

**May 3<sup>rd</sup>, 2010**

At 5:30 P.M., on Monday, May 3<sup>rd</sup>, 2010, in the Board Room of the Landis Municipal Building, Mayor Dennis Brown called to order the Town of Landis Board of Aldermen regular meeting. Those present along with the Mayor were Aldermen Tony Hilton, Roger Safrit, Craig Sloop and James Furr, Town Manager Reed Linn, Public Works Director Steve Rowland, Recreation Director Julie Noblitt, Police Chief Brian McCoy, Deputy Town Administrator Debbie Goodman, Administrative Assistant Heather Wood and Town Attorney Rick Locklear.

A quorum was met.

Mayor Dennis Brown opened the meeting and welcomed all those in attendance.

The invocation was led by Reverend Bill Coughlin.

The pledge of allegiance was led by Mayor Dennis Brown.

Alderman Safrit motioned, seconded by Alderman Furr, to adopt the agenda with the removal of item #6. All voted aye.

Alderman Furr motioned, seconded by Alderman Safrit, to adopt the minutes from the April 5<sup>th</sup>, 2010 regular meeting as written. All voted aye.

Phil Conrad then addressed the Board regarding the Rowan Express program. He stated that the Cabarrus-Rowan MPO thanked the Town for its support and that Rowan Express had been in operations for a year now. He went over the numbers and “ridership” in detail, including the route that the Rowan Express covered. The program was supported through a Federal Grant that had been approved in the spring of 2005 through the Cabarrus-Rowan MPO. An interlocal agreement had been established with Rowan County, Kannapolis, Landis, China Grove and Salisbury in the summer of 2008. Rowan County serves as the administrative agent for the program.

Rowan Express was the first transit line in Southern Rowan County. It had established a link between the research campus and the county seat. The fee to ride was \$1.00 with free transfers. The start up date had been April 6<sup>th</sup>, 2009. In the first month they had seen 358 riders, in March of 2010 that was up to 960. The Town of Landis had seen 12 riders that first month, and in March of 2010 that was up to 82 passengers. Ideally they wanted to see higher numbers. The ridership was considered to be rising but had “flat lined” recently. Partially this was due to bad weather, but that they were seeing a “good trend” and that it was encouraging. He felt people were becoming more aware of the program.

The program needed to be “accommodating” to passengers, that it needed to be accessible and convenient. They were considering additional bus stops, as well as bus shelters. They were also looking at an East Rowan Expansion. There was brief discussion of the East Rowan Expansion.

They were proud of the success of the Rowan Express, but felt they were only “scratching the surface” and the program was “on the verge of taking off”. They once again thanked the Board for their support.

Alderman inquired that the ridership in Landis for March 2010 was 82. This number was confirmed. He stated that the Town was subsidizing \$4.00 per person and he would like to see an improvement. Mr. Conrad stated that is why they had come tonight to highlight the progress of the program. It was a three year grant and they wanted to check in and receive input from the Town. The state had also given them a grant to fund the installation of bus shelters. If the Town was interested, they simply needed to let them know. There was no financial commitment with the shelters, and they asked the Board to consider those.

Mayor Brown advised Manager Linn to look into and recommend where to put a shelter.

Alderman Furr stated that he was not encouraging the Town to not participate; he just wanted to see “more bang for (our) buck”.

Mr. Conrad stated that it was mobility for all county residents, to get them to any community organization.

Alderman Hilton stated that this was also something that had to be done for air quality standards, which had been federally mandated and in the long run would save the Town money.

Mr. Conrad stated that it had been a “good collaborative” effort so far.

The next order of business was discussion of the sale of water at Lake Wright. Public Works Director Steve Rowland stated that he had been approached by Warrior Golf Club to pump water from Lake Wright. The Town did sell raw water occasionally and it was going over the spillway at the lake right now. Alderman Hilton stated that they couldn't sell it as drinking water. Director Rowland commented that there was an underground transformer there “doing nothing” and he would need to get with Manager Linn about rates and figure out a price. Mayor Brown instructed them to work up a rate structure. Director Rowland also commented that Warrior could never drain the lake and that it was at “full pond”.

The Board then heard from Police Chief Brian McCoy concerning complaints about speed in certain neighborhoods in different parts of Town over the last few months. Chief McCoy had looked into various products to aid in this. One such product was “moveable speed bumps”. When the police department received a complaint, they could put out the speed bumps until the program was solved. This would get the attention of drivers.

