PINNACLE PARKING</b></p> <p><b>LOT SITE PLAN</b></p>	<p>CESI ENGINEERING</p> <p>JASON MARTINEZ(SITE)</p>	<p>1600 PINNACLE</p> <p>WAY DR.</p>	<p><u>PARKING LOT</u></p> <p><u>EXPANSION</u></p>	<p>7-12-23 PLANS RECEIVED W/FEE PD \$875</p> <p>8-1-23 PLAN REVIEW R FLOWE- MEETING RESULTS: NEW PLANS WILL BE SUBMITTED ASAP.</p> <p>9-6-23 PLANS SUBMITTED</p> <p>9-12-23 PLAN REV. RFLOWE AND T. WALTERS- REVIEW CONTINUES</p> <p>9-19-23 RFLOWE &amp; TWALTERS SIGNED OFF ON PLANS. EMAILED ALL- DEV. SET READY AT FRONT DESK. 9-25-23 PLANS P/UP</p>
<p><b>PLANS IN</b></p> <p><b>CONSTRUCTION/</b></p> <p><b>REVIEW</b></p>				
<p><b>SITE DEV 04-22</b></p> <p><b><u>RICE RD TWNHOMES</u></b></p> <p><b><u>PERMIT ISSUED 12-28-</u></b></p> <p><b><u>22FOR SITE DEV.</u></b></p>	<p>JOURNEY CAPITAL, LLC</p> <p>ANDREW WALTZ 704-453-2700</p> <p>RICE RD TOWNHOMES</p> <p><b>ACTIVE FOR REVIEWS</b></p>	<p>221 E RICE</p> <p>STREET</p>	<p><u>TOWNHOMES</u></p>	<p>12-28-22 issued zoning permit # ZN-22-81</p> <p>4-18-23 Rec'd 1 new page to plans.</p> <p>4-26-23 RF review, waiting on stormwater review, still need correct buildings sheet.</p> <p>5-2-23 STORMWATER REVIEWED</p> <p>5-3-23 Emailed screenshot of comments- Waiting on corrected buildings sheet.</p> <p>5-16-23 REC'D 2 COMPLETE SET OF PLANS</p> <p>5-16-23 PLANS APPROVED –DEV. To p/up <b>NEXT STEP:</b> PRE-CONST. CONF. SET 05-24-23 @ 3:30 PM</p> <p>5-19-23 PLANS P/UP</p> <p>5-24-23 Pre-Construction meeting - <b>**Construction authorized upon completion of fees and several other requirements</b></p> <p>6-6-23 Const. Admin Fees Pd: \$1,180.50</p> <p>6-30-23 UPDATED PLANS REVIEWED-APPROVED</p> <p>7-6-23 REC'D MATERIALS LIST</p> <p>REVIEW OF W/S, BLDG ELEVATION</p> <p>FEES PD:</p> <p>PREL PLAT \$450, SKETCH PLAN\$100, UNITS \$100</p> <p>SITE WORK ACTIVE</p> <p>10-11-23 REC'D UTILITY AS BUILTS</p> <p>10-16-23 PLANS ACCEPTED BY RFLOWE</p>

LANDIS DEVELOPMENT PLANS UNDER REVIEW

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				<p>10-17-23 EMAILED DEV. READY FOR PICK UP                  10-18-23 FINAL PLAT- MYLAR REC'D                  10-19-23 R FLOWE SIGNED PLAT                  10-25-23 ENGINEER W.WEBB REVIEWING FOR SIGNATURE                  10-31-23 MORE INFO NEEDED- EMAILED DEVELOPER- as-built drawings, construction certifications from the design engineer, and cad files for the water, sewer, and storm drainage locations</p>
<p><b>SITE 02-23                  CONCRETE PLANT-                  NEW OWNERSHIP/                  NEW PLANS-                  ZONING PERMIT ISSUED                  5-17-23</b></p>	<p><b>William N. West                  Owner                  Crete Solutions</b></p>	<p>220 OLD BEATTY                  FORD RD</p>	<p><u>CONCRETE                  PLANT</u></p>	<p>04-11-2023 PD \$6,188.83 NEW SITE PLANS, STORMWATER, CALCS.                  4-26-23 RF review &amp; staff rev. complete comments on plans                  4-27-26 Owner/Dev. Bill West p/up set w/comments.                  5-9-23 Rec'd partial set of plans- advised need complete sets.                  5-10-23 rec'd 2 complete sets of plans w/revisions                  5-17-23 R. Flowe to Developer West, plan set – scale is off. West to deliver a new complete plan set to NFocus Office this day. Flowe to review and sign zoning permit application if plans are approved. 5-17-23 Plans rec'd. R. Flowe approved plans for site construction. Zoning Permit #ZN-23-27 issued.                  Site work active.</p>
<p><b>PLATS COMPLETED</b></p>				

