

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON JUNE 4, 2018 AT 7:00 P.M. IN THE COUNCIL CHAMBER 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.

Councilor Keith Leonard gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: John Byrum, Jackie Edwards, Keith Leonard, Mike McAlpine and Robin Moon. Absent: Todd Nifong. Interim Town Manager/Town Clerk Linda Hunt, Deputy Clerk Tammy Robertson Town Attorney Jim Lanik, Davidson County Planner Scott Leonard and Davidson County Planning Director Guy Cornman were present.

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

No members of the press were in attendance.

APPROVAL OF MINUTES

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the minutes of the May 7, 2018 Town Council regular meeting as presented.

PUBLIC ADDRESS

There were none.

ADOPT AGENDA

Councilor Robin Moon requested the agenda be amended as follows:

Under VII. REGULAR BUSINESS, add Item 3. Discussion of Alcohol Revenue.

On motion by Councilor Robin Moon, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to adopt the agenda as amended.

PUBLIC HEARINGS

PUBLIC HEARING TO ADOPT THE REQUEST BY TOWN COUNCIL OF MIDWAY TO AMEND THE MIDWAY ZONING ORDINANCE, SECTION 3.07 CORE COMMERCIAL OVERLAY DISTRICT BY EXPANDING THE BOUNDARY OF THE OVERLAY DISTRICT

At the Town Council regular meeting held on April 2, 2018, Council voted unanimously to: 1. Initiate a rezoning request to expand the Core Commercial Overlay District (CCOD) as outlined by Davidson County Planner Scott Leonard; 2. Call for a public hearing on Monday, June 4, 2018 at 7:00 p.m. at Town Hall to receive citizen input on the expansion of the CCOD; and 3. Send the rezoning request to the Planning Board for review and recommendation on expansion of the CCOD.

Davidson County Planner Scott Leonard read the request by the Town Council of Midway to amend the Midway Zoning Ordinance, Section 3.07 Core Commercial Overlay District, by expanding the boundary of the overlay district. The proposed expansion includes properties identified as being in Midway Township, Tax Map 12, Lot 39, Tax Map 13, Lot 41, Tax Map 14, Lots 15 and 22, and Tax Map 21, Lot 4.

Mr. Leonard stated that thirty-nine notices were mailed to adjoining property owners. A separate notice was mailed to each property owner whose property could be affected only if their property were to be developed commercially rather than being developed with single family homes. To date, Mr. Leonard has only spoken

with two of the individuals that received a letter. The owner of Tax Map 13, Lot 41 was returned undeliverable but has since been re-mailed to a different address in Chapel Hill. Mr. Leonard stated that legal requirements for notification to affected property owners have been met.

At the Planning Board meeting held on May 29, 2018, the Planning Board discussed each parcel of land being considered in the expansion and whether or not each parcel met certain criteria to be included in the expansion of the CCOD: 1. Is the property in question located in an area that is considered in the core commercial area of the Town? 2. The accessibility of each lot and how viable each are for development and accessibility to infrastructure and sewer; 3. If the property meets the qualifications of a Mixed Use District by having access to sewer either directly or by right-of-way and is over ten acres. After discussion, the Planning Board made the following recommendations to Town Council:

- Midway Township, Tax Map 12, Lot 39; Tax Map 14, Lot 22; Tax Map 14, Lot 15 and Tax Map 21, Lot 4, excluded from consideration of being added to the CCOD.
- Midway Township, Tax Map 13, Lot 41, include in the expansion of the CCOD.

Copies of the Zoning Ordinance, Section 3.07 Core Commercial Overlay District were made available for public review at Town Hall and on the Town's website at www.midway-nc.gov.

The notice of the public hearing was advertised in *The Dispatch* on May 18 and 25, 2018 as required by law.

Mayor Byrum opened the public hearing on the expansion of the Core Commercial Overlay District. A member of the audience asked Davidson County Planner Scott Leonard to identify the Town's Core Commercial District on the map.

There being no further comments, Mayor Byrum closed the public hearing.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the Planning Board's recommendation to include Tax Map 13, Lot 41 into the CCOD and to exclude Tax Map 12, Lot 39, Tax Map 14, Lots 15 and 22 and Tax Map 21, Lot 4 from being included in the CCOD.

PUBLIC HEARING - ADOPT BUDGET ORDINANCE FOR FISCAL YEAR 2018-2019 – BUDGET ORDINANCE NO. 18-06

At the Town Council regular meeting held on May 7, 2018, Interim Town Manager Linda Hunt presented her budget message and proposed budget for Fiscal Year 2018-2019, after which the Town Council called for a public hearing to be held on Monday, June 4, 2018, at 7:00 p.m. at Midway Town Hall to receive citizen input on the proposed budget.