Alderman Hilton inquired if the PD was writing tickets in these problem areas. Chief McCoy confirmed that they were, but they can't be there 24/7. It would cost \$300.00 to cover one street with the speed bumps. Alderman Safrit said it would be a “surprise issue”. Chief McCoy confirmed he didn't like it, but it would also come with signs and would be mobile. It would come from the PD budget. Manager Linn stated that if it was for traffic control it may be able to come out of the Powell Bill fund but he would have to check. Alderman Hilton asked if this was for Town streets. Manager Linn stated that it “had to be”. Alderman Hilton commented that he was just making sure everyone understood.

Mayor Brown instructed Manager Linn to check into funding the mobile speed bumps with the Powell Bill fund and then they could think about it and make a decision.

Manager Linn then addressed the Board concerning the resolution supporting Renewable Energy. There had been discussion in the budget session to establish a renewable energy rider fee. In order to do this, they would have to adopt a resolution. Electricities had developed the proposed resolution.

The fees would be as follows: residential would be \$.55 per month, commercial would be \$2.21 per month, and industrial would be \$31.42 per month. These rates had been figured into the proposed budget. The Board would need to adopt the resolution in order to move forward.

Alderman Furr commented that this was another one of “those unfunded mandates” and the Town has to figure out a way to pay for it. Alderman Sloop stated that the Town would not “eat” these costs. The Board agreed.

Manager Linn stated that some customers had two meters, and the second (such as one attached to a garage) was currently listed as a commercial meter. These meters would be converted to residential rates unless the garage was used for business purposes.

Alderman Furr motioned, seconded by Alderman Hilton, to pass the resolution establishing a Renewable Energy Portfolio Standards (REPS) Charge with changes to secondary meters to residential rates. All voted aye.

Manager Linn then addressed the Board concerning the North Carolina Main Street Program. He stated that he and Mike Acquesta had attended a workshop concerning this and that every year they selected three cities from Eastern North Carolina and three cities from Western North Carolina. The population of the cities had to be less than 7500. It was a 2-3 year process of a city was chosen and this year the program had \$2 million grant to spread between the six chosen towns. This program would help to organize, promote, establish signs and economically restructure the downtown area. The deadline is May 8<sup>th</sup>, 2010. The Planning Board had discussed this matter several times and they had recommended applying for the program last year, but the Town had missed the deadline.

There was a fee involved, which was \$3,000-\$5,000.00 spread over the life of the project. These were staff related expenses and would only apply if Landis was chosen for the project. There was no cost to apply. The Planning Board had felt this was a good program to pursue this year with the new park coming in downtown. There is money built into the budget to fund the project if Landis was selected.

Alderman Hilton stated that he was willing to get help if they could. Manager Linn stated that they had to come up with a portfolio and Mike Acquesta would help.

Alderman Hilton motioned, seconded by Alderman Hilton, to adopt a resolution for the application process for the North Carolina Main Street Program. All voted aye.

Alderman Furr inquired if there would be additional costs from Mike Acquesta for aiding in this process. Manager Linn stated that he would have to find out.

The Board then received the proposed 2010-2011 budget for review. All funds were balanced at this time. Manager Linn went over some of the highlights of the budget. There was no tax increase, no employee furlough day, and no new employees. He also stated that they were also expecting to see healthcare savings, but at the moment the higher amount had been budgeted. Alderman Hilton inquired if they were looking into workers compensation as well. Manager Linn confirmed that they were.

The budget also reflected one stop recycling with a contracted company.

Other things that had been established in the budget were fishing permits at Lake Corriher, a credit card convenience fee and a reduction in the recreation budget; there would be no ball program but the Town

would support a private organization taking over the teams. The running of the Town's pool had also been contracted out.

The electric fund budget reflected a 6% increase in rates and the 12kv conversion was also budgeted in.

\$208,000.00 in debt service had been added in the water and sewer funds for the upcoming projects. There was also an increase to \$11.50 for monthly meter fees in both water and sewer. There was also a 5% increase in water and sewer rates to reflect what was expected from Salisbury as far as rate increases went. There was also a \$.25 cent increase per each tier of water, but no other sewer rate increases.

Stormwater remained the same as the previous year.

The total for the proposed 2010-2011 budget was \$10.3 million, which was an increase over the previous year. The main reason for this increase was the water/sewer projects and the 12kv conversion in the electric fund.

Alderman Hilton asked if staff was confident in the 5% increase from Salisbury. Manager Linn stated that after researching the increases over the past several years, it averaged out to 5.12% per year, so they had budgeted for 5% and if it was only a small amount (10<sup>th</sup> of a %) they would still be okay. However, there had yet to be any indication from Salisbury as to when the prices for 2010-2011 would actually be released. Most towns had not even begun their budget process.

