

MINUTES – June 3, 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, Shepherd, Pleasants, Dean, 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, Librarian Jessica Arnold several firefighters, police officers, and several residents were in attendance.

Invocation

Mayor Williams welcomed Alderman Dean back after his recent surgery. He asked that everyone remember Virginia Beach residents after the recent tragedy there.

Rev. Baker of the Gibsonville Christian Church gave the Invocation.

Public Comments

Shirley Pearson, resident, asked the board not to allow chickens in the town limits. She asked the board to approve the annexations of Manning Crossing and Stone Ridge. She stated these developments would give the town more tax money to build a new police department.

Ivonne Maizeland, resident, stated there was a misunderstanding at the last meeting when she mentioned paying tribute to the Gibsonville Police Department. She stated she had recognized other town departments in the past. She stated she was surprised that this made the Mayor angry. She stated she thought the Mayor owed her a public apology.

Karen Tikkanen of 1204 Candlewood Dr. stated she had her chickens for eight years; no roosters. She stated they did not smell. She stated a concern with run-off in her back yard from the rain. She stated she was a responsible chicken owner and asked the board to keep chickens in the ordinance.

Approval of Agenda

Alderman Shepherd, seconded by Alderman Owen, 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 May 6, 2019 and May 20, 2019. The motion passed unanimously.

Recognition of Firefighter – Jerry Williamson

Alderman Owen stated the Town would like to recognize retiring firefighter Jerry Williamson and for his longevity with the fire department.

Fire Chief James Todd stated he appreciated Jerry Williamson's service.

Mayor Williams presented Mr. Williamson with a Certificate of Appreciation and thanked him for his 33 years of service to the fire department.

Ordinance to Amend Chapter 91: Animals - Public Hearing

Mayor Williams stated this was a public hearing to consider and Ordinance to Amend Chapter 91: Animals.

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

Ben Baxley, Town Manager, stated at the last meeting the board directed staff to amend Chapter 91: Animals to address chickens in the town limits. He stated definitions was included in the proposed amendment giving the definition of chickens. He stated staff was recommending approval of the Amendment to Ordinance Chapter 91: Animals as it relates to livestock and domestic fowl (including chickens).

Mayor Williams asked for public input.

Marisa Schaffer, Brown Bark Dr. resident, stated she had her chickens for over ten years. She stated she appreciated the board working on this. She asked the board to consider the amendment to include chickens, but no more than five hens.

Madeline Schaffer, Brown Bark Dr. resident, stated she was in favor of chickens and stated they were more than chickens, they were pets.

Karen Tikkanen, Candlewood Dr. resident, stated she educated chickens to kids.

Wayne Chandler, E. Joyner resident, stated he had chickens in the past; recommended no more than five hens; ten hens may cause smell issue.

Mrs. Schaffer stated the current ordinance address the smell issue in cruelty to animals.

Lisa Hamrick of 412 Brown Bark Ln. stated her neighbors had chickens and they did not bother anyone. She recommended three chickens to each person in the household.

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

Mayor Williams read an article he found addressing backyard chicken plot gaining popularity.

Alderman Pleasants asked what would be the number of chickens allowed.

Alderman Shepherd stated consider lot size.

Mr. Baxley stated most lots were 10,000 s.f. He stated the recommendation was five.

Alderman O'Toole stated did the town have the tools in place to inforce cruelty and enforce the ordinance. He stated they did not want to penalize responsible chicken owners.

Alderman Pleasants, seconded by Alderman Owen, made a motion to approve the Amendment to Ordinance Chapter 91. Animals to include maximum of 10 hens. The motion passed unanimously.

**AN ORDINANCE TO AMEND GIBSONVILLE CODE OF ORDINANCES
CHAPTER 91. ANIMALS**

WHEREAS, the current Code of Ordinances was re-codified in 2013; and

WHEREAS, a public hearing was advertised and a public hearing was held at a regular Board of Aldermen meeting on June 3, 2019 and passed by an unanimous vote; and

WHEREAS, during the course of interpretation the need arises from time to time to revise the current ordinance to better clarify the intent; and

WHEREAS, staff recommends adding the following section to Chapter 91: Animals:

Section 91.09. LIVESTOCK AND DOMESTIC FOWL GENERALLY PROHIBITED.