Copies of the budget were made available for review at Town Hall and on the Town's website at www.midway-nc.gov

The public hearing was advertised in *The Dispatch* on May 25, 2018 as required by law.

Mayor Byrum opened the public hearing on the proposed Town of Midway Budget Ordinance for Fiscal Year 2018-2019.

There being no one desiring to speak on the Town of Midway proposed budget for fiscal year 2018-2019, Mayor Byrum closed the public hearing.

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon, Council voted unanimously to adopt the Town of Midway Budget Ordinance for Fiscal Year 2018-2019 as presented.

ORDINANCE NO. 18-06
TOWN OF MIDWAY BUDGET ORDINANCE
FISCAL YEAR 2018-2019

Be it ordained by the Town Council of the Town of Midway, North Carolina, at a regular meeting on the 4th day of June 2018 at 7:00 p.m. that the following departmental expenditures and anticipated fund revenues, together with certain restrictions, are adopted.

Section I

General Fund Appropriations

The following amounts are hereby appropriated in General Fund for operation of the Town Government and its activities for the fiscal year beginning July 1, 2018 and ending June 30, 2019.

Governing Board	42,900
Administration	395,100
Public Safety	80,000
Public Works	1,618,800
Planning & Zoning	37,900
Cultural, Recreation and Economic Development	13,600
Total Appropriations	\$2,188,300

Section II

Anticipated General Fund Revenues

The following revenues are estimated to be available in the General Fund for the fiscal year beginning July 1, 2018 and ending June 30, 2019.

Taxes-Ad Valorem -Total	\$175,700
Sales Tax	925,000
Solid Waste Tax	2,400
ABC Revenue	8,500
Utility Franchise Tax	175,000

Investment Earnings	18,000
Permits and	500
Other	10,000
Fund Balance Appropriated	873,200
Total General Fund Revenues	\$2,188,300

Section III

Ad Valorem Taxes

It is estimated that the total valuation of property for the purpose of taxation is \$324,565,386 and the estimated collection rate is 95.5%. There is hereby levied a tax at the rate of five (.05) cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2018 for the purpose of raising revenues listed as "Ad Valorem Tax, Current Year" in Section II, General Fund Revenues of this Ordinance.

Section IV

Finance Officer Transfer Authority

The Finance Officer is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- a. May transfer amounts up to \$5,000 between objects of expenditure within a department or between departments of the same fund with a report being submitted at the next regularly scheduled meeting of the Town Council.
- b. May not transfer any amount between fund accounts nor from contingency appropriations without prior approval of the Town Council.
- c. That the Town Council shall receive written request for authorization of funds to other agencies.
- d. That the Finance Officer provides a monthly report of expenditures and revenues.

Section V

Budget Ordinance Copies

Copies of the Budget Ordinance shall be furnished to the Finance Officer, the Budget Officer and the Tax Supervisor of this Town for their direction in carrying out of their duties.

Adopted this 4th day of June 2018.

REGULAR BUSINESS

GRANT REQUEST – MIDWAY ELEMENTARY SCHOOL PTO – F.U.E.L. PLAYGROUND INITIATIVE

Midway Elementary PTO members Ashley Widener and Kristi Bell presented a proposal for a grant to benefit the F.U.E.L. Playground Initiative for Midway Elementary School students.

Initially, the PTO requested funds for phase one of the project that included: plastic border for preservation of mulch and replacement of current wood, certified mulch to meet state regulations, basketball nets, sealant for two buddy benches and other general cleaning up of the playground. Since that time, with the help of many volunteers, phases one through three of the playground project have been completed. On May 21, 2018, the PTO submitted an addendum to the original proposal and requested help from the Town for phase four of the initiative that includes: adding a spirit rock to the front of the school, continue with the current rock art in the flag area, clean up the natural area in front of the school grounds, repair the kickball/t-ball field, build raised gardens for curriculum, purchase outdoor picnic tables and build benches for an outdoor classroom setting.

The educational learning garden will be open to all students and would provide an authentic learning experience for all students and teachers at Midway Elementary. It would allow classroom teachers to teach science concepts, as well as other core concepts in an interesting, hands on way. It would provide the students with a meaningful, authentic, hands on learning experience. Raised beds would allow students to see, touch and experience the interdependence of plants and animals.

Ms. Widener and Ms. Bell presented letters to Council written by Midway Elementary students who had expressed how much they would like to have the Learning Garden at Midway Elementary. Lexi Sullivan, a third grade student from Midway Elementary who was in attendance, read her letter to Council.

