

Attendance: Mayor Kitts; Mayor Pro Tem John Crump; Councilmembers: Allen Burnette, Darren Hartsell; Town Manager, Doug Paris; Town Clerk, Nancy E. Boyden, CMC, NCCMC; Finance Officer, Beverly Love; Attorney, Anthony Fox; Planning, Zoning & Subdivision Administrator, Kassie Watts, AICP, CZO; Town Engineer, Richard McMillan, P.E.; Cabarrus County Captain Nesbit.
Also Present: None.
Absent: Councilmember Rich Wise.
Late: None.
Guests: None.

All items are for discussion and possible action unless otherwise specified.

*SR denotes staff memo/report included

1. Invocation: Mayor Pro Tem Crump pronounced the *Invocation*.
2. Open Meeting: Mayor Kitts opened the meeting at 7:01 pm and called the room to order.
 - a. The room stood for the *Pledge of Allegiance*.
3. Announcements: Mayor Kitts gave the following announcement:
 - a. Town Hall will be closed on Friday November 11th in observance of the Veteran's Day Holiday. Garbage and recycling service will run on the regular schedule.
 - b. *Proclamation #2017-73* Veteran's Day

Mayor Kitts declared the proclamation for Veteran's Day.



Office of the Mayor
MIDLAND, NORTH CAROLINA
PROCLAMATION

VETERANS DAY 2016

Proclamation #2017-73

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; **and**

WHEREAS, since the establishment of the original 13 states, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; **and**

WHEREAS, we owe a great debt to those who have served in defense of this nation; **and**

WHEREAS, throughout the generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual; **and**

WHEREAS, for many, that sacrifice had ended in permanent injury or death, yet their spirit remains in the continued preservation of our freedoms and the promise of liberty established as an example for all the oppressed persons of the world; **and**

WHEREAS, in honor of these dedicated men and women, we pledge our continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of people dedicated to the principles of freedom and democracy.

NOW, THEREFORE, I, KATHY KITTS, Mayor of the Town of Midland, North Carolina, by the virtue of the authority vested in me as Mayor, do hereby urge all citizens to honor our Veterans and call upon all Veterans to appropriately wear their uniforms, clothing or other indications of their proud military service in observance of Veterans Day so that all will have the opportunity to express appreciation for their service.

Adopted this 9th day of November, 2016.

c. **Proclamation #2017-74** Declaring November 17 as “World Pancreatic Cancer Day”

Mayor Kitts declared, “World Pancreatic Cancer Day”.



Proclamation
Office of the Mayor of Midland
Declaring November 17 as “World Pancreatic Cancer Day” in the Town of Midland

Proclamation #2017-74

WHEREAS, in 2016, an estimated 53,070 people in the United States will be diagnosed with pancreatic cancer, one of the deadliest cancers, and 41,780 will die from the disease;

WHEREAS, pancreatic cancer surpassed breast cancer this year to become the third leading cause of cancer death in the United States and it is projected to become the second leading cause by 2020;

WHEREAS, pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just eight percent;

WHEREAS, when symptoms of pancreatic cancer present themselves, it is generally in later stages, and 71 percent of pancreatic cancer patients die within the first year of their diagnosis;

WHEREAS, approximately 1,240 deaths will occur in North Carolina in 2016;

WHEREAS, pancreatic cancer is the seventh most common cause of cancer-related death in men and women across the world;

WHEREAS, there will be an estimated 418,451 new pancreatic cancer cases diagnosed worldwide in 2020;

WHEREAS, the good health and well-being of the residents of Midland are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments.

THEREFORE BE IT RESOLVED that the Mayor designates November 17th, 2016 as, “World Pancreatic Cancer Day” in the Town of Midland.

Mayor Kitts recognized the family of Ms. Tammy Fisher for bringing this proclamation forward.

Motion was made by Councilmember Hartsell and seconded by Mayor Pro Tem Crump to excuse Councilmember Wise from the meeting because he is traveling out of state. **Motion carried 3-0.**

4. Approval of Agenda:

Motion was made by Councilmember Burnette and seconded by Councilmember Hartsell to approve the Agenda with the following change:

Add: #11. d. Mayor’s Comments- Christmas Discussion. **Motion carried 3-0.**

5. Consent Agenda: Minutes: 10-11-2016; Attorney Bills; Purge of Outdated Financial Documents and Invoices.

Motion was made by Councilmember Hartsell and seconded by Councilmember Burnette to approve the Consent Agenda as presented. **Motion carried 3-0.**

6. Public Comment: No comments forthcoming.

7. Public Hearings:

- a. I & A Annexation 12322 Old Camden Rd.- Contiguous
 - i. *SR Presentation by Planner Watts

Ms. Watts presented her staff report on the proposed annexation:

To: Mayor and Town Council
From: Kassie G. Watts, AICP, CZO, Planning, Zoning & Subdivision Administrator
Date: November 9, 2016

Re: Voluntary Annexation of contiguous property of **I&A Properties, LLC**

BACKGROUND: On September 21, 2016 the owner of property located at 12322 Old Camden Road, Midland, NC 28107 including Cabarrus County PIN 5534-08-2366 totaling 4.43 acres; submitted a petition for voluntary contiguous annexation into the town limits of the Town of Midland.

FINDINGS AND CONCLUSIONS: The standards for annexation require that the property must be contiguous to the “primary corporate limits”. Attachment “B” demonstrates the contiguity requirements are satisfactorily met by this petition to the Town of Midland.

FISCAL IMPACT: The property is un-developed. The property will not require solid waste collection and recycling services at this time. The Town will receive additional revenues from Ad Valorem tax assessments.

RECOMMENDATION FOR ACTION: There are several steps required to annex this property. The following outline illustrates how this process may be completed in two regular meetings of the Town Council.

The actions taken at the October 11, 2016 meeting included (in order of due process):

- a. Petition for voluntary contiguous annexation (attached).
- b. Direct (by resolution) for the Town Clerk to investigate the sufficiency of the petition.
- c. Upon receipt of petition certification by Town Clerk, call (by resolution) for public hearing at next regular meeting.

The actions that may be taken at the November 9, 2016 meeting include:

- d. Conducting the required Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property.
- e. Consideration (adoption or rejection) of an ordinance extending the corporate limits to include the subject property.

