

**MINUTES OF MIDWAY TOWN COUNCIL VISION SESSION HELD ON FEBRUARY 21, 2017
AT 7:00 P.M. IN THE CONFERENCE ROOM AT MIDWAY TOWN HALL, 426 GUMTREE
ROAD, MIDWAY, NORTH CAROLINA**

CALL TO ORDER

Mayor John Byrum called the meeting to order and welcomed everyone present.

Councilors present were: John Byrum, Jackie Edwards, Keith Leonard, Mike McAlpine, Robin Moon, and Todd Nifong. Absent: None. Town Manager Gary Looper, Town Attorney Jim Lanik, Town Clerk Linda Hunt and Deputy Clerk Tammy Robertson were present.

Each Councilor had been furnished an agenda prior to the meeting.

No members of press were in attendance.

ADOPT AGENDA

The agenda was amended as follows:

Add Closed Session in accordance with N.C.G.S. 143-318.11(a)(4) to discuss matters pertaining to economic development.

Councilor Todd Nifong asked to add a second Vision Session in order to cover all agenda items thoroughly due to the amount of items to be discussed. It was consensus of Council to discuss the following items February 21, 2017:

1. Nuisance Ordinance Amendments
2. County Proposed Agreement for Services-Planning, Zoning and Code Enforcement
3. YMCA
 - a. Review of Sewer Cost Increase and Level of Commitment
 - b. Structure of Lease Arrangement between YMCA and Town of Midway; Maintenance; Cost Sharing
7. Website Hosting – Contract Renewal
8. Social Media – Objectives
11. Audio Visual Update – Contract Scope and Technical Issues

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon, Councilors voted unanimously to approve the agenda as amended.

VISION SESSION

RECESS TO CLOSED SESSION

On motion by Councilor Mike McAlpine, seconded by Councilor Todd Nifong, Council voted unanimously to recess to closed session in accordance with N.C.G.S. 143-318.11(a)(4) to discuss matters pertaining to economic development

RECONVENE TO OPEN SESSION

On motion by Councilor Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to reconvene to open session.

NUISANCE ORDINANCE AMENDMENTS

At their regular meeting on January 3, 2017, Council voted unanimously to remove the proposed amendments to the nuisance ordinances from consideration. Since that time, Town Attorney Jim Lanik has prepared a draft update of the nuisance ordinance that adds notices/appeals to the current ordinance; however, further changes were halted pending a decision by Council on the proposed contract with Davidson County for planning and zoning code enforcement services.

At their regular meeting on February 6, Council discussed a proposed contract with Davidson County Planning and Zoning for the Town of Midway's planning, zoning and code enforcement services. Since that meeting, Town Manager Gary Looper has spoken with Guy Cornman, Director of Planning and Zoning for Davidson County about the scope of services the County can provide for the Town. The County would enforce planning and zoning services but not necessarily the Town's current nuisance ordinances which include littering, junk vehicles and noxious growth. The County code enforcers are not comfortable enforcing ordinances they are not familiar with.

The sections of the County's Planning and Zoning Ordinance that would possibly be applicable to the Town's junk vehicles and dilapidated structures are as follows:

- Article VI Section 6.01 (N) Parking, Principal Use, Amended: 8-3-15.
 1. All trailers and automobiles located on site shall have a valid tag and be in operable condition;
 2. No junk motor vehicles shall be allowed in parking lots;
 3. Said lot to be used for parking shall be located directly or diagonally across the street from a waterfront property or be in a contiguous lot, in common ownership with said waterfront property;
 4. No compensation or commercial use of said property shall occur as a commercial parking lot;
- Article VI Section 6.02 (E) Junked Motor Vehicle
 1. Accessory to Residential Use. One (1) vehicle meeting the definition of "motor vehicle, junked," is permitted. The vehicle must be located behind the front building line of the principal building.
 2. Accessory to Non-residential Use. Any vehicle meeting the definition of "motor vehicle, junked," shall be stored, parked or placed on the property so as to be totally screened from view from any street and/or adjacent residentially zoned property. Screening may be achieved by placement of the vehicle(s) within or behind a building and through the use of plant materials, fences, earthen berms or a combination thereof to a minimum height of (6) feet.
- Article VI Section 6.04 (E) Preservation of Safe or Lawful Conditions. Nothing in this ordinance shall prevent the strengthening, restoration or repair to a safe or lawful condition any part of the building declared unsafe or unlawful by the Building inspector or other duly authorized official.