(A) Livestock and domestic fowl prohibited. Livestock and domestic fowl of all descriptions are prohibited within the corporate limits of the town except as listed in 91.09 (B).

(B) The maximum number of female chickens (hens) allowed is ten (10) per lot. No roosters are permitted. The hens shall be located within a fence behind the main structure on residential properties.

And amend the following section to Chapter 91: Animals:

Section 91.27 DEFINITIONS by adding:

Chicken means any of the common domestic birds or fowl of the species *Gallus gallus domesticus* whose eggs or flesh are used for food. Also referred to as "poultry." The female bird is called a "hen."

Domestic fowl shall include, but not be limited to, turkeys, geese, chickens, peacocks, guinea fowl, ratites, or ducks.

Livestock shall include, but shall not be limited to, equine animals, sheep, goats, llamas, alpacas, and swine.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE TOWN OF GIBSONVILLE: that the Gibsonville Code of Ordinances, Chapter 91: Animals be amended by adding Section 91.09. Livestock and Domestic Fowl Generally Prohibited and amend Section 91.27 Definitions.

Adopted this the 3rd day of June, 2019.

Mayor

Attest:

Town Clerk

FY 2020 Budget Ordinance - Public Hearing

Mayor Williams stated the recommended FY 2020 Budget was presented at the May 6, 2019 meeting. He stated this was a public hearing to consider the adoption of the FY 2020 Budget Ordinance.

Ben Baxley, Town Manager, gave an overview of the recommended FY 2020 Budget stating it included a 2% water and sewer rate increase, General Fund Budget was \$6,698,928, this was a decrease of \$325,880 or 4.6 percent below the FY 2019 General Fund Budget of \$7,024,808; Water & Sewer Fund Budget was \$3,323,090, this was a decrease of \$70,599 or 2.1 percent below the FY 2019 Water & Sewer Fund Budget of \$3,393,689; and it maintained the same property tax rate of 53 cents per \$100 valuation as the FY 2019 Budget (**no property tax rate increase**).

Alderman Pleasants stated a possibility that had been discussed every year would be raising taxes to keep the level of service the town provided. He stated there were two new developments that would bring in revenue but the town needed to put things in place for growth. He stated the police department needed a building but how would the town pay for it without cutting other departments and services that were provided. He stated he agreed with the budget and that two new police officer were needed this year and two next year.

Mayor Williams opened the public hearing.

Karen Tikkanen, Candlewood Dr. resident, asked what was the projected revenue with the two new developments.

Alderman O'Toole stated it was hard to answer this because they did not know would it develop in two or three years.

Mayor Williams stated they were told it could be five to seven years is what they were told by the developers. He stated the town was required by State law to have a balanced budget; expenses could not exceed revenues.

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

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the FY 2020 Budget Ordinance. The motion passed unanimously.

Mayor Williams stated the FY 2020 Budget Ordinance was approved as presented by the Town Manager with no tax increase.

TOWN OF GIBSONVILLE, NORTH CAROLINA 2020 BUDGET ORDINANCE

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 3rd day of June, 2019 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations.

SECTION I. GENERAL FUND:

<u>Anticipated Revenues</u>	<u>FY 2020</u>
Taxes, Current Year	2,956,000
Taxes, Prior Years	25,150
Motor Vehicle Tax	372,000
Penalties & Interest	12,000
Cemetery	10,000
Recreation	82,000
Sanitation Service Charge	306,000
Interest on Investments	8,000
Fire District Tax(Guilford)	14,400
Library	2,000
Transfer Perpetual Care	2,700
Sale of Fixed Assets	10,000
Guilford County Funds	55,500
Code Enforcement/Planning	8,000
Brush/White Goods Pickup Fees	2,000
Miscellaneous	30,706
GHA	2,340
Stormwater Fee	32,000
Solid Waste Disposal Tax	4,600
Intangible: Sales Tax(Alamance Co.)	921,000
Intangible: Sales Tax(Guilford Co.)	488,500
Utility Franchise	400,000
Beer & Wine	30,000
Powell Bill Funds	192,000
Appro'd. General Fund Balance	701,999
Appro'd Recreation Capital Reserve	30,033
Total Anticipated Revenues	<u>6,698,928</u>

