

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON OCTOBER 7, 2019 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.

Mr. Travis Swain gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: John Byrum, Mike McAlpine, Todd Nifong, Keith Leonard, Jackie Edwards and Robin Moon. Absent: None. Town Manager Tammy Michael, Town Clerk Linda Hunt, Deputy Clerk Tammy Robertson and Town Attorney Jim Lanik 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 September 3, 2019 Town Council regular meeting as presented.

PUBLIC ADDRESS

Ms. Kathy Shore of 140 Dogwood Drive requested that the Town of Midway require that there be regulations on the keeping of chickens, fowl and pigeons on personal property. She would like for Council to adopt an ordinance that regulates the coup and run size along with the slaughtering of chickens on personal property. A neighbor currently has approximately thirty chickens and roosters that crow and fight. They also slaughter the fowl on site. Rodents are constant on the property as well as vultures flying overhead. Ms. Shore stated that the City of Winston Salem has regulations in their ordinance prohibiting chicken coups from being over 8 ft. x 10 ft. and the runs from being over 5 ft. x 15 ft. and height over 66 inches. She stated that her neighbor's coups are at least twelve to thirteen feet high.

Councilor Robin Moon asked Ms. Shore to send him the City of Winston Salem's Ordinance relating to the restrictions of fowl on property.

ADOPT AGENDA

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

REGULAR BUSINESS

GRANT REQUEST – MIDWAY ELEMENTARY SCHOOL – PYLON SIGN WITH LED READER

Mr. John DiBonaventura, Principal of Midway Elementary School, presented a proposal for a grant to benefit the purchase of a new LED marquee sign to be located in the front of the school for a total estimated cost of \$21,604.06.

Mr. DiBonaventura said that the current sign is outdated and needs repairs that are costly. A new LED sign will show staff, students, parents, prospective new hires as well all others passing by, that Midway Elementary is a future-focused school. With a new LED sign, the school can quickly and conveniently share the mission of the school along with many other current messages such as important announcements, special events, PTO meetings, days off, fundraisers, holiday greetings and community information. LED signs exhibit progressive thinking and a commitment to technology and technological advancement. Beyond

the impactful communication it provides, the sign can be easily updated from anywhere with cloud-based software. Using specific technology, the messages can be changed daily and delivered quickly.

Carolina Signs and Lighting has provided a quote of \$21,604.06 for the LED sign, not including the cost of permits or permit procurement. Mr. DiBonaventura is requesting a grant of \$10,000 from the Town of Midway with \$10,000 being given by the Midway PTO and \$1,604.16 from Midway Elementary School which would pay for the sign in full.

Mayor Pro Tem Mike McAlpine asked when the target date is for the installation of the new LED sign. Mr. DiBonaventura stated that he hopes to have it on the Davidson County School Board November agenda for approval. The actual installation is not complicated and should not take long. The size of the new LED sign is approximately the same size as the current sign (3' x 8') and the lighting will be amber in color to not confuse it with the fire station's emergency services color of red.

Mayor Byrum confirmed with Town Manager Tammy Michael that no grants from the Town had been awarded thus far for fiscal year 2019-2020 and that the budget has allocated \$12,000 for grants for the fiscal year.

Councilor Robin Moon asked if the Town receives Alcohol Revenue from the state quarterly or annually and that he would like for all of the alcohol revenue to be added to the grants. Town Manager Tammy Michael stated that the Town receives alcohol revenues annually and received \$20,759 last fiscal year. Ms. Michael said that \$18,000 was budgeted as an estimated amount to be received from alcohol revenue and that the estimated revenue was divided between Grants (\$12,000) and S.T.E.A.M. (\$6,000), a grant designated for the advancement of Science, Technology, Engineering, Arts and Mathematics in the Town's local schools.

Councilor Robin Moon said that he would support \$10,000 to Midway Elementary School but would like to maintain some grant money for other schools should they present a grant request.

Councilors Todd Nifong, Jackie Edwards and Mike McAlpine were in favor of supporting a \$7,500 grant for the Midway Elementary LED sign and Councilor Keith Leonard supported a grant of \$8,000.

On motion by Councilor Robin Moon, seconded by Councilor Todd Nifong, Council voted unanimously to award a grant for \$7,500 to Midway Elementary School for a new LED sign.

CREATIVE ECONOMIC DEVELOPMENT CONSULTING (CEDC INC.) MUNICIPALITY MEETING SCHEDULE

Mayor Byrum stated the Davidson County Economic Development Commission (DCEDC) has engaged Creative Economic Development Consulting (CEDC) Inc. to develop direct economic development marketing outreach for their website, with community profiles for each town and city. The profiles will highlight each municipality's initiatives and strategies. CDEC Inc. will develop each profile to speak to site selection consultants, business executives and real estate development groups to entice activities that will help municipalities grow their communities with high-value companies and developments they would like to see occur.