It was noted that the Midway Planning and Zoning Board is in the process of reviewing the current Davidson County Zoning Ordinance which was adopted June 12, 2011 to be effective September 1, 2011. The County has amended the Zoning Ordinance several times since adoption with the most recent amendment being November 2, 2015. The Town is currently operating under the old Davidson County Zoning Ordinance.

Mr. Looper pointed out there is nothing in the Davidson County ordinances that speaks to the control of noxious growth.

Mr. Looper said that Davidson County Planning Director Guy Cornman told him that the County has a Solid Waste Disposal Ordinance that the Town may want to consider adopting. The Solid Waste Disposal Ordinance consists of the following sections:

- 50.01 Definitions
- 50.02 Applicability of federal and state laws
- 50.03 Storage and disposal
- 50.04 Landfill management
- 50.05 Boxsite Ordinances, solid waste receptacles, and disposal of solid waste
- 50.06 Separation of recycled materials
- 50.07 Illegal, storage, collection, and disposal of solid waste
- 50.08 Abatement of public nuisances
- 50.09 Administration and enforcement
- 50.99 Penalty

By the authority of the provisions of G.S. 153A-140, the unlawful storage, accumulation, or presence of solid waste on public or private property in the area of jurisdiction of this chapter in an amount exceeding 50 pounds or 100 cubic feet is hereby claimed and declared, subject to the limitations set forth in G.S. Chapter 106, Article 57, to be a public nuisance. The public nuisance shall be abated as provided in this chapter.

Mr. Looper noted, however, that there are a lot of provisions in the Solid Waste Ordinance that the Town would not want to enforce, except those listed on the last two pages, which is something for Council to consider.

Councilor Nifong asked if the Town could just adopt part of the Solid Waste Ordinance to which Mr. Looper responded he would need to check with Mr. Cornman on that.

It was the Consensus of Council to send the Solid Waste Ordinance to the Planning Board for their review and recommendations.

Discussion followed.

Key points discussed:

- Streamlining the Town's services and contracting with the County for planning, zoning, and code enforcement services.
- Maintaining a relationship with Benchmark for projects already started and any future services as needed.
- Keeping the Town's ordinances
- Tailoring the Solid Waste Ordinance to meet the Town's needs.
- Willingness of Benchmark to enforce the Town's ordinances

Mayor Pro Tem Mike McAlpine said that with the County offices being open five days a week, contracting with the County provides efficiency for contractors.

Councilor Jackie Edwards emphasized that all calls for planning and code enforcement services should go directly to the County.

For information only.

DAVIDSON COUNTY PROPOSED AGREEMENT FOR SERVICES – PLANNING, ZONING, AND CODE ENFORCEMENT

Council continued discussion of the proposed contract with Davidson County for planning, zoning and code enforcement services for the Town. Council plans to meet with Guy Cornman, Director of Planning and Zoning with Davidson County to discuss procedures the Town wants carried out with its planning, zoning and code enforcement.

Town Attorney Jim Lanik has reviewed the proposed agreement between the Town of Midway and Davidson County and has made some revisions which he has forwarded to the County for review.

Discussion included:

- Making sure citizens get their questions answered by referring them to the County so they can receive the information they need.
- Streamline planning and zoning procedures for the Town by having the County execute all minor subdivisions and all major subdivisions reviewed by the Town's Planning Board and approved by Council.
- Having the County comply with the Town's building standards (Core Commercial Overlay District)
- Requiring monthly reports from the County. It was the consensus of Council not to require monthly reports.

Town Manager Gary Looper reminded Council that the contract with Davidson County is time sensitive due to the fact that the County has begun its budget process.

It was the consensus of Council to meet with Davidson County Planning and Zoning Director Guy Cornman and/or Davidson County Planner Scott Leonard at Council's next regular meeting on March 6, 2017. If that date does not work for the County officials, Council could set a special meeting for mid-March for the meeting.

Discussion only.

YMCA

A. REVIEW OF SEWER COST INCREASE AND LEVEL OF COMMITMENT

Town Manager Gary Looper reported that he had received an update on the sewer cost estimate from John Grey with The Wooten Company who is doing the design work. Mr. Grey reviewed what the North Carolina Administrative Code would recommend for sewer services if the YMCA is built. The North Carolina Administrative Code regulates sewer capacity and design standards. Initial cost estimates were based on a 10,000 gallons per day (gpd) average. After further research, and given the size of the facility at 40,000 square feet with possible expansion, 20,000 gpd is recommended for the first 40,000 square feet and 20,000 gpd for the expansion. This would increase the sewer cost from \$94,000 to approximately \$370,000.