Following the annexation of the property staff will be preparing the documents to establish initial Town of Midland zoning on the property. The property lies within the area designated on the Town Plan 2030 Future Land Use Map for "Commercial" uses; is adjacent to an area designated for "Industrial" uses; and is consistent with the principles of the *Town Plan 2030 Land Use & Comprehensive Master Plan; Revision 2* adopted October 8, 2013. The owner is requesting the area will be recommended for the "NC 24/27 Commercial" (C 24/27) zoning classification for the subject property.

ii. Open Public Hearing

Mayor Kitts opened the Public Hearing at 7:09 pm. There were no comments or questions from the public so the hearing was closed at 7:09 pm.

iii. Consider *Ordinance #2017-204A*

Motion was made by Mayor Pro Tem Crump and seconded by Councilmember Burnette to adopt *Ordinance #2017-204A* extending the corporate limits to include the property of 12322 Old Camden Rd., Midland, NC 28107. **Motion carried 3-0.**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF
MIDLAND and INCORPORATE BY ANNEXATION A CONTIGUOUS AREA INTO
THE TOWN OF MIDLAND, NORTH CAROLINA**

Ordinance #2017-204(A)

WHEREAS, a Petition signed by I&A Properties, LLC, being the owner of the certain land areas hereinafter described in Exhibit A attached hereto, was received by the Town of Midland on September 21, 2016; **and**

WHEREAS, the owner Petitioned that said area be annexed into the corporate limits of the Town of Midland, North Carolina, as authorized by Part 1, Article 4A, Chapter 160A of the General Statutes of North Carolina; **and**

WHEREAS, the Petition was presented to the Town Council during the regular meeting of October 11, 2016; **and**

WHEREAS, on October 11, 2016 the Town Council directed, by Resolution duly adopted, the Town Clerk of the Town of Midland, North Carolina, to investigate the sufficiency of said Petition and to certify the results to the Town Council; **and**

WHEREAS, at the regular meeting of the Town Council held on October 11, 2016, a Certificate of Sufficiency from the Town Clerk of the Town of Midland was presented to the Town Council wherein the Town Clerk certified that upon due investigation found the above individual who signed the aforementioned Petition constitute the owner of the land within the boundaries described in said Petition and, as hereinafter described, that said boundaries are contiguous to the present Town limit primary boundaries, and are eligible to be annexed pursuant to G.S. 160A-31, et seq. of the General Statutes of North Carolina; **and**

WHEREAS, following the receipt by the Town Council of the Town of Midland, North Carolina, of a Certificate of Sufficiency from the Town Clerk of the Town of Midland, said information and due consideration thereof by the Council, passed a motion to adopt a Resolution whereby a public hearing upon the question of such annexation was called to be had before the Town Council of the Town of Midland at 7:00 p.m. on the 9th day of November, 2016; **and**

WHEREAS, the Town Clerk was duly authorized and did so cause notice of such public hearing to be published in the Cabarrus Neighbors section of the Charlotte Observer, a newspaper having general circulation in the Town of Midland, North Carolina, at least ten (10) days prior to the date of such public hearing, such notice contained Cabarrus County property identification numbers of the areas proposed to be annexed as set forth in the Petition; **and**

WHEREAS, it appears to the Town Council from the publisher's Affidavit with clipping attached thereto, duly filed with the Town Clerk, that a notice of such public hearing as directed by the Town Council was duly published in the Cabarrus Neighbors section of the Charlotte Observer in its issue of the 30th day of October, 2016, which date of publication was at least ten (10) days prior to the date set for such public hearing; **and**

WHEREAS, a public hearing was held by the Town Council of the Town of Midland on the 9th day of November, 2016 at the stated time and place where the petitioner and any other residents of the Town of Midland were given an opportunity to appear and be heard on the question of the sufficiency of the Petition and the desirability of the annexation; **and**

WHEREAS, the Town Council, after due deliberation and consideration during the regular Town Council meeting held on November 9, 2016, now finds that the Petition meets the requirements of G.S. 160A-31, et seq. of the General Statutes of North Carolina, that the Petition contained the signature of the owner of the real property within the area proposed for annexation, that the Petition is otherwise valid and that the public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Town Council of the Town of Midland, North Carolina, in regular meeting assembled the 9th day of November, 2016, as follows:

SECTION 1: That the area described in the Petition for contiguous annexation be and the same is hereby annexed to and is made a part of the corporate limits of the Town of Midland, North Carolina, the areas being described in Exhibit "A" hereto, and as shown on the map contained in Attachment "B" hereto.

SECTION 2: From and after the effective date of this Ordinance, the territory so annexed and the property therein located shall be subject to all debts, laws, ordinances and regulations in force in the Town of Midland, North Carolina, and shall be entitled to the privileges and benefits available to other parts of the municipality. The newly annexed territory shall be subject to municipal taxes levied as provided in Section 160A-58.10 of the General Statutes of North Carolina.

SECTION 3: It shall be the duty of the Mayor of the Town of Midland to cause an accurate map of such annexed territory, together with a copy of this Ordinance duly certified, to be recorded in the office of the Register of Deeds of Cabarrus County, North Carolina, and in the office of the Secretary of State of North Carolina.

SECTION 4: This Ordinance shall become and be effective on, from and after November 9, 2016.

Adopted this 9th day of November, 2016.

FILED
CABARRUS COUNTY NC
WAYNE NIXON
REGISTER OF DEEDS
FILED May 12, 2016
AT 01:50 pm
BOOK 11917
START PAGE 3034
END PAGE 0035
INSTRUMENT # 11380
EXCISE TAX \$466.00

NORTH CAROLINA GENERAL WARRANTY DEED

Drawn by:
Tony C. Johnson, Esq.
PO Box 23297
Mint Hill, NC 28227

Mail to:
I & A Properties, LLC
PO Box 148
Oakboro, NC 28129

Excise Tax: **\$466.00**
Tax Parcel Number: **55340823660000**
Brief description for the Index: 4.43 acres, WILLIAM D. SMITH & WIFE, SHEILA H. SMITH PROPERTY

THIS DEED made this 11th day of **May, 2016** by and between

GRANTOR: William Dale Smith Jr. and wife, Sheila H. Smith
whose address is: 216 Brief Road East, Midland, NC 28107
(herein referred to collectively as **Grantor**)

GRANTEE: I & A Properties, LLC, a North Carolina limited liability company
whose address is: PO Box 148, Oakboro, NC 28129
(herein referred to collectively as **Grantee**)

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all of that certain lot or parcel of land situated in the City of, County of Cabarrus, State of North Carolina, and being more particularly described as follows:

BEING all of the 4.43 acre tract of the WILLIAM D. SMITH & WIFE, SHEILA H. SMITH PROPERTY, as same is shown on a map thereof recorded in Map Book 69, at Page 88, in the Cabarrus County Public Registry.

Property Address: 12322 Old Camden Road, Midland, NC 28107

2/2/17

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5390, at Pages 229 and 234, and Book 9889, at Pages 321 and 324, Cabarrus County Public Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Map Book 69, Page 89.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions: Any and all such valid and enforceable easements, conditions, reservations and restrictions as may appear of the public record; and the lien of ad valorem taxes for the current year which have been prorated between the parties.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written



William Dale Smith Jr. (SEAL)



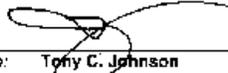
Sheila H. Smith (SEAL)

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Tony C. Johnson, a Notary Public of the County of Mecklenburg and State aforesaid, certify that William Dale Smith Jr. and wife, Sheila H. Smith personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

