

## MINUTES – JANUARY 22, 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, Dean, O’Toole, and Pleasants were present. Ben Baxley, Town Manager, and Laurie Yarbrough, Town Clerk, were present. Asst. Police Chief Becky Dixon, Fire Chief James Todd, Town Attorney Doug Hoy, Planning Director Brandon Parker, Public Works Director Rob Elliott, Asst. Public Works Director Ricky Wade, and several Lindley Park Estates residents were in attendance.

### Public Comments

Mike Clancey of 314 Timbergate Dr. commended the Town on the street cleanup during the recent snow. He stated sewer rehab project were vital for the growth of the community.

Shirley Pearson, a Burlington Ave. resident, asked the Board to treat our black Mayor the same as the past white Mayors. She accused the Board of being racist.

### Approval of Agenda

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

### Discussion of Airbnb

Ben Baxley, Town Manager, stated this was discussed at the last meeting and asked to be added to this agenda for an update. He stated at the last meeting residents of the Lindley Park Estates had expressed concerns of residents renting out tourist homes; as the Town Ordinance describes the.

Gary Nardo of 201 Club Square Dr. stated he had seen some improvement.

Mayor Williams asked if it was still going on since the last meeting.

Jim Healy of 208 Club Square Dr. stated it was hard to tell; cars were in and out.

Mayor Williams stated he and staff had met with the Tow Attorney and discussed this issue. He stated they agreed to take a stand and stop it. He stated they were going to form a Committee and he asked Mr. Nardo if he would serve on this Committee.

Mrs. Healy stated there were 39 Airbnbs in the area.

Doug Hoy, Town Attorney, stated he thought they would be better served if they did not discuss the possibilities. He stated they would look at criminal and civil; which avenue to pursue.

Mayor Williams asked had they gotten any feedback from the HOA.

Mr. Nardo stated no. He stated some of the realtors were telling buyers to use as Airbnbs.

Joe Orzechowski of 311 Cape Fear Way stated he thought the builders wanted to stay out of it; that was why the HOA was not doing anything. He stated there were 65 lots, the builders had three votes on each and the builders picked the HOA members.

Mr. Hoy asked did the HOA speak as the management company.

Mr. Orzechowski sated yes.

Mayor Williams stated the Assistant Police Chief sat in on the meeting with the Town Attorney and staff. He asked if anyone saw something to call the police or the town.

Alderman O’Toole stated he would like to see the Airbnbs step forward and speak in favor; voice their opinion. He sated this was a quality of life concern.

Mr. Nardo stated the Planning Director sent them a letter in August 2017.

Mr. Baxley stated the fine was \$50; enforcement of zoning ordinance. He stated the first fine would be \$50, second \$100, third \$200 and so on; this was each day.

Mayor Williams stated the Town would continue to work on this issue. He asked the citizens to help them. He stated he would like to see this eliminated.

**Set Public Hearing for Rezoning of 962 Burlington Ave.**

Ben Baxley, Town Manager, stated John and David Williams were requesting the property at 962 Burlington Ave. be rezoned from RS20 to RM8. He stated staff was asking the Board to set a public hearing for this rezoning for the February 5, 2018 meeting. He stated the Planning Board would consider this request at their meeting on January 25, 2018.

Alderman Shepherd, seconded by Alderman Dean, made a motion to set the Rezoning Request for 962 Burlington Ave for February 5, 2018. The motion passed unanimously.

**Resolution Directing the Town Manager to Investigate Petition for Annexation – 962 Burlington Ave.**

Ben Baxley, Town Manager, stated John and David Williams were requesting annexation of the property at 962 Burlington Ave.; this property is contiguous with the town limits. The Town Manager was recommending approval of the Resolution Directing the Town Manager to Investigate the Petition for Annexation. The Town Manager will present the Certificate of Sufficiency at the February regular meeting, then the Board will set a Public Hearing to consider the Ordinance to Extend the Corporate Limits.

Alderman Shepherd, seconded by Alderman Dean, made a motion to approve the Resolution Directing the Town Manager to Investigate the Petition for Annexation. The motion passed unanimously.

**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 January 10, 2018 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 Parcel ID 108808 (10.75 ac.); owned by John E. Williams and David L. Williams; 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 22nd day of January, 2018.

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Mayor

Attest:

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Town Clerk

**USDA Sewer Rehab Project Specifications & Plan Approval**

Ben Baxley, Town Manager stated the project was progressing. One of the requirements is that the Board approves the specs and a plan prior to bidding the project.

Troy King with AWCK stated in late 2016 the Town had talked with USDA about a large sewer rehab project. He stated the studies had been done, plans completed, investigations completed, and now they were ready to submit the plans and specs. He stated the Board had to approve sending the plans and specs to the USDA.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to approve the sewer rehab plans and specs for USDA. The motion passed unanimously.

### **Reports**

#### **a. Manager**

Ben Baxley, Town Manager, stated there would be a meeting January 25<sup>th</sup> from 4:30 pm to 6:30 pm to meet with property owners affect by the sewer rehab project. He stated the Planning Board would meet at 7:00 pm on January 25<sup>th</sup>. He stated the next Board of Aldermen meeting would be February 5, 2018. He commended Public Works, Fire and Police on the good job during the past weather event. He stated the Audit Presentation would be at the March 3<sup>rd</sup> meeting.

Mayor Williams asked if the Town Manager was aware of any issue with the Audit.

Mr. Baxley stated he was not aware of any issues.

#### **b. Mayor**

Mayor Williams stated he was the Chairman of the Burlington/Graham Advisory Transportation Committee. He stated they had a lot of projects for review; but Gibsonville did not have any on the list. He asked that they look at any projects needed and let NCDOT know. He stated he had asked NCDOT to look at the Railroad Crossing intersection at Springwood and Alamance St.; there had been several accidents there and complaints.

Mr. Baxley stated he would put in a formal request. He stated another intersection that needed looking at was Wharton and Main St. at Kimbers; there had been accidents there also.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 7:40 pm.

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Mayor

Attest:

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Town Clerk