

Attendance: Mayor Pro Tem John Crump; Councilmembers: Allen Burnette, Darren Hartsell and Rich Wise; Town Manager, Doug Paris; Town Clerk, Nancy E. Boyden, *CMC, NCCMC*; Finance Officer, Beverly Love; Town Attorney, Anthony Fox; Planning, Zoning & Subdivision Administrator, Kassie Watts, *AICP, CZO*; Town Engineer, Richard McMillan, *P.E.*; Cabarrus County Deputy, Matt Pethel; Midland Firefighter, Dylan Ennis.  
Also Present: Cabarrus County Commissioner Lynn Shue.  
Absent: Mayor Kathy Kitts.  
Late: None.  
Guests: None.

1. **Invocation:** Councilmember Hartsell pronounced the *Invocation*.
2. **Open Meeting:** Mayor Pro Tem Crump opened the meeting at 6:00pm and called the room to order.
  - a. The room stood for the *Pledge of Allegiance*.
3. **Announcements:** Mayor Pro Tem Crump announced the following:
  - a. Rob Wallace Park Dedication is scheduled for April 22<sup>nd</sup> from 10:00am to 2:00pm. Overflow parking is at Bethel Elementary School. Shuttles run 9:30 a.m.-2:15 p.m. Flyers are available at the front table.
  - b. Reminder- "I Love My City Project" is scheduled for April 29 & 30<sup>th</sup>. Please volunteer to help with our annual community projects.

4. **Approval of Agenda:**

**Motion** was made by Councilmember Hartsell and seconded by Councilmember Burnette to approve the Agenda with the following addition: #11d Friends of the Midland Library Committee Town Hall key. **Motion carried 4-0.**

5. **Consent Agenda:** Minutes: Regular Session 3-14-2017; Attorney Bills.

**Motion** was made by Councilmember Wise and seconded by Councilmember Burnette to approve the Consent Agenda as presented. **Motion carried 4-0.**

6. **Public Comment:**

- a. Ms. Bobbi Hague for Partnership for Crime Victims: Kannapolis, NC 28082

Ms. Hague said that the Mayor Pro Tem and Town Manager attended the, "Partnership for Crime Victims" event last Friday morning. She wanted the people of Midland to know is that the, "Partnership for Crime Victims" is for everyone. All of Cabarrus, Rowan and Union Counties are involved with the program. She wanted to make people aware that if there is a crime, there is a place that they can turn to. The first order is to identify victims. Some people seem to think that a person has to be raped, stabbed or shot in order to be a victim; however you can be a victim if your purse was snatched or if your family's home was set on fire; especially in case of a fire, where do you go? The Red Cross will give you funds for a week. What do you do next? The, "Partnership for Crime Victims" has agencies that are a part of the coalition so we will start a repository and as soon as the website is up and running the information will be given to each city council. Also, the first responders are not always police or fire. It may be the neighbor next door and they may not know what to do. So the Partnership is a place where victims can get the information that they need and know ahead of time who they can call. This is the purpose for, "Partnership for Crime Victims". We are hoping that Midland will get involved.

END

- b. Mr. Ron Berry: citizen of 3818 Pelham Ln. Midland proper  
Subject: Update on Saddlebrook 2 Buffer Zone

“In the Town meeting last January, Planner Kassie Watts presented the case that the Town made no mention of removal of the 50’ buffer zone of trees during the public hearing of the rezoning of Saddlebrook 2 in 2013, leaving nothing but a property line separating barren 5,000 square foot lots from wooded 5 acre lots. Yet there is a buffer zone between Saddlebrook 1 and Bethel Glen properties- all traditional city lots. The Turner Plantation community didn’t discover this until December 2016 when the developer removed the trees in the buffer zone. The Town acknowledged their mistake and agreed to, ‘Take up the issue with the developer’. A month later there was no response from the city on the issue.

Removing that buffer zone allowed for an additional 24 houses on the Turner Plantation border that could not have been built otherwise because the lots would have been too small. That’s an additional \$4.5 million in revenue to the developer and \$4.5 million in annual tax revenue base to the Town of Midland.

