

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON SEPTEMBER 8, 2020 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 Robin Moon gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: John Byrum, Mike McAlpine, Jackie Edwards, Keith Leonard, Robin Moon, and Berkley Alcorn. Absent: None. Town Manager Tammy Michael, Town Clerk Linda Hunt, Town Attorney Jim Lanik, Deputy Clerk Tammy Robertson, and Davidson County Zoning Officer Lee Crook 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 Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the August 3, 2020 Town Council Regular meeting as presented.

PUBLIC ADDRESS

There were none.

ADOPT AGENDA

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

OLD BUSINESS

REQUEST FOR REZONING– FELIPE DE JESUS MENDOZA PINA AND MARIA TERESA VILLAGOMEZ GONZALEZ TO REZONE A PORTION OF LOT 67 CONTAINING .69 ACRES IN MIDWAY TOWNSHIP, TAX MAP 6, FROM RA-3 (RURAL AGRICULTURE DISTRICT) TO CU-RC (CONDITIONAL USE RURAL COMMERCIAL DISTRICT)

At the Town Council Regular meeting on August 3, 2020, Town Council voted unanimously to postpone a vote on the rezoning after a public hearing was held regarding a rezoning request by Felipe De Jesus Mendoza Pina and Maria Teresa Villagomez Gonzalez to rezone a portion of Lot 67 containing .69 acres in Midway Township, Tax Map 6, from RA-3 (Rural Agriculture District) to CU-RC (Conditional Use Rural Commercial District) until the September 8, 2020 Town Council Regular meeting.

Councilor Robin Moon, who was absent from the August 3, 2020 Town Council meeting, had the opportunity to listen to the recording and view the power point presentation from the meeting in order to take part in the voting for the rezoning.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted to keep the zoning of Lot 67 as RA-3 (Rural Agriculture District), denying the rezoning request by Felipe De Jesus Mendoza Pina and Maria Teresa Villagomez Gonzalez to rezone a portion of Lot 67 containing .69 acres in Midway Township, Tax Map 6, From RA-3 (Rural Agriculture District) to CU-RC (Conditional Use Rural Commercial District) by a 4-1 split vote.

Voting in favor were Mayor Pro Tem Mike McAlpine, Councilors Robin Moon, Keith Leonard, and Jackie Edwards. Voting against was Councilor Berkley Alcorn.

REGULAR BUSINESS

CALL FOR PUBLIC HEARING – REZONING REQUEST BY MIDWAY SWIM AND RACQUET CLUB

Davidson County Zoning Officer Lee Crook presented to Town Council a request by the Midway Swim and Racquet Club to rezone property in the Midway Township, Tax Map 14, Lot 75 containing 2.56 acres more or less. The property is located on the north side of East Eller Road (117 E. Eller Drive). The rezoning is requested to change from that of HC (Highway Commercial District) to that of RS (Low Intensity Residential District).

Mr. Crook stated that the rezoning request is due to membership being down because of COVID-19 and the Pool Board wants the rezoning changed from HC to RS to reduce overhead expenses. Midway Swim and Racquet Club is not allowed in the HC District. Zoning Maps from 1982 indicate that it was zoned HC at that time. It has existed as a legal nonconforming use all these years. RS is the correct zoning for the Swim and Racquet Club.

If approved, the request will be presented to the Planning Board at their September 29, 2020 Planning Board meeting for their recommendation before returning to Council for the public hearing on October 5, 2020.

On motion by Councilor Keith Leonard, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to call for a public hearing on Monday, October 5, 2020, at 7:00 p.m. at Town Hall to receive citizen input on the request by Midway Swim and Racquet Club to rezone property in the Midway Township, Tax Map 14, Lot 75 containing 2.56 acres more or less, from HC (Highway Commercial District) to RS (Low Intensity Residential District).

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 contract for Council consideration to furnish a decorated float for this year’s Christmas Parade scheduled for Saturday, November 28, 2020 at a cost of \$485.00.

Town Attorney Jim Lanik approved the contract and recommended attaching Cline’s Floats Inc. contract as Exhibit A to the Town’s Standard Independent Contractor’s Agreement for a decorated float for the Christmas Parade at a total cost of \$485.00.

