

MINUTES – MAY 21, 2018

The Board of Aldermen of the Town of Gibsonville met at 7:00 pm for an agenda meeting in the Town Hall. The meeting was called to order by Mayor Williams. Alderpersons Shepherd, Owen, Dean, O'Toole, and Pleasants were present. Ben Baxley, Town Manager, and Laurie Yarbrough, Town Clerk, were present. Police Chief Ron Parrish, Public Works Director Rob Elliott, Planning Director Brandon Parker, Lawson Brown, Kevin Sasser, and several residents were in attendance.

Public Comments

Betsy Braranik of 213 Sullivan Ct. asked what was the Board's vision for Gibsonville in the future.

Alderman Shepherd stated the town had a Land Use Plan.

Ben Baxley, Town Manager, stated the Town had a Comprehensive Development Plan and staff used this to provide guidance to the Planning Board; the Planning Board made recommendations to the Board of Aldermen.

Mayor Williams asked Ms. Braranik to feel free to come in and talk with staff and attend the Planning Board meetings.

Approval of Agenda

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

Rezoning 925 Burlington Ave. – Public Hearing

Mayor Williams stated this was a Public Hearing to consider a rezoning request for 925 Burlington Ave. He stated once the Board had their discussion he would open the Public Hearing.

Ben Baxley, Town Manager, stated K & J Investment Properties, LLC was requesting their property at 925 Burlington Ave. be rezoned from Light Office (LO) to Limited Business (LB) to allow for a vet service. He stated the Planning Board recommended approval of the rezoning. He stated the zoning met the LB requirements and was consistent with the Land Development Plan.

Alderman Pleasant, seconded by Alderman Shepherd, made a motion to open the public hearing. The motion passed unanimously.

Kevin Sasser, representative with K & J Investment Properties, LLC, stated the rezoning request was to allow for a vet office. He explained that Dr. Chaney and his wife Alexi Chaney currently had a vet office across the street from this property. He stated they had outgrown their existing building and would like to move their business into 925 Burlington Ave.

Alexi Chaney stated this was a great opportunity to move their business across the street. She stated they would not have any outside kennels in the back; no outside pet waste. She stated they intended to purchase the property and the adjacent property. She stated she would be glad to answer any questions.

Kathy King of 210 Sullivan Ct. stated she thought the area property owners were glad they intend to purchase the property. She stated she was present to speak for adjoining property owners who could not be at the meeting. She stated they had a concern with noise. She stated this property was intended for office space. Ms. King encouraged the Chaney's to speak with the adjacent property owners. She asked how would this rezoning affect the other rezoning that was postponed on Burlington Ave.; concern was how affect resell values in area.

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

Alderman Pleasants stated he used this vet currently and had never notice noise; he did not think noise would be a problem. He stated the rezoning next door was a different issue.

Alderman Pleasants, seconded by Alderman Shepherd, made a motion to approve the rezoning at 925 Burlington Ave.; rezone from LO to LB. The motion passed unanimously.

AN ORDINANCE TO AMEND THE GIBSONVILLE ZONING MAP BY REZONING THE PROPERTY OF K&J INVESTMENTS FROM LO TO LB

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 Alamance County parcels 108805, and 108806 located at 925 Burlington Ave., is owned by K&J Investments; and

WHEREAS, pursuant to development ordinance, proper application was made by the property owner to rezone 1.97 total acers from LO to LB; 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 April meeting, the Gibsonville Planning Board made a recommendation to approve the rezoning request by unanimous 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 LO to LB, which shall be fully incorporated therein.

Adopted this 21st day of May, 2018.

Mayor

Attest: _____

Town Clerk

Resolution Fixing Date for Public Hearing for Annexation – 115 Frissell Dr.

Lawson Brown, Attorney representing Frissell Holdings, LLC, stated he was present to answer any questions.

