

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON DECEMBER 2, 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: John Byrum, Mike McAlpine, Keith Leonard, Jackie Edwards, and Berkley Alcorn. Absent: Councilor Robin Moon. Town Manager Nicholas Smith, Town Consultant Hank Perkins, Town Clerk Linda Hunt, Deputy Clerk Ree Goodson and Attorney Jim Lanik were present.

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

APPROVAL OF MINUTES

On motion by Councilor Jackie Edwards, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the October 21, 2024 Special Meeting as presented.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the minutes of the October 22, 2024 Special Meeting as presented.

On motion by Councilor Keith Leonard, seconded by Councilor Berkley Alcorn, Council voted unanimously to approve the minutes of the November 4, 2024 Regular Meeting as presented.

PUBLIC ADDRESS

Richard Walburn – 232 Meadow Trail Lexington, NC 27295 – Mr. Walburn said he appreciates all the things the Town of Midway is doing. Mr. Walburn said he was glad about Midway having the Christmas Parade this year. He said he lives off of Ralph Miller Road and the cars were parked all in the road. Mr. Walburn stated none of the cars were on the side of the road and his son had an appointment that day which made it very difficult for him. Mr. Walburn hopes next year the Town can control the parking better.

ADOPT AGENDA

Mayor Pro Tem Mike McAlpine said the agenda needs to be amended to remove Item 2. Audit Report for Fiscal Year Ending June 30, 2024 – Tony Brewer, CPA under VI. Regular Business.

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

APPOINTMENT OF TOWN MANAGER AND OATH OF OFFICE

Mayor John Byrum administered the oath of office to Town Manager Nicholas Smith.

AMENDMENT TO TOWN PARK RULES AND REGULATIONS – RESOLUTION NO. 01-24 – PARK HOURS TO ADJUST FOR DAYLIGHT SAVING TIME.

Mayor Pro Tem Mike McAlpine stated it has been brought to his attention that since it has become colder outside, some of the people renting the Pavilion are bringing heaters. The Park rules do not address anything as far as heaters.

Mayor Pro Tem McAlpine made a motion to amend Rule #10 in Park Rules and Regulations to address using heaters in the Pavilion.

Hank Perkins stated the Council needs to adopt the amendment to the Town Park Rules and Regulations for the Park Hours and then at the January 6, 2025 Regular Council Meeting the Council can discuss amending the rules to address the use of heaters.

Mayor Pro Tem McAlpine withdrew his original motion.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Berkley Alcorn, Council voted unanimously to approve the amendment to the Park Rules and Regulations – Park Hours as presented.

TOWN OF MIDWAY, NC

TOWN PARK RULES AND REGULATIONS

Resolution No. 01-24

Adopted September 5, 2023

Amended September 3, 2024

Amended December 2, 2024

Daylight Savings Time 6:00a.m. – 9:00p.m.

Standard Time 6:00a.m. – 7:00p.m.

- 1.** No unattended children are allowed on the Playground – **Adult supervision always required.**
- 2.** Animals shall always be on a physical leash and always accompanied – physical leashes shall not exceed ten (10) feet in length. **No animals allowed in the pavilion area, playground area and no tethering to any item in the playground. No animals are to enter the playground at any time.** Owners or those accompanying animals shall be expected to clean up any debris (natural or otherwise.)
- 3.** The use of bicycles, automobiles, minibikes, motorcycles, all-terrain vehicles or other motorized and/or non-motorized vehicles on any such premises is not allowed.
- 4.** Roller-skates, skateboards, or rollerblades and riding on sidewalks, playgrounds, pavilion, gazebo or walking trails is prohibited.
- 5.** Any person whose conduct, language, or behavior conflicts with the safety, use, or enjoyment of the park by others is subject to expulsion.
- 6.** No chalk drawing, chalk, or paint is allowed in the park or playground areas.
- 7.** Weapons are prohibited except concealed handguns, with proper permit, as allowed by the N. C. General Statutes. The discharge of other weapons including, but not limited to; guns, spring guns, fireworks, bows and arrows, slings, slingshots, paintball guns, rocks, is not allowed.