<u>Authorized Expenditures</u>	<u>FY 2020</u>
Governing Board	68,346
Administration	1,002,474

Police	2,019,839
Fire	1,070,619
Public Works	1,491,214
Powell Bill	102,500
Recreation	714,165
Library	172,271
Cemetery	17,500
Contingency	40,000
Total Authorized Expenditures	6,698,928

SECTION II. WATER & SEWER:

Anticipated W&S Revenues	<u>FY 2020</u>
<u>Water Revenues</u>	
Water Service Fees	815,000
Tapping Fees	1,000
Meter Setting	13,000
Reconnection Fees	45,000
Realize Deferred Revenue	57,045
Miscellaneous Revenues	11,000
Internet Convenience Fees	12,000
Retained Earnings Appropriation	15,000
Total Anticipated Water Revenues	969,045

<u>Sewer Revenues</u>	
Sewer Service Fees	2,200,000
Tapping Fees	1,000
Meter Setting	13,000
Reconnection Fees	45,000
Realize Deferred Revenue	57,045
Miscellaneous Revenues	11,000
Internet Convenience Fees	12,000
Retained Earnings Appropriation	15,000
Total Anticipated Sewer Revenues	2,354,045
Total W&S Anticipated Revenues	3,323,090

Authorized W&S Expenditures

Water Expenditures	969,045
Sewer Expenditures	2,354,045
Total Authorized Expenditures	3,323,090
SECTION III. PERPETUAL CARE FUND	<u>FY 2020</u>
Anticipated Revenues	2,700
Authorized Expenditures	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. FEE SCHEDULE

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 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.

Adopted this the 3rd day of June, 2019.

Attest:

Mayor of Gibsonville, NC

Town Clerk of Gibsonville, NC

Resolution to Adopt FY 2020-2024 Capital Improvement Plan

Ben Baxley, Town Manager, stated the FY 2020-2024 CIP was a five year plan. He stated staff recommended approval of the Resolution to Adopt the FY 2020-2024 Capital Improvement Plan.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the Resolution to Adopt the FY 2020-2024 Capital Improvement Plan. The motion passed unanimously.

A RESOLUTION TO CONSIDER AND ADOPT THE RECOMMENDED CAPITAL IMPROVEMENT PLAN – FISCAL YEAR 2020 THROUGH FISCAL YEAR 2024

WHEREAS, the Town of Gibsonville recognizes that a Capital Improvement Plan enables staff and the Board to plan for a vibrant community; and

WHEREAS, the Capital Improvement Plan is a five-year planning tool designed to help the Town plan for the repair, replacement, and acquisition of capital items; to assist in financial planning; to ensure better coordination and evaluation of projects; to provide necessary lead time for project planning, permitting, design; and to maintain or improve the Town’s credit rating and fiscal health; and

WHEREAS, this plan is updated annually for Board of Aldermen review; and

WHEREAS, adjustments for anticipated projects can also be made each year during the annual revision of the Town’s budget; and

WHEREAS, this flexibility in the planning and implementation of capital needs makes Gibsonville’s Capital Improvement Plan responsive to the changing needs of the community.

NOW, THEREFORE, BE IT RESOLVED that the Town of Gibsonville Board of Aldermen has received the *Recommended Capital Improvement Plan – Fiscal Year 2020 through Fiscal Year 2024* and adopts this capital plan. This the 3rd day of June, 2019.

Mayor

Attest:

Town Clerk

Approval of the Preserve at Stone Ridge Site Plan

Brandon Parker, Planning Director, stated the site plan was an extension of the Stone Ridge subdivision. This would provide another access on Gibsonville Ossipee Rd. and 39 additional lots. He stated the Planning Board recommended approval of the site plan of the Preserve at Stone Ridge.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to approve the Preserve at Stone Ridge Site Plan. The motion passed unanimously.

Petitions for Annexation

a. Manning Crossing

Ben Baxley, Town Manager, stated Manning Crossing LLC has presented a Petition for Annexation of 32.40 acres. He stated the Board would need to approve the Resolution Directing the Town Manager to Investigate the Petition Requesting Annexation.