**Town of Landis**  
**Division of Land Use**  
**Zoning Permits Issued – Year 2023**

Permit #	Date	Name	Job Address	Permit Use
ZN-23-01	01-12-23	TAYLOR WHITE	408 N CHAPEL ST	HOME OCCUP/ACCESS STRUCTURE
ZN-23-02	01-18-23	LEANNA HOLLAR	115 W ROUND ST	ACCESS. STRUCTURE
ZN-23-03	01-18-23	CHRIS HOLMES	250 TRANQUIL LAKE DR	FENCE
ZN-23-04	01-24-23	LINKER	205 W. 1 <sup>ST</sup> STREET	NEW CONST. SFR
ZN-23-05	01-31-23	BARNES	507 W BEAVER ST	ACCESS. -DECK REPLACEMENT
ZN-23-06	01-31-23	MACLEOD CONCRETE	220 OLD BEATTY FORD ROAD	NEW CONCRET PLANT
ZN-23-07	01-31-23	READLING <span style="color: red;">UPDATED PERMIT</span>	409 S CORRELL ST <span style="color: red;">ZN-22-28</span>	REMODELW/ADDITION SFR
ZN-23-08	2-1-2023	LANDIS BAPT. CHURCH	512 W. RYDER AVE	2 ACCESS. BLDGS
SP-ZN-23-09	2-1-2023	JOY LONG(LITTLE SHOPPE)	2881 N CANNON BLVD #B	WALL SIGN FOR BUSINESS
ZN-23-10	2-2-23	JAMES HAUSS	510 TRANQUIL LAKE DR	ACCESS. BLD -30X60 GARAGE
SP-ZN-23-11	2-1-2023	JOY LONG(LITTLE SHOPPE)	2881 N CANNON BLVD #B	TEMP SIGN FOR BUSINESS
ZN-23-12	2-23-23	TERESA RANKIN GRANDISON	180 OVERCUP COURT	PORCH & DECK ADDITION
ZN-23-13	3-2-2023	DARELL EFIRD	2515 HWY 29 S	ACCESS STRUCTURE
ZN-23-14	3-15-23	SANDOVAL	406 S CORRELL ST	ACCESS STRUCTURE
ZN-23-15	3-16-23	WATTS, CODY (NIKKI)	127 S CENTRAL AVE <span style="color: red;">NEW BUS.</span>	RESTAURANT "LANDIS CREAMERY"
ZN-23-16	3-28-23	NIBLOCK HOMES	900 IRISH CREEK DRIVE	NEW CONST SFR
ZN-23-17	4-5-23	ELIJAH HARRISON CONST	306 N KIMMONS ST	INT. ROOM ADDITION
ZN-23-18	4-5-23	WALSH	504 SAWTOOTH OAK DR	FENCE
ZN-23-19	4-11-23	ABCD MOORE PROP.	1555 PINNACLE WAY DR	INT. ROOM ADDITION
ZN-23-20	4-11-23	DAVID MILLER REALTY	805 E MILLS DR	NEW SFR
ZN-23-21	4-11-23	DAVID MILLER REALTY	807 E MILLS DR	NEW SFR
ZN-23-22	4-11-23	DAVID MILLER REALTY	811 E MILLS DR	NEW SFR
ZN-23-23	4-13-23	CAROLINA BUILDERS OF CAB	416 PINE ST.	NEW SFR
ZN-23-24	4-18-23	BUILD 4 VALUE LLC	310 TOWN ST. <span style="color: red;">PREV. ZN-22-71</span>	NEW SFR (W/UTILITY EASEMENT)
ZN-23-25	5-3-23	NICHOLE ROMANOWSKI	302 GALLANT CIR	FENCE
ZN-23-26	5-11-23	FARION MORGAN	325 E TAYLOR ST	ACCESS. BUILDING
ZN-23-27	5-17-23	CRETE SOLUTION	220 OLD BEATTY FORD RD	IND.-CONCRETE PLANT
ZN-23-28	5-25-23	JAMES LEFLER	611 E MILLS DR	ROOF ADDITIONS
ZN-23-29	6-1-23	NELSON'S GLASS SERV.LLC	2977-A N CANNON BLVD	NEW BUSINESS USE
ZN-23-30	6-22-23	FON ERNEST	303 BUFORD DR	ADD. PORCH AND DECK & CORRECTION
ZN-23-31	6-22-23	NIBLOCK HOMES	2419 CALLAGAN COURT	NEW SFR
Zn-23-32	7-5-23	THACKER	940 TAMARY WAY	POOL WITH FENCE & DECK
ZN-23-33	7-6-23	HAYES	330 KIMBALL LOOP	ACCESS BLDG
ZN-23-34	7-19-23	HOLMAN	1008 S HIGHLAND AVE	ACCESS BLDG ADDITION

