

Agenda
Board of Aldermen
Town of Gibsonville

July 15, 2019
Regular Meeting

Town Hall
7:00 pm

1. Invocation - Alderman Owen
Pledge of Allegiance
2. Public Comments
3. Approval of Agenda
4. Approval of Minutes
5. Ordinance to Extend the Corporate Limits - Manning Crossing, LLC – Public Hearing
6. Resolution Fixing Date of Public Hearing for Annexation of Property Owned by 4.75 acres on Gibsonville-Ossipee Road – David Todd Humphrey
7. Presentation of Primary Fire Limits – Fire Chief Todd
8. National Night Out Proclamation
9. Resolution Exempting Water System & Sewer System Master Plan From G.S. 143-64.31
10. Beer & Wine Garden at August 3, 2019 Grooving on the Greens Concert
11. Sell Back of Cemetery Plots – Blanche Whitesell
12. Reports
 - a. Manager
 - b. Mayor
 - c. Board Members

Addendum

- 5. Ordinance to Extend the Corporate Limits - Manning Crossing, LLC – Public Hearing - Manning Crossing, LLC** is requesting annexation of 32.40 acres located on Gibsonville Ossipee Rd. This property is contiguous with the town limits. At the last meeting the Board set the Public Hearing of Annexation for the July 15, 2019 meeting. *The Town Manager recommends approval of the Ordinance to Extend the Corporate Limits.*
Attachments: Ordinance to Extend the Corporate Limits
- 6. Resolution Fixing Date of Public Hearing for Annexation of Property Owned by 4.75 acres on Gibsonville-Ossipee Road** – Property owner David Todd Humphrey has presented a Petition for Annexation of 4.75 acres located on Gibsonville-Ossipee Rd. The Board approved the Resolution Directing the Town Manager to Investigate the Petition at the last meeting. *The Town Manager is presenting the Certificate of Sufficiency of the Petition and recommends approval of the Resolution Fixing Date of Public Hearing for Annexation to be set for the August 5, 2019 meeting.*
Attachments: Resolution & Certificate of Sufficiency
- 7. Presentation of Primary Fire Limits** – The Town needs to amend Ordinance Chapter 93. Fire Prevention, Section 93.02 Fire Limits. Recently Fire Chief Todd discovered the current fire limits description in the ordinance was outdated. He will discuss this further with the Board at the meeting. *Staff is recommending a public hearing be scheduled for the August 5, 2019 meeting to amend Ordinance Chapter 93. Fire Prevention, Section 93.02 Fire Limits.*
Attachments: Current Ordinance Chapter 93. Fire Prevention, Section 93.02 Fire Limits; new Fire Limits, & Map
- 8. National Night Out Proclamation** – The Gibsonville Police Department will be hosting the third “National Night Out” event on August 6, 2019 in downtown Gibsonville. Let’s support our Police Department by approving a Proclamation for “National Night Out”.
Attachments: Proclamation & Flyer
- 9. Resolution Exempting Water System & Sewer System Master Plan from G.S. 143-64.31** – In the FY 2020 budget there was \$30,000 for a Water System & Sewer System Master Plan. Per G.S. 143-64.31 the Town may exempt itself from seeking qualifications for design services if the amount is less than \$50,000. *The Town Manager is recommending approval of the Resolution Exempting Water System & Sewer System Master Plan from G.S. 143-64.31.*
Attachment: Resolution
- 10. Discussion of Beer & Wine Garden at Concerts** – Board members have been approached requesting the Board to reconsider allowing a beer & wine garden at concert events downtown. The Mayor would like the Board to discuss this further at the meeting. It has been mentioned to have a Beer & Wine Garden at August 3, 2019 Grooving on the Greens Concert. Recreation staff will be at the meeting to present the request and answer any questions.
- 11. Sell Back of Cemetery Plots** – Blanche Whitesell is requesting to sell back her eight grave plot to the Town; she moved to Salisbury years ago and will not be using the plot. The amount to be paid to Mrs. Whitesell would be \$1,600.00; this is half of the current price which is the Town policy.
Attachment: Letter from Mrs. Blanch Whitesell

