

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON FEBRUARY 5, 2024, AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA

INVOCATION AND PLEDGE OF ALLGIANCE

Mayor Pro Tem Mike McAlpine gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

CALL TO ORDER

Mayor John Byrum called the meeting to order.

Councilors present were: Mayor John Byrum, Mayor Pro Tem Mike McAlpine, Robin Moon, Keith Leonard and Jackie Edwards Absent: Berkley Alcorn. Town Manager Tammy Michael, Town Clerk Linda Hunt, Deputy Clerk Ree Smith and Town Attorney Jim Lanik were present.

Each Councilor had been furnished an agenda prior to the meeting.

There were no members of the press in attendance.

APPROVAL OF MINUTES

There were none.

PUBLIC ADDRESS

There were none.

ADOPT AGENDA

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

REGULAR BUSINESS

CONTRACT RENEWAL – ONE STEP COMPUTER SOLUTIONS

The Town of Midway contracts annually for IT/Email services with an independent contractor. One Step Computer Solutions is the current contractor that provides these services. The current monthly cost is \$526.00 /month.

One Step Computer Solutions has submitted the following Managed Services Offerings Proposal for consideration.

Exhibit A outlines the scope and cost of IT/Email Services. The monthly cost for IT/Email Platinum Services is \$526.00.

- Remote PC Monitoring, Maintenance and Patching
- Backup Monitoring for three (3) computers
- *Antivirus & Ransomware Protection – *Upgraded for better control & protection*
- iCloud file daily backup for three (3) computers
- Office 365 Email-Seven (7) Council Members (Copier counts as one)
- Office 365 Email and Desktop Apps – Three (3) at Town Hall
- Network Management

Staff recommended Town Council discuss and consider approving the Independent Contractor Agreement with One Step Computer Solutions for IT/Email Services for the monthly cost of \$526.00. Town Attorney Jim Lanik has reviewed and approved the agreement.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the Contract Renewal for One Step Computer Solutions for one (1) year as presented.

CONTRACT RENEWAL – DAVID WARDEN – WILLOWS WISHING WELL LANDSCAPING

In order to provide a safe environment for walking and exercise for Midway residents and visitors to the Town Park Walking Trail, a maintenance agreement is required to properly maintain the trail.

Willow Wishing Wells Landscaping has submitted the following proposal:

Exhibit A outlines the scope of services and hourly rate for Town Park Walking Trail Maintenance. Services include, but are not limited to, tractor work (grading and leveling the track,) hauling granite dust to repair washed areas, etc.

The hourly rate of \$85.00 includes the equipment, operator, and insurance cost and is reasonable and consistent with other landscapers.

Town Manager Tammy Michael stated that Mr. Warden is dependable and does a good job of keeping the walking trail in good condition.

Town Attorney Jim Lanik has reviewed and approved the contract with David Warden d/b/a Willow Wishing Wells Landscaping.

On motion by Councilor Keith Leonard, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the Contract Renewal for David Warden – Willows Wishing Well Landscaping with Exhibit A for Town Park Walking Trail maintenance at an hourly rate of \$85.00 per hour as presented.

CONTRACT RENEWAL – PINWILZ, INC.

The Town of Midway currently contracts with Pinwilz, Inc. to provide maintenance and updates to the Town's website. The annual cost is \$821.25 with webmaster retainer hours purchased in six (6) blocks for \$570.00.

Pinwilz, Inc. has submitted the following proposal to continue the annual agreement.

- Pinwilz, Inc.'s representative Dru Heldman has submitted a quote for Annual Recurring Services in the amount of \$821.25. This amount covers the annual software renewal cost of \$365.00 and the antivirus protection annual software renewal of \$456.25.
- Webmaster retainer of \$570.00 renewal in blocks of six (6) hours.

Town Attorney Jim Lanik has reviewed and approved agreement.

On motion by Councilor Robin Moon, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to approve the Contract with Pinwilz, Inc. for one (1) year as presented.

APPOINTMENTS – PLANNING BOARD / BOARD OF ADJUSTMENTS

On motion by Councilor Robin Moon, seconded by Councilor Keith Leonard, 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, 2027.

On motion by Councilor Jackie Edwards, seconded by Mayor Pro Tem Mike McAlpine, 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, 2027

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon, 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, 2027

CORE COMMERCIAL OVERLAY DISTRICT (CCOD) DISCUSSION – TOWN ATTORNEY JIM LANIK

Town Attorney Jim Lanik advised Council there has been a lot of discussion on the Core Commercial Overlay District (CCOD) over the last four or five months. He stated the staff is in the process of doing a recompilation of the ordinance to address a number of technical changes that need to be made because of errors that happened when it was transcribed from the ordinance as prepared by Benchmark to what ended up when it was amended such as typos, section numbers, etc. He said that after working with the ordinance these past few months, he would suggest that there be more substantive changes and for Council to look at possibly adding some language to allow the Planning Board/Board of Adjustment to make small minor deviations from the ordinance language as written, whatever it is, once the technical amendments are made. Attorney Lanik said the way he envisions would be a recommendation to Council to make those technical changes. He said as with any ordinance, sometimes the literal words of the ordinance do not necessarily apply to a given situation but still fit the spirit of the ordinance. It would be a very minor change, but as written right now, the only way the Board of Adjustment can make a deviation from the ordinance is through a variance.

