

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON SEPTEMBER 6, 2022 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.

James Wayne Smith of Midway gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: Mike McAlpine, Jackie Edwards, Keith Leonard, and Berkley Alcorn. Absent: John Byrum and Robin Moon. Town Manager Tammy Michael, Town Clerk Linda Hunt, Deputy Clerk Tammy Robertson, Davidson County Zoning Officer Josh Tussey, 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 Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the August 1, 2022 Town Council Regular meeting as presented.

**PUBLIC ADDRESS**

Mr. Blake Zobrist of 1355 Country Lane in Midway addressed Council with his concerns regarding speeding along Country Lane. Mr. Zobrist has previously approached Council about cars speeding and would like to see the speed limit reduced and or put up a stop sign along Country Lane and Miracle Crossing to deter the speeding.

Town Manager Tammy Michael reached out to the North Carolina Department of Transportation (NCDOT) in regard to requesting a reduction in the speed limit on SR 1910 (Country Lane). The NCDOT conducted a 24-hour speed study on August 2, 2022. The study concluded that 85<sup>th</sup> percentile speed was 55 mph with 94% of vehicles exceeding the posted speed limit. The NCDOT determined that it would be up to law enforcement to enforce the existing posted speed limit.

The NCDOT did request from the Traffic Services Department to replace a missing 35 mph speed limit sign and clear vegetation to improve sight distance.

Mr. Rob Brunson of 1401 Country Lane in Midway also addressed Council with the same concerns regarding speeding along Country Lane. Mr. Brunson feels adding a speed bump and signage advising traffic to slow down would be beneficial.

Mayor Pro Tem Mike McAlpine stated that he and Mayor Byrum met last week to discuss the speeding issue and decided it would be best to meet with Sheriff Richie Simmons and a member of the State Highway Patrol to determine what action is needed to correct the speeding issue.

Town Manager Tammy Michael and Town Attorney Jim Lanik will research the legalities of adding a speed bump at Country Lane and Miracle Crossing.

**ADOPT AGENDA**

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

**PROCLAMATION**

Mayor Pro Tem Mike McAlpine proclaimed September 10-24, 2022 as “Fall Litter Sweep” time in Midway and encouraged citizens to take an active role in making their communities cleaner.

**PROCLAMATION  
FALL 2022 LITTER SWEEP**

**WHEREAS**, the North Carolina Department of Transportation organizes a fall statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

**WHEREAS**, the FALL LITTER SWEEP roadside cleanup encourages local governments communities, groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

**WHEREAS**, Adopt-A-Highway volunteers, Department of Transportation employees, of Public Safety – Division of Adult Correction inmates, community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools and environmentally concerned citizens conduct annual local cleanups during FALL LITTER SWEEP and may receive certificates of appreciation for their participation; and

**WHEREAS**, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

**WHEREAS**, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

**WHEREAS**, the FALL LITTER SWEEP cleanup will be a part of educating the children of this great state regarding the importance of a clean environment to the quality of life in North Carolina.

**NOW, THEREFORE**, I, Mayor Pro Tem Mike McAlpine, Mayor Pro Tem of the Town of Midway do hereby proclaim September 10-24, 2022 as “**FALL LITTER SWEEP**” time in Midway and encourage citizens to take an active role in making their communities cleaner.

**IN WITNESS THEREOF**, I have hereunto set my hand and affixed the seal of the Town of Midway this the sixth day of September in the year of our Lord two thousand and twenty-two.

**PUBLIC HEARING**

**PUBLIC HEARING – ADOPTION OF TEXT ADMENDMENT TO ADD ANIMAL GROOMING (STAND-ALONE BUSINESS) TO THE TABLE OF PERMITTED USES IN THE TOWN OF MIDWAY ZONING ORDINANCE NO. 23-03**

Davidson County Zoning Officer Josh Tussey informed Council, based on an error or oversight, it was discovered the omission of Animal Grooming (Stand-Alone Business) from the Table of Permitted Uses in the Town’s Zoning Ordinance.

The requirements to operate such a business are required to abide by the standards and permitting requirements in ARTICLE VI. DEVELOPMENT STANDARDS of the Town of Midway Zoning Ordinance. This section was included in the Town's Zoning Ordinance when adopted by Town Council as follows:

## **ARTICLE VI. DEVELOPMENT STANDARDS**

### **Section 6.01 STANDARDS FOR PERMITTED USES**

#### **(C) Animal Grooming (Stand-Alone Business)**

1. All applicable permits shall be obtained, E.G., Environmental Health, Planning and Zoning, Inspections, Fire Marshall.
2. There shall be no outside keeping or kenneling of domesticated animals as a result of the grooming business.
3. All grooming activities shall take place inside the principal structure located on the subject tract.
4. In residential districts the use will be considered a home occupation and must follow the additional development standards of a home occupation.
5. This use is for grooming alone. No kenneling, letting for hire, training, or breeding of domesticated animals shall take place under this use. (See Kennel, Commercial).

However, the described use was inadvertently omitted in the Table of Permitted Uses.