On February 8<sup>th</sup> I proposed the Town/Developer place a continuous fence between Turner Plantation and Saddlebrook 2 due to safety, liability, and crime issues- pets, children, teenagers and woodland fires in particular. The next day the Town informed me that was not a consideration – ‘That we should be good neighbors.’ On the same day I inquired as to why a fence was not even a consideration. I never received a response or a compensatory proposal from the Town/Developer regarding the buffer issue. On March 28<sup>th</sup> the Town informed me that except for me, the community is, ‘Pleased with the Town’s response’ that I should ‘Stop wasting people’s time.’

Well the community is not pleased with the Town’s response.

Here is a petition signed by every household in Turner Plantation in favor of the Town/Developer constructing a continuous fence.

People make mistakes. I don’t have an issue with that. I do have issue with people not admitting or correcting their mistakes. But let’s be honest here. This was no mistake. The bottom line is that the Town effectively railroaded this project through behind closed doors at the last minute to maximize revenues by adding 87 additional homes and altering the infrastructure of the original project to absolute minimal standards at best with no consideration whatsoever for the surrounding communities- and you don’t even have the integrity to own up to it or the decency to throw us a bone and put up a fence. I want that on public record because someone needs to tell it like it is. If I’m wrong about any of this, prove it.”

END

7. **Public Hearing:** Abandon Section of Fourth Street Right-Of-Way between Parcel 5544-05-6485 & Parcel #5544-05-5361

a. Presentation from Town Planner Kassie Watts

Planner Watts reported:

**BACKGROUND**

Following up on this agenda item from the March 14<sup>th</sup> regular Town Council meeting, staff is requesting the Council consider the final step in the process to abandon a portion of an un-opened platted right-of-way of Fourth Street, by adopting Order (#2107-01).

In February 2017, the Town was approached by Mr. Lynn Davis, on behalf of the American Legion, to obtain a Zoning Compliance Permit (ZCP) in order to construct an accessory structure on their property next to the American Legion building. The American Legion owns parcel #'s 5544-05-6485 and 5544-05-5361, located at 12975 Cabarrus Station Road. Staff reviewed Mr. Davis’s ZCP request and determined the proposed location of the accessory structure was within an unopened platted right-of-way, Fourth Street, shown on the attached exhibit map and highlighted in pink. (Plat Book 8, Map 27 recorded June 13, 1947).

The purpose of this petition is to officially close this portion of Fourth Street.

North Carolina General Statute 160A-299 requires that municipalities proposing to permanently close any street or public alley shall first adopt a resolution declaring its intent to close the street and calling a public hearing on the question.

#### **FINDINGS AND CONCLUSIONS**

Staff has found adjacent property owners who could potentially be impacted, have no issue with the closing of this portion of the right of way, and will not be negatively impacted by the closing of this section of the Fourth Street right-of-way.

Pursuant to N.C.G.S. 160A-299, “upon the closing of a street in accordance with this section, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.” Therefore, being that the American Legion owns the property on either side of the right-of-way in question, this area will be transferred to the American Legion and combined into one tract as opposed to two, thus allowing for the approval of the ZCP for the accessory structure originally requested by Mr. Davis.

#### **POLICY IMPLICATIONS**

The North Carolina General Statutes require Town Council to adopt an order to close the un-opened platted right-of-way.

N.C.G.S. 160A-299 shall apply the following:

1. Adopt a Resolution (#2017-181) declaring its intent to close the street and;
2. Publication of Resolution once a week for four successive weeks prior to the hearing (March 17, 24, 31, & April 7) and;
3. Public Hearing held by the Town Council (April 11, 2017) and;
4. Filing of a certified copy of the order in the Cabarrus County Register of Deeds Office.

Notice of this meeting and this agenda item was publicized, certified letters were sent to adjacent property owners of the subject right-of-way, and signs were posted on the subject right-of-way in accordance with the applicable statute.

The Council may vote to approve or deny Order (#2017-01).

b. Open the Public Hearing

Mayor Pro Tem Crump opened the public hearing at 6:10 pm.

- i. Ms. Pam Barger: Citizen of 2312 Oak Grove Circle, Midland proper:

Ms. Barger said that her property backs up to the American Legion Hall and that she would like to see the Town go forward with the abandonment of the portion of Fourth St.