The PTO is requesting a grant of \$10,000 from the Town to help with the construction of this project. Interim Town Manager Linda Hunt explained that the current 2017-2018 budget allows for \$10,000 in grant money to be allocated for the fiscal year. In August 2017, Town Council approved a grant request in the amount of \$5,000 for the Ten Decades of Midway project at Midway Elementary. Currently, only \$5,000 remains in the budget for grants for the balance of the fiscal year ending June 30, 2018.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to support and approve the grant request and to award funding in the amount of \$5,000 for the Midway Elementary F.U.E.L. Playground Initiative project.

PROPOSAL FOR MIDWAY TOWN PARK – PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES

Mayor Pro Tem Mike McAlpine, Chairman of the Town's Park Committee, gave an update on the progress of the Town Park. Mr. McAlpine said that the budget for fiscal year 2018-2019 allows funds for the construction of the 16 acre park that will include walking trails, picnic shelters, gazebos, benches and a playground.

Metropolis Architecture PLLC from Winston Salem, has submitted a contract proposal for the scope of services for the Town Park as requested by Interim Town Manager Linda Hunt. Those services include conceptual design, design development, construction documents, bidding and negotiation and construction administration. It is the consensus of Council for the park to keep the rural character of the Town. Mr. Marty Marion, Architect with Metropolis Architecture, recommends branding the park buildings and signs to match the look of Town Hall.

Scope of the work: Parts A and B per the contract, are defined as follows:

PART A

Metropolis Architecture PLLC (MAPLLC) will provide professional design services that include conceptual design, design development, construction documents, bidding and negotiation and construction administration for the following:

1. A single picnic shelter that is approximately 50 feet wide and whose length is approximately 80 to 90 feet. With the use of conventional picnic tables, the shelter should accommodate up to 100 people. The design of the shelter will include the appropriate requirements for power and lighting.
2. A restroom facility with ancillary storage space that is either connected or separate from the main picnic shelter. The restrooms will be ADA compliant and they will include the appropriate requirements for power, lighting and mechanical ventilation. The restroom facility will require a septic system design that is the appropriate for the existing site conditions.
3. MAPLLC will coordinate the location and design of a playground area with a qualified designer/consultant selected by the Town of Midway's representatives. All above and below ground components for the playground equipment and location are under a separate contract.
4. A sign located near the park's entrance that is consistent with the overall aesthetics of the new picnic shelter.

PART B

MAPLLC will provide professional design services that include architectural conceptual/design development services that excludes engineered (civil, septic, structural, mechanical and electrical) designs for the following:

1. Two smaller picnic shelters that will be approximately 30 x 40 feet. They will be aesthetically consistent with the larger shelter.
2. Three gazebos – the size is undetermined at this time. They will be aesthetically consistent with the other architectural elements and structures.

APPROXIMATE BASE FEE FOR PARTS A AND B

Schematic/Design Development	Part A and B	35% of total fee
Construction Documents	Part A	45% of total fee
Bidding and Negotiation	Part A	5% of total fee
Construction Administration/Closeout	Part A	15% of total fee
Approximate fee for Professional Services		\$49,500.00

Town Attorney Jim Lanik reviewed the contract and made some technical changes. He will speak with the architects regarding those changes. Mr. Lanik said the proposed contract should be attached as Exhibit A to the Town's Independent Contractor Agreement.

Councilor Keith Leonard thanked the Park Committee for all of their work on the park.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted unanimously to approve the contract with MAPLLC for architectural and engineering services for the Town Park, subject to final approval by Town Attorney Jim Lanik.

DISCUSSION – ALCOHOL REVENUE

This item was added to the agenda.

Councilor Robin Moon shared with Council his concerns over the alcohol tax revenue that the Town has received since the passing of the Alcohol referendum in November 2016. Mr. Moon stated that he knows what alcohol has done to his family and some of his students' families and he is staunchly against it. Alcohol has touched many people in a negative way and his belief is that the Town should give that money to a cause that can benefit from it rather than keeping it in the Town's funds.

The Town has received \$20,759.78 in alcohol tax revenue for the 2017-2018 fiscal year. After discussing potential options for the funds, it was the consensus of Council to cover this topic at the next Vision Workshop to be scheduled at a later date.

For information only.

TOWN MANAGERS REPORTS

MONTHLY FINANCIAL REPORT

Interim Town Manager Linda Hunt provided Council with monthly financial reports for May, 2018 as follows:

MAY 31, 2018		
Total Income	\$1,397,291	94.3 % of overall budget
Total Expenses	\$ 829,322	75.4 % of overall budget

For information only.

ADJOURNMENT

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to adjourn the meeting at 7:56 p.m.

John E. Byrum, Mayor

Tammy H. Robertson, Deputy Clerk

