

**MINUTES OF MIDWAY TOWN COUNCIL VISION SESSION HELD ON THURSDAY  
AUGUST 22, 2024, AT 9:30 A.M. IN THE CONFERENCE ROOM AT MIDWAY TOWN HALL,  
426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA**

**CALL TO ORDER**

Mayor John Byrum called the meeting to order.

Councilors present were: John Byrum, Mike McAlpine, Robin Moon, Keith Leonard, Jackie Edwards and Berkley Alcorn. Mayor John Byrum left meeting at 10:30am. Interim Town Manager Hank Perkins, Deputy Clerk Ree Smith, Town Attorney Jim Lanik, Brad Coe and General Contractor Frank Thomas were present. Absent Town Clerk Linda Hunt

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

**ADOPT AGENDA**

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to adopt the agenda as presented.

**NEW PARKING LOT – TOWN PARK**

Mayor Byrum recognized Brad Coe who contracts with the Town to provide services for Town Park projects.

Mr. Coe said per Town Attorney Jim Lanik’s instructions, he obtain two quotes for performing services generally required by the approved plan for the new parking lot project, including when the contractors could start and when they think they could finish the project. He received the proposals from Chris Sink Grading and Hauling and Newsome Grading Co LLC as follows:

Chris Sink Grading and Hauling	\$160,730
Newsome Grading Co LLC	\$152,234

Mr. Coe said he has hired both contractors to do work for him and they both do good work. He said he would personally vouch for the quality of work by either one of them. He believes either one of them could start the project anywhere from two to three weeks.

Mayor Pro Tem Mike McAlpine said although there is a slight differentiation between the prices, he would say that Chris Sink has done the lower parking lot and also the parking lot that adjoins the park trail. Mr. Sink has a good relationship with the families that own Heritage Oak Farm and the new parking lot will be butting up against their property line on that side. Mayor Pro Tem McAlpine said Chris Sink has done good service for the Town before.

Mayor Pro Tem McAlpine made a motion to select the quote submitted by Chris Sink Grading and Hauling for construction of the new parking lot in the amount of \$160,730. Councilor Jackie Edwards seconded the motion. Discussion followed.

Councilor Berkley Alcorn said that Newsome Grading is almost \$8,500 less than the other quote.

Interim Town Manager Hank Perkins said that in informal bidding, the Town is not required to go with the low bid. In formal bidding, it would be required.

Councilor Edwards said she liked the quote that provides more information about the work to be done.

Mr. Coe said he wouldn't turn his hand over for the difference in the quality, ability and reliability of either one of the contractors. He employs both contractors to do work for him.

Councilor Alcorn said \$8,500 is quite a savings.

Councilor Keith Leonard questioned what Frank Thomas would be doing in connection with the project. Mr. Coe said someone from the Town contacted Mr. Thomas about needing a general contractor to act an intermediary.

Interim Town Manager Hank Perkins said he is the one who contacted Mr. Thomas because neither one of the two who submitted proposals is a licensed general contractor. They have to be subcontractors under someone who is a general contractor. Frank Thomas and his company has served in that role before. Mr. Perkins met with Mr. Thomas last week and he showed him the project so he is aware of it and will be at the meeting at some point. The Town will be contracting with Mr. Thomas and his company and they will be working with one of the two as subcontractors underneath his license. Mr. Perkins said he is not sure what the arrangements are with his contract but Mr. Thomas can speak to that when he gets to the meeting.

Mayor Pro Tem McAlpine asked Mr. Coe if he thought Heritage Oak Farms would benefit with Chris working here in the sense of setting up for the work. Mr. Coe said he didn't want to convey a preference but he did note that Newsome would be working with Beeson. Beeson will be moving the dirt and Newsome will haul the stone. Mr. Coe said Newsome has talked to Heritage Oak Farms and they are going to put some gravel on her drive because they would be coming in and going out that way. He referenced the bottom of the Newsome's proposal that includes the cost of adding gravel to the neighbor's drive.

Mr. Coe said he would like to be able to contact these contractors to let them know which one is going to do the project.

