

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON MARCH 1, 2021
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 introduced Mr. Robert Whitty from Midway, who 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, Berkley Alcorn, and Robin Moon. Absent: None. Town Manager Tammy Michael, 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 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 February 1, 2021 Town Council regular meeting as presented.

PUBLIC ADDRESS

There were none.

ADOPT AGENDA

Mayor Pro Tem Mike McAlpine requested the agenda be amended as follows:

Under VI. REGULAR BUSINESS, Item 1. Request by Shanna Tuttle to rezone .84 acres in Midway Township from RA-3 to CZ-RC, change rezoning request from CZ-RC (Commercial Zoning-Rural Commercial) to CU-RC (Conditional Use-Rural Commercial).

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

REGULAR BUSINESS

**CALL FOR PUBLIC HEARING – REQUEST BY SHANNA TUTTLE TO REZONE .84 ACRES
IN MIDWAY TOWNSHIP FROM RA-3 TO CU-RC**

Town Manager Tammy Michael presented to Council a rezoning request by Shanna Tuttle to rezone a portion of Lot 63B containing .84 acres more or less, located in Midway Township, Tax Map 20. The property is located on the west side of Thomas Mock Road approximately 425 feet north of the Midway School Road intersection. Rezoning is requested to change from that of RA-3, Rural Agricultural District, to that of CU-RC, Conditional Use Rural Commercial District.

The business will be solely catering and not an on-site restaurant. Ms. Tuttle proposes to construct a 25' x 40' building on the back of the property that is owned by Bern Hairston. Letters of support from community members for the catering business were also provided.

The request will be presented to the Planning Board at their March 30, 2021 Planning Board meeting for their recommendation before returning to Council for the Public Hearing on April 5, 2021.

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon, Council voted unanimously to call for a public hearing to be held on April 5, 2021, at 7:00 p.m. at Town Hall to receive citizen input on the request by Shanna Tuttle to rezone a portion of Lot 63B containing .84 acres more or less, located in Midway Township, Tax Map 20, from RA-3, to CU-RC.

CHAPTER 160D DEVELOPMENT AGREEMENTS – TOWN ATTORNEY JIM LANIK

In the process of reviewing the Chapter 160D Zoning Ordinance required updates, it was strongly encouraged by the Piedmont Triad Council of Governments, to add a new section to the Town's Zoning Ordinance. While not required, but encouraged, the Development Agreements section will establish the purpose, standards, and procedures for large-scale developments. Davidson County has included this section with the updates to the County's Zoning Ordinances.

Town Attorney Jim Lanik said that new legislation has been passed that allows local governments to enact ordinances governing Development Agreements. This agreement between developers and government regarding a particular development, can set terms of use of the property for the duration of the agreement. Mr. Lanik proposes, with consent of Council, to include the Development Agreements as a part of the Chapter 160D draft at the April 5, 2021 Town Council meeting for Council's consideration. The new Chapter 160D of the North Carolina General Statutes must be adopted by July 1, 2021.

It was the consensus of Council to have Town Attorney Jim Lanik include the Development Agreements as a part of the Chapter 160D draft to be presented at the April 5, 2021 Town Council meeting.

APPOINTMENTS/REAPPOINTMENTS TO PLANNING AND ZONING BOARD/BOARD OF ADJUSTMENT

Three members of the current Planning and Zoning Board/Board of Adjustment are eligible for reappointment. Their terms expire March 31, 2021. Those members are Charles Waddell, Jamie Hester, and Paula Hill.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to reappoint Charles Waddell to a three-year term on the Planning and Zoning Board/Board of Adjustment. His term will expire March 31, 2024.

On motion by Councilor Robin Moon, seconded by Councilor Berkley Alcorn, Council voted unanimously to reappoint Jamie Hester to a three-year term on the Planning and Zoning Board/Board of Adjustment. Her term will expire March 31, 2024.

On motion by Councilor Keith Leonard, seconded by Councilor Jackie Edwards, Council voted unanimously to reappoint Paula Hill to a three-year term on the Planning and Zoning Board/Board of Adjustment. Her term will expire March 31, 2024.

The oaths of office for the reappointed Planning and Zoning Board/Board of Adjustment members will be administered at the next Planning and Zoning Board meeting on March 30, 2021.

MANAGERS REPORTS

MONTHLY FINANCIAL REPORT

Town Manager Tammy Michael provided Council with monthly financial reports for February 28, 2021 as follows:

February 28, 2021

Total Income	\$ 1,199,280	84.7 % of overall budget
Total Expenses	\$ 561,414	39.6 % of overall budget

Consideration is being given to opening an investment account with North Carolina Municipal Trust that is approved by the North Carolina State Treasurer, with the option of transferring funds from a matured Certificate of Deposit (CD) with Home Trust Bank, to provide increased investment options for the funds. The funds have been temporarily moved from the matured CD to a money market account with Home Trust Bank earning a .17% interest rate. Current CD rates range from .07% for a 3-month CD to .18% for an 18-month CD.

The Town's Sales and Use Tax Revenue is up \$64,000 over the same time period last year.

Mrs. Michael announced that the Davidson County Health Department is now offering Covid-19 vaccines to local government officials and staff.

For information only.

RECOGNITION FROM THE U.S. CENSUS BUREAU

The Town of Midway has been recognized by the U.S. Census Bureau as an invaluable member of the 2020 Census Community Partnership and Engagement Program by helping to achieve a successful 2020 Census.

ADJOURNMENT

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Keith Leonard, Council voted unanimously to adjourn the meeting at 7:18 p.m.

John E. Byrum, Mayor

Tammy H. Robertson, Deputy Clerk