There were no other comments or questions so Mayor Pro Tem Crump closed the hearing at 6:11 pm.

c. Town Council Discussion and Action

**Motion** was made by Councilmember Burnette and seconded by Councilmember Wise to adopt **Order #2017-01** declaring the closure of said portion of Fourth St. in accordance with NCGS 160A-299. **Motion carried 4-0.**

**ORDER # 2017-01  
ORDER CLOSING UNOPENED PLATTED RIGHT OF WAY OF FOURTH STREET**

**WHEREAS**, Mr. Lynn Davis (American Legion) filed a Petition pursuant to N.C. General Statute 160A-299 requesting that the Town of Midland close a portion of an un-opened platted right of way of Fourth Street, hereinafter described; **and**

**WHEREAS**, the Mayor and the Town Council of the Town of Midland adopted a Resolution on the 14th day of March, 2017 as by law prescribed declaring intent to close this un-opened platted right of way of Fourth Street as described in the Petition filed by Mr. Lynn Davis, and the Town of Midland scheduled a public hearing for April 11, 2017, publishing notice thereof once a week for four consecutive weeks in the Charlotte Observer, a newspaper qualified for legal advertising in the Town of Midland and County of Cabarrus of North Carolina; **and**

**WHEREAS**, all persons entitled to notice, whether by certified mail or by publication of notice, have been notified of the public hearing and afforded an opportunity to express their views, whether in favor of the closing of this un-opened platted right of way of Fourth Street or whether opposed thereto; **and**

**WHEREAS**, a notice of the public hearing was posted as required by law in at least two locations along and upon the un-opened platted right of way of Fourth Street to be closed during the period notice thereof was published in the Charlotte Observer; **and**

**WHEREAS**, the Mayor and Town Council of the Town of Midland find as a fact that no person is adversely affected by the closing of this un-opened platted right of way of Fourth Street; no one is deprived of reasonable means of ingress and egress to his property; nor is it detrimental to the public interest by closing this street hereinafter described.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Town Council of the Town of Midland hereby orders the closing of said un-opened platted right of way of Fourth Street shown on the attached "Exhibit A" map, with the condition that the Town reserves the right to plat and record its utility easements in the described area and the Town reserves the right to construct infrastructure within its utility easements. The area is described as follows:

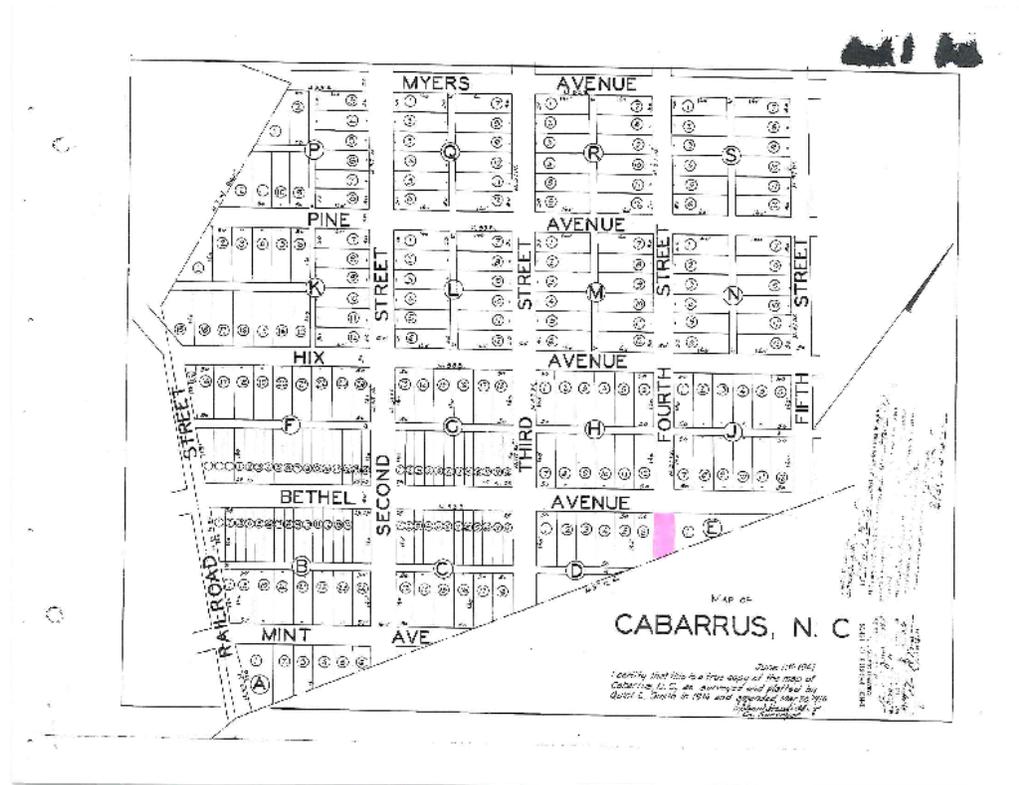
Un-opened platted right of way

Located in Midland Township #10, Cabarrus County, North Carolina and starting at a line extending from the Northeast corner of Parcel #5544-05-5361, owned by the American Legion, southward to the Southeast corner of Parcel #5544-05-5361, owned by the American Legion, then eastward to the Southwest corner of Parcel #5544-05-6485, owned by the Black-Phillips American Legion Post, then northward to the Northwest corner of Parcel #5544-05-6485, owned by the Black-Phillips American Legion Post, then westward to the Northeast corner of Parcel #5544-05-5361, owned by the American Legion. Approximately 100 linear feet of right-of-way, and approximately 4,185 sq. feet in area, plus or minus.

For further reference, see the area designated Fourth Street (Plat Book 8, Map 27)" as shown on that certain plat of survey by R. Quint, 1914, and amended March 20, 1916 by S. Glenn Hawfield, Jr., Co. Surveyor entitled "Cabarrus, N.C.", recorded in the Cabarrus County Register of Deeds Office on June 11, 1947.

2. That a certified copy of this Resolution and Order be recorded in the Office of the Register of Deeds of Cabarrus County.
3. That the costs incidental to the closing of this un-opened platted right of way and portion of Fourth Street be paid by the Town of Midland.

**ADOPTED this the 11<sup>th</sup> day of April, 2017.**



8. **Public Safety:**

a. Police Report - Cabarrus County Deputy Sheriff for Midland

Officer Matt Pethel reported the following for the month of March 2017:

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

- 370 Security checks;
- 59 Traffic stops.

113 Dispatched calls for service- some of which were:

- 10 Burglar alarms;
- 9 Disputes;
- 9 Suspicious subjects;
- 7 Suspicious vehicles;
- 7 Traffic accidents property damage only;
- 4 Traffic accidents with personal injury.

Councilmember Wise requested a copy of the speed radar statistics from Bethel School Rd. when it becomes available.

Officer Pethel concurred.

b. Midland Volunteer Fire Department Report

Firefighter Dylan Ennis gave the Fire Department Report for March 2017:

- 6 Structure fires;
- 5 Residential fire alarms;
- 1 Commercial fire alarm;

- 5 Brush fires;
- 1 Vehicle fire;
- 4 Local alarms;
- 6 Motor vehicle accidents
- 36 Medical calls

**Total calls for service= 64**

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

a. \*SR Future Land-Use Map Revision Adoption

Planner Watts reported the following:

**BACKGROUND**

The Town of Midland 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. If you recall those requests were for the Banks/Massey grading project, Queen's College, and the Miles Little property. Prior to processing the zoning map amendments, staff had to present a request by the applicant to amend the land-use plan, thereby prolonging the process. Since we were seeing a trend in requests to amend the land use plan and rezone property, staff decided to take a look at the future land use map and to revise it to a more accurate vision of the type of development we expect the Town will experience in the future.

Staff has been working with the Planning and Zoning Commission at their regular meetings since last fall to review the existing Town Plan 2030 Land Use & Comprehensive Master Plan Revision 2 adopted October 8th, 2013, and subsequently amended March 8, 2016 and October 11, 2016, and to give thoughtful consideration to how the Town can facilitate commercial growth in the Midland area.