Mayor Brown stated that the Board would review the budget and unless the Board felt they needed another workshop, it was his recommendation to set a public hearing for the budget at the regular meeting on June 7<sup>th</sup>, 2010. They would then be able to adopt the budget if they chose to do so.

Alderman Furr motioned, seconded by Alderman Safrit, to call for a public hearing on Monday, June 7<sup>th</sup>, 2010 at 7:00pm for the proposed 2010-2011 Budget. All voted aye.

Alderman Furr then asked Manager Linn to define what was meant by "support" a private organization taking over the ball programs. Mayor Brown stated that Alderman Furr made a good point, and that it was either to rent or lease the fields at a minimal cost and to possibly help with the upkeep and maintenance. Manager Linn commented that the Town had to maintain the upkeep of the fields at the moment anyway. Alderman Hilton inquired if the private organization would handle organizing the teams and paying the utility bills. Manager Linn confirmed they would.

Recreation Director Julie Noblitt stated that she had been speaking with parents about forming a youth association and that they wanted to take it on. She had asked other park and recreation agencies how they handled a situation such as this. Not many still support youth ball, but most do charge a program fee per child. For example, the youth organization would give back \$10.00 per child to offset utility costs. Most towns still paid for the utilities for the ball programs and just charged the program fee per child.

Alderman Furr commented that in the previous budget, \$30,000.00 had been budgeted for utilities; he wanted that number looked at and how much was spent on field utilities for the Board to make an educated decision.

Manager Linn stated that they were also in the process of redoing some of the meters so that the proper departments were being charged. He commented that it was "surprising" how many meters the Town had.

Alderman Hilton stated that he wanted to see a better representation of actual figures, but as long as it appears that most participants are not Landis citizens, he was not okay with using Landis's taxpayers' money. Alderman Furr concurred that they needed accurate numbers.

Mayor Brown instructed staff to make a list of things the Town will and will not do for any private organization that takes over the ball program. The Board also wanted it spelled out in a contract that even if they used the Town's fields, any liability would fall on the organization actually running the ball program.

Alderman Furr then commented that he wanted it made clear that the 6% increase in the electric rates was a whole sale increase that was passed on to the Town through the provider.

Alderman Safrit stated that he wanted to commend staff and the Department Heads for the good job done on bringing the budget together. Alderman Furr stated that it was "nice to be ahead of the ballgame".

Alderman Hilton stated that he had also heard the rumor that the reason recreation was being re-organized was to spend money on the renovation of the old hardware store. He stated that this was not true, that nothing would be done on the hardware store that was not done through grant money.

### **Department Head Comments**

*Recreation Director Julie Noblitt:* stated that she would like to see the Town move towards spring and fall festivals; not as expensive as Heritage Day had been, but attempt to bring in income and sponsorship. They could have crafts and vendors and attempt to use local entertainment groups, and give them an opportunity to perform. She inquired if this is something the Board would like to see. The Board agreed that it was something they would love to have back in town, and instructed Director Noblitt to move forward. They did instruct her to aim for spring of 2011 because fall of 2010 was too short of notice to pull things together. However, they did encourage her to pursue both fall and spring of 2011.

*Public Works Director Steve Rowland:* stated that the sewer system videoing and cleaning was officially over. He had been working with Director Noblitt and the pool was in good shape. Repairs had been made to the skimmers and the cracks that were there. They had hydro-blasted the pool today and would be painting it when they had 3-4 days with no rain. Alderman Hilton inquired if it met all Federal standards. Director Rowland confirmed that it did, with letters from the engineers to prove it.

*Town Manager Reed Linn:* stated that he had met with the company they were discussing contracting out the running of the pool with. He had also met with another company today and they will also submit a bid. The budget reflected contracting out running the pool. Alderman Furr commented that he was confused, that last month a representative from the company who had been doing work at the pool had talked about the pool's filtration system being on its "last legs" and now a management group was recommending running the pool 365 days a year. If it was in such bad shape, he didn't understand the logic behind keeping it running all year long. Manager Linn stated that he did not think the representative had realized the pumps had been replaced and in addition the filters had been replaced this year. Alderman Hilton asked if the representative had "misrepresented things". Alderman Safrit stated that he felt it was an "exaggeration" and that he had done pool maintenance in the past. There was further discussion on the matter. Alderman Furr also inquired about saving water, if they left the pool running all year long, would they not have to deal with evaporation. Director Rowland stated that the way things are done now, the pool had to be completely drained and then

refilled before it could open. Alderman Hilton felt that evaporation would lose less water than a total drain and refill. Alderman Safrit stated that it would be fine as long as it was kept circulating.