Ben Baxley, Town Manager, stated Frissell Holdings, LLC was requesting annexation of their property located at 115 Frissell Dr.; this property was contiguous with the town limits. He stated the petition was presented at the last meeting and the Board approved the Resolution Directing the Town Manager to investigate the Petition under G.S. 150A.31. He presented the Certificate of Sufficiency signed by the Town Manager. He stated staff recommended setting the Public Hearing to consider the Ordinance to Extend the Corporate Limits for the June 4, 2018 meeting.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to the Resolution Fixing Date for Public Hearing for Annexation of 115 Frissell Dr. for June 4, 2018. The motion passed unanimously.

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 here in will be held at Town Hall at 7:00 pm on the 4th day of June, 2018.

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

Property identified as Guilford County Register of Deeds Book R-9013, Page 1382-1386, owned by Frissell Holdings, LLC; being 10.36 acres located at 115 Frissell Dr.

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 21st day of May, 2018.

Mayor

Attest:

Town Clerk

June 4, 2018 Agenda Items to be Discussed

Discussion of Street, Utility Construction, and Stormwater Management Plan Review and Inspection Fee Policy

Ben Baxley, Town Manager, stated the Board had discussed the Street, Utility Construction, and Stormwater Management Plan Review and Inspection Fee Policy at the Board's Retreat. He stated this was a new fee to help offset fees.

Josh Johnson with AWCK stated the intent of this policy was to establish fees for costs associated with the town providing construction plan review and periodic construction of new streets, water, sewer, storm drainage, and stormwater management devices; which AWCK done for the town and the town had been paying for this. He stated this policy would not replace the project engineer's responsibility for supplying required inspection for the certification of constructed project's reasonable conformance with the approved construction plans and Town's standards and requirements. He stated this fee would come from the water/sewer fund or streets fund. He stated all surrounding towns had similar fees for plan review and inspection fees.

Mr. Baxley stated they were looking for a tool to help pay for additional fees like the plan review and inspection fee.

Mayor Williams asked would this be in addition to the system development fee.

Mr. Johnson stated yes; the system development fee was imposed by the Legislature.

Mr. Baxley asked the Board if they had an interest in approving the fee at the June 4th meeting.

Mayor Williams asked if they could come back with an estimate of what the cost would be at the next meeting.

Mr. Johnson stated yes, they could look at an existing project.

Alderman O'Toole stated this would be based on a projection. He stated the same basis for development fees; not money on hand.

Mr. Baxley agreed.

Joseph's Claim Subdivision Public Waterline Extension Project Bids

Ben Baxley, Town Manager, stated the Town had been working on this for several months. He stated the goal was to run a waterline up Main St. to Joseph's Claim to improve north side of town water flow and fire flow. He stated the town had received bids for the Joseph's Claim Subdivision public waterline extension project. He presented the list of bids to the Board; low bid was \$169,000.. He stated the Board would be asked to award the bid (vote) at the June 4, 2018.

Josh Johnson with AWCK stated they were still working on easements and waiting on development agreement.

Water & Sewer System Development Fees

Josh Johnson with AWCK stated at the April 10, 2018 meeting Glen Fleming with AWCK provided a draft report of the water system and sewer system development fees; this was needed for the town to be in compliance with new State laws. He stated the Board set the public hearing for public input on the proposed water & sewer development fees for the June 4, 2018 meeting. He stated a Resolution Adopting the Water & Sewer System Development Fees would be presented to the Board at the June 4, 2018 meeting for approval; said fees would be incorporated in the FY 2019 Budget. He stated the system development fee would be a one-time levy assessed against new water and wastewater consumers for system capacity. He stated proceeds from this fee would then be used to fund the design and construction of growth related water and wastewater system capital projects, and/or to reimburse the LGU for previous water and wastewater capacity related capital expenditures. He stated currently the Town's water and wastewater systems had sufficient capacity to serve new development.

Mayor Williams stated the Legislature says towns have to do.

Establishment of a Capital Reserve Fund for System Development Fees

Ben Baxley, Town Manager, stated the State requires the System Development Fees be set aside in a Capital Reserve Fund. He stated a Resolution would be available at the June 4, 2018 meeting for the Board's approval that would allow the board to establish said fund.

Josh Johnson with AWCK stated if the town collected the System Development Fee, it had to be put in a Capital Reserve Fund.