One component of this exercise was to look at the existing text of the MDO and determine if building and lot design requirements for commercial development, outlined in Article 9, Building and Lot Type Standards, should be further clarified. The standards were strengthened and adopted by the Town in December 2016. With the Zoning Text Amendments completed staff circled back to the discussion on how much of the corridor to include (depth), how far (distance) it should extend as well as specifics on the Town's study preference in reviewing this potential FLU map amendment.

Staff began the FLU map revision process by starting at the Mecklenburg County line and working our way back towards town. The Mecklenburg County line is a critical area for future development, and it is critical that development around the county line is seamless and not disjointed. Staff reviewed the future land use plans for Charlotte and Mint Hill to be informed as to what those municipalities foresee developing along the county line, that our plan for the adjacent area along the county line will be complimentary to that development. This is reflected in the future land-use map you will be reviewing Tuesday, April 11, 2017 at the regular Town Council meeting.

Working our way back down NC Hwy 24/27 toward town please note the increased amount of future commercial areas along major intersections and nodes consistent with the trend we've seen with the requests from Massey grading, Queen's College, and Miles Little. This trend is reflected in the future land use map before you. If you remember the town also strengthened the design criteria so that commercial development along the corridor will be quality development and aesthetically pleasing. This was an important change.

Working our way off 24/27 we envision the areas west of 601 developing predominantly as single family residential uses, while the areas east of 601 and along the river will be preserved long-term as agriculture. Preservation east of 601 is not only consistent with Concord's long-range plans, but is important to preserve the Town of Midland's rural heritage and feel.

This future land use map revision is more accurate than the current one given the type of development the town will experience over the next 10-20 years. It is purely a conceptual plan and adoption does not change anyone's current zoning or impact taxes. The P&Z Board and Town Council still has the authority as development projects come up to either choose to rezone the property or not based on your judgement at that time as to whether the rezoning would be appropriate.

#### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission considered these revisions at their March 28, 2017 regular meeting unanimously recommended approval of the FLU map revision.

#### **Discussion:**

Councilmember Hartsell: Growth is a continuous thing so we have to adapt the best we can. I think it's a good thing.

Councilmember Wise: The Planning and Zoning Commission and staff have been looking at this for several months. There was a lot of thought put into it.

**Motion** was made by Councilmember Wise and seconded by Councilmember Hartsell to adopt the Future Land Use Map revision, dated April 11, 2017, to the Town Plan – 2030 Land Use and Comprehensive Master Plan Revision 2 adopted October 8<sup>th</sup>, 2013, and subsequently amended March 8, 2016 and October 11, 2016. **Motion carried 4-0.**

#### b. \*SR 627 Acre HWY 601 Solar Farm

Planner Watts report is as follows:

Re: Cabarrus County – Conditional Use Permit Request for McBride Solar Farm Project

#### **BACKGROUND**

The Town of Midland has received several calls from citizens regarding a Cabarrus County Zoning Hearing sign posted on the eastern side of US Hwy 601, across from Cal Bost Road. The Cabarrus County Planning Department provided the Town of Midland with a copy of the proposed site plan and has requested the Town provide feedback and/or comments on the proposed project. The McBride solar farm project is proposed to be located off US Hwy 601 within the unincorporated jurisdiction of Cabarrus County, adjacent to the Town of Midland corporate limits. The proposed project is comprised of multiple parcels encompassing approximately 627 acres is a permitted use in this location, provided they obtain Conditional Use Permit approval from the Cabarrus County Board of Adjustment.

#### **REQUESTED ACTION BY TOWN COUNCIL**

I will review the proposed site plan during the meeting and gather your feedback so it can be shared with Cabarrus County.

#### **Discussion:**

Councilmember Burnette: Do solar farms pay taxes or are they deferred? Will taxes be paid to the County based on the panels?

Ms. Watts: I don't know but I'll find out. One of the requirements to get the Conditional Use Permit is to remove the panels when they are no longer in use.

Councilmember Hartsell: Most of the solar farms leases are on average 30 years from what I understand. When I look at the plan I wonder how it is going to benefit the Town of Midland.

Ms. Watts: Midland allows solar farms in the Industrial zones only. The Town's Land Use Plan calls for that area to remain agricultural conservation. No industrial is slated for that area.

Councilmember Wise: Are there houses close to Midland's Town limits where the farm is going to be?

