

February 5th, 2018

At 7:00pm, on Monday, February 5th, 2018, in the Board Room of the Landis Municipal Building, Mayor Mike Mahaley called to order the Town of Landis Board of Aldermen Regular Meeting. Those present along with Mayor Mahaley were Aldermen Tommy Garver, Bobby G. Brown, Tony Corriher and Seth Moore, Town Manager Reed Linn, Public Works Director Ron Miller, Police Chief Kenny Isenhour, Deputy Town Clerk Debbie Goodman, Administrative Assistant Heather Wood and Town Attorney Rick Locklear.

A quorum was met.

Mayor Mahaley opened the meeting and welcomed all those in attendance.

The invocation was given by Pastor David Franks.

The pledge of allegiance was then led by Mayor Mahaley.

Alderman Brown motioned, seconded by Alderman Garver, to approve the agenda as written. All voted aye.

Alderman Brown motioned, seconded by Alderman Garver, to adopt the minutes from the January 9th, 2017 regular meeting as written. All voted aye.

The first order of business was a public hearing to discuss a proposed ordinance to Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises. Mayor Mahaley explained that the state had given each town the ability to decide to sell alcohol at 10:00am on Sundays instead of noon. It would be decided on a town by town basis. He stated that they would have the public hearing, then the Board would also discuss the matter. Mayor Mahaley's stated that if he could do away with alcohol being sold on Sundays altogether, he would. However, since that wasn't an option, he felt the ordinance should pass because there were several businesses in town affected by this, and it would put them at a disadvantage to businesses in neighboring towns, who had passed the ordinance. He stated that he didn't think this was a referendum on alcohol, but it was business friendly and he'd like to see Landis give their businesses the same chances as other towns.

Mayor Mahaley opened the public hearing.

David Franks: stated that he was speaking against the proposed ordinance, but he was not condemning others who felt differently. He stated that he eats at places that serve alcohol, even though he doesn't drink himself. He stated that he did not think passing this ordinance would make or break a business, or keep them from locating to Landis. Additionally, he said he was against it for more spiritual reasons. He said it was more about who Landis was as a small town, and that Landis doesn't have some of the problems bigger towns have. He said he was not anti-business, but at the same time small towns are special and this matter goes back to the Blue Laws, which were put in place not to curb fun but to remember God since Sunday is still a sacred day. He wanted to see some traditions maintained and that he wanted the Board to vote no because it was better for families and the community.

Nadine Cherry: stated that she had given the matter some thought, and if she could vote on it, her vote would be totally against the ordinance.

Dorland Abernathy: stated that he seconded Pastor Frank's statements.

Roger Safrit: stated that he agreed with Pastor Franks and he didn't see how two hours could make that much of a difference.

Mayor Mahaley closed the public hearing.

Alderman Tony Corriher stated that he could not have put it any better than Pastor Franks.

Alderman Seth Moore stated that he would do away with alcohol all together if he could and that he had never had a sip in his life. However, he knew that prohibition had not worked. He pointed out that there were no business owners present to speak for this ordinance and he did not think it would affect them. He stated that consumption of and sale of alcohol were two different things. He stated that we need to have reverence for the day of the lord. He considered himself a Christian and felt that the consumption of alcohol was a sin, especially if it takes away from the day of worship; if alcohol becomes a stumbling block.

Alderman Brown motioned to adopt the Ordinance to Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises. The motion died for lack of a second.

The next order of business concerned setting the initial zoning for certain parcels of property recently voluntarily annexed into the Town of Landis. The properties in question were as follows:

- 1380 Mt. Moriah Ch. Rd, tax map parcel 130-008B. The current zoning was RA (Rural Agriculture) and the suggested initial zoning was R-8 (Single Family Residential)
- 533 Bonita Drive, tax map parcel 132A-057. The current zoning was RA (Rural Agriculture) and the suggest initial zoning was R-8 (Single Family Residential). The owner, Patrick Blackwelder, had already started building a new residence on the property and it was in compliance with all Landis zoning codes.
- Parcel located at Lake Corriher and Flat Rock Rd, adjacent to the Wilderness Park, tax map parcel 122-0270000002. It was currently zoned RR (Rural Residential) and the suggested initial zoning was R-8 (Single Family Residential). That designation allows the property to be used as a municipal park.

