

MINUTES – June 15, 2020

The Board of Aldermen of the Town of Gibsonville met at 7:00pm for a regular meeting in the Town Hall. The meeting was called to order by Mayor Williams. Alderpersons Shepherd, Owen, O’Toole, Pleasants, and Maizland were present. Ben Baxley, Town Manager, outgoing Town Clerk Laurie Yarbrough and incoming Town Clerk, Gina Griffeth, were present. Police Chief Ron Parrish, Public Works Director Rob Elliott, Recreation Director Mike Dupree, and Lt. BJ Korn were in attendance. Due to the Covid 19 event, the board meeting was held live on Gibsonville Facebook and by telephone for those that had no internet access. No members of the public were present.

Invocation – Mayor Williams

Mayor Williams gave the invocation and led the Pledge of Allegiance.

Public Comments

There were no public comments.

Approval of Agenda

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the agenda. The motion passed unanimously.

Approval of Minutes

Alderman Owen, seconded by Alderwoman Maizland, made a motion to approve the minutes of June 1st, 2020. The motion passed unanimously.

Ordinance Amendment to Chapter 97: Streets and Sidewalks, Section 97.28 Benches and Chairs on Sidewalks

Ben Baxley, Town Manager, stated that this is a continuation of the discussion from the June 1st, 2020 meeting. Chief Todd of the Gibsonville Fire Department has performed an assessment and found no areas of concern regarding ADA compliance on sidewalks. The ordinance amendment would allow tables, chairs, benches, etc... on an annual permit basis and at the discretion of the Town Manager or his or her designee. The existing ordinances of several surrounding towns were used as examples. The Town of Elon’s current ordinance best fit our needs as they also share sidewalks within a NC DOT right of way.

Alderman Pleasants asked about a permit fee. He stated that he was good with no fee as the goal is to enhance businesses.

Alderwoman Maizland asked if the permit would be limited to Main Street and Lewis Street.

Ben Baxley stated that it would not be limited to Main Street and Lewis Street and would apply to the entire town. However, the 36” of minimum passageway will limit where items can be placed under the ordinance. He also stated that the ordinance has a section addressing alcoholic beverages. Alcohol will be allowed, but businesses will have a hard time complying due to the requirement of a physical barrier around the seating area. The ordinance has been reviewed by Doug Hoy, Town Attorney.

Alderman Pleasants, seconded by Alderman Shepherd, made a motion to open the public hearing.

There were no public comments.

Alderman Shepherd, seconded by Alderman Owen, made a motion to close the public hearing.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve Ordinance Amendment to Chapter 97: Streets and Sidewalks, Section 97.28 Benches and Chairs on Sidewalk. The motion passed unanimously.

**ORDINANCE TO AMEND TOWN OF GIBSONVILLE CODE OF ORDINANCES
TITLE IX: GENERAL REGULATIONS BY AMENDING SECTION 97.28 BENCHES AND CHAIRS
ON SIDEWALK**

WHEREAS, a public hearing was advertised and a public hearing was held at a regular Board of Aldermen meeting on June 1, 2020; and

WHEREAS, the board wishes to attract businesses to the downtown area; and

WHEREAS, staff has received requests from downtown businesses that they be allowed to place tables and chairs on the sidewalk in front of their business; and

WHEREAS, the current ordinance, Chapter 97: Streets and Sidewalks, Section 97.8 Benches and Chairs on Sidewalk does not allow for tables and chairs on sidewalks; and

WHEREAS, staff recommends allowing benches, chairs, tables, etc related to the business... on downtown sidewalks as long as they are not permanent structures and are compliant with the ADA regulations; these are to be approved by the Town Manager or his or her designee;

Section 97.28 BENCHES AND CHAIRS ON SIDEWALK

No person, firm, or corporation shall build, erect, construct, place or maintain any benches or chairs or other obstructions whatsoever in or over any of the streets or sidewalks of the town unless permitted by the Town Manager or his or her designee by the following provision:

State Law reference— Use of certain right-of-way for sidewalk dining, G.S. 136-27.4.

(A) Purpose and applicability of article

The provisions of this article shall apply to the establishment, operation and maintenance of sidewalk cafes on public rights-of-way in zoning districts where permitted by the Town of Gibsonville, and where applicable the Town has entered into an agreement with the North Carolina Department of Transportation pursuant to G.S. 136-27.4 for sidewalk dining activities.