CEDC Inc. would like to meet with members of the Town of Midway Council on October 21, 2019 at 9:30 a.m. to gather information on how they would like to highlight the Town of Midway on CEDC's website. Mayor Byrum said that with the support that Council has given the DCEDC it is only natural to participate in the event. Mayor Byrum, Town Manager Tammy Michael and Councilors Mike McAlpine and Jackie Edwards also plan to attend.

For information only.

DAVIDSON COUNTY COMMUNITY ACTION – MAYOR JOHN BYRUM

Mayor Byrum read the vision statement from the Davidson County Community Action’s website that states:

Our mission is to help families move out of poverty by connecting people to community resources, coaching people to help themselves, and calling attention to inequality in Davidson County.

We envision Davidson County to be a place where all people have equal opportunity to reach their full social, civic, and economic potential. To achieve this vision, our aim is to be the most widely known, most highly regarded, and the most results-oriented local anti-poverty agency in North Carolina.

Mayor Byrum stated that he has spoken with a board member from Davidson County Community Action and the Board is looking for representation from Northern Davidson County. Byrum asked Council to think of someone who could represent Midway on the Board. The requirement would be to attend one Board meeting per month of the Davidson County Community Action serving alongside their Board members.

Mayor Byrum requested that Council send any names that they may have to Town Manager Tammy Michael.

For information only.

DISCUSSION – INCREASE TOWN CREDIT CARD LIMIT

Town Manager Tammy Michael has spoken with representatives from First National Bank regarding increasing the credit card limit for the Town. Purchases that will be made for the Town Park will exceed the Town’s current credit card limit of \$7,000.

First National Bank representatives would need a copy of the minutes stating that Council is aware of the request being made to increase the limits. Bank representatives will determine how much to increase the credit limit.

Councilor Robin Moon asked Town Attorney Jim Lanik if the North Carolina League of Municipalities requires a credit card to make purchases for the Town. Mr. Lanik responded by saying no, it is more of a convenience. Councilor Moon stated that he is not in favor of using credit cards and would prefer using a debit card. Town Manager Tammy Michael said that debit cards could be used but credit cards offer more fraud protection.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted to approve the increase of the Town’s credit card limit with First National Bank by a 4-1 split vote. Voting in favor were Councilors Todd Nifong, Mike McAlpine, Keith Leonard and Jackie Edwards. Voting against was Councilor Robin Moon.

CONTRACT – CLINE’S FLOATS – CHRISTMAS PARADE FLOAT

The Town has been contracting with Cline’s Floats Inc. for several years to construct and decorate a float for the Town’s use in the annual Christmas Parade. The float will be approximately 28 feet long, 8 to 14 feet wide and 12.5 feet high with the Town’s name on each side of the float in regular block letters.

Cline’s Floats has submitted a proposal for Council consideration to furnish a decorated float for this year’s Christmas Parade scheduled for Saturday, November 30, 2019 at a cost of \$485.00.

Town Attorney Jim Lanik has reviewed and approved the contract with Cline’s Floats.

It was the consensus of Council to choose float number 3 with red and white candy canes.

On motion by Councilor Jackie Edwards, seconded by Councilor Todd Nifong, Council voted unanimously to approve the Independent Contractor's Agreement with Cline's Floats for a decorated float (Float 3) for the Christmas Parade at a total cost of \$485.00.

CONTRACT – PINWILZ COMPANY, LLC – WEBSITE

At the Town of Midway's Vision Workshop held on September 23, 2019, Dru Heldman, President of PinWilz Company located at 4421 N. Cherry St., Suite 20, Winston Salem, NC 27105 presented to Council a newly proposed website design for the Town of Midway.

Website presence and access is one of the first and foremost communication portals for citizens, businesses and the general public; and is generally the first place searched for information. The new website would allow Town staff to regularly update and ensure information is current and accurately reflects the Council's vision of Midway.

Listed below are the vendor proposals that were submitted to Town Manager Tammy Michael to redesign the Town's website:

- Granicus Website Solutions is one of the premier municipal website companies and they proposed a five-year plan in the amount of \$24,740.00 (paid in yearly installments,) with a guaranteed no-cost redesign at the end of the contract.
- CivicPlus estimated via a telephone conversation with Town Manager Tammy Michael, a basic website minimum of up to \$9,500.00 and \$2,000.00 additional hosting management per year up to \$17,000.00 and \$3,000.00 additional depending upon the scope of work to be performed.
- RDZ Designs, current website contractor, submitted a proposal in the amount of \$6,250.00 which includes a credit of \$1,180.00 for unused hours. The proposal does not use a platform or version that staff can easily update and would continue to depend upon RDZ to make changes. The response time for changes/updates performed by RDZ along with their ability to work regular hours here at the Town of Midway is not convenient to staff. Someone must be available after hours and on weekends to accommodate RDZ Designs.

