

MINUTES – MARCH 4, 2019

The Board of Aldermen of the Town of Gibsonville met at 7:00 pm for a regular meeting in the Town Hall. The meeting was called to order by Mayor Williams. Aldermen, Owen, Pleasants, and O'Toole were present. Ben Baxley, Town Manager, and Laurie Yarbrough, Town Clerk, were present. Police Chief Ron Parrish, Public Works Director Rob Elliott, Fire Chief James Todd, Planning Director Brandon Parker, Town Attorney Doug Hoy, Attorney Keith Whited, Mark Reich with AWCK, several Driftwood Dr., Victoria Ln., Brookfield Dr., and Ashley Woods residents were in attendance.

Invocation

Alderman O'Toole introduced Pastor Ricky Cox.

Pastor Ricky Cox gave the Invocation.

Public Comments

James Smith, 115 Victoria Ln. resident, stated opposition with the Owen property rezoning request. He asked the board to rezone the property to RS-15 or nothing. He stated a concern with spot zoning.

Faye Spoon, 107 Driftwood Dr. resident, presented the board with design elements of speed controlled subdivisions. She asked the board to consider a speed study, street alignment, and median islands. She stated a concern with losing the hardwoods.

Mayor Williams stated the board would only be setting the public hearing for the rezoning of the Owen property at this meeting.

Shirley Pearson, Burlington Ave. resident, stated yes to the Owen property rezoning, yes to the Elizabeth Herron rezoning, and yes to the CDI rezoning.

Chris Coleman, 30 Victoria Ct. resident, stated R-15 zoning was an advantage to Gibsonville; he presented statistics on growth for the area. He asked that Planning Board member John Nix not be reappointed; he had insulted residents from the north and from Florida at the previous Planning Board meeting.

Al Cimino, 107 Franz Ct. in Ashley Woods, stated the developer had not submitted all the information or it was to be determined. He asked for soil study, DOT study, traffic study, and look at water runoff. He asked that John Nix not be reappointed to the Gibsonville Planning Board. He stated R-12 would devalue their homes.

Joel Martin of 101 Brookview Dr. stated Elon had turned the developer down. He asked for lot layout and Conditional Use zoning. He asked that the developer bring in a plan.

Tom Bloom of 107 Brookview Dr. stated this was prime property, with a former city dump on it; 80 acres and only 50 was to be developed.

Jim Hogsett of 121 Ave. of Trees stated there were over 260 homes in his neighborhood. He stated concerns with traffic on Brookfield and Driftwood Dr. He stated opposition to the rezoning.

Bob Gunn of 107 White Poplar Dr. stated concerns with changes in development since Ashley Wood was started; he recommended there be other accesses.

Steve Exum of 115 Avenue of Trees stated support of R-15 zoning.

Valerie Graves of 801 Brookview Dr. stated they needed an environmental impact study and traffic study. She stated opposition to the Owen rezoning.

Mayor Williams stated the Public Hearing would be on March 18th; he thanked everyone for their comments. He stated this rezoning did meet our Ordinance.

Approval of Agenda

Mayor Williams asked that Contract with Attorney Keith Whited be added to the agenda.

Ben Baxley, Town Manager, asked that Contract with Attorney Keith Whited be added to the agenda. He stated the town needed additional legal representation on the Owen property rezoning.

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

Approval of Minutes

Alderman Owen, seconded by Alderman O'Toole, made a motion to approve the minutes of February 4, 2019. The motion passed unanimously.

Contract with Attorney Keith Whited

Ben Baxley, Town Manager, asked that the board consider a contract with Attorney Keith Whited on the Owen property rezoning; due to a conflict with the current Town Attorney on this rezoning.

Alderman O'Toole, seconded by Alderman Shepherd, made a motion to approve the contract with Attorney Keith Whited for the Owen property rezoning. The motion passed unanimously.