The purpose of this article is to promote the general economic development and atmosphere of these districts for the benefit of all businesses and citizens located there, and no rights of individuals or individual businesses are created in this article. The Town Manager or his or her designee shall have broad discretion to grant, modify or revoke permits issued pursuant to this article in the interests of improving the public health, safety and welfare.

(B) Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Administrator. The Town staff person responsible for administration and permitting under this article.

Encroachment. Stands, tables, umbrellas, chairs, displays, signs, banners, flags, objects related to the business, or other items for sale on the public right-of-way, sidewalk or common area on public property.

Outdoor cafe. The placing, locating or permitting of the placing or locating of chairs and tables on the right- of-way, such as sidewalks, adjacent to a business licensed to operate as an eating establishment where food and/or other refreshments are served, or upon public property within designated areas.

Permittee. The recipient of an encroachment permit under the terms and provisions of this article.

Sidewalk. That area of the public right-of-way between the curb lines or the lateral lines of a roadway and the adjacent property lines reserved for pedestrian traffic, not including street crossings.

(C) Permit required

1. It shall be unlawful for any person to create, establish, operate, maintain or otherwise be engaged in the business of running a sidewalk cafe, or place any items upon the sidewalks or public property, where permitted unless such person shall hold a currently valid permit issued under the terms of this article. Such permit shall be issued for a term of one year upon satisfactory completion of a sidewalk café permit application and related information required by this chapter.
2. Should a property owner or occupant establish a sidewalk café without first obtaining the necessary permit, the Town shall deliver a notice of violation to the owner or occupant. The owner/occupant shall immediately remove tables, chairs and related objects and submit all required permit materials to the administrator if he/she wants to provide sidewalk dining. If the same owner/occupant reestablishes the sidewalk café within 180 days of the initial violation without having obtained the required permit, the Town shall not be required to give notice and may institute civil action against the owner or responsible person. If the violation persists, the Town may take criminal action against the owner or responsible party.

(D) Application for permit

1. Application for the permit required by this article shall be made at the office of the Town Manager in a form deemed appropriate by the Town Manager. Such application shall include but not be limited to the following information:
 - (a) Name, home and business address and telephone number of the applicant, and the name and address of the owner of the business if other than the applicant.
 - (b) Name and telephone number of a responsible person whom the Town may notify or contact at any time concerning the applicant's encroachment.
 - (c) Name, address and signature of landlord if the applicant is not the owner of the property on which the business is located.
 - (d) Name, address and telephone number of all contiguous property owners when any portion of the proposed outdoor seating area is located within a public alley.
 - (e) Proof of current liability insurance, in compliance with standards set by the Board of Aldermen, issued by an insurance company licensed to do business in the state, protecting the licensee and the Town from all claims for damage to property and bodily injury, including death, that may arise from operation under or in connection with the encroachment permit. Such insurance shall be in the amount of \$1,000,000.00 and name the Town as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days' advance written notice to the Town. The policy shall be a minimum required amount as determined by the Town.
 - (f) A sketch to scale of the proposed location showing the layout and dimensions of the existing public area, adjacent private property and pedestrian pathways.
 - (g) Proof of any required ABC license, health permits or other state permits for the business involved.
 - (h) Photographs, drawings or manufacturers' brochures fully describing the appearance of all proposed tables, chairs, umbrellas or other objects related to the business.
 - (i) The operation of the outdoor seating area must be clearly incidental to the associated eating establishment or restaurant.
2. Not later than 15 days after the filing of a completed application for a sidewalk café permit, the applicant shall be notified by the Administrator of the decision on the issuance or denial of the permit.