**Town of Landis**  
**Division of Land Use**  
**Zoning Permits Issued – Year 2023**

Permit #	Date	Name	Job Address	Permit Use
ZN-23-35	7-25-23	HERNANDEZ	110 N UPRIGHT ST	BUS. CHANGE- AUTO REPAIR SERV "LUPITAS"
ZN-23-36	7-26-23	WINGLER	302 S CHAPEL ST	ACCESS BLDG
ZN-23-37	7-26-23	CALDERON	110 N UPRIGHT ST	BUS CHANGE-AUTO REPAIR SERV. TWO BROS.
ZN-23-38	8-1-23	CLAUDE	1000 IRISH CREEK DR.	NEW SFR W/ACCESS GARAGE
ZN-23-39	8-9-23	GUIMOND	415 W RYDER AVE	ACCESS BLDG
ZN-23-40	8-24-23	JAMES- PAR 3	112 N CENTRAL AVE	ADDITION TO EXISTING BLDG
ZN-23-41	8-24-23	OLD TOWN SOAP	716 S MAIN ST	ADD. & UPFITS TO EXISTING BLDG
SP-ZN23-42	8-29-23	RITE LITE SIGNS	1520 PINNACLE WAY	WALL SIGN (VANQUISH FENCING)
ZN-23-43	8-29-23	WALSH	355 KIMBALL LOOP	ACCESSORY STRUCTURE
ZN-23-44	8-29-23	CACERES	605 S ZION ST	FENCE
ZN-23-45	8-31-23	RES-NC RESTORATION	306 E RIDGE AVE	NEW SFR
ZN-23-46	8-31-23	RES-NC RESTORATION	308 E RIDGE AVE	NEW SFR
ZN-23-47	9-12-23	TOP FLIGHT ENTERPRISE AUTO	2881-B N CANNON BLVD	NEW BUSINESS (AUTO DEALER)
ZN-23-48	9-12-23	MC POWERHOUSE	2881-C N CANNON BLVD	NEW BUSINESS (AUTO LEASING)
ZN-23-49	9-19-23	SLOOP	210 W HOKE ST	NEW DECK ATTACHED
ZN-23-50	9-26-23	LASSITER	724 S HIGHLAND AVE	NEW ACCESSORY BLDG
ZN-23-51	10-10-23	MOREIRA	307 S MAIN ST	NEW BUISNESS "J'S PAINT"
ZN-23-52	10-11-23	CLAUDE	1000 IRISH CREEK DR	ACCESSORY DWELLING
ZN-23-53	10-18-23	NIBLOCK HOMES	859 TAMARY WAY	NEW SFR
ZN-23-54	10-18-23	NIBLOCK HOMES	1020 IRISH CREEK DR	NEW SFR
ZN-23-55	10-18-23	HEIM	502 SAWTOOTH OAK DR	SCREEN PORCH ADDITION
ZN-23-56		RITCHIE FRONT OFFICE	609 N MAIN ST	UPFITS TO EXISTING PRIN.
ZN-23-57	10-31-23	A &A VAPES	1705 S MAIN ST	NEW BUSINESS
ZN-23-58	10-26-23	VICTORY BUILDERS	404 E BLUME ST	NEW SFR
ZN-23-59	10-31-23	RTR HOMES	1003S HIGHLAND AVE	ROOM ADDITION
ZN-23-60		HOLTON CONSTR. FRONT OFFICE	1079 IRISH CREEK DR	NEW SFR

# TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
<b>MINIMUM HOUSING</b>			
HC-20-02	property near intersection of East Ryder Avenue and Coldwater Street	Villas at Landis Development LLC (new owners)	abandoned dilapidated mobile office or classroom structures. Property has transferred now. Development has been approved. No response from owners. Pending other enforcement actions.
HC-21-04	314 Town Street	Ruth C Deadmon (Heirs)	occupied dwelling without water, sewer or electric services. Full inspection conducted, hearing to be scheduled soon.
HC-21-05	615 South Main Street	Jose Ivan Perez Perez (11-02-22)	Substandard housing conditions. Renovations are near complete. Will continue to monitor for completion.
HC-21-08	317 East Corriher Street	Gail D Jackson	unsafe and unsanitary conditions inside and outside the house. Conducted inspection with warrant. Hearing held with decision she will continue with clean up and I will conduct periodic inspections until compliance is met. Follow up inspection conducted with some progress observed. Will continue periodic inspections and communications.



Case Number	Violation Address	Owner or Occupant	Status or Conditions
<b>NUISANCES</b>			
PN-23-02	107 North Meriah Street	James A Hall Jr	various forms of trash, junk, and debris along with multiple junked/nuisance vehicles. Notice issued with deadline of 02-21-23. Owner has taken no action. Spoke to him by phone, with no change in conditions. Second notice issued and returned by Post Office. Now new and differernt complaints coming in. Still no action by the owners. <b><u>Will prepare for abatement by the Town as soon as arrangements can be made.</u></b>
PN-23-04	210-214 Rankin Road	Mary Theresa Martin	Various forms of trash, debris and similar materials. Met on site with the owner and he has begun abatement actions. Will continue to monitor.
PN-23-15	East Ryder @ Coldwater St	Villas at Landis Ddevelopment LLC	overgrowth. Notice issued with no results by owners. <b><u>Pending abatement by town.</u></b>
PN-23-16	410 Town Street	Mary Susan Pruitt	boxes, trash and debris. Notice issued with no results. <b><u>Pending abatement by the Town.</u></b>

# TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
PN-23-18a	316 North Beaver Street, accessed from North Upright	Villas at Landis Ddevelopment LLC	demolition and building material debris, trash, and large pieces of tree trunks and other forms of debris. Notice issued with no response from owners. Dumping continues to grow. <b><u>Pending abatement by the Town.</u></b>
PN-23-18a	209 East Ridge Avenue	Bellena LLC	overgrowth. Notice issued and abated by the owners. CLOSED 10-28-23.
PN-23-19	211 East Ridge Avenue	Javier Lopez	overgrowth. Notice issued and abated by the owners. CLOSED 10-28-23.
PN-23-20	reportedly behind 503 or 505 East Rice Street	To Be Determined	report of dumping of concrete and similar materials in the gulley behind the house. Conducted inspection of area on 10-28-23. Found one large chunk of tree trunk and no other debris. Pending further investigation.
PN-23-21	2270 West A Street	Luis Santos Jimenez	overgrowth. Notice issued with no results by owners. <b><u>Pending abatement by town.</u></b>
<b>ABANDONED-JUNKED-NUISANCE VEHICLES</b>			
<b>ZONING</b>			

# TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
Z-23-02	303 Buford Drive	Fon Ernest	Fence violation. Notice issued. Have spoken with the owner and advised to cease all work for now. Multiple additional zoning violations were found including failure to obtain permits, setback violations, pool violations, driveway cuts and expansion of a dwelling without permits. Working with Planning Department on follow up notice to include all newly found violations. Pending.
Z-23-06	609 North Main Street	Trisha Lea Peeler Ritchie	Renovations or construction without permits. Notice issued and owner has contacted Planning for the appropriate permits. CLOSED 10-19-23.