Attorney Lanik said if it suited Council, he would like to discuss this matter further with Council at their Vision Session on February 22nd. He would present some ideas, some proposed language, look at what other towns are doing in their overlay districts, not necessarily CCOD but overlay districts in general. He wants to present some ideas that will help the Board make its decisions to make the ordinance more workable.

The Piedmont Regional Council of Government (COG) is working on recompilation of the CCOD ordinance and the time frame for this work is February – April.

It was the consensus of Council for Town Attorney Jim Lanik to present his ideas and suggestions on the CCOD at the Vision Session on February 22, 2024.

TOWN MANAGER'S REPORTS

TOWN PARK UPDATE

Town Manager Tammy Michael gave the following updates on the Town Park.

Pavilion:

- No additional problems with HVAC in women's bathroom.
- During the cold snap water to Pavilion froze, Staff addressed this problem.
- Online reservation portal available on website and is working well, several reservations have been made.
- The first event was held January 27th with positive feedback from the renter. Also, the event holder adhered to rules and left the pavilion clean. The deposit process worked and was returned via renter's credit card the following Monday.
- No updates at this time regarding the new parking lot – Brad Coe will advise staff of the next steps in the process. Mayor John Byrum asked Ms. Michael to reach out to Brad Coe since we have not heard from him. Mayor Pro Tem Mike McAlpine advised he would reach out to Mr. Coe.
- Working with Mayor Pro Tem McAlpine to order the outdoor grills and the enclosed message board.

MONTHLY FINANCIAL REPORT

Town Manager Tammy Michael provided Council with monthly financial reports for January 2024 as follows:

JANUARY, 2024

| | | |
|----------------|-------------|-------------------------|
| Total Income | \$1,387,797 | 73.3% of overall budget |
| Total Expenses | \$675,149 | 21.5% of overall budget |

Ms. Michael stated that Councilor Edwards asked a question about the description of operating costs and what they are. The operating cost Councilor Edwards asked about is an operation cost for the park. Ms. Michael explained that if you are not familiar with day-to-day operations, it is not easy to understand, and you would need to know more details. Ms. Michael said she is going to work with Accountant Sandra Mock to change the description to better describe its function.

COMMUNITY MEETING WITH SECOND HARVEST FOOD BANK OF NORTHWEST NC

Town Manager Tammy Michael stated Council has been invited to attend a special Community meeting with Second Harvest Food Bank of Northwest NC. The meeting will be held on Friday, February 16th, from 10:00 a.m. to 11:30 a.m. Councilor Keith Leonard volunteered to attend the meeting on behalf of the Council and asked Ms. Michael to RSVP for him.

REMINDER – VISION WORKSHOP THURSDAY, FEBRUARY 22, 2024 6:00PM

Town Manager Tammy Michael reminded Council about the Vision Workshop on Thursday February 22, 2024 at 6:00pm

SET DATE FOR FIRST BUDGET WORKSHOP

On motion by Councilor Robin Mood, seconded by Councilor Keith Leonard, Council voted unanimously to approve Thursday March 21, 2024 at 6:00pm as the Budget Workshop meeting.

PLANNING BOARD/BOA – REPORT

Town Manager Tammy Michael informed the Council that Tractor Supply has asked for an extension on their variance requests until the next regular Planning Board/Board of Adjustment meeting on February 27, 2024.

NORTHERN DAVIDSON COUNTY CHAMBER OF COMMERCE – SMALL BUSINESS EXPO

Town Manager Tammy Michael informed Council about North Davidson County Chamber of Commerce is holding a small business expo on May 21 at the Midway Town Center in the Midway Music Hall. Ms. Michael stated that they will be holding a shredding service in the parking lot during the day. Ms. Michael stated the Chamber said the cost of the event is approximately \$1,100 and that they are seeking sponsors/co-sponsors for this part of the event. Ms. Michael asked if the Council would like to sponsor this event.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Robin Moon, Council voted unanimously to sponsor the North Davidson Chamber of Commerce Small Business Expo in the amount of \$1,100.00.

ADJOURNMENT

On motion by Councilor Keith Leonard, seconded by Councilor Robin Moon Council voted unanimously to adjourn the meeting.

John Byrum, Mayor

Linda A. Hunt, Town Clerk