

MINUTES – July 20, 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 Protem Mark Shepherd. Mayor Williams along with alderpersons Owen, O’Toole, Pleasants, and Maizland were present. Ben Baxley, Town Manager, Gina Griffeth, Town Clerk, Police Chief Ron Parrish, Public Works Director Rob Elliott, Town Planner Brandon Parker and Parks and Recreation Director Mike Dupree were in attendance. Konstandinou Hatzipanagiotou of 208 Burlington Avenue was present. 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.

Invocation – Alderwoman Maizland

Mayor Protem Shepherd led the Pledge of Allegiance. Alderwoman Maizland led the invocation.

Public Comments

Mayor Protem Shepherd acknowledged during the Reports that he had failed to allow for public comments. However, there were no members of the public present to present comments.

Approval of Agenda

Mayor Protem Shepherd stated that there would be two changes to the agenda. The Manning Crossing South Site Plan and Fall Festival would be continued at the August 3rd meeting. Alderman Owen, seconded by Alderman O’Toole, made a motion to approve the agenda. The motion passed unanimously.

Approval of Minutes

Alderman Owen, seconded by Alderman O’Toole, made a motion to approve the minutes of June 15th, 2020 meeting. The motion passed unanimously.

Oath of Office for Gina Griffeth, Town Clerk

Gina Griffeth took the Oath of Office for Town Clerk and was sworn in by Mayor Williams.

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.

Mayor Protem Shepherd, seconded by Alderman Owen made a motion to open the public comments. The motion passed unanimously.

Gibsonville Town Planner, Brandon Parker, stated that Mr. Hatzipanagiotou is requesting a rezoning to allow for motor vehicle sales. It is consistent with the Town’s Land Management Plan and was approved by the planning board in a 5-0 vote.

Alderman Owen stated that he had spoken to Konstandinou and that there would be three spaces utilized for vehicles.

Mayor Protem Shepherd, seconded by Alderman Pleasants, made a motion to close the public hearing. The motion passed unanimously.

Town Manager, Ben Baxley, stated that there is an ordinance and statement of consistency. Both can be approved in one motion by the board.

Mayor Protem Shepherd, seconded by Alderman Owen made a motion to rezone 208 Burlington Avenue from GB to CB and to approve the statement of consistency. The motion passed unanimously.

**AN ORDINANCE TO AMEND THE GIBSONVILLE ZONING MAP BY
REZONING THE PROPERTY OF KONSTANDINOU
HATZIPANAGIOTOU FROM GB TO CB**

WHEREAS, the current development ordinance was duly adopted 1 April 1991; and

WHEREAS, during the course of routine interpretation and application the need arises to revise the ordinance, or to correct or clarify certain ambiguities and inconsistencies contained within the text of the ordinance; and

WHEREAS, the property identified on the Guilford County parcel #102210 located at 208 Burlington Avenue is owned by Konstandinou Hatzipanagiotou; and

WHEREAS, pursuant to development ordinance, proper application was made by the property owner to rezone 0.14 total acres from GB to CB; and

WHEREAS, pursuant to development ordinance and statutory requirements, the Town of Gibsonville made due public notification and advertisement of the pending rezoning; and

WHEREAS, after consideration in a public hearing at their regular June meeting, the Gibsonville Planning Board made a recommendation to approve the rezoning by a 5-0 vote; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE TOWN OF GIBSONVILLE: that the Gibsonville Zoning Map be amended by rezoning the above referenced property from GB to CB, which shall be fully incorporated therein.

Adopted this the 20th day of July, 2020.

Mayor

Attest: _____
Town Clerk

Statement of Consistency for the 0.14 Acre Konstandinou Hatzipanagiotou Property (208 Burlington Avenue) Rezoning

In accordance with NCGS 160A-383, the Board of Aldermen must approve a Statement of Consistency with regard to each rezoning case it hears.