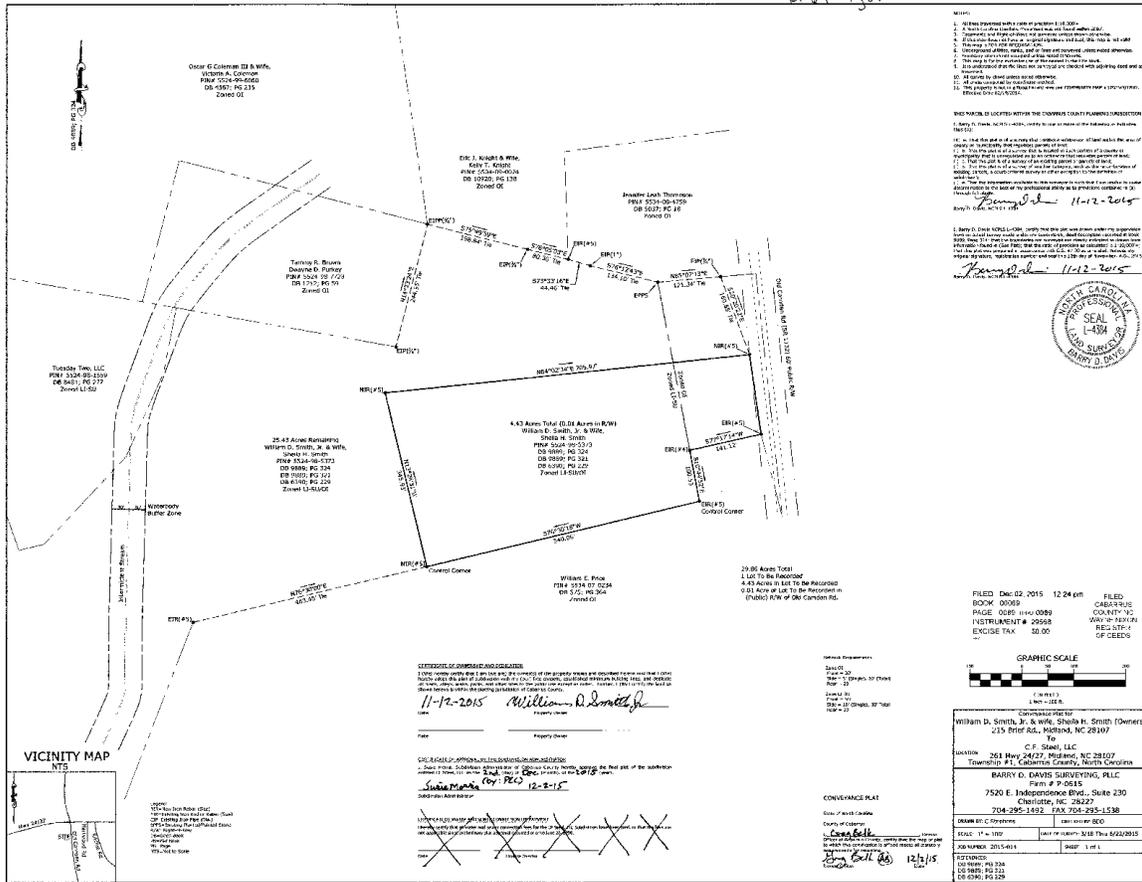
WITNESS my hand and Notarial stamp or seal, this 11th day of May, 2016.



Notary Public: 
Type or print name: Tony C. Johnson

My Commission Expires: February 25, 2018

BL 6A Page



- MONUMENTS
1. All lines terminate with a corner of a section 1 or 36.
 2. A corner of a section 1 or 36 shall be a corner of a section 2 or 36.
 3. A corner of a section 2 or 36 shall be a corner of a section 4 or 36.
 4. A corner of a section 4 or 36 shall be a corner of a section 6 or 36.
 5. A corner of a section 6 or 36 shall be a corner of a section 8 or 36.
 6. A corner of a section 8 or 36 shall be a corner of a section 10 or 36.
 7. A corner of a section 10 or 36 shall be a corner of a section 12 or 36.
 8. A corner of a section 12 or 36 shall be a corner of a section 14 or 36.
 9. A corner of a section 14 or 36 shall be a corner of a section 16 or 36.
 10. A corner of a section 16 or 36 shall be a corner of a section 18 or 36.
 11. A corner of a section 18 or 36 shall be a corner of a section 20 or 36.
 12. A corner of a section 20 or 36 shall be a corner of a section 22 or 36.
 13. A corner of a section 22 or 36 shall be a corner of a section 24 or 36.
 14. A corner of a section 24 or 36 shall be a corner of a section 26 or 36.
 15. A corner of a section 26 or 36 shall be a corner of a section 28 or 36.
 16. A corner of a section 28 or 36 shall be a corner of a section 30 or 36.
 17. A corner of a section 30 or 36 shall be a corner of a section 32 or 36.
 18. A corner of a section 32 or 36 shall be a corner of a section 34 or 36.
 19. A corner of a section 34 or 36 shall be a corner of a section 36 or 36.
 20. A corner of a section 36 or 36 shall be a corner of a section 38 or 36.
 21. A corner of a section 38 or 36 shall be a corner of a section 40 or 36.
 22. A corner of a section 40 or 36 shall be a corner of a section 42 or 36.
 23. A corner of a section 42 or 36 shall be a corner of a section 44 or 36.
 24. A corner of a section 44 or 36 shall be a corner of a section 46 or 36.
 25. A corner of a section 46 or 36 shall be a corner of a section 48 or 36.
 26. A corner of a section 48 or 36 shall be a corner of a section 50 or 36.
 27. A corner of a section 50 or 36 shall be a corner of a section 52 or 36.
 28. A corner of a section 52 or 36 shall be a corner of a section 54 or 36.
 29. A corner of a section 54 or 36 shall be a corner of a section 56 or 36.
 30. A corner of a section 56 or 36 shall be a corner of a section 58 or 36.
 31. A corner of a section 58 or 36 shall be a corner of a section 60 or 36.
 32. A corner of a section 60 or 36 shall be a corner of a section 62 or 36.
 33. A corner of a section 62 or 36 shall be a corner of a section 64 or 36.
 34. A corner of a section 64 or 36 shall be a corner of a section 66 or 36.
 35. A corner of a section 66 or 36 shall be a corner of a section 68 or 36.
 36. A corner of a section 68 or 36 shall be a corner of a section 70 or 36.
 37. A corner of a section 70 or 36 shall be a corner of a section 72 or 36.
 38. A corner of a section 72 or 36 shall be a corner of a section 74 or 36.
 39. A corner of a section 74 or 36 shall be a corner of a section 76 or 36.
 40. A corner of a section 76 or 36 shall be a corner of a section 78 or 36.
 41. A corner of a section 78 or 36 shall be a corner of a section 80 or 36.
 42. A corner of a section 80 or 36 shall be a corner of a section 82 or 36.
 43. A corner of a section 82 or 36 shall be a corner of a section 84 or 36.
 44. A corner of a section 84 or 36 shall be a corner of a section 86 or 36.
 45. A corner of a section 86 or 36 shall be a corner of a section 88 or 36.
 46. A corner of a section 88 or 36 shall be a corner of a section 90 or 36.
 47. A corner of a section 90 or 36 shall be a corner of a section 92 or 36.
 48. A corner of a section 92 or 36 shall be a corner of a section 94 or 36.
 49. A corner of a section 94 or 36 shall be a corner of a section 96 or 36.
 50. A corner of a section 96 or 36 shall be a corner of a section 98 or 36.
 51. A corner of a section 98 or 36 shall be a corner of a section 100 or 36.