Item 5

Annex. Ord. 2019-1

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF GIBSONVILLE**

WHEREAS, the Board of Aldermen of the Town of Gibsonville has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Board of Aldermen of the Town of Gibsonville has by Resolution directed the Town Manager to investigate the sufficiency of said petition; and

WHEREAS, the Town Manager has certified the sufficiency of said petition and a Public Hearing on the question of this annexation was held at the Gibsonville Town Hall at 7:00 pm on the 15th day of July, 2019 after due notice by publication in the Times News; and

WHEREAS, the Board of Aldermen of the Town of Gibsonville does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Gibsonville as of the 15th day of July, 2019:

**Property identified as Alamance County Register of Deeds Book 1515, Page 776
(32.40 acres) located on Gibsonville Ossipee Rd., owned by Manning Crossing, LLC**

Section 2. Upon and after the 15th day of July, 2019 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Gibsonville and shall be entitled to the same privileges and benefits as other parts of the Town of Gibsonville. Said territory shall be subject to municipal taxes according to G.S. 150A-58.10.

Section 3. The Mayor of the Town of Gibsonville shall cause to be recorded in the office of the Register of Deeds of Guilford County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of the Ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this the 15th day of July, 2019.

Attest:

Mayor

Town Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, petition requesting annexation of the area described herein has been received; and

WHEREAS, the Board of Aldermen of the Town of Gibsonville has by Resolution directed the Town Manager to investigate the sufficiency thereof; and

WHEREAS, certification by the Town Manager as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Gibsonville, North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein will be held at Town Hall at 7:00 pm on the 5th day of August, 2019.

Section 2. The area proposed for annexation is described as follows:

**Property identified as Alamance County Register of Deeds Book 1044, Page 311
(4.75 acres); owned by David Todd Humphrey (Stone Ridge)**

Section 3. Notice of said Public Hearing shall be published in the Times News, a newspaper having general circulation in the Town of Gibsonville, at least ten days prior to the date of said Public Hearing.

Adopted this the 15th day of July, 2019.

Mayor

Attest:

Town Clerk

Town of Gibsonville
Certificate of Sufficiency

To the Board of Aldermen of the Town of Gibsonville, North Carolina.

I, Ben Baxley, Town Manager, do hereby certify that I have investigated the Petition attached hereto and have found as a fact that said Petition is signed by all owners of real property lying in area described therein, in accordance with G.S. 160A-31; as amended.

Property being located on Gibsonville Ossipee Rd., Gibsonville, NC owned by David Todd Humphrey being Stone Ridge (4.75 ac.).

In witness whereof, I have hereunto set my hand and affixed the Seal of the Town of Gibsonville, this the 12th day of July, 2019.



Ben Baxley
Town Manager

PETITION REQUESTING ANNEXATION

Date: 6/13/2019

To the Board of Aldermen of the Town of Gibsonville :

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Gibsonville.
2. The area to be annexed is contiguous to the Town of Gibsonville and the boundaries of such territory are as follows:

(See Attached)

- | | Name | Address |
|----|---------------------|--------------------------------|
| 1. | Donna Job Humphrey | 1100 Gibsonville - Assispen Rd |
| 2. | David Todd Humphrey | Elon NC 27244 |
| 3. | | |
| 4. | (Stone Ridge) | |

CHAPTER 93: FIRE PREVENTION

Section

General Provisions

- 93.01 Fire prevention code adopted
- 93.02 Fire limits

Fire Hazards

- 93.10 Deposit of ashes subject to spontaneous combustion
- 93.11 Accumulation of rubbish
- 93.12 Open burning
- 93.13 Chimneys
- 93.14 Exits, passageways; obstructions
- 93.15 Fire extinguishers
- 93.16 Fire zone; burning and placement of trash
- 93.17 Exit signs in theaters and motion picture houses
- 93.18 Buildings constituting fire hazards
- 93.19 Interfering with fire alarm apparatus
- 93.20 False alarms

Pyrotechnics

- 93.40 Permits for use at public exhibitions

Cross-reference:

Fire apparatus, see §§ 71.01 and 71.02

Use of plug type fuses in fire zone, see § 150.005

Wooden awnings over sidewalks in Number

One Fire District, see § 150.007

Duties of Inspection Department and

Inspectors, see § 150.101

GENERAL PROVISIONS

§ 93.01 FIRE PREVENTION CODE ADOPTED.