Staff Recommendation: Staff recommends that the Board of Aldermen approve the Statement of Consistency of 208 Burlington Avenue rezoning as stated below:

STATEMENT OF CONSISTENCY:

Konstandinou Hatzipanagiotou, 208 Burlington Avenue, Gibsonville, NC

THE BOARD OF ALDERMEN OF THE TOWN OF GIBSONVILLE HEREBY STATES:

Section 1: 0.14 acre Konstandinou Hatzipanagiotou property located at 208 Burlington Avenue zoning amendment shall be approved and is consistent with the adopted Gibsonville Land Development Plan as this

area is designated Town Center. Per the Gibsonville Land Development Plan, this designation incorporates a traditional mix of commercial, office, institutional, residential (including multi-family), and open space uses. Gibsonville's Town Center is built around Main Street, which comprises the Central Business District and this would include allowance of the zoning district CB. The Gibsonville Board of Aldermen has further considered that the proposed rezoning to CB will maintain the character and appearance of the area and provide flexibility to accommodate commercial uses consistent with the Gibsonville Land Development Plan.

Section 1: Based upon information presented at the public hearing and by the applicant, and based upon the recommendations and detailed information developed by staff and/or the Planning Board contained in the staff report, and considering the Town of Gibsonville Development Ordinance, the 208 Burlington Avenue rezoning is reasonable and in the public interest because it finds that the rezoning:

- 1) Will not materially endanger the public health or safety;
- 2) Will not substantially injure the value of adjoining or abutting property;
- 3) Will be in harmony with the area in which it is located; and
- 4) Will be in conformity with the comprehensive plan.

Approved this the 20th day of July, 2020.

Leonard Williams
Mayor

Date

Manning Crossing South Site Plan

Manning Crossing LLC is submitting their site plan for the Manning Crossing South subdivision. The subdivision proposes 49 single family lots on 48 acres and will be accessible from the existing Manning Crossing subdivision. Part of the property is zoned PUD and the other portion zoned RS-9. The site plan submitted meets the town ordinance and has been approved by the Gibsonville TRC committee and Gibsonville Planning Board.

Mayor Protem Shepherd stated that this issue will be continued until the August 3rd board meeting.

Town Planner, Brandon Parker, was available for questions as representatives from Manning Crossing LLC were not present.

Mayor Williams stated that the issue will be continued due to Manning Crossing LLC not being present to answer questions. He stated that he had received complaints about the last Manning Crossing project still not being complete. There is paving and landscaping that have yet to be done. He wants to hold the builder responsible for those items before new construction begins.

Town Manager, Ben Baxley, reiterated that a representative from Manning Crossing LLC was not present to answer questions.

Alderman Pleasants, seconded by Alderman Shepherd, made a motion to continue the Manning Crossing South Site Plan. The motion passed unanimously.

Reappointment of Planning Board Members

Current Planning Board members Anthony Vicinanza and Shirley Heeter have both applied for reappointment.

Alderman Owen, seconded by Alderman O'Toole, made a motion to approve the reappointment of Anthony Vicinanza and Shirley Heeter. The motion passed unanimously.

Discussion of the Fall Festival

Due to Covid-19, the town will need to make a decision regarding the Fall Festival scheduled for Saturday October 10th. Vendors require a 60-day notice to cancel and the Parks and Recreation Department is seeking guidance from the Board.

Mike Dupree, Parks and Recreation Director, stated that they hoped to wait until the August 3rd meeting to make a final decision on the Fall Festival. Surrounding cities and towns have cancelled events through September. He stated that fall sports will likely be moved to the spring and that some sports schedules will be adapted to the plan chosen by area schools.

Alderman Pleasants stated that he has already decided against having the Fall Festival.

Alderman Pleasants, seconded by Alderman Owen, made a motion to continue the discussion of the Fall Festival. The motion passed unanimously.

Town of Gibsonville FY 2021 Budget Ordinance Amendment #1

Ben Baxley, Town Manager, stated that FY 2021 Budget Ordinance Amendment #1 is needed to account for an appropriation of Federal Drug Funds to purchase Police Department equipment and fund Police Department K-9 training, account for LSTA Grant for the Library Department, account for State Aid Grant to the Library Department (this is a grant distributed on a monthly basis), and a donation to the Police Department.

Alderman Owen, seconded by Alderman O’Toole, made a motion to approve the FY 2021 Budget Ordinance Amendment #1. The motion passed unanimously.

