

MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON MAY 5, 2014 AT 7:00 P.M. AT TOWN HALL, 125 GUMTREE ROAD, MIDWAY, NORTH CAROLINA

Due to preparations for the primary election at the Midway Fire and Rescue Building on Tuesday, May 6, 2014, the meeting room was not available and Town Council met at Town Hall, 125 Gumtree Road, in Midway, North Carolina.

CALL TO ORDER

Mayor Norman Wilkes called the meeting to order and welcomed everyone present.

Mayor Wilkes gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: Mike McAlpine, John Byrum, Keith Leonard, Robin Moon and Todd Nifong. Absent: None. Town Manager Ryan Ross, Town Attorney Jim Lanik, and Town Clerk Linda Hunt were present.

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

No members of press were in attendance.

APPROVAL OF MINUTES

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Robin Moon, Council voted unanimously to approve the minutes of the April 7, 2014 Town Council Planning Workshop as presented.

On motion by Councilor John Byrum, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the April 14, 2014 Town Council Regular meeting as presented.

PUBLIC ADDRESS

Ms. Gloria Miller of 343 Edgewood Lane in Midway addressed Council to express her concern and frustration with all the debris that is piled up next to her property line on the adjacent lot as a result of the property owner clearing his property. Ms. Miller asked for Council's assistance in getting the debris removed. Town Manager Ryan Ross stated that while he understands Ms. Miller's situation, the Town does not have an ordinance in place to address such situations and, therefore, there is nothing the Town can do to help her. Mr. Ross added that even though the property owner is not in violation of a Town ordinance, two letters were mailed to him notifying him of the complaint the Town had received and requesting that he clean up the debris.

Mr. Will Sweeny of 487 Baldwin Place in the Williams Meadow subdivision addressed Council to ask for direction regarding the voluntary annexation petition that was circulated a couple of years ago by property owners in the subdivision in making an effort to be annexed into the Town of Midway. Mr. Sweeny said that even after several attempts, the group was still unable to obtain the signatures of all the property owners as required by law and, therefore, the request for voluntary annexation was not valid. Mr. Sweeny said that since that time, the circumstances have changed and the group would like to resubmit their petition; however, he wanted to be certain that everything is in proper order before doing so. He said one house is under is being sold and is under contract pending final closure. Mr. Sweeny said he has talked with the people who are in the process of buying the house and they have told him they would sign the petition. He also noted that one of the residences is occupied by renters. The owner of that residence has already signed the petition and he questioned if the renters need to sign the petition as well. Town Attorney Jim Lanik responded that if the renters are willing to sign the petition, get their signatures also. Mr. Lanik said the signatures of the renters probably are not needed but it is better to have too much than too little.

ADOPT AGENDA

On motion by Councilor Nifong seconded by Councilor Byrum, Council voted unanimously to adopt the agenda as presented

OPENING REMARKS BY MAYOR

Mayor Wilkes noted that the ice storm debris on Hickory Tree Road needs to be cleaned up to improve the looks of the Town of Midway.

REGULAR BUSINESS

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. Those members are Charles Waddell, LeeAnn Thomas, and Jamie Hester.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Nifong, Council voted unanimously to reappoint Charles Waddell to a four-year term on the Planning and Zoning Board/Board of Adjustment. His term will expire March 31, 2018.

On motion by Councilor John Byrum, seconded by Councilor Robin Moon, Council voted unanimously to reappoint LeeAnn Thomas to a four-year term on the Planning and Zoning Board/Board of Adjustment. Her term will expire March 31, 2018.

On motion by Councilor Keith Leonard, seconded by Councilor Todd Nifong, Council voted unanimously to reappoint Jamie Hester to fill the unexpired term of former Board member Lynn Griggs on the Planning and Zoning Board/Board of Adjustment. Her term will expire March 31, 2016.

Mayor Wilkes opened the floor for nominations for the vacant seat on the Planning and Zoning Board/Board of Adjustment.

Councilor Moon nominated Robert Whitty who resides at 805 Hebron Church Road.

Councilor Todd Nifong nominated James W. Smith who resides at 1360 Gumtree Road.

Mayor Pro Tem Mike McAlpine nominated Carl Tuttle who resides on Midway School Road

There being no further nominations, Mayor Wilkes called for a vote on the names submitted for the vacant seat. By a 3-1-1 split vote, Carl Tuttle was elected to serve as a full member of the Planning and Zoning Board/Board of Adjustment for a four year term which will expire on March 31, 2018. Voting was as follows:

Robert Whitty: 1 vote by Councilor Moon

Carl Tuttle: 3 votes by Councilors McAlpine, Byrum and Leonard

James W. Smith: 1 vote by Councilor Nifong

Mayor Wilkes asked for a vote on the Alternate member of the Planning and Zoning Board/Board of Adjustment. By a 4-1 split vote, James W. Smith was elected to serve as the alternate member. His term will expire on March 31, 2018. Voting was as follows:

Robert Whitty: 1 vote by Councilor Moon

James W. Smith: 4 votes by Councilors Nifong, McAlpine, Byrum and Leonard

The oaths of office for the reappointed and newly appointed Planning Board members will be administered at the next meeting of the Planning and Zoning Board/Board of Adjustment on May 27, 2014.