(E) Form and conditions of permit

1. The permit required by section (C) of this article shall be issued on a form deemed suitable by the Town Manager. In addition to naming the permittee and any other information deemed appropriate by the Town Manager, the permit shall contain the following conditions:
 - (a) Each permit shall be effective for one year from the date of issuance, subject to annual renewal, unless revoked or temporarily suspended prior to expiration.
 - (b) The permit issued shall be personal to the permittee only and shall not be transferable in any manner.
 - (c) The permit may be suspended by the administrator when necessary to clear the public property for public safety for a community or special event authorized by the Town. All items shall be removed by the permit holder when requested by the Town.
 - (d) The administrator may require the temporary removal of items within the encroachment area when street, sidewalk, common area or utility repairs necessitate such action. The encroachment area covered by the permit shall be maintained in a neat and orderly appearance at all times, and the area shall be cleared of all debris on a periodic basis during the day and again at the close of each business day.
 - (e) No advertising is permitted (except for the posting of prices) on any stand or item, except to identify the name of the product.
 - (f) The tables, chairs, barriers, and other furnishings used in the outdoor seating area shall be of a type that is easily movable. These items shall not be permanently affixed to the sidewalk or pedestrian way.
 - (g) No tables or chairs or any other parts of the business shall be attached, chained or in any manner affixed to any tree, post, sign or other fixtures, curb or sidewalk within or near the permitted area. No additional outdoor seating authorized under this article shall be used for calculating seating requirements pertaining to location of, application for or issuance of an ABC license for any establishment or be used as the basis for computing required seating for restaurants and dining rooms, or as grounds for claiming exemption from such requirements under the provisions of any Town ordinance or state law.

- (h) The issuance of a permit does not grant or infer vested rights to use of the area by the permittee. The town retains the right for the administrator to deny the issuance of a permit or the renewal of a permit for any reason. In addition, the Town retains the right for the administrator to suspend or repeal a permit at any time and for any reason. An applicant or permittee may appeal the decision of the administrator denying issuance or renewal of a permit to the Town Manager. The manager shall hear the appeal within ten days and shall render a decision with a week of the hearing.
 - (i) Tables, chairs, umbrellas and any other objects provided shall be maintained with a clean and attractive appearance and shall be kept safe and in good repair at all times.
 - (j) The Town retains the right to suspend the privilege of using glass containers within the encroachment area during major festivals and events and when streets are closed. The use of glass containers will be revoked if an incident jeopardizes the health, safety and welfare of customers or the general public. Any violation of state or local laws may also result in a revocation of this privilege by the administrator for the remaining period of the permit. Repeated offenses may result in revocation or denial of the annual application by the administrator. An applicant or permittee may appeal the decision of the administrator revoking a permit to the Town Manager. The manager shall hear the appeal within ten days and shall render a decision with a week of the hearing.
 - (k) The Town may require the posting or placement of the permit and relevant notices to facilitate the administration and enforcement of this article.
2. The sidewalk café permit is a temporary license that may be denied, suspended or revoked by the administrator for any conduct that is contrary to the provisions of this article or for conduct of the business in such a manner as to create a public nuisance or constitute a danger to the operator's or the public's health, safety or welfare. No property right is created by this article, and the decision of the Administrator shall be final unless appealed to the Town Manager in which case the decision of the manager shall be final.

(F) Layout

The sidewalk dining area shall comply with the following layout and access requirements:

- 1. Tables, chairs, barriers and other furnishings shall be placed a minimum of six feet from any travel lane.
- 2. Tables, chairs, and other furnishings may be placed on the sidewalk but must be located in such a manner so that adequate passing space shall be provided that complies with the Americans for Disabilities Act and such that pedestrians do not have to walk into the street to pass the dining area.
- 3. Tables, chairs, barriers and other furnishings shall be placed so that no driveway, alleyway, building entrance or exit, emergency entrance or exit, fire hydrant or standpipe, utility access, ventilations areas, or ramps necessary to meet accessibility requirements under the Americans with Disabilities Act are obstructed.
- 4. The outdoor seating area shall not block access to public amenities such as bicycle racks, street furniture, trash receptacles, dumpsters, and way finding or directional signs.
- 5. The maximum posted speed permitted on the roadway adjacent to the right-of-way to be used for sidewalk dining activities shall not be greater than 35 miles per hour.
- 6. The permit shall be specifically limited to the area shown on the to-scale sketch attached to the permit application. As a condition of approval, the Town may reduce and otherwise reconfigure the proposed area and the number of requested chairs, tables, and items within the encroachment area.
- 7. The eating establishment or restaurant seeking to operate the outdoor seating area must be located at street level and must front on and open onto the sidewalk or pedestrian way proposed for the outdoor seating area. An unobstructed ADA compliant pedestrian corridor must be maintained between any eating establishment or restaurant entrance and the pedestrian corridor.
- 8. The outdoor seating area may not extend beyond the sidewalk or pedestrian way frontage corresponding to the property line of the eating establishment or restaurant.
- 9. All tables, chairs, benches or other similar objects related to the business must be removed from the sidewalk and secured within the business outside of normal operating business hours.