**TOWN OF GIBSONVILLE, NORTH CAROLINA
FY 2021 BUDGET ORDINANCE AMENDMENT #1**

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 20th day of July, 2020 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

SECTION I. GENERAL FUND

	FY 2021	Amendment	FY 2021
Anticipated Revenues	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Taxes, Current Year	3,062,850	-	3,062,850
Taxes, Prior Years	25,150	-	25,150
Motor Vehicle Tax	372,000	-	372,000
Penalties & Interest	12,000	-	12,000
Cemetery	15,000	-	15,000
Recreation	82,000	-	82,000
Sanitation Service Charge	310,000	-	310,000
Interest on Investments	8,000	-	8,000
Fire District Tax (Guilford)	3,500	-	3,500
Library	3,000	-	3,000
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	10,000	-	10,000
Brush/White Goods Pickup Fees	3,000	-	3,000
<i>Miscellaneous</i>	<i>32,153</i>	<i>100</i>	<i>32,253</i>
GHA	2,340	-	2,340
Stormwater Fee	33,000	-	33,000
Solid Waste Disposal Tax	4,900	-	4,900
Intangible: Sales Tax (Alamance Co.)	836,382	-	836,382
Intangible: Sales Tax (Guilford Co.)	443,618	-	443,618
Utility Franchise	420,000	-	420,000
Beer & Wine	30,000	-	30,000
<i>Library State Aid Grant</i>	-	<i>430</i>	<i>430</i>
<i>LSTA Grant</i>	-	<i>18,653</i>	<i>18,653</i>
Powell Bill Funds	192,000	-	192,000
<i>Appropriated Federal Drug Funds</i>	-	<i>55,941</i>	<i>55,941</i>
Appropriated General Fund Balance	410,833	-	410,833
<i>Total Anticipated Revenues</i>	<i>6,379,926</i>	<i>75,124</i>	<i>6,455,050</i>

Authorized Expenditures

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Governing Board	67,191	-	67,191
Administration	1,024,848	-	1,024,848
<i>Police</i>	<i>2,053,154</i>	<i>56,041</i>	<i>2,109,195</i>
Fire	1,116,355	-	1,116,355
Public Works	1,141,814	-	1,141,814
Powell Bill	84,500	-	84,500
Recreation	659,091	-	659,091
<i>Library</i>	<i>175,473</i>	<i>19,083</i>	<i>194,556</i>
Cemetery	17,500	-	17,500

Contingency	40,000	-	40,000
Total Authorized Expenditures	6,379,926	75,124	6,455,050
	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	837,000	-	837,000
Tapping Fees	5,000	-	5,000
Meter Setting	15,000	-	15,000
Reconnection Fees	40,000	-	40,000
Realize Deferred Revenue	98,000	-	98,000
Miscellaneous Revenues	11,000	-	11,000
Retained Earnings Appropriation	117,246	-	117,246
Total Anticipated Water Revenues	1,123,246	-	1,123,246
<u>Sewer Revenues</u>			
Sewer Service Fees	2,271,000	-	2,271,000
Tapping Fees	5,000	-	5,000
Meter Setting	15,000	-	15,000
Reconnection Fees	40,000	-	40,000
Realize Deferred Revenue	98,000	-	98,000
Miscellaneous Revenues	11,000	-	11,000
Retained Earnings Appropriation	3,351	-	3,351
Total Anticipated Sewer Revenues	2,443,351	-	2,443,351
Total Anticipated W&S Revenues	3,566,597	-	3,566,597
Authorized W&S Expenditures			
Water Expenditure	1,123,246	-	1,123,246
Sewer Expenditures	2,443,351	-	2,443,351
Total Authorized Expenditures	3,566,597	-	3,566,597

	-	-	-
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 2021. This rate is based on a total valuation of property of \$668,128,780 and an estimated collection rate of 97.00%.

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 2021 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 20th day of July, 2020.

Attest:

Mayor of Gibsonville, NC

Town Clerk of Gibsonville, NC

Resolution to Adopt the 2019 Local Water Supply Plan

The Town of Gibsonville’s 2019 Local Water Supply Plan has been completed by the North Carolina Department of Environmental Quality, Division of Water Resources. It will need to be adopted by the Board of Aldermen and a copy of the resolution filed with the Division of Water Resources.