The North Carolina Standard Fire Prevention Code, Vol. 5. — Fire Prevention, 1996, as amended, is hereby adopted by reference, as fully as if set forth herein, as the Fire Prevention Code for the town. ('75 Code, § 4.41) (Minute Book No. 13, pg. 151, Ord. passed 5-19-70)

§ 93.02 FIRE LIMITS.

The following fire limits are established and defined: Beginning at the intersection of Eugene and Lewis Streets running thence in a westerly direction with Eugene Street to Wharton Avenue, thence in a southerly direction with Wharton Avenue to center of North Carolina Railway, thence with North Carolina Railway in an easterly direction about 1,200 feet to the corner of Public Square and Railroad Avenue, thence with the eastern edge of Public Square in a northerly direction 400 feet to a point in rear of Whitesell barn, thence in a westerly direction 180 feet to a point in rear of T.H. Boone and G.A. Summers' property, thence in a northerly direction in rear of Burke and Gibsonville Development Company property 280 feet to Burlington Avenue, thence with Burlington Avenue, in a westerly direction 180 feet to the center of Piedmont Street, thence in same direction with Burlington Avenue, to Lewis Street, thence with Lewis Street in a southerly direction to the intersection with Eugene Street to the point of beginning.

('67 Code, Chapter 1, Art. 1, § 3)

2018-94-Primary Fire Limits-20190403.txt

Beginning At a point in the centerline intersection of Lewis Street and Eugene Street;

Thence with the centerline of Eugene Street, N 59°34'54" W A Distance Of 667.95' to a point in the centerline intersection of Eugene Street and Wharton Street;

Thence with the centerline of Wharton Street, S 29°13'12" W A Distance Of 280.17' to a point on the southern right of way of Main Street;

Thence with the southern right of way of Main Street, S 60°13'33" E A Distance Of 21.28' to an EIP;

Thence with the eastern property line of PIN: 102676, S 28°20'34" W A Distance Of 187.60' to a point in the centerline of N.C. Railroad Track;

Thence with the centerline of N.C. Railroad, S 60°51'14" E A Distance Of 1185.23' to a point;

Thence with the centerline of Main Street the following courses and distances:
N 30°58'41" E A Distance Of 184.54' to a point;
N 59°16'22" W A Distance Of 25.80' to a point;

Thence with the common line of PIN: 102229 and PIN: 102217, N 29°50'04" E A Distance Of 261.41' to an EIP in the line of PIN: 102231;

Thence with the common line of PIN: 102229, PIN: 102231 and PIN: 102225, N 60°08'47" W A Distance Of 100.37' to an EIP corner of PIN: 102225;

Thence with the common line of PIN: 102225 and PIN: 102229, S 29°25'55" W A Distance Of 22.64' to an EIP corner with PIN 102217;

Thence with the common line of PIN: 102225, PIN: 102217, PIN: 102224 and PIN: 102222 N 60°50'07" W A Distance Of 195.48' to a point in the center of Piedmont Avenue;

Thence with the centerline of Piedmont Avenue, Street N 28°23'55" E A Distance Of 208.66' to a point in the centerline intersection of Piedmont Avenue and Burlington Avenue;