Tonight, the Board would receive the information and if it was their desire, they could call for a public hearing at their next regular meeting.

Alderman Brown motioned, seconded by Alderman Garver, to call for a Public Hearing at the Next Regular meeting in March to discuss the initial zoning of three parcels of property that have recently been voluntarily annexed into the Town of Landis. All voted aye.

The next order of business concerned amending the Town's Exotic Animal Ordinance. Currently there were a few discrepancies where the ordinance and the code of ordinances conflicted. If the Board

wished, they could call a public hearing to discuss the changes. Brandon Linn explained that there had been many complaints that pertained to this ordinance and in order to enforce it, there would need to be amendments. There was some discussion of setbacks and requirements. The changes to the existing ordinance would also include a permit that residents must obtain to make sure they meet the requirements and guideline. The Permit would cost \$40.00.

Alderman Brown motioned, seconded by Alderman Corriher, to call for a public hearing to discuss the proposed changes to the Town's Exotic Animal Ordinance at the next regular meeting in March. All voted aye.

The next order of business concerned the final agreement with the Department of Transportation in relation to the Greenway project. This had started in 2007 and would involve construction of a greenway from West Ryder along Grants Creek to Mt. Moriah and connect Landis to the South Rowan YMCA and the Lake Corriher Wilderness Park. The NCDOT would do the work and our percentage of the grant would be 20% to be paid over the next five years.

Mayor Mahaley explained that between 2004-2008 when he was the mayor, this project had come up and the Board had voted to do it. It was supposed to have started two years after that, but the government works slow. When the Board at the time had approved it, the price for completion had been cheaper. A lot had been added since then and there was some discussion of the changes. Mayor Mahaley stated it was a great project, and though the price had gone up he was still in favor of it because it was a great project. There was some discussion about the greenway. The greenway would be a great addition to the town, helping to fix up some of the worst looking sections of Landis. He stated that they had to make a decision, that it was a great project, but some towns had turned it down. This greenway was part of the Carolina Thread Trail Grand Plan, whose goal was to connect a path between fourteen counties. There was some discussion.

Alderman Brown inquired about the share the Town would have to pay and when would it have to be budgeted. Manager Linn stated that when the project was completed, that's when the amount would have to be budgeted. They would have five years to complete the construction, but there was no start date yet. Mayor Mahaley confirmed it was a slow process, that the state had called two years ago and said they were ready to start then.

Alderman Garver inquired about who would be constructing the project. Manager Linn stated that the Town would be the project manager and they would meet with the DOT. The project would go out to bid, like the PARTF Grant work at the park had been handled.

Alderman Corriher inquired if they would have to raise taxes to do the project, and if not where would the money come from. Manager Linn stated that the money would come from the General Fund and it would be paid by taxes. However, he reminded the Board that two of the projects already being paid for out of the General Fund would be completed before this one came due, most likely: the PARTF Grant and the pool. There was some discussion. Mayor Mahaley reminded the current Board that a previous Board had voted to do this project and he thought it would help the town.

There was further discussion and Alderman Moore pointed out that this would be funded with state money, which is our tax dollars, and if we did not use those funds, someone else would.

Alderman Brown motioned, seconded by Alderman Moore, to approve the final agreement with NCDOT for the construction of the Grants Creek Greenway. All voted aye.

The next order of business concerned closing an unopened portion of South Correll Street and East Ridge Avenue. The request was being made by Jessica Sides, the property owner. Her parcel was fronted by two unopened streets and she had petitioned the Town to permanently close them. They were not technically there at all, but this was the first step in the process.

Alderman Brown motioned, seconded by Alderman Corriher, to adopt a Resolution of Intent to Close Certain Unopened Portions of South Correll Street and East Ridge Avenue. All voted aye.

The next order of business concerned appointments to the Planning Board. There was some discussion.