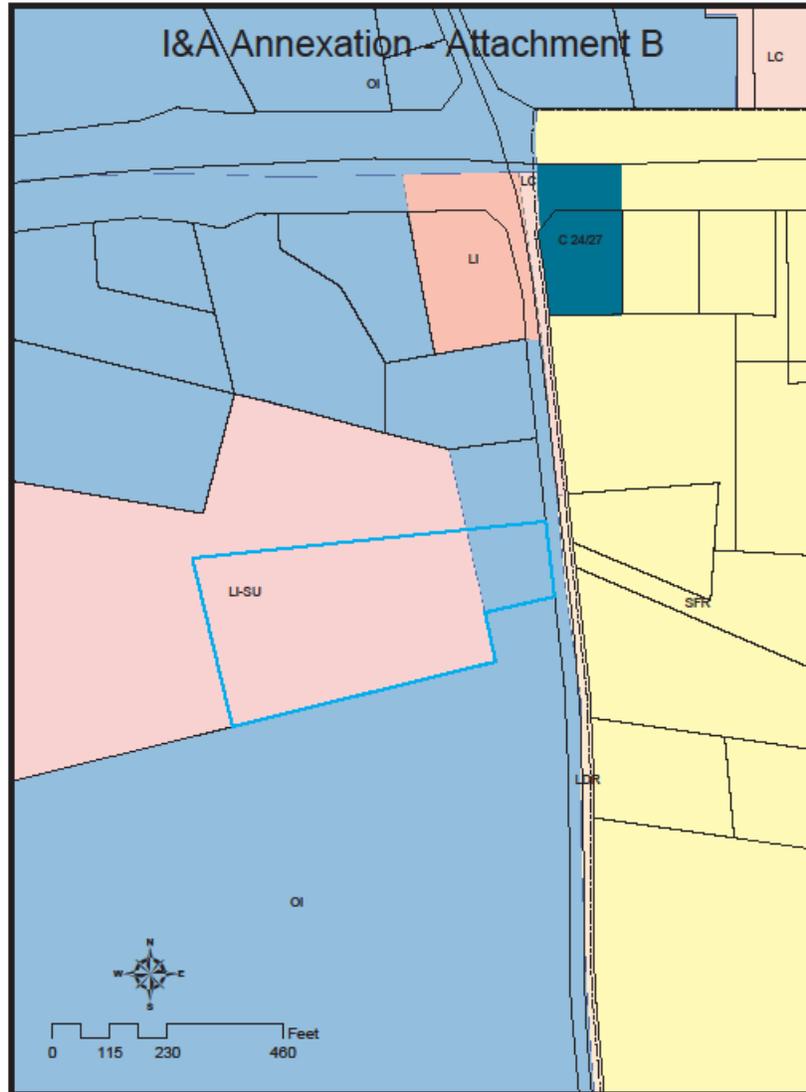
Barry D. Davis
 11-12-2015

Barry D. Davis
 11-12-2015

FILED Dec 02 2015 12 24 PM
 BOOK 0000
 PAGE 0089
 INSTRUMENT# 29258
 EXCISE TAX \$0.00



CONVEYANCE BLAT	
County of	Currituck
City of	Midland
State of	North Carolina
Surveyor	Barry D. Davis
Date	11/12/15
Scale	1" = 100'
Sheet	1 of 1



Motion was made by Councilmember Burnette and seconded by Councilmember Hartsell to set a Public Hearing for the zoning designation of subject property on December 13, 2016 at 7:00pm at Midland Town Hall 4293 Hwy. 24/27 E. Midland, NC 28107. **Motion carried 3-0.**

- b. Purser Annexation 501 NC Hwy. 24/27 W.- Non- Contiguous
 - i. *SR Presentation by Planner Watts

Ms. Watts presented her staff report on the proposed annexation:

To: Mayor and Town Council

From: Kassie G. Watts, AICP, CZO, Planning, Zoning & Subdivision Administrator

Date: November 9, 2016

Re: Voluntary Annexation of non-contiguous property of **William N. Purser**

BACKGROUND: On October 11, 2016 the owner of property located at 501 NC Hwy 24/27 W, Midland, NC 28107 including Cabarrus County PIN 5524-87-3928 totaling 24.343 acres; submitted a petition for voluntary non-contiguous annexation into the town limits of the Town of Midland.

FINDINGS AND CONCLUSIONS: The statutory standards for annexation require non-contiguous property be closer to the “primary corporate limits” of the annexing municipality and our annexation agreement with the City of Charlotte requires that it lie within Cabarrus County. Attachment “B” demonstrates the requirements are satisfactorily met by this petition to the Town of Midland.

FISCAL IMPACT: The property is un-developed. The property will not require solid waste collection and recycling services at this time. The Town will receive additional revenues from Ad Valorem tax assessments.

RECOMMENDATION FOR ACTION: There are several steps required to annex this property. The following outline illustrates how this process may be completed in two regular meetings of the Town Council.

The actions taken at the October 11, 2016 meeting included (in order of due process):

- f. Petition for voluntary contiguous annexation (attached).
- g. Direct (by resolution) for the Town Clerk to investigate the sufficiency of the petition.
- h. Upon receipt of petition certification by Town Clerk, call (by resolution) for public hearing at next regular meeting.

The actions that may be taken at the November 9, 2016 meeting include:

- i. Conducting the required Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property.
- j. Consideration (adoption or rejection) of an ordinance extending the corporate limits to include the subject property.

Following the annexation of the property staff will be preparing the documents to establish initial Town of Midland zoning on the property. The property lies within the area designated on the Town Plan 2030 Future Land Use Map for “Industrial” uses; is adjacent to an area designated for “Industrial” uses; and is consistent with the principles of the *Town Plan 2030 Land Use & Comprehensive Master Plan; Revision 2* adopted October 8, 2013. The owner is requesting the area will be recommended for the “Industrial” (IND) zoning classification.

- ii. Open Public Hearing

Mayor Kitts opened the Public Hearing at 7:16 pm. There were no comments or questions from the public so the hearing was closed at 7:16 pm.

- iii. Consider ***Ordinance #2017-205A***

Motion was made by Councilmember Burnette and seconded by Mayor Pro Tem Crump to adopt ***Ordinance #2017-205A*** extending the corporate limits to include the property of 501 Hwy. 27 West Midland, NC 28107. **Motion carried 3-0.**

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF
MIDLAND and INCORPORATE BY ANNEXATION A NON-CONTIGUOUS AREA
INTO THE TOWN OF MIDLAND, NORTH CAROLINA**

Ordinance #2017-205(A)

WHEREAS, a Petition signed by Deloria P. Rowell, Carole S. Purser, and William N. Purser, being the owners of the certain land areas hereinafter described in Exhibit A attached hereto, was received by the Town of Midland on October 3, 2016; **and**

WHEREAS, the owners Petitioned that said area be annexed into the corporate limits of the Town of Midland, North Carolina, as authorized by 160A-58.1, Article 4A, Chapter 160A of the General Statutes of North Carolina; **and**

WHEREAS, the Petition was presented to the Town Council during the regular meeting of October 11, 2016; **and**

WHEREAS, on October 9, 2016 the Town Council directed, by Resolution duly adopted, the Town Clerk of the Town of Midland, North Carolina, to investigate the sufficiency of said Petition and to certify the results to the Town Council; **and**

WHEREAS, at the regular meeting of the Town Council held on October 11, 2016, a Certificate of Sufficiency from the Town Clerk of the Town of Midland was presented to the Town Council wherein the Town Clerk certified that upon due investigation found the above individuals who signed the aforementioned Petition constitute the owners of the land within the boundaries described in said Petition and, as hereinafter described, that said boundaries are not contiguous to the present Town limit primary boundaries, and are eligible to be annexed pursuant to G.S. 160A-58.1, et seq. of the General Statutes of North Carolina; **and**