Ben Baxley, Town Manager, stated that the board had been provided a copy of the 2019 Local Water Supply Plan. Any specific questions could be addressed to Rob Elliott of the Public Works Department.

Alderman Owen, seconded by Alderman Pleasants, made a motion to adopt the resolution. The motion passed unanimously.

RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for The Town of Gibsonville, has been developed and submitted to the Board of Aldermen for approval; and

WHEREAS, the Town of Gibsonville Board of Aldermen finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for The Town of Gibsonville, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Gibsonville that the Local Water Supply Plan dated 2019, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town of Gibsonville Board of Aldermen intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 20th day of July, 2020.

Mayor

Attest:

Town Clerk

Sell Back of Cemetery Grave

Claudia Ann Hollar would like to sell back a vacant grave owned by her late mother, Claudia W. Riley, located in the Gibsonville Cemetery at F-81 for \$400.00. Ms. Hollar is the executor of her mother’s estate.

Alderman Owen, seconded by Alderman O’Toole, made a motion to approve the sell back of the cemetery grave. The motion passed unanimously.

Reports

a. Town Manager

Ben Baxley, Town Manager, stated that this would be the last board meeting for intern Jack Pendergraph. His last day will be July 29th. After that time, he will return to ECU for his final semester. Pendergraph has been able to spend time with both the Police and Fire Departments this week and will hopefully get to ride along with Public Works in the near future.

The Eugene Street Water Line Project is currently out for bids. The contract can hopefully be awarded at the August 3rd meeting.

The Springwood/Cedar Street project is complete and payments are being finalized so that the contract can be closed out.

The sewer project is on track to be completed by the end of August.

The town has received an inquiry into the sale of property at Lake Macintosh. It is up to the board if there is any interest in selling the property. The property was acquired by the town in 1952 through Cone Mills.

Alderman Pleasants stated that the actual value of the land would need to be known in order to make a decision. He also stated that selling the land does not mean that the proceeds would have to be spent. It could be used as a nest egg. He confirmed that there is no possibility of the land ever being within the city limits of Gibsonville.

Alderman O'Toole stated that his preference would be to sell the land to Guilford County so that it stays available to citizens as public land. He stated that money from the sale could be utilized for potentially expensive water/sewer projects. Materials alone to run a larger line towards Wagner Farm would be in excess of \$800,000.

Mayor Williams stated that with two proposed developments on US 70 and on 61 by Wagner Tree Farm, it would be nice to use the money for long term investment and help Gibsonville grow. It will require 3-4 million dollars to complete the two projects.

Alderman Shepherd stated that there would be a workshop in September to go over the entire sewer master plan. It will allow the town to get an idea of its 10-year potential growth and what it would cost to get there.

The Board agreed that an appraisal of the land should be completed.

Ben Baxley reported that new businesses have been opening. The Sip and Shop on Lewis Street opened over the weekend and the Beetle & Bees Coffee Shop has been open for approximately two weeks now.

b. Mayor Williams

Mayor Williams stated that he had been asked his thoughts on protests going on throughout the country. He stated that he had marched with John Lewis in 1965 and that Lewis had made it clear that the march would be peaceful. Mayor Williams spoke recently with A&T students who stated that they would tear the building down if their protest didn't help things go their way. The Mayor stated that people have the right to protest but not the right to destroy property. If protests were to come to Gibsonville and fail to remain peaceful, he would expect the police department to take action.

Mayor Williams reported that he has received no complaints about the Gibsonville Police Department and he does not support the current country-wide consideration to defund the police.

c. Board Members

Alderwoman Maizland wanted to encourage people to complete the 2020 census. Numerous grants and programs are provided via the census. It can be completed via mail, phone, or online and takes approximately 5 minutes.

Alderwoman Maizland also wanted to encourage people to remain cautious and use common sense in regards to Covid-19 and also to remember that it is an election year and that people should study issues and vote.

Alderman Pleasants stated that he likes the completed mural. There have been several Elon University students taking their picture in front of it.

Alderman Pleasants, seconded by Alderwoman Maizland, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 7:35 pm.

Mayor

Attest:

Town Clerk