Copies of the text amendment to add Animal Grooming (Stand-Alone Business) to the Town of Midway Zoning Ordinance were made available to review at Town Hall and on the Town's website at [www.midway-nc.gov](http://www.midway-nc.gov).

The public hearing was advertised in *The Dispatch* on August 19 and August 26, 2022.

Mayor Pro Tem Mike McAlpine opened the public hearing on the proposed text amendment to add Animal Grooming (Stand-Alone Business) to the Table of Permitted Uses in the Town of Midway Zoning Ordinance.

There being no one desiring to speak on the proposed text amendment, Mayor Pro Tem McAlpine closed the public hearing.

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to adopt the text amendment to add Animal Grooming (Stand-Alone Business) to the Table of Permitted Uses in the Town of Midway Zoning Ordinance No. 23-03.

ORDINANCE NO. 23-03

ORDINANCE AMENDING THE TEXT OF THE ZONING ORDINANCE  
FOR THE TOWN OF MIDWAY, NORTH CAROLINA  
TO ADD ANIMAL GROOMING (STAND-ALONE BUSINESS)  
TO TABLE OF PERMITTED USES

BE IT ORDAINED by the Town Council of the Town of Midway, North Carolina that the Zoning Ordinance is hereby amended as follows:

**Section 1.** Article III. Permitted and Conditional Zoning Districts, Section 3.09, Table of Permitted Uses, is hereby amended to add Animal Grooming (Stand-Alone Business) to Table of Permitted Uses.

| Use | RA-1                                      | RA-2 | RA-3 | RS | RM-1 | RM-2 | RC | CS | OI | HC | LI | HI | MX-R | MX-C |
|-----|---|------|------|----|------|------|----|----|----|----|----|----|------|------|
|     | Animal Grooming<br>(Stand-Alone Business) | D    | D    | D  | D    | D    | D  | D  | D  | D  | D  | D  | D    | D    |

**Section 2.** This ordinance shall become effective on its adoption.

This the 6<sup>th</sup> day of September 2022.

**CONTRACT RENEWAL – CANNON & COMPANY, LLP – ACCOUNTING SERVICES**

Cannon & Company, LLP has submitted its proposed contract for accounting services to the Town of Midway for the period of July 1, 2022 to June 30, 2023. The cost of these services will remain at \$1,000.00 per month and there are no changes to the scope of services that Cannon & Company will provide to the Town.

Town Attorney Jim Lanik has reviewed and approved the contract presented to Council.

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to approve the contract with Cannon & Company, LLP. for the period of July 1, 2022 to June 30, 2023 for providing accounting services to the Town of Midway in the amount of \$1,000.00 per year.

**CONTRACT RENEWAL – WARREN D. HILL – ROADSIDE LITTER CLEANUP**

The Town of Midway currently contracts with Warren D. Hill for quarterly roadside litter cleanup within the Town Limits.

Warren D. Hill has submitted the following proposal for trash removal along the following roadways four times per year (one time per quarter) at a cost of \$3,000 per cleanup:

1. Old US Highway 52 from Davidson/Forsyth County line to Midway School Road
2. Midway School Road to Norman Shoaf Road
3. Hickory Tree Road from Old US Highway 52 to North Payne Road
4. Gumtree Road from Old US Highway 52 to Norman Shoaf Road

Town Attorney Jim Lanik has reviewed and approved the contract.

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to approve the contract with Warren D. Hill for roadside litter cleanup four times per year (one timer per quarter) at a cost of \$3,000 per cleanup.

**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 26, 2022 at a cost of \$575.00.

Town Attorney Jim Lanik has approved the contract and recommended attaching 2022 Covid Contract as Exhibit B to the Town’s Independent Contractor Agreement as proposed by Cline’s Floats.

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

On motion by Councilor Berkley Alcorn, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the contract with Cline’s Floats, Inc. for the decorated float number 3 for the Christmas Parade at a total cost of \$575.00. Said contract to include Exhibit B – 2022 Covid Contract.

**TOWN MANAGER’S REPORTS**

**FINANCIAL REPORT**

Town Manager Tammy Michael provided Council with monthly financial reports for August 31, 2022 as follows:

| <b>AUGUST 31, 2022</b> |            |                          |
|------------------------|------------|--------------------------|
| Total Income           | \$ 402,358 | 25.3 % of overall budget |
| Total Expenses         | \$ 877,579 | 55.3 % of overall budget |

For information only.

**SHANNA’S CATERING & CONFECTIONS GRAND OPENING**

Local resident Shanna Tuttle has re-opened her home-based catering and meals by the plate business in a newly constructed commercial kitchen. The anticipated opening date is September 1, 2022.

**REMINDER – TOWN COUNCIL VISION SESSION – MONDAY, SEPTEMBER 12, 2022 – 6:00 P.M.**

Town Council will hold a Vision Session at Town Hall on Monday, September 12, 2022 at 6:00 p.m.

**ADJOURNMENT**

On motion by Councilor Berkley Alcorn, seconded by Councilor Keith Leonard, Council voted unanimously to adjourn the meeting at 7:26 p.m.

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John E. Byrum, Mayor

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Linda A. Hunt, Town Clerk