Ms. Watts: There are houses but I'm not sure how visible they're going to be to the solar farm.

Mayor Pro Tem Crump: Does the solar farm go back to Mt. Pleasant road?

Ms. Watts: It's a combination of multiple parcels.

Councilmember Hartsell: Another thing to take into consideration is that 627 acres is a tremendous amount of land. The one we have in Midland is about 40 acres. 627 acres is a tremendous footprint. I wonder about the amount of energy drawn into that area and the safety of the people who live close by and the valuation of their homes.

Ms. Watts: The adjacent property owners should have been notified by the County for the public hearing. However the hearing was tabled so it won't be heard this month.

Councilmember Wise: If the property owners don't have any houses on their parcels it would still affect them in the long run because people don't want to build on property that close to a solar farm. I think it devaluates property.

Mayor Pro Tem Crump: What type of zoning does the County allow for solar farms?

Ms. Watts: Countryside Residential and AG Open Space.

Ms. Watts: The County will need a Conditional Use Permit. I'm not sure what all the supplemental standards are. They need to have the public hearing and prove the Findings of Fact essentially- indicating what the project is appropriate for this area. It will also need to prove how it will affect adjacent property owners.

Councilmember Hartsell: Due to the size there are a lot of questions Council can return to the County.

Councilmember Wise: The Town went through this with the other solar farm on Bethel Ave Ext. The County ignored Midland's wishes not to put that solar farm there. The County will make their decision regardless with the McBride solar farm. I'm not in favor of a 627 acre solar farm so close to the Town.

Ms. Watts said that the County wants Midland's comments back by this Friday. Staff will craft a response based on tonight's discussion.

Mayor Pro Tem Crump: Please prepare the comments and send them to Council so members can add to it as they deem appropriate.

c. Planning Projects- *Verbal Update*

Planner Watts' planning project overview:

- Saddlebrook 2: Staff received a letter of response from the developer True Homes in regards to efforts to have them work with the adjacent property owners to find some solution to the removal of the buffer. They submitted a letter on March 22<sup>nd</sup>, 2017. The letter basically said that True Homes continues to manage the construction and development process for the owner, Dependable Development, Inc., in the referenced project, Brentwood. The letter was a formal response to the request to implement the 50' buffer that was posed by the adjacent landowners during a meeting at Town Hall on February 14<sup>th</sup>, 2017. True Homes discussed the request with the owner and after much review has determined the impact of a 50' buffer would require work stoppage, full site re-engineering and demolition of current infrastructure. Such an impact would result in a financially infeasible development, i.e. the cost to re-engineer and construct the development would be more than the assigned value of the lots when complete. In conclusion it's been determined that a 50' buffer cannot be implemented. They will continue to be good stewards of the community and impose as little impact on the neighbors as possible.

They continue to work through issues with the Army Corps of Engineers and cannot do anything in the wetland areas for the time being. However they are installing infrastructure at the front;

- Allen Mini Storage: Progressing;
- Banks Massey: They have an approved grading plan. Staff is working to help them with remaining permits needed and provide them a full site plan approval;
- Bethel Park: No new news;
- Jordan’s Dental: Still hasn’t paved their parking lot but should be finished soon.

Councilmember Hartsell said during the meeting with True Homes on Brentwood the 50’ buffer was discussed and he knows it can’t be restored. A type of berm was also discussed but that doesn’t look feasible either due to topography. He asked if anything was discussed about plant life. There must be something that can be done.

Engineer McMillan said as a follow up to the meeting, staff had discussions about planting trees and fences but they haven’t gotten anything definite on those possibilities from the developer. Currently they are struggling with fixing the site. All parties have been trying to work out the issues on the site since the earliest design. Once those infrastructure issues are resolved, staff will get more information as far as a buffer i.e. planting trees, a berm etc. The site is currently just a rock yard. There is no topsoil out there. Staff has walked the lot and met with some neighbors from Bethel Glen about the merging between the 2 neighborhoods and talked about possible solutions. Planting of trees is still on the table but staff hasn’t gotten that far with the developer yet.

Councilmember Hartsell said that he doesn’t want the problem to be let go. There has to be options.

Mr. Paris said that he will be happy to reply to the developer’s letter to that effect. That way there is something in writing from the Town.