8. Alcoholic beverages and/or controlled substances are prohibited.
9. Tobacco products, vaping apparatus and/or the use of tobacco and tobacco related products is prohibited.
10. No open fire(s) allowed. Lighting any fires on the property other than in established grilling areas is not allowed. Only charcoal is permissible in designated grilling areas. Pull-behind grills, propane grills or any other types of portable cooking devices will require permission/approval by the Town Council or designee in conjunction with a facility reservation. **Do not place charcoal ashes in trash receptacles but instead place them in proper containers supplied by the Town.**
11. No organized sports allowed. This includes, but is not limited to; teams, leagues, organizations, games, practices and/or scrimmages.
12. Vendors selling or offering free food or refreshments or being a vendor of any saleable products, food trucks, or services without the approval of a written permit or contractual agreement with the Town Council or designee is not allowed.
13. No soliciting, fundraising or otherwise collecting money for any purpose is allowed.
14. Playing or operating any sound amplification devices including acoustical instruments, in such manner that the sound emanating therefrom can be heard at fifty (50) feet from the equipment during its use or operation is not allowed.
15. Electronically controlled devices including, but not limited to; drones, cars, airplanes, etc., are not allowed.
16. Tents, canopies, and umbrellas are prohibited at the Town Park.

The Town of Midway is not responsible/liable for accidents, for items lost or stolen or left behind on Town Park property.

The Rules of Conduct are applicable to all Town Parks and Recreational Facilities and are applicable to the conduct of any person within any park, recreational facility, or other premises under the authority of the Town of Midway, NC. The rules are considered supplemental to, and not in exclusion of, any other rules, provisions of the Code, or other ordinances of the Town applicable to such matters. Violation of any of the park rules and regulations may result in expulsion and/or denial of future park/rental privileges. The Town Council or designee will determine expulsion/denial.

Adopted this 2nd day of December, 2024

UPDATE ON STREET LIGHTS ON HICKORY TREE ROAD – HANK PERKINS

Town Consultant Hank Perkins gave Council an update on the streetlights on Hickory Tree Road. He reported that although he had hoped something would be done by now, nothing has been done as far as moving forward with the streetlights. The delay is due to a difference of opinion between Duke Energy and NCDOT regarding who will be asking for streetlights. Mr. Perkins said Duke Energy is of the opinion that the Town of Midway should be the one requesting the lighting. An encroachment agreement with NCDOT will be required for installation of the poles within NCDOT's right-of-way.

Mr. Perkins said different options the Town can consider are breakaway poles, wood poles, and costs. Council will need to discuss the prospect of a ten-year or five-year contract for installation and equipment

costs. He said he just wanted to update the Council on the status and make sure Council is still in favor of moving forward with the proposed streetlights on Hickory Tree Road.

It was the consensus of Council to move forward with the proposed streetlights on Hickory Tree Road.

TOWN MANAGER’S REPORTS

TOWN PARK UPDATE

Town Consultant Hank Perkins stated everything seems to be going well at the Park. The Town had its first Christmas Tree Lighting Ceremony at the Park on December 1st and there was a good turnout. Mr. Perkins feels like each year moving forward with the Christmas Tree Lighting Ceremony will bring in more people.

MONTHLY FINANCIAL REPORT

Council was provided copies of the monthly financial reports for November 2024 as follows:

November 2024

Total Income	\$1,051,106	50.0% of overall budget
Total Expenses	\$475,754	13.4% of overall budget

**ELECTED OFFICIALS CHRISTMAS BUSINESS SOCIAL THURSDAY DECEMBER 12, 2024
6:00PM AT THE THOMASVILLE WOMEN’S CENTER**

Mayor John Byrum reminded Council about the Elected Officials Business Social on Thursday December 12, 2024 at 6:00pm at the Thomasville Woman’s Club.

REMINDER – TOWN HALL TO BE CLOSED – OBSERVANCE OF HOLIDAYS

Mayor John Byrum reminded Council that Town Hall would be closed on Tuesday December 24th through Thursday December 26th for the Christmas Holiday and closed on Wednesday January 1, 2025 for New Year’s Day.

ADJOURNMENT

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Berkley Alcorn, Council voted unanimously to adjourn the meeting.

John Byrum, Mayor

Ree Goodson, Deputy Clerk