Alderman Corriher motioned, seconded by Alderman Brown, to appoint Darrell Overcash to the Town's Planning Board. All voted aye.

Mayor Mahaley welcomed Mr. Overcash aboard.

Manager Linn then stated that the Board and Department heads were invited to the JROTC Banquet at South Rowan High School on February 15th, 2018. It would begin at 7:00pm in the cafeteria. Wild Bill Corriher had extended the invitation personally and Mayor Mahaley stated that everyone needed to make it if they could.

There was then discussion of when to hold the first budget workshop for the 2018-2019 budget. Manager Linn requested any time after February 19th and preferably on a weekday.

The Board then decided to hold their first budget workshop on Thursday, February 22nd, 2017 at 5:15pm in the Council Chambers.

Mayor Mahaley then welcomed House Representative Larry Pitman from the 82nd District. He would be running in the (new) 83rd District which encompassed Concord through China Grove. He would be replacing Carl Ford, who was running for Senate. He thanked Representative Pitman for stopping by that night. There was some discussion.

Department Head Comments

Town Manager Reed Linn: stated that there was a meeting of the Rowan County Commissioners on Thursday, March 1st, 2018 at 1:00pm in Salisbury to discuss plans for the 85/Beatty Ford interchange. They had invited the China Grove and Landis Boards and Staff to attend the meeting. Manager Linn also reminded everyone that the grand re-opening of the Lake Corriher Wilderness Park would take place on Saturday, April 7th, 2018. It would start at 8:00am and would include things like a trail run, disc golf, corn hole tournaments and food. Additionally, the annual golf tournament to raise funds for the passive park would take place on May 18th, 2018.

Police Chief Kenny Isenhour: stated that the police department had received all of their new bulletproof vests, which were paid for 100% by various grants and the Woodmen of the World. There had been zero cost to the Town. The PD was also applying for a Block Grant to get new equipment. Chief Isenhour also challenged the Board to join Wild Bill Corriher at the JROTC banquet. He stated that Wild Bill had been working very hard and that his health was not great, and it would be great if the Board could attend to show their support.

Board Comments

Alderman Seth Moore: congratulated Darrell Overcash on his appointment to the Planning Board. He also thanked those who spoke out against the (alcohol) ordinance. He commented that he was going to vote in favor of it until citizens spoke out against it. He thanked them for being a part of the town. Alderman Moore then spoke briefly about how more people died from alcohol related reasons than they did from gun violence every year, but no one ever spoke about that. He stated that he felt there shouldn't be alcohol at all. Alderman Moore then stated that he had been a member of the JROTC for three years while in high school and they had one of the best programs around. He stated that they still had a lot of great kids in the program and that a lot of them did not have great home lives, and the JROTC community offered them support and he thought the community should offer that support in return, so that they know they are cared for by the community.

Alderman Bobby Brown: stated that he would go to the (JROTC) banquet.

Mayor Mike Mahaley: stated that last night he had not been at the meeting because he was under the weather and that he had heard a lot of prayers and greatly appreciated it. He felt that he would not still be here if it wasn't for those prayers and he thanked everyone. He stated that he appreciated the positive vote on the greenway and he knew it had been hard to make, but it would benefit the people of the town for many years to come.

Mayor Mahaley also welcomed Andie Foley from the Salisbury Post and thanked her for attending.

There were no further Board comments.

Citizens Comments

Nadine Cherry: inquired of Chief Isenhour if he could speak about the burning of the rappelling tower that had burned at South Rowan High School. Chief Isenhour stated that he could not discuss the case, but there was a \$2,000.00 reward and plans to rebuild. Ms. Cherry stated that if every class who had graduated from South Rowan were to give a little bit, it could be paid for.

There were no further citizens' comments.

Alderman Brown motioned, seconded by Alderman Moore, to go into Executive Session to discuss Legal Matters and then to adjourn the meeting directly following. All voted aye.

The meeting was adjourned at 8:35pm on Monday, February 5th, 2018.

Heather Wood
Administrative Assistant