**10. Engineering:** Town Engineer- *R. McMillan*  
 a. Update on CMAQ Project

Engineer McMillan provided an update as follows:

- Approximately 2 weeks ago NCDOT said that they are currently in, “interagency review”;
- Being federal money is involved there are a lot a steps to take with this project on their part. There is more paperwork than construction;
- Hopefully the Town will get the go ahead by the 1<sup>st</sup> of May;
- The governmental process takes time but staff will continue to get updates every few weeks.

Mayor Pro Tem Crump asked how long it typically takes to get a response back.

Mr. McMillan said that the state is administering the money from the federal government so it takes time. It also depends on what is top priority on someone’s desk.

**11. Staff Reports:**  
 a. Finance Report-March 2017 – *B. Love*

Ms. Love reported the following on the cash accounts:

				<b>Mar 31, 17</b>
<b>Checking/Savings</b>				
		<b>1000 · CASH ON HAND</b>		167.46
		<b>1004 · GENERAL FUND</b>		1,245,869.54
		<b>1040 · UTILITY CAPITAL RESERVE FUNDS</b>		2,096,117.11
		<b>1050 · POWELL BILL FUNDS</b>		228,255.28
		<b>1060 · CDBG OLD MIDLAND SEWER PROJECT</b>		14,124.31
		<b>Total Checking/Savings</b>		<b>3,584,533.70</b>

Ms. Love also said that the remaining CDBG money is being sent back to the state because the Town did not use it.

- b. Manager Comments- *D. Paris*
  - i. \*SR Interceptor Utility Purchase & Budget Amendment *Ordinance #2017-210*

**Background:**

At the last town council meeting you learned that Officer Rominger was involved in a pursuit and rolled his patrol unit, which was subsequently totaled. Fortunately, Officer Rominger only suffered minor injuries. Staff has worked since the accident to process the insurance claim and prepare quotes for the purchase of a replacement vehicle.

In order to get the best price, staff is recommending that we piggyback on another unit's bid. Typically, when a local government goes to purchase one unit at a time they do not get as good of a price as when that unit purchases multiple units at a time. In order to develop a solution to this problem, purchasing professionals and the General Assembly developed a way to allow local governments to piggyback on another local government's large bid to get the same beneficial price.

Staff is recommending the town piggyback on the NC Sheriff Association's bid like we did several months ago when we replaced Officer Harkey's patrol unit. Asheville Ford won that bid. In your packet there is a quote from Asheville Ford for the Town of Midland. Page 5 outlines the total price of \$28,871.31. This price includes two options added by town staff: wheel covers to cover the black steel wheels and rear AC. The wheel covers are needed to maintain a similar appearance to the other units in the Sheriff fleet. The rear AC was recommended by Cabarrus County garage staff. They have multiple Utility models in service, and one of them with no rear AC (only front AC). They reported to me that this unit struggles to keep cool during the summer.

Also in your packet is a spreadsheet and additional backup outlining the costs beyond the purchase price that will be incurred to place the unit into service. The bulk of this cost is for the equipment and labor required transitioning the unit from stock to operational as a patrol vehicle. Staff did include a contingency amount in the spreadsheet and budget amendment in case anything popped up during the outfitting process. This would mean that item could be handled without having to call a special meeting to pass a second budget amendment. This was done as a matter of convenience for the staff and the board.

**Asheville Ford Lincoln  
 Pricing - Single Vehicle**                      MSRP    Vehicle Pricing \$33,600.00

Pre-Tax Adjustments	
Description	
Fleet Concession	-\$2,600.00
DEALER DISCOUNT	-\$3,025.91
<b>Subtotal</b>	<b>\$27,974.09</b>
Sales Taxes	
Description	
NC State Sales Tax	\$839.22
<b>Subtotal</b>	<b>\$28,813.31</b>
Post-Tax Adjustments	
Description	
Government Permanent Tag	\$58.00
<b>Total</b>	<b>\$28,871.31</b>

**Discussion:**

Councilmember Wise asked if the County is loaning the Town a vehicle at this time.

Mr. Paris answered that the Sheriff's Dept. has multiple spare vehicles and is loaning Midland one now.