Set Public Hearings

a. Mabel Owen Property Rezoning

Ben Baxley, Town Manager, stated this request was presented to the Planning Board at their January meeting. The request was denied by the Planning Board with a 3 to 2 vote. On February 4, 2019 the Board of Aldermen sent this back to the Planning Board. The Developer has revised his rezoning request. Mr. Baxley stated the request was to rezone 83.5 acres from AG to RS-15 & RS-12; located at the end of Brookfield Dr. and Driftwood Dr. The Planning Board reviewed the revised request at their February 28, 2019 meeting and recommended approval of the request by a 4-1 vote. He stated staff recommended setting the public hearing for the March 18, 2019 meeting.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to set the public hearing for the Mabel Owen Rezoning for the March 18, 2019 meeting. The motion passed unanimously.

b. Elizabeth Herron Rezoning

Ben Baxley, Town Manager, stated the request was to rezone the property located at 101 Apple St.; being 1.7 acres; from GB to RS-12. The Planning Board reviewed this request at their February 28, 2019 meeting and recommended approval of the request by a 5-0 vote. He stated staff recommended setting the public hearing for the March 18, 2019 meeting.

Alderman Pleasants, seconded by Alderman O'Toole, made a motion to set the public hearing for the Elizabeth Herron Rezoning for the March 18, 2019 meeting. The motion passed unanimously.

c. CDI Builders Conditional Use Rezoning

Ben Baxley, Town Manager, stated the request was to amend the Conditional Use Site Plan located at 962 Burlington Ave.; site plan had changed the street layout and must be reapproved. The Planning Board reviewed the revised CU Rezoning at their February 28, 2019 meeting and recommended approval of the request by a 5-0 vote. Mr. Baxley stated staff recommended setting the public hearing for the March 18, 2019 meeting.

Alderman Shepherd, seconded by Alderman Owen, made a motion to set the public hearing for CDI Builders Rezoning for the March 18, 2019 meeting. The motion passed unanimously.

Award Bid on Generator

Ben Baxley, Town Manager, stated bids were received on February 21, 2019 for the emergency generator for Town Hall and the Police Department. He stated staff recommended the bid be awarded to the low bidder; Prevatt Electric for \$113,594.64.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to award bid to Prevatt Electric. The motion passed unanimously.

Award Springwood Ave./Cedar St. Waterline Project

Mark Reich with AWCK stated bids were received on February 13, 2019 on the Springwood Ave./Cedar St. Waterline Project. He stated the bid was for the 6" replacement of the waterline on Springwood Ave and Cedar St.; 2000'. He stated AWCK recommended the bid be awarded to the low bidder; Yates Construction Co. for

\$545,621.00. He stated this project would be partly funded by the Stated; they were trying to get additional funding.

Ben Baxley, Town Manager, stated staff recommended the bid be awarded to the low bidder; Yates Construction Co. for \$545,621.00.

Alderman Shepherd, seconded by Alderman O'Toole, made a motion to award the contract to Yates Construction Co. on the Springwood Ave./Cedar St. waterline project. The motion passed unanimously.

Approval of Bicycle Planning Grant

Ben Baxley, Town Manager, stated the Town of Gibsonville had been awarded a Bicycle Planning Grant by NCDOT; this was a 10% matching funds grant. He recommended approval of the Resolution Approving the Bicycle Pedestrian Planning Project and the Agreement with NCDOT.

Alderman Pleasants, seconded by Alderman Owen, made a motion to approve the agreement with NCDOT on the Bicycle Planning Grant. The motion passed unanimously.

Alderman Pleasants, seconded by Alderman Owen, made a motion to approve the Resolution Approving the Bicycle Planning Grant. The motion passed unanimously.

Sell of Cemetery Plot Back to the Town – James C. Tickle Plot

Ben Baxley, Town Manager, stated Deanna Tickle, daughter of James C. Tickle (deceased) was requesting to sell the four graves she owns back to the Town for \$800.00; this was the Town's policy that the owner gets half of the going cost. He stated staff recommended approval.

