

March 5th, 2018

At 7:00pm, on Monday, March 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 Corriher, to approve the agenda as written. All voted aye.

Alderman Brown motioned, seconded by Alderman Corriher, to adopt the minutes from the February 5th, 2017 regular meeting as written. All voted aye.

The first order of business was the public hearing to set the initial zoning of recently voluntarily annexed property. There were three parcels that would need to be zoned tonight and Manager Linn said he would present them together for the public hearing, but each item would need its own vote. The parcels were as follows:

- 1380 Mt. Moriah Church Road (Tax Map: 130-0083); currently RA, recommended initial zoning is R-8 (Single Family Residential). This would be for the back half of the parcel, as the front half had always been in Landis City Limits.
- A parcel that fronted Lake Corriher (Tax Map: 122-0270000002); this parcel was owned by the Town of Landis and was currently zoned RA, recommended initial zoning is R-8 (the same zoning designation as the rest of the Wilderness Park)
- 533 Bonita Drive (Tax Map: 132A-057); currently RA, recommended initial zoning is R-8

All parcels were voluntarily annexed per the owner(s)'s request.

Alderman Brown motioned, seconded by Alderman Garver, to open the Public Hearing to discuss the initial zoning of the above listed properties. All voted aye.

There were no comments from citizens.

Alderman Moore motioned, seconded by Alderman Brown, to close the public hearing. All voted aye.

Alderman Brown motioned, seconded by Alderman Corriher, to set the initial zoning of 1380 Mt. Moriah Church Road (Tax Map: 130-0083) at R-8 (Single Family Residential). All voted aye.

Alderman Brown motioned, seconded by Alderman Garver, to set the initial zoning of the parcel identified as Tax Map: 122-0270000002 located at the Lake Corriher Wilderness Park and owned by the Town of Landis at R-8 (Single Family Residential). All voted aye.

Alderman Brown motioned, seconded by Alderman Moore, to set the initial zoning of 533 Bonita Drive (Tax Map: 132A-057) at R-8 (Single Family Residential). All voted aye.

The next order of business was the proposed amendments to the Animal Ordinance. An updated version had been presented to the Board at the last meeting and once the public hearing had been held, the Board could vote to adopt the amendments, make changes, etc.

Code Enforcement Officer Brandon Linn stated that the Town's current policy had no permit or application process for chickens, rabbits, etc. and with the amending of the ordinance it would address things like coop size, etc. and it would also bring it into line with the Zoning Ordinance. There was some discussion about the number of chickens allowed, coop size and maintenance expectations.

Alderman Brown inquired about the annual permit process, wanting to know if citizens would be billed or just expected to pay. Officer Linn stated that a record would be kept at City Hall and they would reach out to existing permit holders and inspect their premises before a permit was issued. He had spoken with several municipalities and raising the permit fee to \$40.00 would bring us in line with surrounding towns.

Alderman Corriher inquired about providing protections for dogs who were left on chains, etc. Officer Linn stated that he agreed and he had discussed with Manager Linn today to look at amending the other ordinances that deal with dogs and domestic pets.

The Mayor then opened the floor to comments from citizens.

Kevin Hartwick: stated that he had been a chicken owner for seven years and that he kept everything maintained and protected. The chickens provide his family with food as well as education opportunities for his daughters. He stated that he had lived in Landis for five years and he bought all of his chicks and food locally. Additionally, chickens eat many pests and he asked the Board to keep this in mind when adopting the ordinance. Mr. Hartwick was in favor of the amendments. There was some discussion.

Darrell Overcash: inquired if existing chicken owners would be grandfathered in. Officer Linn confirmed that they would be, however they would still have to bring their coops into line with the ordinance, and each would be taken on a case by case basis. Mr. Overcash wondered what had really brought this issue up. Officer Linn stated that they had received numerous complaints about chickens. Mr. Overcash wanted to know if the complaints were about fighting roosters. Officer Linn stated that the complaints were from neighbors about the chickens running loose, the conditions etc., not fighting chickens. Mr. Overcash insisted they needed to call this what it was, about fighting roosters, and not punish chicken owners. Mayor Mahaley reiterated this had nothing to do with fighting chickens, the complaints had literally been about the state of the coops and wandering chickens.

Dorland Abernathy: stated that he supported these amendments in principle, that this had been talked about several years ago when the Board had received complaints. However, he felt the daily cleaning requirements for the rabbit pens was a bit excessive.

There were no further comments from citizens.

Alderman Moore motioned, seconded by Alderman Corriher, to close the public hearing.

Manager Linn stated if the Board had no further questions and it was their pleasure, they could approve the amendments to the ordinance tonight.

Alderman Moore stated that Mr. Abernathy had a good point about the rabbit cages; if a neighbor has a problem with another neighbor they could use that to cause trouble. He suggested to change it to possibly 2-3 times a week instead of every day.

Alderman Brown motioned, seconded by Alderman Corriher, to adopt the Animal Ordinance as amended. All voted aye.

The next order of business was a public hearing to discuss closing unopened portions of the 400 block of East Ridge Avenue and the 200 block of South Correll Street. The Town has the right of way for lights, water and sewer but has no intent of ever opening the street. This closing had been at the request of the property owner. Manager Linn stated that the Town would need to keep control of those right of ways even if the unopened streets were closed.

Alderman Brown motioned, seconded by Alderman Moore, to discuss the closing of unopened portions of the 400 block of East Ridge Avenue and the 200 block of South Correll Street. All vote aye.