**Motion** was made by Councilmember Wise and seconded by Councilmember Burnette to authorize the Town Manger to execute a purchase agreement with Asheville Ford in an amount not to exceed \$28,871.31 and adopt the corresponding Budget Amendment **Ordinance #2017-210. Motion carried 4-0.**

Town of Midland Ordinance #2017-210 FY 2016-2017				
BE IT ORDAINED by the Governing Board of the Town of Midland, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2016:				
Section 1. To amend the Midland Budget 2016-2017 to apply insurance proceeds to buy and equip a new officer's vehicle.				
	Current			Amended
Description	Budget	Increase	Decrease	Budget
Insurance Proceeds	15,800.00	\$ 13,881.00	\$ -	\$ 29,681.00
Capital Outlay-Public Safety	-	\$ 39,124.00		\$ 39,124.00
GF Fund Balance Appropriation	\$ 71,882.00	\$ 25,243.00		\$ 97,125.00
Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.				

ii. Other Comments

Mr. Paris said that staff recommended adding an Executive Session at the start of the meeting.

**Motion** was made by Councilmember Wise and seconded by Councilmember Hartsell to amend the Agenda to add Executive Session #12a [N.C.G.S. 143-318.11(a)(4)] To discuss matters relating to the location or expansion of business in the area served by this body and #12b Executive Session [N.C.G.S. 143-318.11(a)(3)]. Consult with the Attorney to protect the attorney-client privilege. **Motion carried 4-0.**

c. Mayor's Comments- **K. Kitts**

i. "I Love My City Project"- **D. Hartsell**

Councilmember Hartsell said that he met with executives from McGee's Construction and they road to the 3 Town welcome sign locations. McGee's offered to replace the wooden signs with brick. The new signs will be mounted into the brick. He also contacted Metrolina Mulch and they will donate pine needles.

The project will start on Saturday April 29<sup>th</sup> at 8:00am and should be finished by noon. Volunteers will meet at Town Hall that morning. He also asked if anyone would like to help with the signs or donate some plants for the beds surrounding the signs.

Mr. Paris said Mayor Kitts has some other ideas that she's coordinating but they are not solidified yet. The main focus right now is the welcome signs project.

Mayor Pro Tem Crump added that there are vests and NCDOT trash bags at Town Hall so if anyone wants to pick up trash on their streets, these items are available.

d. Friends of the Midland Library Town Hall Key

Minutes Tuesday, April 11, 2017  
Regular Meeting of Town Council  
6:00pm, 4293-B Hwy. 24/27 E. Midland, NC 28107

Mayor Pro Tem Crump said that being the FOML meets at Town Hall each month, the president, Ms. Margaret Houston should be given a key to the Council Chambers.

**Motion** was made by Councilmember Wise and seconded by Councilmember Hartsell to have Manager Paris set up access to the Town Hall Chambers to Ms. Margaret Houston so that the Friends of the Midland Library can hold their committee meetings- held on the 3<sup>rd</sup> Tuesday once a month. **Motion carried 4-0.**

**12. Executive Session:**

- a. [N.C.G.S. 143-318.11(a)(4)] To discuss matters relating to the location or expansion of business in the area served by this body.
- b. [N.C.G.S. 143-318.11(a)(3)] Consult with the Attorney to protect the attorney-client privilege.

**Motion** was made by Councilmember Wise and seconded by Councilmember Burnette to enter Executive Session [N.C.G.S. 143-318.11(a)(4)] and b. [N.C.G.S. 143-318.11(a)(3)] inviting Attorney Fox, Manager Paris, Town Clerk Boyden. **Motion carried 4-0.**

**Council and guests entered both sessions at 7:10 pm.**

**Motion** was made by Councilmember Wise and seconded by Councilmember Hartsell to re-enter Regular Session. **Motion carried 4-0.**

**Council re-entered at 7:36 pm.**

**13. Adjournment:**

**Motion** was made by Councilmember Wise and seconded by Councilmember Hartsell to adjourn the meeting. **Motion carried 4-0.**

**Council adjourned at 7:38 pm.**

Attest/Seal

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Mayor Kitts

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Nancy E. Boyden, CMC, NCCMC Town Clerk