# Item Cover Page

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**MEETING TYPE** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Jeneen McMillen, Finance Director

**ITEM TYPE:** Report

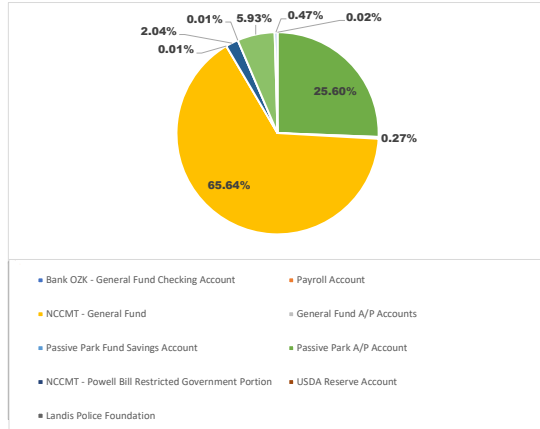
**AGENDA SECTION:** Reports

**SUBJECT:** **Financial Dashboard**

**DETAILS:**

Town of Landis  
FY 23 Monthly Summary  
October 2023

Operating Budget Revenues	Budgeted FY23-24	October	FY 23-24 YTD	%
Property Tax - Current (Monthly)	\$2,127,862.00	\$0.00	\$1,645,841.08	77%
Tax Collection - Prior Years (Monthly)	\$35,000.00	\$0.00	\$0.00	0%
Vehicle Interest	\$1,400.00	\$0.00	\$0.00	0%
Interest and Penalties	\$10,000.00	\$0.00	\$0.00	0%
Property Tax Auto - Current (Monthly)	\$212,977.00	\$0.00	\$0.00	0%
Vehicle Tag Fee	\$63,000.00	\$0.00	\$0.00	0%
Building Rental Fees	\$7,200.00	\$1,150.00	\$2,875.00	40%
Sponsorships	\$1,500.00	\$0.00	\$225.00	15%
Interest on Investments	\$57,000.00	\$0.00	\$1.49	0%
Police Fees	\$780.00	\$25.00	\$349.50	45%
First Responder	\$1,320.00	\$110.00	\$440.00	33%
Excise Tax on Piped Gas	\$10,500.00	\$0.00	\$0.00	0%
Franchise Tax on Electric PO	\$273,000.00	\$0.00	\$0.00	0%
Sales Tax on Telecommunications	\$10,500.00	\$0.00	\$0.00	0%
Sales Tax on Video Programming	\$9,100.00	\$0.00	\$0.00	0%
Local Government Sales and Use Tax	\$990,000.00	\$0.00	\$0.00	0%
Powell Bill Revenues	\$117,500.00	\$0.00	\$0.00	0%
Interest on Investments - Powell Bill	\$14,000.00	\$0.00	\$0.00	0%
ABC Board Revenue	\$14,000.00	\$3,907.58	\$3,907.58	28%
Court Cost Revenue	\$400.00	\$0.00	\$63.00	16%
Planning/Zoning Fees	\$50,000.00	\$2,032.00	\$4,317.00	9%
Garbage Collection Fees	\$305,000.00	\$26,275.17	\$78,430.67	26%
Resource Officer Reimburse	\$175,000.00	\$0.00	\$0.00	0%
EMS Utility Reimbursement	\$7,500.00	\$600.00	\$2,400.00	32%
ABC Profits	\$14,000.00	\$0.00	\$0.00	0%
Solid Waste Disposal Tax	\$1,800.00	\$0.00	\$0.00	0%
East Landis - Property Tax	\$25,000.00	\$0.00	\$0.00	0%
East Landis - Tax Prior Years	\$200.00	\$0.00	\$0.00	0%
East Landis Penalties and Interest	\$2,000.00	\$0.00	\$0.00	0%
East Landis - Motor Vehicles	\$3,500.00	\$0.00	\$0.00	0%
Sale of Fixed & Surplus Assets	\$11,500.00	\$0.00	\$3,580.00	31%
Fund Balance Appropriated	\$572,375.00	\$0.00	\$0.00	0%
Water Service	\$1,100,000.00	\$95,360.65	\$296,952.41	27%
Interest on Investments - Water Service	\$28,000.00	\$0.00	\$0.00	0%
Misc Income (Retained Earnings Appropriated)	\$166,181.00	\$3,775.00	\$3,775.00	2%
Water Tap Fees	\$48,000.00	\$10,000.00	\$22,500.00	47%
Gain/Loss on Processing - Water	\$0.00	\$0.00	\$0.00	0%
Storm Water Fees	\$115,000.00	\$9,745.00	\$29,110.00	25%
Interest on Investments - Storm Water	\$1,200.00	\$0.00	\$0.00	0%
Gain/Loss on Processing - Storm Water	\$0.00	\$0.00	\$0.00	--
Construction Services	\$3,000.00	\$0.00	\$0.00	0%
Electricity Fees	\$5,900,000.00	\$376,116.85	\$1,515,388.67	26%
Penalties - Electric	\$70,000.00	\$6,663.99	\$35,466.84	51%
Reconnect Fees	\$65,000.00	\$7,200.00	\$18,000.00	28%
Meter Tampering Fees	\$0.00	\$200.00	\$800.00	--
Pole Attachments	\$8,000.00	\$0.00	\$0.00	0%
Recovery of Bad Debts	\$0.00	\$0.00	\$0.00	--
Interest on Investments - Electric	\$20,000.00	\$0.00	\$0.00	0%
Miscellaneous Income (Ins Proceeds)	\$1,500.00	\$3,313.52	\$3,313.52	221%
Underground Service	\$0.00	\$0.00	\$150.00	0%
Payment Return Fees	\$2,000.00	\$390.00	\$1,260.00	63%
Debt Set-Off	\$1,500.00	\$0.00	\$0.00	0%
Sales Tax Refund	\$50,000.00	\$0.00	\$0.00	0%
Sewer Service Fees	\$993,000.00	\$82,774.86	\$254,806.23	26%
Sewer Impact Fees	\$0.00	\$5,936.00	\$5,936.00	--
Tap Fees - Sewer	\$30,000.00	\$5,000.00	\$20,936.00	70%
Parks and Rec Revenue	\$128,100.00	\$7,353.11	\$78,649.21	61%
Administrative Service Charges	\$725,331.00	\$0.00	\$0.00	0%
<b>Total Revenues</b>	<b>\$14,580,726.00</b>	<b>\$647,928.73</b>	<b>\$4,029,474.20</b>	<b>28%</b>