Mayor Byrum asked if there is a chance that the pricing listed for materials listed on the quotes would go up between the time the quote was given to the Town and the time they actually purchase the materials, considering the cost of materials these days.

Mr. Coe responded that if the Town waits much longer in making its decision, the answer would be yes. If the Town decides today, the prices would be good. What these contractors do is they call the quarries to get a quote on the stone and that quote will be good for a certain amount of time.

Mayor Pro Tem McAlpine asked if the cost for compaction tests is included on these quotes. Mr. Coe responded that on Newsome's quote, he specifies that the Town would pay for that.

Mayor Pro Tem McAlpine said that under number 2 on Chris Sink's quote it says, "Parking lot shall be graded as per plan. All fill will be compacted as specified in plan and soil engineering will be provided in this price as long as no undercut is necessary.

Mr. Coe commented that it reads as Chris Sink is providing compaction on the grading but he does not read that for the stone. Mr. Coe said it does read that Chris Sink would be providing compaction testing on subgrading.

Mayor Byrum asked what compaction testing might cost the Town. Mr. Coe responded that he estimated it would be less than \$1,000.

Councilor Alcorn commented that the Town would still have about a \$7,000 savings with Newsome.

Councilor Moon asked if the \$1,000 is for both compaction tests. Mr. Coe responded that generally the cost of compaction tests run between \$800 - \$1,500, but the \$1,000 is his best guess for both.

Councilor Moon said that he does like the detail in the one quote, but if the Town is going to save money, that is money that the Town can use somewhere else.

Councilor Alcorn said he personally is in favor of Newsome Grading. He said Newsome Grading has to meet all the specifications anyway.

Mr. Coe said that Mr. Thomas and he would hold either one of the contractors the Council chooses to the standards shown on the plan.

Mayor Byrum called for a vote on the motion by Mayor Pro Tem McAlpine, seconded by Councilor Jackie Edwards to select the quote submitted by Chris Sink Grading and Hauling for construction of the new parking lot in the amount of \$160,730. The motion failed by a 3-2 split vote. Voting in favor were Mayor Pro Tem Mike McAlpine and Councilor Jackie Edwards. Voting against were Councilors Moon, Leonard, and Alcorn.

Mayor Byrum asked Council if they wanted to make another motion.

On motion by Councilor Robin Moon, seconded by Mayor Pro Tem Mike McAlpine, Council voted unanimously to select the quote by Newsome Grading Co LL for construction of the new parking lot in the amount of \$152,234.

Mayor Byrum recognized Frank Thomas, owner of Thomas General Contractors LLC, who had joined the meeting. Mr. Thomas will be the General Contractor to oversee the new parking lot project. Having a licensed General Contractor is required because of the cost of the project.

Mr. Thomas said he and Mr. Coe will need to talk about the scope of the work, exactly what needs to be done, and which contractor will be doing the work.

Interim Town Manager Hank Perkins said he would work with Mr. Thomas and Mr. Coe to develop a contract between the Town and Mr. Thomas since Mr. Thomas will be the General Contractor. The contract will incorporate the work of Newsome Grading as Council has selected and make sure everything is nailed down between Mr. Thomas' relationship with the subcontractors and Mr. Coe.

#### **CODE ENFORCEMENT – ALLIANCE CODE ENFORCEMENT LLC**

Council discussed their concerns about current code enforcement issues.

Councilor Berkley Alcorn stated he thinks things are getting worse instead of better in some areas of the Town.

Councilor Keith Leonard and Councilor Robin Moon both stated they are impressed with Mr. Brandon Emory, President of Alliance Code Enforcement LLC.

Councilor Keith Leonard said the County appears to be understaffed.

Councilor Jackie Edwards stated she feels like someone needs to talk to Planning Director Scott Leonard with the County first and try to work something out with them. Councilor Edwards said that if the Town leaves the County for a second time, the County may not be willing to take the Town back again.

Mayor Pro Tem McAlpine suggested the Town could stay with the County but contract with Brandon Emory on an as needed basis. He said that Mr. Emory could possibly work with the County if it was needed but not all of them.