It was the consensus of Council to choose float number 35 with red, white, and gold candy canes.

Cline’s Floats added a clause to the contract that allows the Town to cancel the float up to twenty-one days before the parade date due to Covid-19 with no fees or penalties. The deposit will be returned or held for the 2021 float, whichever the Town prefers. If the Town cancels the order for the float twenty to fourteen days before the parade, the Town will have to pay a twenty percent fee on the order placed for a float.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to choose float number 35 and to attach Cline's Floats contract as Exhibit A to the Town's Standard Independent Contractor's Agreement for a decorated float for the Christmas Parade at a total cost of \$485.00.

TOWN MANAGER'S REPORTS

SET DATE FOR VISION WORKSHOP

On motion by Councilor Jackie Edwards, seconded by Councilor Berkley Alcorn, Council voted unanimously to schedule a Vision Workshop on Monday, October 19, 2020 at 6:00 p.m. at Town Hall.

FINANCIAL REPORT

Town Manager Tammy Michael provided Council with monthly financial reports for August 31, 2020 as follows:

AUGUST 31, 2020		
Total Income	\$ 217,678	15.4 % of overall budget
Total Expenses	\$ 180,212	12.7 % of overall budget

Mrs. Michael reported to Council that the Town's sales tax is holding steady and approximately \$3,000 ahead of the same period last year from August 2019-August 2020. Revenues have been expected to be lower due to COVID-19.

For information only.

NORTH CAROLINA 2020 CENSUS SELF-RESPONSE WEEKLY HIGHLIGHTS

Town Manager Tammy Michael provided current response rates as of August 20, 2020 for the North Carolina Census. Midway's response rate is 70.2%. Current North Carolina response rates are 60.1% and the National average is 64.2%.

For information only.

Town Manager Tammy Michael shared a press release from House Representative Steve Jarvis stating that the General Assembly has given final bipartisan approval to a \$1 billion historic relief package in support for "Coronavirus Relief Act 3.0."

The Coronavirus Relief Act 3.0 includes:

- \$335 one-time payment to families with children to help offset costs of school closures
- \$200 per month increase in unemployment benefits
- \$35 million for childcare centers
- \$8 million to help working parents offset childcare costs
- \$20 million for community-based organizations to provide virtual learning
- \$75 million for Personal Protective Equipment (PPE)
- \$34 million for testing and tracing
- \$10 million for internet connectivity for students
- \$30 million for the GREAT program to improve rural broadband
- A hold harmless provision for school districts that see declining enrollment
- \$30 million for COVID-19 treatment for the uninsured
- \$45 million for a small business grant program
- \$44.5 million for hurricane recovery from four major storms

- \$5 million to promote safe access to in-person voting
- \$115 million total increase for education
- \$17 million in grants for exceptional children's services
- \$50 million for Lost Wages Assistance Program
- \$38 million for behavioral health
- Expands eligibility for Opportunity Scholarships
- Bipartisan priorities like the PPE+NC program
- Elimination of education wait lists for children with disabilities
- Higher enrollment in virtual education options for families

For information only.

Mrs. Michael stated to Council that she elected, on behalf of Town Council, not to accept Federal and State (CRF-Care Relief Funds) money for COVID-19 expenditures for the Town. Since the Town has not incurred any expenses related to COVID-19 that qualifies as a use for the money, and due to the stringent restrictions imposed by the government for using the money, Mrs. Michael declined accepting the funds.

For information only.

Mrs. Michael shared with Council issues that some residents are having regarding free range chickens in their neighborhoods. The Town does not currently have an ordinance that prevents homeowners from allowing fowl to roam freely. The Planning Board will discuss a potential ordinance for the Town that will provide guidelines for residents who own fowl at the next Planning Board meeting on September 29, 2020.

For information only.

On motion by Councilor Robin Moon, seconded by Councilor Berkley Alcorn, Council voted unanimously to adjourn the meeting at 7:23 p.m.

John E. Byrum, Mayor

Tammy H. Robertson, Deputy Clerk