WHEREAS, following the receipt by the Town Council of the Town of Midland, North Carolina, of a Certificate of Sufficiency from the Town Clerk of the Town of Midland, said information and due consideration thereof by the Council, passed a motion to adopt a Resolution whereby a public hearing upon the question of such annexation was called to be had before the Town Council of the Town of Midland at 7:00 p.m. on the 9th day of November, 2016; **and**

WHEREAS, the Town Clerk was duly authorized and did so cause notice of such public hearing to be published in the Cabarrus Neighbors section of the Charlotte Observer, a newspaper having general circulation in the Town of Midland, North Carolina, at least ten (10) days prior to the date of such public hearing, such notice contained Cabarrus County property identification numbers of the areas proposed to be annexed as set forth in the Petitions; **and**

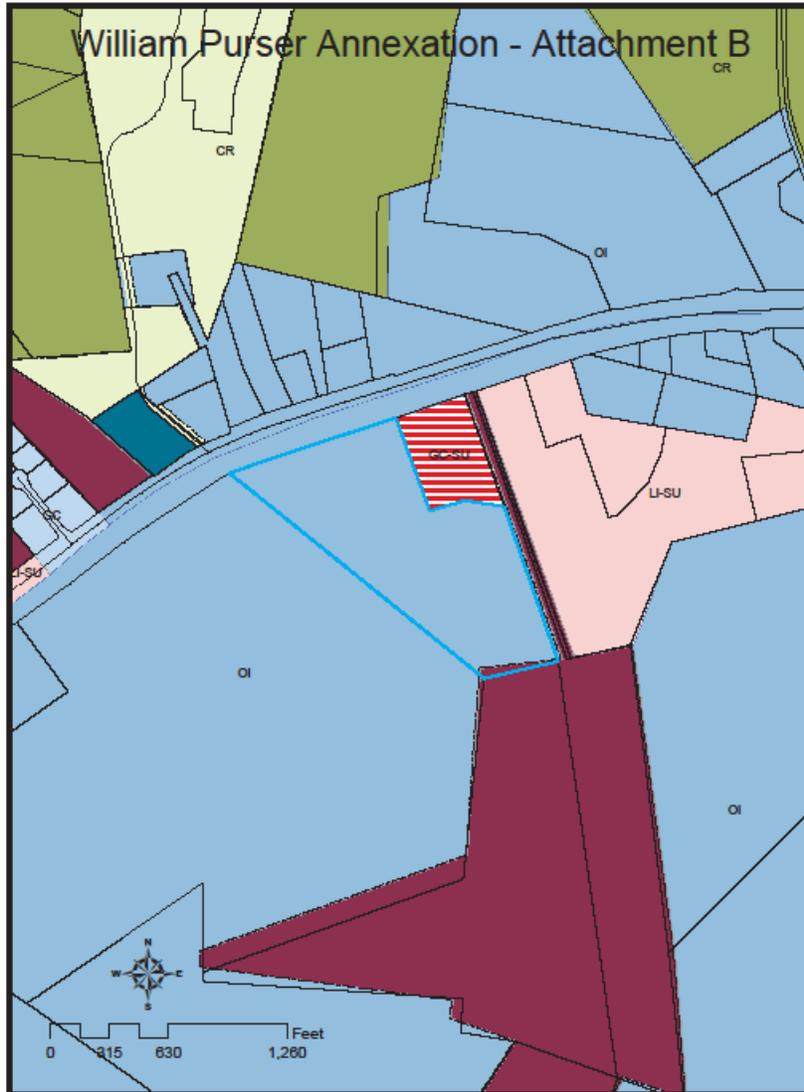
WHEREAS, it appears to the Town Council from the publisher's Affidavit with clipping attached thereto, duly filed with the Town Clerk, that a notice of such public hearing as directed by the Town Council was duly published in the Cabarrus Neighbors section of the Charlotte Observer in its issue of the 30th day of October, 2016, which date of publication was at least ten (10) days prior to the date set for such public hearing; **and**

WHEREAS, a public hearing was held by the Town Council of the Town of Midland on the 9th day of November, 2016 at the stated time and place where the petitioners and any other residents of the Town of Midland were given an opportunity to appear and be heard on the question of the sufficiency of the Petition and the desirability of the annexation; **and**

WHEREAS, the Town Council, after due deliberation and consideration during the regular Town Council meeting held on November 9, 2016, now finds that the Petition meets the requirements of G.S. 160A-58.1, et seq. of the General Statutes of North Carolina, that the Petition contained the signatures of the owners of the real property within the area proposed for annexation, that the Petitions are otherwise valid and that the public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Town Council of the Town of Midland, North Carolina, in regular meeting assembled the 9th day of November, 2016, as follows:

SECTION 1: That the area located at 501 NC Hwy 24-27 West; Midland, NC 28107 (Cabarrus County PIN 5524-87-3928) described in the Petition for non-contiguous annexation be and the same is hereby annexed to and is made a part of the corporate limits of the Town of Midland, North Carolina, the areas being described in Exhibit "A" hereto, and as shown on the map contained in Attachment "B" hereto.



Motion was made by Mayor Pro Tem Crump and seconded by Councilmember Burnette to set a Public Hearing for the zoning designation of subject property on December 13, 2016 at 7:00pm at Midland Town Hall 4293 Hwy. 24/27 E. Midland, NC 28107. **Motion carried 3-0.**

8. Public Safety:

a. Police Report - Cabarrus County Sheriff Department

Captain Nesbit reported the following for the month of October, 2016:

871 Self-initiated calls for service- some of which were:

- 766 Security checks;
- 20 Suspicious vehicles;

- 52 Traffic stops;

134 Dispatched calls for service- some of which were:

- 4 B/E in progress;
- 1 B/E of business;
- 3 B/E of vehicles;
- 14 Burglar alarms;
- 4 Discharge of firearms;
- 8 Disputes;
- 6 Larcenies;
- 2 Property damage;
- 1 Structure fire;
- 6 Suspicious subjects;
- 1 Suspicious vehicle;
- 7 Traffic accidents with property damage only;
- 2 Traffic accidents with personal injury.

Councilmember Hartsell asked if any arrests have been made with the reported B/E's.

Captain Nesbit said that he didn't have any specific information but the Sheriff's Dept. has posted surveillance video from the B & D Mart on its Facebook page. Leads are being followed but there haven't been any arrests yet.

Councilmember Hartsell asked if the 4 B/E's in progress were residential and if anyone was caught.

Captain Nesbit said they were residential but he was unaware if anyone has been caught.

b. Midland Volunteer Fire Department Report

Councilmember Burnette reported the following for the month of October, 2016:

- 1 Structure fire;
- 2 Residential fire alarms;
- 2 Brush fires;
- 2 Vehicle fires;
- 9 Local alarms;
- 6 Motor vehicle accidents;
- 39 Medical calls.

Total calls for service= 61

9. **Planning**: Planning, Zoning & Subdivision Administrator- *K. Watts*

a. Planning Projects- Verbal Update

Ms. Watts gave an overview of the current projects underway in Midland:

- Wyndham Forest is clearing, grading and in progress with storm drainage at the existing culvert;
- Saddlebrook Phase 2 is still grading. Planning has approved several of their architectural elevations;
- Banks Massey- Staff met with the applicants to give them a grading plan so they can start grading on NC Hwy. 24/27. Once they get their erosion control approval from the state Mr. Paris will be doing some PR to make the townspeople aware of the activity on the project;
- Allen Mini Storage- near closing on the property and preparing the final details on the road design. Once they close they will take down trees and remove the old buildings. Mr. Paris will again be informed for PR purposes.