Gail Hare: wanted to know what would happen to her property line if the street was closed. Manager Linn explained that the property would be split down the middle, with half going to each side's property owner. There was some discussion.

There were no further comments from citizens.

Alderman Brown motioned, seconded by Alderman Corriher, to close the public hearing. All voted aye.

Alderman Brown motioned, seconded by Alderman Moore, to close unopened portions of the 400 block of East Ridge Avenue and the 200 block of South Correll Street. All voted aye.

The next order of business was a request from the Town of Spencer for surplus Police Department Vehicles. This had been a request from Chief James of the Spencer PD. The Town currently had two surplus Crown Victorias and the reserve had not been met on the vehicles when they were listed on govdeals.com and were currently just sitting at Public Works. Recently, Spencer had several cars that had been wrecked and they were requesting that the Town transfer the vehicles to them since they were surplus. Manager Linn stated this was not an unusual request between municipalities and it happens frequently. It would be a donation. There was some discussion of the matter.

Alderman Garver motioned, seconded by Alderman Corriher, to donate the two surplus Crown Victorias the Town had to Spencer. All voted aye.

The next order of business was setting a date for the next budget workshop. It was Staff's recommendation was either the 27th or 28th of March. After some discussion the Board decided Tuesday, March 27th, 2018 at 5:15pm would be the best date.

Alderman Brown motioned, seconded by Alderman Moore, to set the next budget workshop for Tuesday, March 27th, 2018 at 5:15pm. All voted aye.

Department Head Comments

Town Manager Douglas R. Linn: reminded the Board of the Grand Opening of the Lake Corriher Wilderness Park on April 7th, 2018.

Public Works Director Ron Miller: reminded the Board that the Annual Golf Tournament to support the passive park would be held Friday, May 18th, 2018.

Police Chief Kenny Isenhour: the PD had received 100% funding for the bullet proof vest grant. Additionally, an arrest had been made regarding the carwash break ins. The suspect had been charged with 16 felonies and he commended Captain Hosey for his work on that case. Mayor Mahaley commended the entire PD on their work, stating that he used to own a carwash so he knew what it was like.

Board Comments

Alderman Tommy Garver: encouraged everyone to come to the budget workshops stating that it had taken him two years to figure out how things work. He stated there were things they wanted to do, things they needed to do and things the citizens wanted done. He stated that citizens needed to be here to listen and learn. Alderman Corriher agreed.

Mayor Mike Mahaley: encouraged everyone to come out for the grand opening on April 7th, 2018 at the wilderness park. He stated the trail walk would begin at 10:00am. There was some discussion of the various events that would be held. He also wanted to recognize Bob Cryder from the EDC who was present. He had a couple of meetings with Mr. Cryder and he was very appreciative. Mr. Cryder was trying to help with larger pieces of property in Landis.

Mr. Cryder spoke briefly about the economic opportunities in Landis in regards to the available land.

Mayor Mahaley also welcomed the Salisbury Post reporter back.

There were no further Board comments.

Citizens Comments

Nadine Cherry: stated that the issues with the microphones had to stop and that Manager Linn knew what she was talking about, that there was no sense for them not to be working properly. She stated that two years ago a new system had been put in and she wanted to know what the problem was. Ms. Cherry also commented that when Mr. Wallace had addressed the Board the last time he was at a meeting and stating that he would bid on the surplus police cars, and she wanted to know what had happened there. Ms. Cherry also wanted to know where the swing set at the pavilion had gone. She also thanked the Board for giving the County Commissioners an “ear full” and it was about time because this area of the

county was constantly neglected. There was some discussion regarding the swing set that had been taken down at the pavilion.

David Franks: stated that he lived off Old Beatty Ford Road and he had read an article about the interchange, he wanted to know if there was any update and if the Town wanted it. Mayor Mahaley said that the Town has a lot of vision concerning that project, but so did China Grove and Salisbury. He stated that he thought it would be great for Landis in the future.

Eugenia Brown: stated that there was a lot of cars and trash accumulated at a garage in Town and that tires can attract mosquitos, she wanted to know what could be done. Manager Linn stated that it was currently being investigated by code enforcement. There was some discussion.

Alderman Tommy Graver stated that he had an answer for Mr. Franks regarding the interchange. He said that there had been a meeting with members of the Board and Staff and that the water and sewer was going to be handled by the county and Landis could not afford to do it. There was some discussion. A lot of things had been discussed but they were nowhere near contracts.

Tyler Sherwood: stated that people were flying down South Kimmons Street and that he had small children he was afraid to let play outside. He wanted to know if they could get the speed limit lowered to 25MPH. Mayor Mahaley stated that they could certainly discuss that. Manager Linn stated that the Town had done this in the past on other streets, but the matter is usually turned over to the Police Chief to handle.

Sharon McCarty: wanted to know where people were expected to park for the grand opening at the Wilderness Park. Manager Linn stated they would be directed to the parking lot on Kimball Road across from the YMCA. There was some discussion of the trail run's route.

Michael Julien: stated that he was a candidate for County Commissioner and he assured Landis that it was not the "red headed stepchild". While he wasn't from Landis, he was in the area all of the time and he commended the Board on what they do here. He stated that Landis looked very nice and with the interchange coming the area would explode with growth. He thanked the Board for letting him speak.

There were no further citizens' comments.

Alderman Moore motioned, seconded by Alderman Garver, to adjourn the meeting. All voted aye.

The meeting was adjourned at 8:01pm on Monday, March 5th, 2018.

Heather Wood
Administrative Assistant