Bank Balances		
Bank OZK - General Fund Checking Account	\$2,663,168.53	25.60%
Payroll Account	\$28,486.53	0.27%
NCCMT - General Fund	\$6,828,710.34	65.64%
General Fund A/P Accounts	\$1,000.00	0.01%
Passive Park Fund Savings Account	\$211,872.90	2.04%
Passive Park A/P Account	\$1,000.00	0.01%
NCCMT - Powell Bill Restricted Government Portion	\$617,025.29	5.93%
USDA Reserve Account	\$49,032.07	0.47%
Landis Police Foundation	\$2,537.68	0.02%
<b>TOTAL</b>	<b>\$10,402,833.34</b>	<b>100%</b>

Operating Budget Expenditures	Budgeted FY23-24	October	FY 23-24 YTD	%
Administration	\$1,677,329.00	\$36,689.42	\$272,073.44	16%
Police Department	\$1,417,717.00	\$20,217.42	\$349,708.50	25%
Fire Department	\$920,560.00	\$19,337.52	\$270,356.22	29%
Streets Department	\$995,140.00	\$28,326.56	\$285,773.85	29%
Sanitation Department	\$428,500.00	\$21,770.14	\$62,755.71	15%
Parks and Recreation	\$479,073.00	\$16,386.90	\$154,131.82	32%
Electric Department	\$6,287,181.00	\$400,631.81	\$2,080,694.16	33%
Water Department	\$882,000.00	\$35,556.71	\$183,753.48	21%
Sewer Department	\$1,018,000.00	\$77,292.13	\$220,565.94	22%
Storm Water Department	\$116,200.00	\$491.49	\$5,968.23	5%
Debt Service - Municipal Loan/Copiers	\$60,025.00	\$798.29	\$3,991.45	7%
Debt Service - USDA Bonds/Sewer Equip / Srf	\$299,000.00	\$0.00	\$3,639.55	1%
<b>Total Expenditures</b>	<b>\$14,580,725.00</b>	<b>\$657,498.39</b>	<b>\$3,893,412.35</b>	<b>27%</b>

Capital Improvement Plan Budgets	Budgeted	October	FY 23-24 YTD	%
<i>Year-To-Date Capital Expenditures</i>	\$0.00	\$0.00	\$0.00	100%
<b>Total Expenditures</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>100%</b>