Alderman Owen, seconded by Alderman Shepherd, made a motion to approve the Resolution Directing the Town Manager to Investigate the Petition Requesting Annexation from Manning Crossing LLC.

**Resolution Directing the Town Manager to Investigate
A Petition Received Under G.S. 160A-31**

Whereas, a petition requesting annexation of an area described in said petition has been received on June 3, 2019 by the Board of Aldermen of the Town of Gibsonville; and

Whereas, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Manager before further annexation proceedings may take place; and

Property identified as Alamance County Register of Deeds Book 1515, Page 776 (32.40 ac.); owned by Manning Crossing, LLC; and

Whereas, the Board of Aldermen of the Town of Gibsonville deems it advisable to proceed in response to this request for annexation;

Now, Therefore, Be It Resolved by the Board of Aldermen of the Town of Gibsonville:

That the Town Manager is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Aldermen the result of his investigation.

Adopted this the 3rd day of June, 2018.

Mayor

Attest:

Town Clerk

b. Stone Ridge

Ben Baxley, Town Manager, stated Bryan Shugart with Stone Ridge had presented a Petition for Annexation of 4.75 acres owned by Shugart Inc. He stated the Board would need to approve the Resolution Directing the Town Manager to Investigate the Petition Requesting Annexation.

Alderman Owen, seconded by Alderman Dean, made a motion to approve the Resolution Directing the Town Manager to Investigate the Petition Requesting Annexation from Shugart Inc.

**Resolution Directing the Town Manager to Investigate
A Petition Received Under G.S. 160A-31**

Whereas, a petition requesting annexation of an area described in said petition has been received on June 3, 2019 by the Board of Aldermen of the Town of Gibsonville; and

Whereas, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Manager before further annexation proceedings may take place; and

Property identified as Alamance County Register of Deeds Book 44, Page 2 (4.8 ac.); owned by Shugart Inc.; and

Whereas, the Board of Aldermen of the Town of Gibsonville deems it advisable to proceed in response to this request for annexation;

Now, Therefore, Be It Resolved by the Board of Aldermen of the Town of Gibsonville:

That the Town Manager is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Aldermen the result of his investigation.

Adopted this the 3rd day of June, 2018.

Mayor

Attest:

Town Clerk

Resolution to Establish Filing Fee for 2019 Election

Ben Baxley, Town Manager stated staff was requesting approval of the Resolution setting the filing fee for the 2019 municipal election at \$6.00 for Alderman and \$10.00 for Mayor. He stated the Board would have the Mayor and three Alderman seats on the November ballot; the filing opens at 12:00 noon on July 5, 2019 and ends at 12:00 noon on July 19, 2019.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the Resolution to Establish Filing Fee for 2019 Election. The motion passed unanimously.

**RESOLUTION TO ESTABLISH FILING FEE
FOR 2019 MUNICIPAL ELECTION**

WHEREAS, a Municipal Election is scheduled to be conducted for the Town of Gibsonville on November 5, 2019. The purpose of this election is to elect a Mayor and three Aldermen to serve on the Gibsonville Board of Aldermen; and

WHEREAS, the Gibsonville Board of Aldermen has set the 2019 filing fee to be \$10.00 for the Mayor seat and \$6.00 for the Aldermen seats. Filing will begin at 12:00 noon on July 5, 2019 and ends at 12:00 noon on July 19, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Gibsonville hereby unanimously approves the filing fee as stated above for the 2019 Municipal Election.

Adopted this the 3rd day of June, 2019.

Leonard M. Williams
Mayor

Attest:

Laurie Yarbrough
Town Clerk

Reports

a. Manager

Ben Baxley, Town Manager, commended Parks and Recreation on the Market Day and Concert; it was a success.

b. Mayor

Mayor Williams stated Parks and Recreation were over the Market Day events, senior citizens trips, Christmas parade, and concert series.

Alderman Owen asked that the board consider placing a fence along the railroad at the Minneola ballfield; kid safety concerns.

Mayor Williams asked the Recreation Director to look into more handicap signs at the ballfields. The Board had gotten concerns with people parking in the handicap spaces leaving no where for the handicap to park.

Mike Dupree, Recreation Director, stated staff tried to monitor the handicap spaces; he would look into this.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 8:17 pm.

Mayor

Attest:

Town Clerk