Alderman Owen, seconded by Alderman Pleasants, made a motion that the Town buy back the four graves at a cost of \$800.00 from Deanna Tickle. The motion passed unanimously.

FY 2019 Budget Ordinance Amendment #6

Ben Baxley, Town Manager, stated the FY 2019 Budget Ordinance Amendment #6 was needed to account for the following General Fund Revenues:

- Increase of \$650 in Library line item to account for a library book sale
- Increase of \$1,830 in Miscellaneous line item to account for quarterly contributions from the Gibsonville ABC Board (\$1,060) to the Police Department for community policing activities and Gibsonville Cemetery Association account close out contribution (\$770)
- Increase of \$4,325 in Federal Drug Funds line item to account for allocation of said funds to purchase another kennel for the K-9
- Increase of \$235,500 in Appropriated General Fund Balance line item to complete Police Department/Town Hall emergency generator project (\$136,000), pay off fire truck loan early (\$75,000), and install surveillance camera system (\$24,500) (will be reimbursed by Governor's Crime Commission Grant after completion)

Mr. Baxley stated the FY 2019 Budget Ordinance Amendment #6 was needed to account for the following General Fund Expenditures:

- Increase of \$162,390 in Administration line item to complete the Police Department/Town Hall emergency generator project (\$136,000), cover cost related to an Americans with Disabilities Act (ADA) self-evaluation (facilities portion) (\$14,000), and replacement of Town Hall rear porch/steps with roof (awning) (\$12,390)
- Increase of \$29,885 in Police line item to install surveillance camera system (\$24,500) (will be reimbursed by Governor's Crime Commission Grant after completion) and to account for allocation of Federal Drug Funds to purchase another kennel for the K-9 (\$4,325), and a quarterly Gibsonville ABC Board contribution (\$1,060) to the Police Department for community policing activities
- Increase of \$75,000 in Fire line item to pay off fire truck loan early
- Increase of \$31,675 in Streets line item to provide additional funding to cover cost of benefits related to the conversion of part-time hours into one full-time position in the streets department
- Decrease of \$21,675 in Sanitation line item to move funding from the sanitation department to the streets department to assist with costs related to the converted full-time position
- Increase of \$8,650 in Library line item to provide additional funding to cover cost of benefits related to the conversion of part-time hours into one full-time position in the library department (\$8,000) and to account for a library book sale (\$650)

- Increase of \$770 in Cemetery line item to account for a Gibsonville Cemetery Association account close out contribution
- Decrease of \$44,390 in Contingency line item to cover cost related to an Americans with Disabilities Act (ADA) self-evaluation (facilities portion) (\$14,000), replacement of Town Hall rear porch/steps with roof (awning) (\$12,390), and to provide additional funding to cover cost of benefits related to the conversion of part-time hours into one full-time position in the streets department (\$10,000) and one full-time position in the library department (\$8,000)

Mr. Baxley stated the amendments increased the General Fund budget by \$242,305. He stated staff recommended approval of

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve FY 2019 Budget Ordinance Amendment #6. The motion passed unanimously.

**TOWN OF GIBSONVILLE, NORTH CAROLINA
2019 BUDGET ORDINANCE AMENDMENT #6**

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 4th day of March, 2019 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

SECTION I. GENERAL FUND

Anticipated Revenues	FY 2019	Amendment Increase/Decrease	FY 2019
	<u>Current Budget</u>		<u>Revised Budget</u>
Taxes, Current Year	2,795,000	-	2,795,000
Taxes, Prior Years	24,450	-	24,450
Motor Vehicle Tax	330,000	-	330,000
Penalties & Interest	10,000	-	10,000
Cemetery	12,000	-	12,000
Recreation	76,000	-	76,000
Sanitation Service Charge	288,000	-	288,000
Interest on Investments	8,000	-	8,000
Fire District Tax (Guilford)	14,400	-	14,400
<i>Library</i>	<i>2,294</i>	650	<i>2,944</i>
Transfer Perpetual Care	2,700	-	2,700
Sale of Fixed Assets	5,000	-	5,000
Guilford County Funds	55,500	-	55,500
Code Enforcement/Planning	8,000	-	8,000
Brush/White Goods Pickup Fees	1,500	-	1,500
<i>Miscellaneous</i>	<i>28,461</i>	1,830	<i>30,291</i>
GHA	2,340	-	2,340
		-	