*Police Chief Brian McCoy:* stated that the PD had been pre-approved for a grant for polygraph equipment and the necessary training pending the Board's approval. The PD would have to pay \$3,500.00 in matching funds. Alderman Hilton inquired as to why the PD needed a polygraph machine. Chief McCoy stated that they had a few instances where they had to set up appointments with other agencies to use their machine. Alderman Hilton commented that it was optional. Mayor Brown asked if there were time constraints on the grant. Chief McCoy stated that an answer was originally needed by the end of April but he had requested an extension. Alderman Hilton inquired about costs down the road for retraining and supplies. Chief McCoy stated that he did not know, as he didn't know much about the machines. He also stated that there was money budgeted; they would simply need to move it from training to the grant line item. Alderman Hilton inquired how many times a year the PD used a polygraph machine. Chief McCoy stated that it would probably be used 20 times a year or more if the service was offered. Alderman Hilton commented that would equal to \$160.00 per person.

Alderman Safrit inquired if other agencies would be able to use the machine as well, and Chief McCoy confirmed that they would be. Manager Linn stated that during an internal investigation for the Town, they had to go to Kannapolis to use their machine. Alderman Hilton pointed out that a polygraph test was not admissible in court. Chief McCoy commented that it is an "investigative tool". Alderman Furr stated that he agreed with Alderman Hilton, that it may be "free up front" but he felt there would be money involved in the future. He felt it was a valid tool but not a necessity with funds the way they were. It was his opinion if a machine was available at another agency, the Landis PD could simply go there. Alderman Hilton agreed. Aldermen Safrit and Sloop saw no issue with proceeding with the grant. Alderman Sloop stated that it could also save money in transporting. Alderman Furr re-stated that it was not admissible in court. Alderman Safrit commented that it could "eliminate deception". Alderman Hilton pointed out at 20 uses a year, that was \$160.00 per person.

Alderman Safrit motioned, seconded by Alderman Sloop, to accept the grant for the Landis Police Department to receive a polygraph machine and training, with the Town being responsible for \$3,500.00 in matching funds. Aldermen Safrit and Sloop voted aye, Aldermen Furr and Hilton voted nay, Mayor Brown broke the tie and voted aye. The motion passed.

### **Board Comments**

*Alderman Tony Hilton:* stated that now was the time for the Town Manager to look at vehicle usage and take home vehicles and see "who is doing what" and determine if the Town wanted to continue with the policy as it is. Alderman Furr agreed. Alderman Hilton commented that if an employee drove a Charlotte vehicle, that it stopped at the Mecklenburg County line and after that it was \$.51 per mile. He recommended looking at what standards were used for the Fire Department as limits.

*Mayor Dennis Brown:* stated that he appreciated all the hard work that staff had done on the budget process and it had been "fine work under hard conditions". He was also proud that they were done when many others hadn't even started.

**Citizens' Comments**

*Gail Brown:* stated that she wanted to know why Time Warner had put a large box by her driveway, commenting that she could not see to back out of her driveway now. She had asked them not to put it there but they had anyway. She had contacted Time Warner but the one who had installed the box said that he could see over it, but he was in a big truck, not a car. She asked for the Town to help, stating that she didn't even have cable service. Mayor Brown responded that he wasn't sure if they could do anything. Ms. Brown stated that it was very high and in her flower bed, asking if there was any way the Town could help and did she need to go back to Time Warner. Manager Linn commented that there is an ordinance on file that requires the line of sight triangle be kept clear even on a private drive. He stated that he was not aware of this issue and it's possible it could be addressed through Zoning. Mayor Brown stated that Zoning was probably the only avenue they could take to address it. Manager Linn stated that he would look at the box in question and speak with Director Rowland and would let Ms. Brown know the outcome.

*Nadine Cherry:* stated that she had given the Board information on the ADA at the February meeting and the proclamation had been taken care of, but she wanted to know where the Board stood on the other information she had provided. Mayor Brown stated that they had taken the information and read over it, but as he had said before the Town was ADA compliant and they were done with ADA standards unless the state informed the Town it needed to take further steps.

Alderman Furr motioned, seconded by Alderman Sloop, to go into Executive Session to discuss Legal and Personnel matters. All voted aye.

Alderman Sloop motioned, seconded by Alderman Safrit, to come out of Executive Session and to adjourn the meeting. All voted aye.

The meeting adjourned at 20:55pm on Monday, May 3<sup>rd</sup>, 2010.

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Heather Wood  
Administrative Assistant