

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON SEPTEMBER 6, 2016 AT 7:00 P.M. IN THE COUNCIL CHAMBER AT MIDWAY TOWN HALL, 426 GUMTREE ROAD, MIDWAY, NORTH CAROLINA**

**CALL TO ORDER**

Mayor John Byrum called the meeting to order and welcomed everyone present.

Pastor Doug Miller of Canaan United Methodist Church, 1760 Shady Grove Church Road, Winston-Salem, NC, gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: Jackie Edwards, Keith Leonard, Mike McAlpine, Robin Moon, and Todd Nifong. Absent: None. Town Manager Gary Looper, Town Attorney Jim Lanik, Town Clerk Linda Hunt and Administrative Assistant Tammy Robertson were present.

Town Planner Kassie Watts was 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 Jackie Edwards, Council voted unanimously to approve the minutes of the August 1, 2016 Town Council Special meeting as presented.

On motion by Councilor Todd Nifong, seconded by Councilor Keith Leonard, Council voted unanimously to approve the minutes of the August 1, 2016 Town Council regular meeting as presented.

**PUBLIC ADDRESS**

Mr. Bob Martin and wife Karen Martin of 430 Fieldstone Drive in Midway appeared before Council to request the Town's help with resolving a line dispute problem with the adjoining property owner. Mr. Martin stated that additions had been built that cross over onto his property. He said a sunroom had been added that extends within 10 feet of his property and he has found neither a building permit nor a variance for this addition. A fence has also been installed that crosses 14 inches onto the back of the Martin property. Mr. Martin stated these issues began seven years ago and he tried contacting Town Hall for over two years without a response. Mr. Martin said he would like to know how that property has been sold within the last seven years with a line dispute attached to it. Mr. Martin added that he is unable to sell his property because his lot dimensions do not meet the restrictions for minimum acreage. The Martins want the fence to be taken down. Mr. Martin said he would like to resolve this issue so they do not have to seek legal advice.

Mayor Byrum thanked Mr. Martin for coming and offered for the Martins to speak individually with Council members after the meeting if they wished to stay.

**ADOPT AGENDA**

Mayor Pro Tem Mike McAlpine requested the agenda be amended to add the following items:

1. Item 4. Contract with Cline's Floats, Inc. under VI. REGULAR BUSINESS
2. CLOSED SESSION in accordance with N.C.G.S. 143-318.11(a)(6) to discuss matters pertaining to personnel following VII. TOWN MANAGER'S REPORTS.

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

**REGULAR BUSINESS**

**ROBERTS SUBDIVISION PLAT –MINOR SUBDIVISION – SUB-2016-03**

Town Planner Kassie Watts reported that Mr. Brian Roberts has requested the subdivision of .918 acres out of a larger 2.37+/- acre tract for the property located on Clay Drive, identified by Davidson County Parcel Number 6830-02-67-7449.

The property is zoned RS (Low Intensity Residential District). The minimum lot size in the RS zoning district is 30,000 square feet. Where a public water supply and sanitary sewage are available, the Ordinance allows for a minimum 15,000 sq. ft. Lot setbacks are as follows:

- Front 30’
- Side 10’
- Side Street 15’
- Rear 20’

Staff has reviewed the plat and the newly created lot meets all the minimum requirements of the *Town of Midway Subdivision and Zoning Ordinances*. Staff recommends approval of SUB-2016-03 Roberts Subdivision Plat with the two conditions recommended by the Planning Board.

At their regular meeting on August 30, 2016, the Planning Board unanimously recommended approval of the SUB 2016-03 Roberts Subdivision Plat with the following conditions:

1. The 60 ft. proposed general access and utility easement (beyond the area publicly maintained on Clay Dr.) must be recorded with the map.
2. A road maintenance agreement shall be recorded to address maintenance of the newly recorded access.

Ms. Watts advised that Surveyor Brad Coe has since revised the plat to reflect the 60 ft. proposed general access and utility easement condition; therefore, only the road maintenance agreement would be a condition of approval.