Councilmember Hartsell asked how much land has been cleared in Wyndham Forest.

Mr. McMillan said the clearing is about complete.

b. Land Use Plan Revisions Commercial Design Standards Amendments

Ms. Watts summarized her staff report as follows:

To: Mayor and Town Council

From: Kassie G. Watts, AICP, CZO, Planning, Zoning & Subdivision Administrator

Re: Land Use Plan Discussion and Draft Text Amendments to Article 9, Building and Lot Type Standards of the Midland Development Ordinance.

BACKGROUND

The Town of Midland has received multiple requests within the last year to modify the Town Plan 2030 Land Use & Comprehensive Master Plan, Revision 2, Future Land Use Map in anticipation of a request for a Zoning Map Amendment. The requests for amendments to the Future Land Use Map have centered along NC Hwy 24/27 and have been requests for commercial zoning designations. In response to these requests, staff has been working with the Planning and Zoning Commission at their regular meetings, August 23, 2016 and September 27, 2016, to review the existing Town Plan 2030 Land Use & Comprehensive Master Plan Revision 2 and to give thoughtful consideration to how the Town can facilitate commercial growth in the Midland area.

At the September 27, 2016 meeting, the Planning and Zoning Commission was tasked with reviewing the various Future Land Use Maps (provided by staff) of other comparable municipalities and how those municipalities have laid out the future commercial areas within their respective jurisdictions.

Staff requested that the Planning and Zoning Commission determine which of the following two options they would recommend to Town Council:

1. Moving towards the creation of a commercial corridor along NC Hwy 24/27 and consideration of potential text amendments to strengthen the standards for building and lot design within the C-24/27 zoning district.
2. To consider each request to amend the Future Land Use Map presented to the Commission on a case by case basis.

The Planning Department drafted potential Zoning Text Amendments to Article 9, Building and Lot Type Standards of the Town of Midland Development Ordinance (MDO) in case the Planning and Zoning Commission chose to recommend Option 1. The purpose of these text amendments is to strengthen various sections of Article 9 that relate to the design standards affecting the C-24/27 zoning district and to update policy related to the ongoing growth and goals of the Town.

There are two building and lot types permitted in the C-24/27 zoning district:

1. Civic Building Lot and Building Type (9.5)
2. Highway Lot Type and Building Type (9.8)

While existing language in the MDO regarding development of these building and lot types is a good foundation, certain language is vague and could be open for interpretation. In an effort to prevent staff from having to interpret standards the Town deems appropriate for said developments, staff recommends the draft text amendments be incorporated into the MDO. For example, the word "should" is used frequently and could be interpreted as an option to a developer, rather than a requirement. The building material options have also been enhanced to require primarily brick, stone, wood, or other masonry materials as the primary construction materials. The attached draft

text amendments provided in your packet outline the changes to the existing language in red, with the language to be removed also shown in red and crossed out.

Staff recommends these amendments because they will strengthen the Town's ability to require quality development by incorporating quality building materials. These design standards will determine how the Town will "look" as growth pressure increases, while also creating a, "Sense of Place" that exhibits the Town's brand and individuality. A detailed presentation will be presented on these items during the Town Council Meeting.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission considered this amendment at their October 25, 2016 meeting. The Planning and Zoning Commission recommends approval of this text amendment with the inclusion of stucco as a material option in the Highway Business District, with a no greater than twenty-five percent (25%) limitation.

REQUESTED ACTION BY TOWN COUNCIL

Motion to make recommendation of approval, denial, or approval with revisions on:

Option 1: Should the Commission vote to recommend Option 1, staff requests the Commission set a public hearing on the draft text amendments to Article 9, Building and Lot Type Standards of the Midland Development Ordinance for the December 13, 2016 regular Town Council meeting and authorize staff to advertise.

Or

Option 2: Consider amendments to the Future Land Use Map in the Town Plan 2030 Land Use & Comprehensive Master Plan Revision 2 on a case by case basis as requests are received.

Motion was made by Councilmember Hartsell and seconded by Councilmember Burnette to have staff advertise for a Public Hearing on the draft text amendments to Article 9, Building and Lot Type Standards of the Midland Development Ordinance, (Option 1) for the December 13, 2016 Regular Town Council meeting, 4293 Hwy. 24/27 E, Midland NC 28107 at 7:00pm. **Motion carried 3-0.**

10. Engineering: Town Engineer- *R. McMillan*

- a. *SR Barberry Storm Drainage Upgrades with Power Point presentation

Mr. McMillan reported the following:

- The Town received complaints from one of the residents concerning storm drainage;
- Staff took pictures and talked to a few residents;
- Staff looked at the system- the ditch line on one side of the road. Another area however has been piped in over the years- the timing of that is undeterminable. The state doesn't have any records of when this was done so likely it was done without NCDOT's approval;
- Showed photos of the lowest yard. There are holes in the yard that have formed by their HDPE pipe;
- There is a concrete pipe connected with the HDPE pipe and the resident placed roof shingles on top. This is very poor construction;
- Showed photos of inside the pipe and found there are cables. Staff can't determine who those cables belong to;
- The concrete pipe under the driveway is failing on the corners from collapse. This is old plain wall pipe;
- Showed more photos of where dirt is getting into the pipe, clogging it up and creating other problems;
- HDPE pipe is reinforced pipe which NCDOT approves around the state;
- Corrugated metal pipe does not withstand the test of time because it will rust out on the bottom;
- The 2 types of HDPE pipe: Single wall pipe which the NCDOT only allows for slow drains and is non traffic bearing. A double wall pipe has an inside wall and is used in certain situations such as back fill. This is the type of pipe which has been used to fill in the ditches on Barberry Ave;

- Showed photos of catch basins: homemade grates that were put in years ago by residents and ones that NCDOT installed which are made to withstand traffic should a car go over it;
- At house 13365 Barberry, the driveway is settling due to issues with the pipe with holes all down the yard until the water discharges in a certain area;
- If the Town were to do anything, staff recommends not replacing that pipe because it is not the Town's responsibility. Staff could remove the pipe and reestablish the ditch line;
- Mr. McMillan looked up some of NCDOT's codes and they will install the pipe for a person if they are installing a driveway. The property owner has to pay for the pipe and have it transported to the site. Once it is in place NCDOT will take care of the pipe should it ever fail- typically 20' of pipe in the driveway. However if the property owner decides to pipe in a ditch line in the yard, they still need permission from NCDOT. They also need to approve the material, drop inlets, catch basins and yard inlets that way water can get off the road and enter the system. If not done this way there will be problems with the road. If the pipe ever fails in the yard, this is fully the owner's responsibility;
- If the Town wishes to assist this is the recommendation:
 - Remove the lower portion of HDPE pipe;
 - Reestablish a ditch line from the driveway to the outlet;
 - Replace the concrete pipe under the driveway and upgrade it to the approved pipe;
 - Repair the driveway;
 - Rebuild the drop inlet besides the driveway;
- There are other holes and sink holes on the property next to 13365 Barberry;
- Mr. McMillan could not speak with that property owner but did speak with the next 2 property owners up and neither one is having any difficulties or issues with the pipe in the yard.