PRESENTATION OF PROPOSED BUDGET FOR FISCAL YEAR 2014-2015 AND CALL FOR PUBLIC HEARING

On April 14, 2014, Town Council held a Budget Workshop to review the preliminary budget as proposed by Town Manager Ryan Ross. During the review, the preliminary budget was modified and the changes have been incorporated into the proposed budget for fiscal year 2014-15 presented to Town Council by Town Manager Ryan Ross...

The proposed General Fund budget for Fiscal Year 2014-15 totals \$1,517,250 and includes site preparation, landscaping, fencing, parking lot and remodeling of the house on the land purchased for Town Hall; roundabout and break in access studies; sewer extension; additional street lighting; and continued additional principal payments for the original sewer line.

The proposed tax rate remains at five cents per \$100 valuation with the following municipal services offered:

- Solid waste and recycling collection
- Street lights
- Land use planning and zoning
- Augmented public safety

The proposed budget is balanced and prepared in accordance with the North Carolina Budget and Fiscal Control Act.

In accordance with N.C. General Statutes, Chapter 159, a public hearing must be advertised and held to receive citizen input prior to the adoption of the budget.

Councilor Byrum suggested Council reconsider funding for the Davidson County Economic Development Commission (EDC), stating the County is fortunate to have a healthy unemployment rate due in great part to the efforts of the EDC. Mayor Wilkes agreed with Councilor Byrum's statement.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Todd Nifong, Council voted unanimously to call for a public hearing to be held on Monday, June 2, 2014, at 7:00 p.m., in the meeting room at the Midway Fire and Rescue Building in Midway to receive citizen input on the Town of Midway Proposed Budget for Fiscal Year 2014-2015.

Copies of the proposed budget are available at Town Hall for public inspection.

RESOLUTION REQUESTING HIGH MAST LIGHTING – INTERCHANGE OF US HIGHWAY 52 AND HICKORY TREE ROAD

On motion by Councilor John Byrum, seconded by Councilor Todd Nifong, Council voted unanimously to adopt the Resolution Requesting Funding for Installation of High Mast Lighting at the interchange of US Highway 52 and Hickory Tree Road.

RESOLUTION REQUESTING HIGH MAST LIGHTING

WHEREAS, on October 7, 2013 the Town Council of the Town of Midway submitted a request to the North Carolina Department of Transportation (NCDOT) requesting high mast lighting at the interchange of US Highway 52 and Hickory Tree Road; and

WHEREAS, the total cost to install high mast lighting at this interchange is estimated at \$300,000; and

WHEREAS, at the Town Council regular meeting on January 6, 2014, Town Council unanimously adopted a Resolution to Request Grant Funds from the State of North Carolina for High Mast lighting at the interchange of US Highway 52 and Hickory Tree Road; and

WHEREAS, on January 28, 2014, the Davidson County Board of Commissioners voted unanimously to support the Town's Request for Grant Funds from the State for high mast lighting at the Interchange of US Highway 52 and Hickory Tree Road in Midway.

NOW, THEREFORE, BE IT RESOLVED by the Midway Town Council respectfully requests funding for the installation of roadway lighting by NCDOT at the interchange of US Highway 52 and Hickory Tree Road

BE IT FURTHER RESOLVED that the Midway Town Council appreciates the ongoing efforts of the North Carolina Department of Transportation - Division Nine staff to to insure the safety of the traveling public.

ADOPTED this the 5th day of May, 2014.

TOWN MANAGER'S REPORTS

PARK PLAN

Benchmark CMR, Inc. had planned to hold a public meeting on Tuesday, May 13, 2014 at 7:00 p.m. to receive input on the latest draft of the plans for the park; however, due to unexected circumstances, Benchmark has recommended the May 13th public meeting be cancelled and rescheduled for either June or July.

Council was in agreement with the recommendation.

TOWN HALL CLOSED ON MONDAY, MAY 26, 2014 IN OBSERVANCE OF MEMORIAL DAY

Reminder only.

(Mayor Wilkes called for a 10-minute break.)

RECESS TO CLOSED SESSION

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor John Byrum, Council voted unanimously to recess to closed session in accordance with N.C.G.S §143-318.11(a)(3) and (6) to discuss matters pertaining to attorney-client privilege and personnel.

RECONVENE TO OPEN SESSION

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Robin Moon, Council voted unanimously to reconvene to open session.

ADJOURNMENT

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

Norman L. Wilkes, Mayor

Linda A. Hunt, Town Clerk