(G) Alcoholic Beverages

Alcoholic beverages may be served at outdoor dining areas provided the following requirements are met:

1. The outdoor dining area shall be part of a standard restaurant as defined in G.S. 18B-1000, and shall otherwise be authorized, permitted, or licensed under state laws and the Town Code to serve and sell alcoholic beverages for on premise consumption.
2. The portion of the outdoor dining area where alcohol is or may be served shall be delineated by clearly visible barriers and shall not have more than two designated points of ingress and egress.
3. The outdoor dining area must be included as part of the premises for which an ABC permit for a restaurant as defined in G.S. 18B-1000, is issued, pursuant to G.S. 18B-1001, for the purpose of applying and enforcing state laws regarding the sale and consumption of alcoholic beverages on premises.
4. Signs shall be posted, visible at all designated exit points from the outdoor dining area, that it is unlawful to remove alcoholic beverages in open or unsealed containers from the premises. The restaurant operators shall be responsible for insuring that no alcohol is served or consumed outside the designated area.

(H) Prohibited acts

No operator of a sidewalk café shall:

1. Place any tables, chairs or serving equipment on any portion of the public property other than that directly abutting his existing place of business.
2. Place any items that block any driveway, crosswalk, bus stop or counter service window.
3. Sublicense the encroachment area separately to non-occupants of the premises.
4. Use tables, chairs, umbrellas or other objects of such quality, design, materials and workmanship not authorized in the permit or by the Manager or the Manager's designee.
5. Use umbrellas, furniture and decorative material that are not fire-retardant, pressure-treated or manufactured of fire resistive material.
6. Fail to secure permission of the landlord where a building has multiple occupants.
7. Sound or permit the sounding of any device on the public property that produces a loud noise or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device in violation of the noise regulations.
8. Fail to pick up, remove and dispose of all trash or refuse left by the business on the public right-of-way or public property.
9. Store, park or leave any vehicle, truck or trailer within the encroachment area.
10. Set-up an outdoor drink preparation area.
11. Make any alteration to the street or sidewalk except for permanent barriers.
12. Set up tents or cash registers within the sidewalk seating area.
13. Run electrical cords from the eating establishment or restaurant or a town receptacle to the sidewalk seating area.
14. Leave tables, chairs, and other furnishings related to the business on sidewalks past normal operating business hours.

(I) Denial, suspension or revocation of permit; removal of property by Town

1. Grounds for denial, suspension or revocation; removal of property by Town. The Town Manager or his or her designee may deny, revoke or suspend a permit issued under this article at any time for any business authorized in the town if it is found that:
 - (a) Any necessary business or health permit has been suspended, revoked or canceled.
 - (b) The permittee does not have insurance in force that is correct and effective in the minimum amount required by the Town.
 - (c) Changing conditions of pedestrian or vehicular traffic cause congestion necessitating removal of the encroachment. Such decision shall be based upon findings of the administrator that the minimum ADA compliant pedestrian path is insufficient under existing circumstances and represents a danger to the health, safety or general welfare of pedestrians or vehicular traffic.

- (d) The permittee has failed to correct violations of this or conditions of his permit upon receipt of the manager's or his or her designee's notice of the violation delivered in writing to the permittee.
 - (e) The permittee has failed to take positive actions to prohibit violations from reoccurring.
 - (f) The permittee has failed to make modifications upon receipt of the Manager's or his or her designee notice to make such modifications delivered in writing to the permittee.
2. Tables, chairs and other vestiges of the business may be removed by the public works department and a reasonable fee charged for labor, transportation and storage, should the permittee fail to remove the items within 36 hours of receipt of the administrator's final notice to do so for any reason provided for under this article. If the action is taken based on subsection (a)(2) or (3) of this section, the action shall become effective upon the receipt of such notice and the permittee shall have four hours to remove the items.
 3. Notice of denial or revocation. Upon denial or revocation, the manager shall give notice of such action to the applicant or the permittee, in writing, stating the action that has been taken and the reason therefore. The action shall be effective upon giving such notice to the permittee.
 4. Appeals. The permittee shall have the right of appeal and shall give notice of appeal within five working days from receipt of notice. An appeal does not stay the denial or revocation of the encroachment permit. The hearing shall be held within two working days from the date of notice of the request. The permittee or applicant may present witnesses, affidavits and any relevant documentary evidence. Formal rules of evidence shall not apply. The Town Manager shall notify the permittee or applicant of his or her determination in writing.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE TOWN OF GIBSONVILLE: that the Gibsonville Code of Ordinances Title IX: General Regulations, Section 97.28 Benches and Chairs on Sidewalk be amended.