If the Town wants to do this, it would cost approximately \$5,000.

Under direction of Mr. Paris, staff would like to come back before Council with a few quotes at the December 13, 2016 meeting and see if this is something Council wants to pursue.

Discussion:

Councilmember Hartsell: Who initially called staff out to Barberry about this?

Mr. McMillan: The homeowner with all the holes in the yard.

Councilmember Hartsell: Do we know how long those people have lived there? Were they part of the original problem?

Mr. McMillan: The citizen said she purchased the house a few years back then found out later that the problem has been there a long time.

Councilmember Hartsell: In my opinion if the problem is in the road the Town has an obligation to fix it. If the property owners created the water problem it's their fault. If Council feels it's the Town's responsibility, we may be doing this kind of thing all over Town.

Mr. McMillan: The Town would be opening the ditch. The only pipe to replace is the one under the driveway that appears to be failing. We have to make a connection to that existing pipe. This is where the yard inlet comes in so we would replace what's under the driveway then open up the rest of the ditch.

Mayor Kitts: You said we have to fix the driveway so do we have to take everything out beneath it?

Mr. McMillan: "Correct", in order to fix that pipe you have to cut a section of the driveway out and put it all back together.

Mayor Kitts: This is the Town's responsibility?

Mr. McMillan: At least with the drainage aspect. The Town's responsibility is to provide adequate drainage along streets. This could be the ditch or a pipe system. Once it's in the right-of-way then it's our responsibility to maintain. Since these are plastic pipes, they were put in for the convenience of the property owner. Those pieces in-between the driveways are not the Town's responsibility.

Attorney Fox: Have you determined where the Town's right-of-way is?

Mr. McMillan: I have not actually looked at it and I haven't found the irons but telephone poles are typically right behind ditch lines. The right-of-way is typically 15' from the center of the road. I haven't looked at any deeds but NCDOT and most other cities maintain back of the ditch.

Councilmember Hartsell: The homeowners need to know that this is something that cannot be mowed. Do they want to deal with some holes here and there? That pipe might last another 20 years.

Mr. McMillan: I spoke with the property owner and told her that this would be a preferred option.

Councilmember Hartsell: I don't know what the percentage is with the run off. I'm sure you have the calculations on that. The ditch would probably need to be pretty deep.

Mr. McMillan: The one thing we have to be careful of as a town is liability with something within the right-of-way.

Attorney Fox: The Town has the absolute responsibility to keep its streets and roads free of known defects. The question is if this constitutes a defect which could create exposure for the Town. We need to make a determination whether or not to repair the holes. The other issue is whether you need a temporary easement from the property owner to work outside of the right-of-way to determine and construct the slope of the ditch.

Mr. McMillan: We can take a look at the deed and the right-of-way to see what's there. We could get written permission from the property owner releasing the Town since we are fixing the drainage problem.

Mr. Paris: As the Town brings state roads into its ownership, these are the things we have to think through because we are not just getting the maintenance of the roads, we're getting the maintenance of the stormwater infrastructure and the right-of-way. Being a relatively new town we don't have an established policy on this. We can start establishing a practice that the Town uses in order to handle these matters in the future.

Mayor Pro Tem Crump: I don't think we should fix the pipe under the driveway if it isn't broken.

Councilmember Hartsell: As we continue to grow we are going to have more of these issues especially in Old Midland. These are things we definitely have to look at.

Mr. Paris: We have \$81,988.00 budgeted in the Powell Bill Fund. Later in the meeting you will learn that the McManus Meadows paving project came in under budget so there are adequate funds in the current year's budget to tackle this problem. Staff wanted to get Council's opinion on this because it is going to set precedence throughout the Town.

Mayor Pro Tem Crump: How much shoulder will there be with the open ditch?

Mr. McMillan: I want to try to maintain a 4-5 foot shoulder.

Mr. McMillan: Under direction from Mr. Paris we intended to bring quotes forward for the next meeting. My estimate is basically for removing roughly 100' of pipe and grading a ditch. Staff will go back out to take a better look at the driveway pipe and if it's acceptable we will look at leaving it and just open up the ditch. This may be something along the lines of \$2,000. Staff will also check on right-of-ways.

Council gave consensus for 2 quotes for replacing the driveway pipe and ditch work and 1 quote for the ditch work only.

b. *SR Water System Goal- Update

Mr. McMillan reported the following:

- Goal- Continue to find ways to improve the water and sewer infrastructure in the Town of Midland, including the completion of the Basin Plan for the Pepsi quadrant and studying the ability to add a second water storage tank near the Town's industrial cluster;
- Adding another water tank:
 - Current water pressures in the industrial area are in the range of 130-145 psi – good pressures, slightly high.
 - Adding another water tank in the industrial site could create two problems:
 - It would require the creation of another pressure zone for operations. If not, the new water tank would be around 320 feet tall.
 - Adding additional storage volume creates a water quality issue. Not enough usage and the water becomes stagnant and possibly produces disinfection byproducts such as trihalomethanes (TTHMs) and haloacetic acids (HAA5) – water quality violations.
 - Problem appears to be related to limited feeds to the area, not storage.
- Talked about how water moves through the Midland area (via a map) and the size of the mains;
- Pressure per PSI as to it relates to elevation;
- Industrial Area Water Improvements:
 - Possible Hydraulic Restriction – Bethel Ave (Resolved).
 - Map appeared to have a 6-inch and 2-inch restriction.
 - Concord has verified there is an 8-inch parallel main.
 - County Park Water Main.
 - County is concerned about lack of use on the 8-inch main within the park – water quality.
 - Model a hydraulic connection with Park & Wallace Rd water main – Concord is to provide data on benefits this week.
 - Estimated costs to install 8-inch main from Wallace to the proposed cul-de-sac on Bill McGee Rd - \$218,000 (2,800 LF @ \$60/LF, plus \$50,000 for RR bore).
 - Depending on how far the County extends their 8-inch main at this time, another 2,500 LF may be required to connect (~\$200,000) at this time.
 - Expect significant rock to be encountered, cost will likely increase by 25% to 50%.
- Industrial Area Water Improvements:
 - Possible Solutions: If Industrial area continues to grow and other parts of the Town, work with Concord on demand levels and long-term capital program to provide for adequate water service – quality & quantity. What could this look like?
 - West Water Loop
 - 12-inch Main from Tank to Industrial Site
 - 26,400 LF of 12-inch water main @ \$120/LF - ~\$3.2 M
 - East Water Loop
 - 12-inch Main from Hwy's 24/27 & 601 to Industrial Site
 - 13,200 LF of 12-inch water main @ \$120/LF - ~\$1.6 M
 - Hwy 24/27 Connector
 - 12-inch Main from Water Tank to 12-inch main on Hwy 601
 - 21,120 LF of 12-inch water main @ \$120/LF - ~\$2.5 M
 - Future Possible Funding: Work with Town Manager to secure EDA Funding Grant.
 - It is likely that not all of these projects will be required – hydraulic modeling and analysis is required.
- The County will have to put an eight inch line into the park for fire protection and structures. They will also be required to put a meter on it. They don't like that because they don't think they will have enough pressure to keep the water fresh;
- Midland has the need for better fire flow. So if a water line runs close to the old quarry, why not tie them together. This makes 3 feeds;
- Asked Concord to look at their model to see what happens when this tie-in is made with the fire flows. This information should be available soon;

- Talked more about connection and flow to and from the pump stations;
- More hydraulic modeling may be needed in the future as demand increases and also developing a CIP program;
- Establishing a loop for flow.