Stormwater Fee	30,000		30,000
Solid Waste Disposal Tax	4,700	-	4,700
Intangible: Sales Tax (Alamance Co.)	875,000	-	875,000
Intangible: Sales Tax (Guilford Co.)	460,000	-	460,000
Utility Franchise	390,000	-	390,000
Beer & Wine	30,000	-	30,000
State Drug Funds	3,743	-	3,743
<i>Federal Drug Funds</i>	<i>87,532</i>	<i>4,325</i>	<i>91,857</i>
Powell Bill Funds	189,000	-	189,000
Loan Proceeds	37,933	-	37,933
Insurance Proceeds	2,610	-	2,610
<i>Appropriated General Fund Balance</i>	<i>688,221</i>	<i>235,500</i>	<i>923,721</i>
Appro'd Fund Balance - Powell Bill	205,000	-	205,000
Appro'd Revitalization Grant	115,119	-	115,119
<i>Total Anticipated Revenues</i>	<i>6,782,503</i>	<i>242,305</i>	<i>7,024,808</i>

Authorized Expenditures

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Governing Board	69,516	-	69,516
<i>Administration</i>	<i>1,257,807</i>	<i>162,390</i>	<i>1,420,197</i>
<i>Police</i>	<i>1,912,508</i>	<i>29,885</i>	<i>1,942,393</i>
<i>Fire</i>	<i>980,590</i>	<i>75,000</i>	<i>1,055,590</i>
Public Works Administration	199,308	-	199,308
<i>Streets</i>	<i>835,442</i>	<i>31,675</i>	<i>867,117</i>
Powell Bill	312,100	-	312,100
<i>Sanitation</i>	<i>347,050</i>	<i>(21,675)</i>	<i>325,375</i>
Recreation	651,234	-	651,234
<i>Library</i>	<i>148,778</i>	<i>8,650</i>	<i>157,428</i>
<i>Cemetery</i>	<i>18,170</i>	<i>770</i>	<i>18,940</i>
<i>Contingency</i>	<i>50,000</i>	<i>(44,390)</i>	<i>5,610</i>
<i>Total Authorized Expenditures</i>	<i>6,782,503</i>	<i>242,305</i>	<i>7,024,808</i>
	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	840,748	-	840,748
Tapping Fees	450	-	450
Meter Setting	10,000	-	10,000
Reconnection Fees	40,000	-	40,000
Loan Proceeds	37,933	-	37,933
Miscellaneous Revenues	13,644	-	13,644
Internet Convenience Fees	7,000	-	7,000
Retained Earnings Appropriation	<u>147,000</u>	<u>-</u>	<u>147,000</u>
Total Anticipated Water Revenues	<u>1,096,775</u>	<u>-</u>	<u>1,096,775</u>
<u>Sewer Revenues</u>			
Sewer Service Fees	2,103,033	-	2,103,033
Tapping Fees	550	-	550
Meter Setting	10,000	-	10,000
Reconnection Fees	40,000	-	40,000
Loan Proceeds	112,933	-	112,933
Miscellaneous Revenues	13,644	-	13,644
Internet Convenience Fees	7,000	-	7,000
Insurance Proceeds	<u>9,754</u>	<u>-</u>	<u>9,754</u>
Total Anticipated Sewer Revenues	<u>2,296,914</u>	<u>-</u>	<u>2,296,914</u>
Total Anticipated W&S Revenues	<u>3,393,689</u>	<u>-</u>	<u>3,393,689</u>
Authorized W&S Expenditures			
Water Expenditure	1,096,775	-	1,096,775
Sewer Expenditures	<u>2,296,914</u>	<u>-</u>	<u>2,296,914</u>
Total Authorized Expenditures	<u>3,393,689</u>	<u>-</u>	<u>3,393,689</u>
	-	-	-

SECTION III. PERPETUAL CARE FUND

Anticipated Revenues	2,700	-	2,700
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Authorized Expenditures

2,700

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2,700

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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 2019. This rate is based on a total valuation of property of \$612,181,228 and an estimated collection rate of 97.25%.