Mr. Looper said the issue is somewhat more complex in that actual water usage for the Lexington YMCA, which is a 93,000 square foot facility, is only about 4,000 gpd.

It was noted that if the YMCA does not build on the potential site, the septic system on the proposed property would support a town park and sewer would not be needed. The septic pump can be upfitted and the design could remain as is.

After discussion, it was the consensus of Council to have John Grey suspend the design work temporarily.

B. STRUCTURE OF LEASE ARRANGEMENT BETWEEN YMCA AND TOWN OF MIDWAY; MAINTENANCE AND COST SHARING

Not applicable after discussion regarding sewer cost increase and level of commitment.

WEBSITE HOSTING – CONTRACT RENEWAL

The Town's contract with Rick Zebra designs for website hosting and email services is up for renewal March 7, 2016. The current contract does not include continuous content management, which is a separate issue, but does provide two hours of staff training by Brooke Cisneros of Rick Zebra Designs in order for the Town staff to have the capability of entering some data on the website in house such as agendas and minutes.

Town Manager Gary Looper will talk with Rick Cisneros about changes and new items the Council would like to see on the website and have Rick provide cost estimates for the services.

The contract renewal for website hosting and email with Rick Zebra Designs will be added to the March 6, 2017 regular meeting agenda for consideration.

SOCIAL MEDIA HOSTING – OBJECTIVES

The Town currently contracts with Rick Zebra Designs for its social media hosting which includes facebook and twitter. Council discussed whether social media has been beneficial for the Town in obtaining new business for Midway, connecting with its citizens and providing an overall presence for the Town.

It was the consensus of Council to have Social Media Hosting placed on the March 6, 2017 regular meeting agenda for consideration.

AUDIO VISUAL UPDATE – CONTRACT SCOPE AND TECHNICAL ISSUES

At the regular meeting on January 3, 2017, Council discussed issues the Town has had with its audio/visual system including Share Link (Power Point/Wi-Fi capability). Technicians with Strategic Connections confirmed the Town's contract does not stipulate a scope of service where two internet connections can occur simultaneously. Therefore, monitor display of information that requires Share Link and internet connection is not currently an available service. This functionality is possible but would require additional programming from Strategic Connections.

Town Manager Gary Looper advised he has spoken with Mike Brown, salesman for Strategic Connections, about the possibility of expanding services in order to be able to fully utilize the capabilities of Share Link. Mr. Looper has a meeting set up with three representatives from Strategic Connections on Friday, February 24, 2017, at 1:30 p.m. to discuss the Town's contract and Share Link services. At their regular meeting in January, Council agreed that Share Link was requested upon initiation of its current contract with Strategic Connections. Depending on the results of the meeting with Mr. Looper and Strategic Connection's representatives, Town Attorney Jim Lanik may be advised to communicate the concerns Council has with the services Strategic Connections has provided the Town for its audio/visual services.

Discussion only.

OTHER

At the Council's Vision Workshop held February 18, 2016, members of Council listed five things they would like to see for the Town of Midway over the next four years.

After reviewing the lists, Mayor Byrum asked if Council's priorities are still the same.

Mayor Pro Tem Mike McAlpine still wants to see progress made on the Midway School Road congestion areas and access break on Hickory Tree Road.

Councilor Todd Nifong is grateful progress is being made on the Town Park and feels Council should focus on security measures for the park after completion.

Councilor Robin Moon stated there is still a lot of litter around the Town and more effort should be made in getting it cleaned up. Councilor Moon would also like to see more work being put in for business development in the Town.

Councilor Keith Leonard is thankful the new Town Hall has been completed and a new Town Manager has been hired. Councilor Leonard would like to see a resolution to the Land Development Ordinance.

Councilor Jackie Edwards would still like to see more training for the Town's Planning Board. In regards to Planning Board training, Councilor Edwards would like to see the Town's Core Commercial District presented to the Planning Board members who have never seen it.

Mayor Byrum suggested having Town Planner Richard Smith give an overview of the Town's Core Commercial District to the Planning Board members at their next scheduled Planning Board meeting providing Planning Board Chairman Charles Waddell sees the information as being beneficial to the Planning Board members.

RECESS TO RECONVENE

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to recess the meeting to reconvene on Tuesday, February 28, 2017 at 6:00 p.m. at Town Hall.

John E. Byrum, Mayor

Tammy H. Robertson, Deputy Clerk