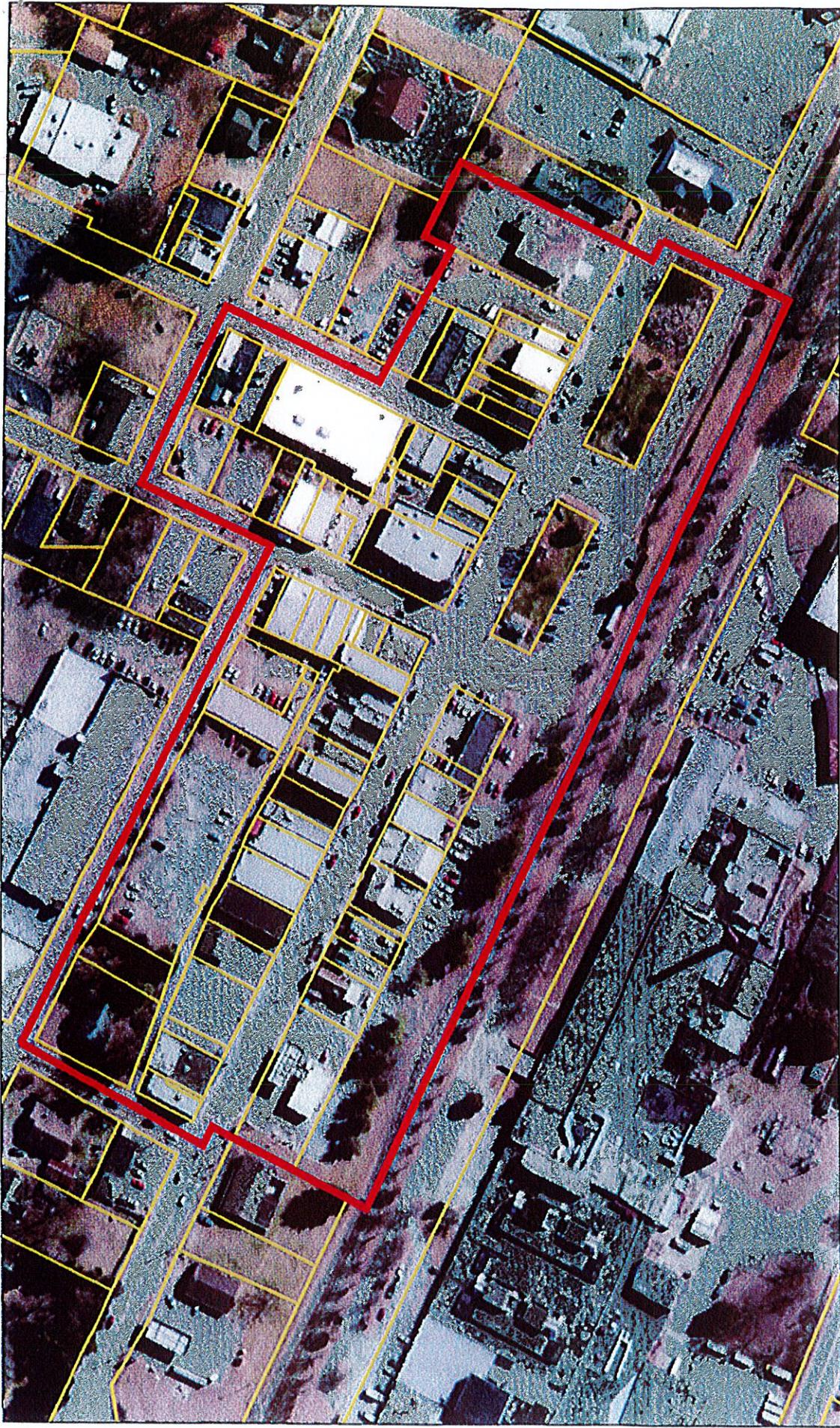
Thence with the centerline of Burlington Avenue, N 62°46'25" W A Distance Of 236.94' to a point in the centerline intersection of Burlington Avenue and Lewis Street;

Thence with the centerline of Lewis Street, S 25°25'24" W A Distance Of 173.12' to a point;

Which Is The Point Of Beginning,

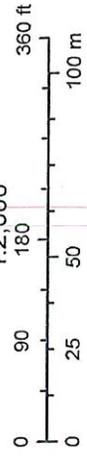
Having An Area Of 13.30 Acres.

Guilford County, NC



April 8, 2019

1:2,000



efunder

PROCLAMATION

“NATIONAL NIGHT OUT” AUGUST 6, 2019

WHEREAS, the “National Night Out” is observed annually on the first Tuesday in August, and focuses on promoting police-community partnerships and neighborhood camaraderie to make our neighborhoods safer; and

WHEREAS, while shining a spotlight on community police programs, “National Night Out” increases connections between those who serve and their neighborhoods through the programs they provide; and

WHEREAS, it is essential that all neighbors of the Town of Gibsonville come together with police and work together to build a safer, more caring community; and