Staff recommends Town Council approve the proposal submitted by Dru Heldman, PinWilz Company and enter into an agreement for PinWilz Company to design, maintain, and train staff to update the Town of Midway's newly created website, thereby fulfilling Council's vision for Website/Communication.

Features of the proposed website with PinWilz Company includes the following:

- Design and layout – Next Generation Home page with gorgeous visual product image slider or video background with call to action buttons: (Call)(Contact).
- Mobile friendly, Search Engine Optimization (SEO) and Future Proof structure.
- Built in the latest version of WordPress, websites stay on the cutting edge with constant software updates, superior antivirus protection and proactive threat detection and webmaster action. This website will never go out of spec as it evolves with the pace of technology. When website browsers, cellular phone companies and search engines make updates, this website follows along with continuous updates usually bimonthly.
- The website will be accessible to staff to make content updates and changes as needed and within the staff's own time frame. Included in the proposal, is a six-hour retainer that can be used for any purpose including on-site training, content updates, image work or general maintenance. Once the six hours are used, they can be renewed for another six-hour term.

- A full drop-down menu display will always be visible.

The Proposed Website Includes:

- WordPress Set-up License and custom layout configuration (includes Premium plugins)
- Website design in WordPress HTML5/CSS3 Premium style for 33 pages
- Collaboration site: North Carolina
- Additional pages if added during collaboration will be added to final total
- Email management is not quoted and will be a separate project if needed

Optional 12-Month Term, Annual, Recurring Billed Monthly Items:

- SSL HTTPS Security Certificate (Annual)
- Hosting Government site Independent Unifiweb managed cPanel on GoDaddy (Annual)
- SEO Program software (Annual)
- Antivirus Protection software (Annual)
- Webmaster optional retainer 6 hours (Renews when needed)

Total website build price of \$8,658.00 with annual recurring costs of \$1,608.00.

Time frame 90 days ARO

Terms and Conditions to begin:

33% down payment, 33% at 45-days, final payment due when complete and prior to transfer to permanent domain.

\$7,050.00 One-time website build
\$1,608.00 Recurring services
\$8,658.00 Total

\$2,886.00 1/3rd down payment
\$2,886.00 1/3rd mid-point payment @ 45 days
\$2,886.00 1/3rd final payment when complete, estimated in 90 days.

Town Attorney Jim Lanik has reviewed and approved the Independent Contractor's Agreement with PinWilz Company.

On motion by Councilor Todd Nifong, seconded by Councilor Robin Moon, Council voted unanimously to approve the Independent Contractor's Agreement with PinWilz Company to design, maintain and train staff to update the Town of Midway's newly created website.

DISCUSSION – CONTRACT RENEWAL – RETAIL STRATEGIES - YEAR THREE

At the Town Council regular meeting held on November 6, 2017, Council entered into a three-year contract, to be renewed annually, with Retail Strategies LLC, a marketing firm from Birmingham, Alabama with expertise in community development and marketing. Under the terms of the proposed agreement, Retail Strategies was to conduct a community retail-potential analysis, followed by active marketing to retailers, matching community resources with potential site tenants on a national scale. Deliverables to the Town would include a study analysis, a retail strategy, marketing guide, and identification of a minimum of thirty (30) retailers that match Midway's demographic profile.

Funding for this project came from a \$75,000 State appropriated economic grant that the Town received. Council approved \$45,000 of the grant to be used to fund Year 1 of the project with Retail Strategies.

After discussion on the renewal of the contract with Retail Strategies for Year 2 at the October 1, 2018 Town Council meeting, it was the consensus of Council to postpone action on the renewal of the contract for Year Two until their next meeting on November 5, 2018 and to coordinate a special meeting with Retail Strategies to have some questions answered regarding Retail Strategies' efforts in securing retail businesses for the Town.

At the Town Council Regular meeting on November 5, 2018, Council voted to renew the contract with Retail Strategies for a second year by a 3-2 split vote.

On October 1, 2019 Mayor John Byrum, Councilor Jackie Edwards, Town Manager Tammy Michael and Town Clerk Linda Hunt met with Retail Strategies representatives John Ruzic and Jordan Williams to discuss the progress that Retail Strategies had made in the second year of the contract.