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 2019 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 4th day of March, 2019.

Attest:

Mayor of Gibsonville, NC

Town Clerk of Gibsonville, NC

Setting Tax Lien Sale Date for Unpaid

Ben Baxley, Town Manager, stated the Tax Collector was requesting the Board to set April 11, 2019 for the advertisement of tax lien sale date on unpaid taxes. The board received a list of unpaid taxes.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to approve April 11, 2019 as the tax lien sale date on unpaid taxes. The motion passed unanimously.

Tax Releases

<u>Acct#</u>	<u>Name</u>	<u>Value Reduced</u>	<u>New Value</u>	<u>Actual Taxes</u>	<u>Release \$</u>
All bills under \$2.00					50.09
0218612	Lingerfelt	0.00	0.00	0.00	1164.84
0221706	J. Jarrett	0.00	0.00	0.00	2191.90 4 years
0221707	B. Griffis	0.00	0.00	0.00	1943.40 4 years
170704	R. Ratliff	0.00	0.00	0.00	1395.51
170706	E. Foster	0.00	0.00	0.00	1357.17
170707	B. Dickens	0.00	0.00	0.00	4323.27 3 years
0217993	W. Bland	0.00	0.00	0.00	1200.78
0221734	G. Miller	0.00	0.00	0.00	1234.01
0221735	R. Filbey	0.00	0.00	0.00	1297.72

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

Appointment to Planning Board

Mayor Williams stated Dick Swank had served on the Planning Board; he had been off one year. He recommended Mr. Swank be reappointed.

Ben Baxley, Town Manager, stated the Planning Board was recommending the appointment of Dick Swank to the Gibsonville Planning Board. He stated Mr. Swank would be appointed to a three year term. The Planning Board recommended approval.

Alderman Shepherd, seconded by Alderman Owen, made a motion to appoint Dick Swank to the Planning board. The motion passed unanimously.

Reappointments to Planning Board

Mayor Williams stated he had talked with John Nix about his comments at the recent Planning Board meeting. He stated he informed him the Board would not allow those type of comments. He stated Mr. Nix apologized to him for his comments. Mayor Williams recommended Mr. Nix be reappointed to the Planning Board.

Alderman Pleasants stated he had asked everyone to listen to the Planning Board tape and the comments. He stated he was not aware of Mr. Nix's reappointment at that time.

Alderman Shepherd stated he had talked with several people and Mr. Nix knew he should not have made those comments.

Alderman Shepherd made a motion to reappoint John Nix and Tim Wood to the Planning Board.

The motion died for a lack of a second.

Alderman Shepherd, seconded by Alderman Owen, made a motion to reappoint Tim Wood to the Planning Board. The motion passed unanimously.

Alderman Pleasants, seconded by Alderman Owen, made a motion to deny the reappointment of John Nix to the Planning Board. The motion passed unanimously.

Reports

a. Mayor

Mayor Williams stated he had received a complaint about the lights at the Senior Center; he told management and it had been fixed. He stated the old generator would be moved to the Senior Center once the new one at Town Hall/Police Department had been installed. He stated the public hearings on the rezonings would be on the March 18th agenda. He stated there was a petition online saying it was signed by Mayor Lenny Williams; he stated he did not sign the petition and did not know anything about this.

Alderman Shepherd, seconded by Alderman Owen, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 8:06 pm.

Mayor

Attest:

Town Clerk