Mayor Pro Tem McAlpine stated the new Town Manager could stay on top of the complaints with the County so code enforcement does not get so far behind.

Mayor John Byrum said he believes the Town should preserve the relationship with the County. He does not think Midway should withdraw from the County but maybe Midway needs a little extra help.

Interim Town Manager Hank Perkins said that the Town should not burn bridges with the County but possibly hire Brandon Emory on an hourly basis to work on some code enforcement issues the Town is having.

Mayor Pro Tem Mike McAlpine said the Council needs to meet with Brandon Emory first before the Council makes any decisions.

Councilor Moon stated he would reach out to Brandon Emory with Alliance Code Enforcement and see if he can come to the September Council meeting.

Councilor Robin Moon commented that the Sink property on Old Highway 52 seems to be getting worse and not any better and he would like to see something done about this.

#### **DISCUSSION ON TOWN MANAGER JOB ADVERTISEMENT AND EXPECTATIONS**

Interim Town Manager Hank Perkins discussed certain points and requirements that he believes need to be in the job advertisement for the Town Manager position. Those include:

- Days and hours – Full Time employment
- Salary for position - \$90,000 to \$120,000 (paid enough to stay and not leave)
- Excellent benefits
- Municipal background
- Master's Degree in Public Administration
- Form of government
- Town Manager – Chief Administrator responsible for day-to-day operations; implementing ordinances and policies; and preparing and submitting annual budget
- Services the Town provides; majority provided by contract
- Code Enforcement
- CCOD
- Economic Development

Mr. Perkins will prepare the job advertisement for approval by Council at their next meeting on September 3, 2024. Once the job description has been approved, Mr. Perkins can move forward with advertising the position.

#### **RULES FOR TOWN PARK AND RESERVATIONS**

Council discussed possible amendments to the rules for the Town Park rules and reservation policies.

- Current rules require reservations be made at least two weeks in advance. Change that to one week.
- Prohibit animals in Pavilion area
- Require physical leash on animals; no shock collars

- Reservation only
- Current rules require reservations for 15 or more individuals. Reduce that number to 10. (Reducing it to 5 was also discussed)

The amendments will be presented to Council at their next meeting on September 3, 2024 for approval.

**STREET LIGHTING – HICKORY TREE ROAD AT FRED SINK**

Interim Town Manager Hank Perkins stated he will be meeting with Duke Energy about the street lighting at Hickory Tree Road and Fred Sink Road. Mr. Perkins said he will know more once the meeting is over and will advise Council accordingly.

**CHRISTMAS DECORATIONS AND PARADE**

Mayor Pro Tem Mike McAlpine stated Evon Lambeth normally organizes the Christmas Parade but since Mr. Lambeth is getting older, he may want some assistance with coordinating it. Mayor Pro Tem suggested the Town could furnish the signs for the parade.

Regarding Christmas decorations for Town Hall and the Park, Mayor Pro Tem McAlpine suggested getting some wreaths and large Christmas trees for the Pavilion and the Gazebo. He also suggested that having a Tree Lighting Ceremony like Wallburg had last year. An electrician may be needed to run electricity down to the Gazebo.

**TOWN OF MIDWAY DECORATIVE SIGNAGE**

Mayor Pro Tem Mike McAlpine said Council needs to make a decision on the new decorative signs that have been proposed.

Councilor Keith Leonard stated he has provided Council with new pictures of the signs with the change on the Town's logo.

The total cost for construction and installation of the three signs would be \$36,367.91, plus tax.

On motion by Councilor Robin Moon, seconded by Councilor Berley Alcorn, Council voted unanimously to approve the Town of Midway decorative signage as proposed at a total cost of \$36,367.91, plus tax.

**ADJOURNMENT**

On motion by Councilor Keith Leonard, seconded by Councilor Jackie Edwards, Council voted unanimously to adjourn the meeting at 12:15 p.m.

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Mike McAlpine, Mayor Pro Tem

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Ree Goodson, Deputy Town Clerk