

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON MARCH 6, 2017 AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA

CALL TO ORDER

Mayor Pro Tem Mike McAlpine called the meeting to order and welcomed everyone present.

Councilor Robin Moon gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: Jackie Edwards, Keith Leonard, Mike McAlpine and Robin Moon Absent: Mayor John Byrum and Councilor Todd Nifong. 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.

APPROVAL OF MINUTES

On motion by Councilor Robin Moon, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the minutes of the February 6, 2017 Town Council regular meeting as presented.

PUBLIC ADDRESS

Mr. Raymond Leak of 261 Spry Road in Midway asked for an update from Council about an abandoned deteriorating structure located next door to his property. Mr. Leak is asking for help from Council to remedy the issue.

ADOPT AGENDA

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to adopt the agenda as presented.

REGULAR BUSINESS

DISCUSSION-PROPOSED CONTRACT WITH DAVIDSON COUNTY FOR PLANNING SERVICES

Council has been in discussion with Davidson County Planning and Zoning since May 2016 about contracting with the County for the Town's planning and zoning needs. The County would be available five days per week to service the Town's residents for any planning and zoning needs they may have. Currently, the Town contracts with Benchmark CMR, Inc. located in Charlotte, NC for the Town's planning and zoning services. Representatives for Benchmark are available one day per week at Town Hall. Council believes the extra days of service per week that the County can provide the Town's residents would be beneficial to them.

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.

The agreement provides that Davidson County agrees to provide planning and zoning code enforcement services, as stipulated in the Scope of Services attached to the contract, to the Town of Midway at an annual cost of \$17,775.00 to be paid in quarterly installments beginning July 1, 2017. In addition, the County will charge \$36.80 per hour for attendance at meetings, conferences, court

appearances, and the like at the request of the Town. A Planner and/or Code Enforcement Officer will be provided to the Town on a weekly basis as needed for up to eight hours based out of the Governmental Center in Lexington. The primary Planner assigned to these duties will be Scott Leonard, however, Davidson County has additional Planner and Code Enforcement Officers on staff as backup to the primary personnel assigned to the Town. The Town agrees to be responsible for providing postage, legal notices, telephone charges and similar items in the line of enforcement. The Town will also provide police assistance when necessary and be responsible for all legal fees. The Town will provide legal assistance through access to the Town Attorney on an as needed basis to enforce ordinances using the Davidson County Court System.

Mr. Cornman stated the Town's Subdivision Ordinance can be reviewed as part of the scope of services the County can provide for the Town. Mr. Cornman informed Council that minor and major subdivisions are handled differently. Minor subdivisions typically can be handled by staff review at the County office the same day they are brought in for consideration.

The County has a technical review committee for major subdivisions with representatives from:

- Public Sewer Department
- Health Department for Septic
- NCDOT
- Davidson Water
- Fire Department

Once the technical review is completed the subdivision would go to the Planning Board for preliminary plat approval and a performance guarantee would be provided. The County allows payment via a surety bond or a cashier's check in the amount of 120% above recommended amount. Preliminary plats are valid for one year and an extension can be granted if needed.

Davidson County Planner Mr. Scott Leonard, stated that in the scope of services the County can assist the Town with is the Town's watershed district. When the Town incorporated in 2006 the County no longer enforced this regulation and it was up to the Town to enforce. Land east of old US Highway 52 and south of Gumtree Road is in a protective watershed district. When developing non-residential structures there is a limit on how much ground can be covered. The County is capable of enforcing the watershed district but it would require an ordinance to be able to do so.

Mr. Leonard stated the Town does have a Flood Plain Ordinance and the Town would be able to enforce this ordinance without assistance from the County. The Town currently only has one arm of flood plain area on Mystic Lane off of Tom Livengood Road. This ordinance allows citizens to apply for flood insurance.

Senior Davidson County Zoning Code Enforcement Officer Mr. Lee Crook has reviewed the Town's current Zoning Ordinance which is the County's old Zoning Ordinance prior to 2011. Mr. Crook noted that the Town has made a few changes to the ordinance adding farm exemptions and the Core Commercial Overlay District which is not in the current County Zoning Ordinance. The Core Commercial Overlay District sets standards for additional development regulations for the area around the US 52 and Hickory Tree Road interchange.

Mayor Pro Tem Mike McAlpine stated the Town has also been working on traffic issues along Midway School Road with Kimley-Horne and Associates and will possibly need the State and County's input. Mr. Cornman strongly encouraged Council to share traffic plans with the Winston Salem Urban Area Metropolitan Planning Organization (MPO) because they can possibly help with

future funding of roundabouts. The MPO also has work plans and part of that plan is to help jurisdictions.

Mr. McAlpine referred to Council's discussion of streamlining rules and procedures for the Town, Council and staff with its planning, zoning and code enforcement with the County at its Vision Session held on February 21, 2017. It was the consensus of Council to discuss what rules and procedures the Town wants to see carried out with its planning, zoning and code enforcement at their next regular meeting April 3, 2017, at 7:00 p.m. at Town Hall.

DISCUSSION OF SOLID WASTE ORDINANCE

Mr. Cornman recommended the Town proceed with adopting the County's Solid Waste Ordinance that will enable the County to go ahead and start enforcing potential issues for the Town. The County can issue citations that has proven beneficial in remedying past issues.