Resolution for Approving Local Water Supply Plan

Ben Baxley, Town Manager, stated the 2017 Water Supply Plan has been submitted to the North Carolina Division of Water Resources and approved; this is required every five years. He stated the Plan was required to be adopted by the Board by way of Resolution. He stated a Resolution will be provided at the June 4, 2018 meeting for the Board's approval.

Rob Elliott, Public Works Director, stated this had been presented to the State and approved.

FY 2019 Recommended Budget Update

Ben Baxley, Town Manager, stated the proposed FY 2019 Budget had been posed in the Town Hall lobby, online, and posted at the Library. He stated he presented the FY 2019 Recommended Budget at the last meeting. He stated Alderman Pleasants had a question about financing of police vehicles.

Alderman Pleasants stated he had met with the Town Manager and the Finance Officer about the financing of the police vehicles and after looking at the math and the debt service; this was not the way to go. He stated he was not correct on the rules but he was correct on the math.

Mr. Baxley explained they also looked at police salaries. He explained that the budget included twelve months of police salaries; if they hired one on October 1st and one on April 1st then in two years you would have the full impact of two police officer salaries.

Alderman Pleasants stated if they considered two new police officers, they would have to create revenue through a tax increase, then in two years they would feel the impact.

Steve Harrison, Planning Board Chair, stated building had increased over the last year and the revenue base was growing. He stated also got two large developments coming up soon. He stated eighteen months down the road could be looking at increase in revenue.

Alderman Dean stated if they went with two new police officers, was there a way to do it without raising taxes.

Mayor Williams stated the tax rate was higher than other towns; he was not in favor of raising taxes.

Alderman Shepherd stated he was in favor of public safety but not in favor of raising taxes. He stated if they saw revenue increase, then look at it again. He recommended the budget stay the way it was written.

Mr. Baxley stated he was open to re-evaluating this down the road.

Mayor Williams recommended set aside any additional money for public safety.

Mr. Baxley stated the goal was to set the public hearing to consider the FY 2019 Budget for the June 4, 2018 meeting with one police officer position and no tax increase.

Alderman Shepherd, seconded by Alderman Owen, made a motion to set the public hearing for June 4, 2018 for discussion of adoption of the FY 2019 Budget Ordinance. The motion passed unanimously.

Reports

a. Manager

Ben Baxley, Town Manager, stated the Board would have Ethics Training on May 23, 2019 at 10:00 am to 12:00 noon at the Gibsonville Community Center; webinar from the School of Government. He stated Town Hall would be closed May 28, 2019 for the Memorial Day holiday. He stated June 2, 2019 would be the opening for the Market at Gibsonville with a pancake breakfast, Gibsonville Railroad operating, and a band on the Town Greens that evening.

b. Mayor

Mayor Williams stated he attended the May 15th Guilford County Historic Properties Commission meeting. He stated the Lindley property was on the agenda asking for the State to recognize their property on Railroad Ave as an historic property. He stated the Lindley's had someone interested in developing the property. He stated only part of the building would qualify as an historic property. He stated Guilford County recommended the State consider this property as an historic property. He stated this would be on the State's Historic Properties agenda on June 14, 2018; the State would have 45 days to approve the request and get it to Washington for final approval. Mayor Williams stated he had asked for Representatives John Hardister and Steve Ross for help. Mayor Williams stated he would be asking the Board to approve a Resolution of Support at the June 4th meeting to take to Raleigh with him on June 14th.

Alderman Shepherd, seconded by Alderman Owen, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 8:01 pm.

Mayor

Attest:

Town Clerk

May 23, 2018

Ethics Training

On May 23, 2018 the Board attended a Ethics Training for Local Officials Webinar hosted by the School of Government. Mayor Williams, Alderman Shepherd, Alderman Pleasants, Alderman Dean, and Alderman Owen were present. Alderman O'Toole had previously attended his Ethics Training on January 25, 2018 at a Newly Elected Officials Workshop. Ben Baxley, Town Manager, and Laurie Yarbrough, Town Clerk were present. The webinar began at approximately 10:00 am and ended at 12:00 noon.