Council and staff discussed the following:

- IPG's fire protection/flow- currently discussing this with the County Manager and County Fire Marshall;
- Corning has enough fire protection on site- a well-designed system;
- Growth in the industrial area and what will be needed to meet the demands there.

c. *SR McManus Meadows Subdivision Road Paving- *Update*

Mr. McMillan told Council the following:

- Blythe Construction finished the paving last week;
- Approximately \$7,000 under budget;
- Showed photos of work in progress and finished work;
- The pavement along the side of the shoulders is a little low. Staff would like to get some quotes from landscapers to fill these areas with topsoil and seed- Staff is estimating \$2,225.

11. Staff Reports:

a. Finance- October, 2016 – *B. Love*

Ms. Love gave the general report as follows:

	Oct 31, 16
1000 · CASH ON HAND	152.59
1004 · GENERAL FUND	1,009,431.10
1040 · UTILITY CAPITAL RESERVE FUNDS	2,093,967.05
1050 · POWELL BILL FUNDS	260,491.32
1060 · CDBG OLD MIDLAND SEWER PROJECT	42,338.78
Total Checking/Savings	3,406,380.84

Councilmember Hartsell asked what is going to happen with the Old Midland CDBG money still in the bank.

Mr. Paris said he has 1 outstanding item regarding a septic tank and is holding onto some of the engineer's invoices until that problem is fixed. Staff is also waiting on a bill from Concord for the capacity fee so when all this is settled, the fund balance will be used. If there is anything left over the remainder will be returned to the state.

b. Manager Comments- *D. Paris*

i. Septic System program:

Mr. Paris presented Engineer McMillan's draft brochure of educational information for septic system customers. It will be posted on the Town Website and the brochures will be available for customers in Town Hall.

Mayor Kitts said she understands that Council wanted to do this as an educational project but still would like to consider the pros/cons of the original project for all of Midland. She asked if a Councilmember is willing to have a conversation with her, WSACC, and the County Health Alliance on this. The reason Council did Cabarrus Acres Phase 1 was because of all the failing systems in that neighborhood. There are probably other failures that Council is not aware of.

Councilmember Burnette said he is not in favor of getting into the septic system business.

Mayor Kitts said it's a way to have a conversation to help Midland residents.

Councilmember Burnette said he's open to listening if Mayor Kitts and someone else on Council is willing to help.

Councilmember Hartsell said he will help yet he's not interested in getting into the septic system business.

ii. Enforcing Ordinances

Mr. Paris said that staff took action to enforce the Town's ordinances related to street construction and street maintenance in the Tucker Chase and Bethel Glen subdivisions. He asked Council's advice on whether or not staff should send letters out to the 2 neighborhoods to make those residents aware that the Town is taking action to protect them. He said that he could prepare a draft letter and have Council approve it. Mr. Paris asked to open the subject up for discussion.

Councilmember Hartsell said it was a good idea because it's important for those citizens to know that Council supports them. Their home values are depreciating due to the road conditions.

Mayor Kitts asked what the cost estimate would be to send the letters.

Mr. Paris said it would be the cost of copies and postage. There are roughly 300 homes.

Mr. Paris ended by saying if there are no objections he would move forward with the letters.

There were no objections voiced.

iii. NC Court of Appeals Regarding Bethel Glen Roads

Attorney Fox said there isn't a decision yet but the case is before the NC Court of Appeals. The briefs have been done and now waiting for the Court to notify Midland of oral arguments. On November 28th, 2016 the oral arguments will be heard.

What Midland can anticipate after the 28th, is that the Court will assign a judge to write the opinion which is generally circulated to the remaining 2 judges. A final decision could come as early as 30 days.

c. *SR Anti-Panhandling Ordinance -*N. Boyden*

Ms. Boyden reviewed her staff report for Council as follows:

Subject Title: Prohibiting Panhandling Ordinance

Topic Highlights/Summary: All Town Staff, Mayor Kitts and other members of Council have observed and voiced concern about people panhandling, specifically at the intersection of Hwy. 24/27 and Hwy. 601. There have been, at times, 8 or more people soliciting at a time to slowing and stopped vehicles with the traffic light change in all 4 directions. Staff, Councilmembers and police are very nervous about someone getting hurt and/or causing vehicle accidents.

These people weave between lanes of traffic approaching vehicles holding buckets asking for money. On several occasions, our officers have asked me if we have an anti-panhandling ordinance because this is a highly dangerous activity at such a busy intersection. Unfortunately the officers cannot disband these groups because the town has no ordinance in place. Nevertheless for safety purposes the officers stay on scene for a period of time observing.

Through researching such ordinances and laws pertaining to panhandling, I have come across The "National Law Center on Homelessness & Poverty", an advocacy group, Supreme Court cases undoing cities' Anti-Panhandling Laws, Criminal Justice Legal Foundation and ACLU court cases challenging anti-panhandling laws, etc.

To note, I could not find anything specific in the state of NC challenging anti-panhandling. Most large and small towns in NC are operating without contest enforcing their own anti-panhandling ordinances.

I would like to refer to our Town Attorney on this matter including if it would be pertinent to allow panhandling by permit only. If done by permit, the fee could be set to a high dollar amount and also allow our fire and police to conduct their annual boot drives for MDA and other charitable organizations they support. Aside, those 2 organizations could have their fees waved if legal to do so.

Staff Request/ Recommendation: Send to Town Attorney for legalities and permit clause.

Funds Needed: Attorney Fees

Motion was made by Mayor Pro Tem Crump and seconded by Councilmember Burnette to authorize the Town Attorney to review the draft Anti-Panhandling ordinance. **Motion carried 3-0.**

d. Mayor's Comments- Christmas Discussion

Mayor Kitts said there hasn't been any discussion/decision on when the Town wants to do its annual Christmas celebration. Traditionally this has been done during the weekend of Concord's Christmas parade but something can be done in early December.

Mayor Kitts showed photos of some possible decorations the Town could purchase to add to the Crossroads lighting.

Councilmember Hartsell asked if the Board could look into hiring a company and leasing the decorations. In doing so the Town wouldn't need to store the decorations and the scene would be a commercial grade production.

Mayor Kitts said if Council wishes staff can look into a company.

Mayor Kitts also asked when Council wants to hold the celebration and put up decorations.

Council then discussed the following:

- The conditions of the Town's current decorations;
- Who will help put them up;
- Whether or not the CCSC marching band can play;
- Whether to purchase the, "Joy" decoration that Mayor Kitts showed photos of;
- Storage;
- Setting a budget for leasing a commercial company;
- Mr. Paris needs time to attain quotes for this year and possibly expanding the budget for 2017.

Motion was made by Councilmember Hartsell to set a budget to decorate for Christmas at no more than \$5,000. **Motion died for a lack of 2nd.**

12. **Adjournment:**

Motion was made by Councilmember Burnette and seconded by Mayor Pro Tem Crump to adjourn the meeting. **Motion carried 3-0.**

Council adjourned at 8:52 pm.

Attest/Seal

Mayor Kitts

Nancy E. Boyden, CMC, NCCMC Town Clerk