Adopted this 15th day of June, 2020.

Mayor

Attest:

Town Clerk

Mural Initiative Presentation and Discussion

Chelsea Dickey of Motley presented an edited mural based on board recommendations during the June 1st meeting. She stated that she had called each board member individually to ask for input on the bee design. There was not enough of a consensus to have it changed to a yellow jacket, so it remained as is. The background blue was changed to green and the flowers were made to look more rose-like. Chelsea stated that she had the go-ahead from Anna Hendren and the church. Gina Franco is ready to begin painting whenever the board approves the mural. Chelsea will e-mail pictures of the design process as it occurs.

Alderman O’Toole and Alderman Shepherd stated they liked the changes.

Alderman Pleasants stated that he would like to do another mural in the future where there could be community involvement.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the mural design. The motion passed unanimously.

Discussion of date for July Board of Aldermen Meeting(s)

Ben Baxley, Town Manager, stated that the July board of aldermen meetings were set for the 6th and the 20th. Due to the 4th of July holiday, he recommended the board have a single meeting in July.

Alderman Shepherd and Alderman Pleasants stated that a single meeting on July 20th wasn’t a problem.

Ben Baxley stated that it would be a regular monthly meeting on the 20th.

Budget Ordinance Amendment #7

Ben Baxley, Town Manager stated that Budget Ordinance Amendment #7 was needed to account for actual revenues received and cover end of year expenditures.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve Budget Ordinance Amendment #7. The motion passed unanimously.

TOWN OF GIBSONVILLE, NORTH CAROLINA FY 2020 BUDGET ORDINANCE AMENDMENT #7

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 15th day of June, 2020 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

SECTION I. GENERAL FUND

Anticipated Revenues	FY 2020	Amendment	FY 2020
	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Taxes, Current Year	2,956,000	-	2,956,000
Taxes, Prior Years	25,150	-	25,150
Motor Vehicle Tax	372,000	-	372,000
Penalties & Interest	12,000	-	12,000
Cemetery	10,000	-	10,000
Recreation	82,000	-	82,000
Sanitation Service Charge	306,000	-	306,000
Interest on Investments	8,000	-	8,000
Fire District Tax (Guilford)	14,400	-	14,400
Library	2,000	-	2,000
Transfer Perpetual Care	2,700	-	2,700
Sale of Fixed Assets	10,000	-	10,000
Guilford County Funds	55,500	-	55,500
Code Enforcement/Planning	8,000	-	8,000
Brush/White Goods Pickup Fees	2,000	-	2,000
Miscellaneous	36,376	-	36,376
GHA	2,340	-	2,340
Stormwater Fee	32,000	-	32,000
Solid Waste Disposal Tax	4,600	-	4,600
Intangible: Sales Tax (Alamance Co.)	921,000	-	921,000
Intangible: Sales Tax (Guilford Co.)	488,500	-	488,500
Utility Franchise	400,000	-	400,000
Beer & Wine	30,000	-	30,000
<i>Library State Aid Grant</i>	4,704	446	5,150
Governor's Crime Commission Grant	24,490	-	24,490
Powell Bill Funds	192,000	-	192,000
Appropriated Federal Drug Funds	43,670	-	43,670
Appropriated Fund Balance - Powell Bill	42,265	-	42,265
Appropriated General Fund Balance	562,921	-	562,921
Appropriated Recreation Capital Reserve	30,033	-	30,033
Transfer From Community Center CPF	12,568	-	12,568
Transfer From Sewer Rehab CPF	359,500	-	359,500
<i>Total Anticipated Revenues</i>	<i>7,052,717</i>	<i>446</i>	<i>7,053,163</i>

Authorized Expenditures

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Governing Board	68,346	-	68,346