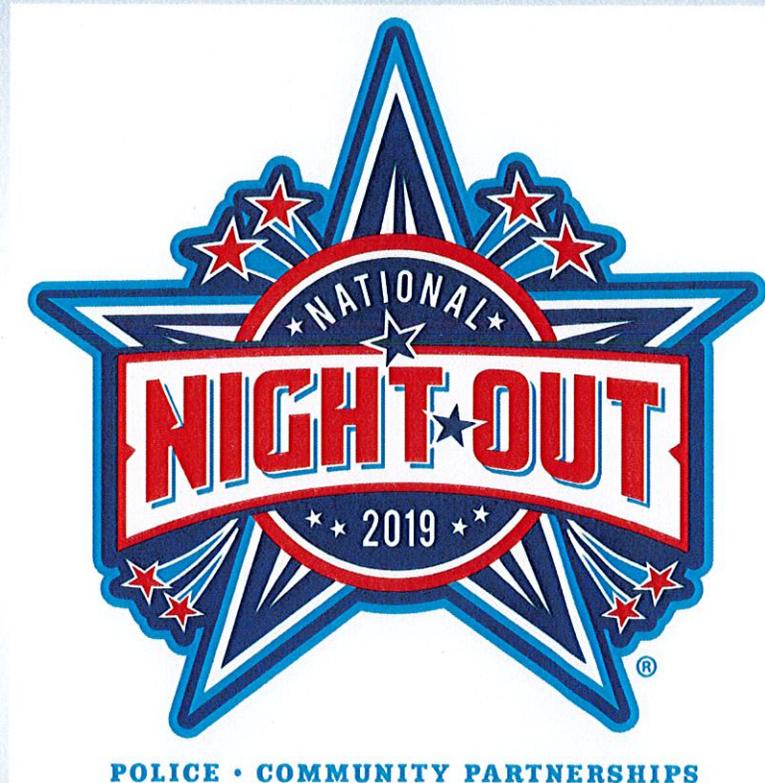
NOW, THEREFORE, I, Leonard M. Williams, Mayor of the Town of Gibsonville, do hereby proclaim Tuesday, August 6, 2019 as “National Night Out” and call upon all residents of the Town of Gibsonville to join in support of the Gibsonville Police Department.

This the 15th day of July, 2019.

Leonard M. Williams
Mayor

NIGHT-OUT BLOCK PARTY

TUESDAY, AUGUST 6, 2019



6pm-8pm



Gibsonville Town Greens



FREE FOOD, GAMES, AND PRIZES!

Item 9

**RESOLUTION EXEMPTING WATER SYSTEM AND SEWER SYSTEM MASTER
PLAN FROM G.S. 143-64.31**

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, the Town proposes to enter into one contract for design services for work on the Water System and Sewer System Master Plan; and

WHEREAS, G.S. 143-64.32 authorizes units of local governments to exempt contracts for design services from the qualifications-based selection requirements of 143-64.31 if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than \$50,000.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF GIBSONVILLE RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption. Adopted this 15th day July, 2019.

Mayor

Attest:

Town Clerk

Blanche Whitesell
1875 Hollywood Drive
Salisbury, NC 28144

Item 11

Laurie Yarbrough
Town of Gibsonville
129 W. Main Street
Gibsonville, NC 27249

May 13, 2019

To Whom It May Concern:

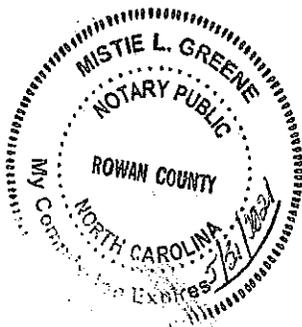
I would like to sell my eight graveyard plots at the Gibsonville Cemetery back to the Town of Gibsonville. My husband has been interred at the veterans' cemetery near our home in Salisbury, NC. I also plan to be interred in Salisbury, NC as it is my hometown. I understand that this matter will be addressed by the Board of Alderman at their June meeting. I appreciate your assistance with this matter.

Blanche Whitesell
Blanche Whitesell

Dail S. Fowler witness

I, Mistie L. Greene Notary Public, Rowan County, N.C. acknowledge this 17th day of May, 2019 that Blanche Whitesell appeared before me and signed the above document.

*Mistie L. Greene, Rowan County, N.C.
My Commission Expires 5/31/2021*



Dail S. Fowler witness appeared before me 5/17/19 and signed the above.

*Mistie L. Greene
Notary, Rowan County, N.C.
5/17/19*