On motion by Councilor Robin Moon seconded by Councilor Keith Leonard, Council voted unanimously to approve the Roberts Subdivision Plat (SUB-2016-03) with the following condition:

1. A road maintenance agreement shall be recorded to address maintenance of the newly recorded access.

**FLAG POLE AT TOWN HALL**

Mayor Pro Tem Mike McAlpine reported he had obtained a cost estimate for the flag pole at Town Hall from Phillips Construction, 413 Bethany Church Road, Winston-Salem, NC 27107 of \$6,000 which includes: Commercial stainless flag pole, 40 ft. tall x 8 in. bottom and 4 in. at top with internal winch; installation includes boring 18 in. hole that is 5 ft. deep; set and level pole to then compact with sand to 18 in. from ground level; and install 18 in. cement collar.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the cost estimate from Phillips Construction in the amount of \$6,000 for purchase and installation of a flag pole at Town Hall.

**DISCUSSION OF POSSIBLE AMENDMENTS TO ORDINANCE CONTROLLING LITTER, NOXIOUS GROWTH, AND UNPERMITTED JUNKYARDS**

Council discussed several problem areas on Bobby Willard Road and Spry Road that have been ongoing for several years. In an effort to better address problems with excessive accumulations of junk, solid waste and refuse, Council requested the Town Attorney to draft an amendment to the Town's current ordinance for the Control of Littering, Noxious Growth and Unpermitted Junkyards to include due process wording similar to that in the Dilapidated Structures ordinance.

The Town Attorney will prepare the draft amendment and bring back to Council for consideration.

**CLINE'S FLOATS, INC.**

This item was added to the agenda.

The Town has been contracting with Cline's Floats, Inc. for the past 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 November 26, 2016 at a cost of \$400.00.

On motion by Councilor Todd Nifong, seconded by Councilor Jackie Edwards, Council voted unanimously to approve the contract with Cline's Floats, Inc. for a decorated float for the Christmas Parade at a total cost of \$400.00.

**TOWN MANAGER'S REPORTS**

**MONTHLY FINANCIAL REPORT**

Interim Town Manager Gary Looper provided Council with monthly financial reports for July and August, 2016 as follows:

**July 31, 2016**

Total Income	\$255,041	16.1% of total estimated income
Total Expenses	\$144,603	9.2% of total estimated expenses

**August 30, 2016**

Total Income	\$255,091	16.1% of total estimated income
Total Expenses	\$149,421	9.4% of total estimated expenses

For information only.

**CODE ENFORCEMENT REPORT**

Interim Town Manager Gary Looper provided Council a status report on all code violations as of August 30, 2016. Of the violations, 33 have been taken, 20 have been addressed, 28 remain active, 11 have had some progress made, and 15 are partially abated.

For information only.

**FLOOR STRUCTURAL UPGRADE**

Interim Town Manager Gary Looper reported that the load bearing walls have been constructed and the fireproof filing cabinets can be put in once they are received; however, the heavy duty shelves have not been installed due to the delay of the materials being received.

For information only.

**FIREPROOF FILING CABINETS**

Interim Town Manager Gary Looper reported the fireproof filing cabinets have been ordered and should be received about two weeks from receipt of the order.

For information only.

**SOCIAL MEDIA ANALYTICALS**

Interim Town Manager Gary Looper reported that Brooke Cisneros of Rick Zebra Designs has provided three months of analytical reports for the Town's social media accounts. In review of these reports, it was determined that the reports are unclear and further insight is needed on what these numbers represent and whether they are reported information from the website or social media audiences.

For information only.

**STREET PAVING NEEDS – FISCAL YEAR 2016-2017 – N. C. DEPARTMENT OF TRANSPORTATION**

Mayor Byrum encouraged Council to list any roads that need maintenance on the form provided so they can be reported to the N. C. Department of Transportation.

For information only.

(Mayor Byrum called for a ten-minute recess.)

**RECESS TO CLOSED SESSION**

On motion by Councilor Todd Nifong, seconded by Councilor Robin Moon, Council voted unanimously to recess to closed session in accordance with N.C.G.S. 143-318.11(a)(6) to discuss matters pertaining to personnel.

**RECONVENE TO OPEN SESSION**

On motion by Councilor Todd Nifong, seconded by Councilor Jackie Edwards, Council voted unanimously to reconvene to open session.

**ADJOURNMENT**

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

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John E. Byrum, Mayor

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Linda A. Hunt, Town Clerk