<i>Administration</i>	1,143,474	35,000	1,178,474
Police	2,184,065	-	2,184,065
Fire	1,070,619	2,000	1,072,619
Public Works	1,491,214	-	1,491,214
Powell Bill	144,765	-	144,765
Recreation	714,265	-	714,265
Library	178,469	3,446	181,915
Cemetery	17,500	-	17,500
Contingency	40,000	(40,000)	-
Total Authorized Expenditures	7,052,717	446	7,053,163
	0		0

SECTION II. WATER & SEWER

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Anticipated W&S Revenues			
<u>Water Revenues</u>			
Water Service Fees	815,000	50,000	865,000
Tapping Fees	1,000	-	1,000
Meter Setting	13,000	-	13,000
Reconnection Fees	45,000	-	45,000
Realize Deferred Revenue	57,045	-	57,045
Miscellaneous Revenues	11,000	-	11,000
Internet Convenience Fees	12,000	-	12,000
Retained Earnings Appropriation	22,651	-	22,651
Total Anticipated Water Revenues	976,696	50,000	1,026,696
<u>Sewer Revenues</u>			
Sewer Service Fees	2,200,000	100,000	2,300,000
Tapping Fees	1,000	-	1,000
Meter Setting	13,000	-	13,000
Reconnection Fees	45,000	-	45,000
Realize Deferred Revenue	57,045	-	57,045
Miscellaneous Revenues	11,000	-	11,000
Internet Convenience Fees	12,000	-	12,000
Retained Earnings Appropriation	15,000	-	15,000
Total Anticipated Sewer Revenues	2,354,045	100,000	2,454,045
Total Anticipated W&S Revenues	3,330,741	150,000	3,480,741
Authorized W&S Expenditures			
Water Expenditure	976,696	50,000	1,026,696
Sewer Expenditures	2,354,045	100,000	2,454,045
Total Authorized Expenditures	3,330,741	150,000	3,480,741
	-	-	-

SECTION III. PERPETUAL CARE FUND

<i>Anticipated Revenues</i>	2,700	-	2,700
<i>Authorized Expenditures</i>	2,700	-	2,700
	-	-	-

SECTION IV. TAX RATE ESTABLISHED

An ad valorem tax rate of \$0.53 per \$100 at full valuation is hereby established as the official tax rate for the Town of Gibsonville for the fiscal year 2020. This rate is based on a total valuation of property of \$636,652,700 and an estimated collection rate of 98.61%.

SECTION V.

Charges for services and fees by Town Departments are levied in the amounts set forth in the Fee Schedule (See Attachment A).

SECTION VI. SPECIAL AUTHORIZATION - BUDGET OFFICER

- A. Budget Officer shall be authorized to reallocate departmental appropriations among various object of expenditures as he believes necessary.
- B. The Budget Officer shall be authorized to effect interdepartmental transfers, in the same fund, not to exceed 10% of the appropriated monies for the department whose allocations is reduced. Notation of all such transfers shall be made to the Board on the next succeeding Financial Report.
- C. He may make interfund loans for a period of not more than 60 days.
- D. Interfund transfers, established in the budget document may be accomplished without recourse to the Board.

SECTION VII. RESTRICTION - BUDGET OFFICER

- A. Interfund transfer of monies, except as noted in Section VI. Shall be accomplished by the Board authorization only.
- B. The utilization of any contingency appropriations shall be accomplished only with Board authorization.

SECTION VIII. UTILIZATION OF BUDGET ORDINANCE

This Ordinance Amendment and the Budget Document shall be the basis of the financial plan for the Gibsonville Municipal Government during the 2020 fiscal year. The Budget Officer shall administer the budget and shall insure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The accounting section shall establish records which are consonance with the Budget and this Ordinance and the appropriate statute of the State of North Carolina.

Amended this the 15th day of June, 2020.

Attest:

Mayor of Gibsonville, NC

Town Clerk of Gibsonville, NC

Suggested Rules of Procedure for a City Council

Ben Baxley, Town Manager, stated that a copy of the UNC School of Government paperwork regarding suggested rules and procedures for a city council had been provided to each board member at the request of Alderwoman Maizland. It was up to the board on how they wished to proceed.

Alderwoman Maizland stated that this came about in regards to citizens making comments that were off topic and not related to Town of Gibsonville business.

Mayor Williams stated that the town ordinance covers procedures and he didn't see much difference in the printed handout.