Mr. Looper addressed the Town's need for enforcement of junk removal and dilapidated structures and asked if the County's Solid Waste Ordinance would be able to enforce these issues. Mr. Cornman stated that the County does not currently have a Dilapidated Structure Ordinance due to lack of manpower. Mr. Cornman said the Town would have access to the County's building code inspectors if needed.

Mr. McAlpine informed Mr. Cornman that the Town's Planning and Zoning Board is currently working to update all its ordinances and what would be the County's time frame in executing a contract between the Town and County for its planning and zoning services. Mr. Cornman stated the County would be ready July 1, 2017.

Mr. McAlpine suggested the Town's Planning Board review the County's Solid Waste Ordinance and and get the County's recommendation on enforcing litter and solid waste.

TRANSPORTATION UPDATE – ROUNDABOUTS, ACCESS BREAK, MIDWAY SCHOOL ROAD

Mayor Pro Tem Mike McAlpine cited from the Planning Board minutes from November 27, 2012 problems that Jonathan Guy, Engineering Consultant with Kimley-Horne stated were traffic problems on the Midway School Road and intersection with old US 52. Mr. Guy said there were numerous problems that affect that route and said the whole situation would have to be looked at for the long term and a corridor study be done.

Problems cited but not limited to were:

- Midway Elementary School
- New Middle School
- Railroad Tracks
- Possible Construction of a New High School
- Various Speed Limits and Intersections
- Impact of School Buses on Roads
- Roundabout

Mr. Guy advised the Town at that time since Midway School Road is not within the Town limits, the County would have to be involved in solving the problems, possibly a partnership between the Town and the County. Other entities involved with the issue would include the NCDOT, Davidson County Schools and the Winston Salem Urban Area Metropolitan Planning Organization.

After citing from the minutes, Mr. McAlpine said the Town is behind the curve at this point with transportation projects that the Planning Board recommended and he does not want them to fall by the wayside.

Town Manager Gary Looper gave a transportation update on the roundabouts, access break and Midway School Road traffic.

Mr. Looper spoke with representatives with the Winston Salem Urban Area Metropolitan Planning Organization (MPO) about the Midway School Road traffic, roundabouts and access break projects within the Town. The MPO had no follow up except the Midway Transportation Analysis that was conducted in 2014.

Mr. Looper has also spoken with district engineers with the North Carolina Department of Transportation (NCDOT) from Salisbury about all three of these issues. They had some recollection of the Town's Community Transportation Evaluation adopted May 6, 2013, but do not have any follow up documents and do not make final decisions on projects. It was recommended that Mr. Looper speak with J.P. Couch and Brett Abernathy Transportation Engineers with the NCDOT.

Mr. Looper is also meeting with Pat Ivey District Engineer with the NCDOT later in March to address all of the Town's transportation concerns. Hopefully, the NCDOT will concur with the access break and Kimley-Horne can proceed with getting new traffic counts.

Roundabouts will need more study. Costs will need to be coordinated with Jonathan Guy with Kimley-Horne and Associates. If the State agrees, the Town can then work with Kimley-Horne to do a further feasibility study. This should give the Town a design, right-of-way, and horizontal and vertical measurements of the roundabout. Since the State Transportation Improvement Program (TIP) will award funding for the widening of Hickory Tree Road from US 52 to Peters Creek Parkway to three lanes in 2020, it is possible the Town can get on the State TIP next year in hopes of receiving some funding from the NCDOT for the Town's roundabout.

Mr. Looper mentioned continued congestion concerns for Midway School Road. He is hopeful the NCDOT will see a need for further analysis.

Mr. Looper said after his meeting with the NCDOT later this month, he should have a much better understanding of how the NCDOT sees the Town's transportation needs and if we have their support.

CONTRACT RENEWAL – RICK ZEBRA DESIGNS-WEBSITE HOSTING

Rick Cisneros with Rick Zebra Designs presented a proposal for website hosting and 12 email for the Town for one year. The proposal includes database hosting if needed. Mr. Cisneros is also offering website additions for an additional cost including:

- Website email subscriptions/newsletters
- Council/staff dedicated webforms
- Monthly website content management

Town Attorney Jim Lanik will work to put the proposals into a working contract and present the contract for consideration at Council's next regular meeting April 3, 2017.

DISCUSSION – SOCIAL MEDIA CONTRACT

Council deferred discussion about the Social Media contract until its April 3, 2017 regular meeting.

TOWN MANAGERS REPORTS

MONTHLY FINANCIAL REPORT

Town Manager Gary Looper provided Council with monthly financial reports for February 28, 2017 as follows:

February 28, 2017		
Total Income	\$859,550	53.6% of overall budget
Total Expenses	\$619,490	38.6% of overall budget

For information only.

NC LEAGUE OF MUNICIPALITIES – 2017 LEAGUE SPRING TOUR

The League of Municipalities is travelling across North Carolina to help member cities and towns maximize League membership. Town Manager Gary Looper stated this would be a good opportunity for Council to learn more about League services and meet representatives from other jurisdictions. The Winston Salem date is April 10, 2017

For information only.

(Mayor Pro Tem Mike McAlpine called for a five minute recess)

RECESS TO CLOSED SESSION

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to recess to closed session in accordance to N.C.G.S. 143-318.11(a)(3) to discuss attorney-client matters.

RECONVENE TO OPEN SESSION

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

ADJOURNMENT

On motion by Councilor Robin Moon, seconded by Councilor Jackie Edwards, Council voted unanimously to adjourn the meeting at 9:12 p.m.

Mike McAlpine, Mayor Pro Tem

Tammy H. Robertson, Deputy Clerk