Passive Park Fund	Budgeted	October	FY 23-24 YTD	%
<i>Year-To-Date Passive Park Fund</i>	\$286,742.03	\$0.00	\$57,742.16	20%
<b>Remaining Balance</b>			<b>\$228,095.81</b>	
Passive Park Buyout / Trans to Gen Fund		\$0.00		100%
Facility Improvements		\$0.00		100%
Professional Fees		\$0.00		100%
<b>Total Expenditures</b>	<b>\$57,742.16</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>100%</b>





# Item Cover Page

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**MEETING TYPE** Board of Alderman

**DATE:** November 13, 2023

**SUBMITTED BY:** Michael D. Ambrose, Town Manager

**ITEM TYPE:** Report

**AGENDA SECTION:** Reports

**SUBJECT:** **Managers Report**

**DETAILS:**



**Town Manager Report  
Month of November 2023**

We have completed the tenth month of the calendar year. I want to continue giving an overview as part of my manager report.

1. I have been meeting with Smart Fusion (our current financial software vendor) to reduce the cost of their contract, and to lock us into a good rate for the next 5 years. I have scheduled a meeting with them next week to finalize this proposal. Last year we spent \$32,000 on the contract, and through my conversations with them we negotiated down to \$27,500 a year with a 5-year contract of a 0% increase.
2. Disconnect Day will still be the third Wednesday of each month.
3. The speed humps on S Zion Street are expected to be completed by the end of November. The Town will post the road closures for this project whenever the materials arrive.
4. Carly Loflin has been selected as our new Customer Service Technician in our Utility Billing Department.
5. Justin Stallings has been selected as our new Senior Water Resources Technician in our Public Works Department.
6. We have promoted two internal employees in our Fire Department, Todd Bittle to Fire Captain, and Tyler Perry to Engineer. I appreciate their hard work and dedication to the town.
7. Fall Festival, and Cone with a Cop were successful events. I appreciate everyone participating in these events.
8. I have been involved in meetings about stormwater, stormwater funding sources, and ways to improve our stormwater infrastructure needs.

Please stop by my office or contact me directly if you have any issues or concerns.

Thank you,

Michael D. Ambrose



## Item Cover Page

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**MEETING TYPE:** Board of Alderman  
**DATE:** November 13, 2023  
**SUBMITTED BY:** Michael D. Ambrose, Town Manager  
**ITEM TYPE:** Report  
**AGENDA SECTION:** Reports

**SUBJECT:**

**DETAILS:** The Town has received an estimate from Greg Honeycutt, with Yates and Funderburk, for replacing the sidewalks in front of the businesses on South Central Avenue from E Ryder Avenue to W Mills Street. The estimate came back at approximately \$250,000, which we will have to go out for a formal bidding process to get the project completed.



# 2023 DECEMBER

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	1	2
3	4	5	6 Christmas Senior Luncheon/Bingo 12:00 Noon Trinity Lutheran Church	7 Board of Aldermen Work Session Meeting: 5:30PM	8	9 Campfire Christmas with Santa
10	11 Board of Aldermen Regular Scheduled Meeting: 6:00PM	12 Planning Board Meeting: 6:00PM	13	14	15	16
17	18	19	20	21	22	23
24 Christmas Eve	25 Town Hall Closed Christmas Day	26 Town Hall Closed	27	28	29	30
31 New Year's Eve	1 Town Hall Closed New Years Day	2	3	4	5	6

**NOTE**

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## COMMUNITY EVENTS

*2023-2024*



- 11/21/2023 : Christmas Parade
- 11/21/2023 : Downtown Tree Lighting Event
- 12/9/2023 : Campfire Christmas with Santa
- 3/23/2024 : Easter EGG-stravaganza
- 4/5/2024 : Downtown Car Cruise-In (also held on 5/3/2024, 6/7/2024, 7/5/2024, 8/2/2024, and 9/6/2024)
- 8/6/2024 : National Night Out
- 9/20/2024 : Touch-A-Truck Event
- 10/26/2024 : Fall Festival/Trunk or Treat
- 11/26/2024 : Christmas Parade
- 11/26/2024 : Downtown Tree Lighting Event
- 12/14/2024 : Campfire Christmas by the Lake

312 S. Main St.  
704-857-2411  
[www.townoflandisnc.gov](http://www.townoflandisnc.gov)