Alderman Shepherd stated that some boards only allow the public to comments on items that are on the agenda. He stated that we do not want to violate any first amendment rights and recommend we leave things how they are for now and possibly come up with some general guidelines in the future.

Alderman O'Toole stated that he wasn't sure how stringent we wanted to be with the current social and political climate. He referenced a past public hearing where the Mayor did an excellent job of allotting time to both the pro and con side of an argument.

Alderman Pleasants stated that the 3-minute time limit takes care of those who are off topic anyways.

The board agreed to leave the issue for now and revisit it at a later date if needed.

Rezoning of property located at 208 Burlington Avenue

Konstandinou Hatzipanagiotou (Mr. Konsta) is requesting to rezone his property located at 208 Burlington Ave., Guilford Co. Parcel # 102210. The request is to rezone the property of 0.14 acres from GB to CB for the purpose of allowing "Motor Vehicle Sales" in the proposed location. Brandon Parker, Planning Department, requests the board set a public hearing date for July.

Ben Baxley, Town Manager, stated that the board would need to set a public hearing for rezoning. The proposal goes before the Planning Board on Thursday, June the 18th.

Alderman Shepherd, seconded by Alderman Owen, made a motion to set the public hearing for the July 20th, 2020 board of aldermen meeting. The motion passed unanimously.

Alderman Shepherd stated that he would like to readdress some zoning in the central business district and not allow sale/repairs of vehicles.

Mayor Williams stated that it did not have to be rezoned if it isn't the type of business we want.

Alderwoman Maizland stated that she would like to hear from the property owner at the July 20th meeting.

Reports

a. Town Manager

Ben Baxley, Town Manager, stated that town offices would be closed on Friday, July 3rd. Friday's garbage route will be collected on Monday, July 6th.

Ben Baxley stated that an individual has expressed interest in the cost sharing storm water program. The program was not funded this year due to Covid related budget cuts. He requested input from the board on how they wanted to proceed and if they wanted to use money from reserves to fund the project.

Alderman Shepherd confirmed that the town contribution cap was \$10,000. He stated that we may have to ask the individual to delay their project and see how things are going 6-7 months down the road.

Mayor Williams stated that the town does not have money to fund the project at this time. He requested that the town hold off until funding becomes available.

Ben Baxley asked Rob Elliott, Public Works Director, to address the new Covid-related large item pickup schedule. The public works department wishes to make the new schedule permanent.

Rob Elliot stated that the new schedule begins on Monday and continues through the week until everything is picked up. It was initiated due to Covid-19 and the stay at home order which has allowed residents more time to clean out and perform yard work. Rob stated that the new schedule is more efficient than day specific pickup and has freed up the crews and allowed for larger projects to be completed. He has received only questions from residents, but no complaints. Rob would like to educate the public with water bill inserts, Facebook posts, and information on the website. The new schedule does not cut any services.

Mayor Williams stated that he has received complaints from residents in his neighborhood and does not want the set day pickup to go away.

Alderman Pleasants stated that there will be some issues any time there is change. He believes that once everyone gets used to it, it will be ok.

Alderman Shepherd and Alderman Owen had no objection as long as the public was educated and an insert went out in the water bills.

Rob Elliott stated that grass day-specific pickup will have to be done away with anyways once the new rear loader is delivered. The equipment has been ordered since July of 2019 but is delayed due to Covid-19.

b. Mayor Williams

Mayor Williams had nothing to report.

c. Board Members

Alderman Maizland wished to speak about the death of George Floyd in Minneapolis and the impact his death has had across the nation. She stated that it has prompted national discussion and has become an issue related to policing. She would like to see something positive come out of the situation and see justice prevail.

Chief Parrish, Chief of Police, responded that the policies of the Gibsonville Police Department are based on best practices. There is a policy in place preventing the use of choke holds by officers unless they have been specifically trained to do so. At this time, no officers are trained in performing a choke hold. Every officer goes through crisis intervention training with a focus on de-escalation of the situation. Chief Parrish elaborated using an example of an interaction he had last week with a citizen who was in need of mental health assistance.

Alderman Pleasants stated that he had received an e-mail from Connie Bishop to read aloud. It was in response to an article in the Burlington Times News written by Ms. Pittman regarding the town budget.

Alderman Pleasants, seconded by Alderman Owen, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 8:11pm.

Mayor

Attest:

Town Clerk