At that meeting, Mr. Ruzic said that Retail Strategies has reached out to a number of retailers and that Biscuitville and Hardee's are interested in the market, but those retailers need to see positive growth rates in the Town. The Town's current growth rates are at 4.04% and Mr. Ruzic stated that the Town needs to continue to show annual growth rates above 4%, at which point Retail Strategies would revisit those opportunities.

Retail Strategies has also sent information and possible site availability to Crossroads IGA (an independent grocer). Crossroads IGA are continuing to review the market.

Retail Strategies has talked with the existing CVS and Dollar Tree representatives in the Town about opening a freestanding location in order to free up existing "in-line" space for other retailers. The Retail Strategies team routinely monitors retail property in the market, whether existing retail or vacant land available for development.

Retail Strategies indicated that since the Town had not had a successful retailer opening during Retail Strategies' contract period with the Town, they would propose a decrease in the contract price for the third year from \$40,000 to \$25,000.

Councilor Robin Moon said that he was disappointed that not even one business had shown interested in opening in the Town after working with Retail Strategies over the last two years. He hates to keep putting the money into it with no results. Councilor Moon is hoping the Town can achieve results a little faster by looking for other avenues.

Mayor Byrum reminded Council that when Retail Strategies was presenting their plan to Council for the Town, they said that the Town was not likely to see results in the first two years of the contract. He appreciated the fact that Retail Strategies had not misrepresented themselves with their services.

Councilor Jackie Edwards stated that Retail Strategies had been unresponsive and not communicating with Council. They have not produced anything.

Mayor Byrum stated that Retail Strategies had communicated their efforts but maybe just not the way Council preferred. He said it is a difference in how their efforts have been perceived, adding that Retail Strategies provided Council with an online forum where communication could be exchanged between Retail Strategies and Council.

Mayor Pro Tem Mike McAlpine said that when Council met with Retail Strategies last year at the end of the first year's contract, Council specifically requested better communication from Retail Strategies for the second year than they had received from them the first year. Mr. McAlpine has not seen any outreach of goodwill from Retail Strategies from the trade shows they attend. He does not feel that Retail Strategies is representing the Town well and providing work as a professional company should.

Councilor Keith Leonard responded by saying that Retail Strategies had provided a website where communication between Council and Retail Strategies representatives could be shared. Mr. Leonard's desire has been to have a grocery store or other retail establishment locate in the Town. He hates to end the contract early, but he hasn't seen a lot to this point that encourages him with that happening. He is happy that Retail Strategies has offered to reduce their contract price for the third year, but at this point, he is on the fence about extending the contract for the third year.

Councilor Todd Nifong remembers a split vote last year on renewing the contract for a second year and he did support the contract for a second year at that time. However, at this time, he does not feel the results are where they need to be for him to agree to renew the contract for a third year. He agrees with Councilor Moon in that maybe there is another avenue that the Town can explore for obtaining businesses for the Town. He said a decrease in the price of the contract does not supersede the results of where the Town stands now with Retail Strategies.

Councilor Moon said he hates to stop after two years, but that he was really hoping the Town could have gotten a grocery store through the contract with Retail Strategies.

Mayor Pro Tem Mike McAlpine said that Lacy Beasley, a representative with Retail Strategies had previously said that the Town did not have enough rooftops to support a grocery store and that was a concern for him in entering into year two of the contract. A grocery store would be a tremendous convenience for the Town's residents but having grocery stores in Arcadia, Wallburg and Welcome make it difficult. He said that the performance level from Retail Strategies just wasn't there. Council represents the taxpayers and how would they see the performance from Retail Strategies. Council was specific in wanting a grocery store.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Todd Nifong, Council voted unanimously to not enter into the third year of the contract with Retail Strategies LLC for economic development for the Town.

TOWN MANAGER'S REPORTS

MONTHLY FINANCIAL REPORT

Council was provided monthly financial reports for September 2019 as follows:

SEPTEMBER 30, 2019

Total Income	\$ 483,368	34.5 % of overall budget
Total Expenses	\$ 276,164	19.7 % of overall budget

For information only.

Town Manager Tammy Michael advised Council that she has ordered one bench and one trash receptacle for the park to see if that is the design that Council desires for the park. They should be delivered next week.

Ms. Michael also stated that Seth Kesler with Duke Energy has released the work order for the scheduling of the park lighting. The target date of completion is December 6, 2019 but the work could be completed sooner depending upon weather conditions.

(Mayor Byrum called for a five-minute recess)

RECESS TO CLOSED SESSION

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

ADJOURNMENT

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted unanimously to adjourn the meeting at 9:50 p.m.

John E. Byrum, Mayor

Tammy H. Robertson, Deputy Clerk