

TOWN OF LIBERTY

239 S. Fayetteville Street | PO Box 1006 | Liberty, NC 27298

Office (336) 622-4276 | Fax (336) 622-2665

www.Liberty-NC.com

A G E N D A

Town Council Council Meeting

August 28, 2023 – 5:30 PM

- 1. Call to Order**
 - 1.1. Pledge of Allegiance
 - 1.2. Invocation / Moment of Silence
- 2. Adoption of Agenda**
- 3. Shah Ardalan - Randolph Community College President**
- 4. Public Hearing - Watershed Ordinance Proposed Amendment WS-23-1**
- 5. Public Hearing - Zoning Ordinance Proposed Amendments RZ-23-3**
- 6. Code Enforcement Report**
- 7. Finance Report**
- 8. Approval of Minutes**
 - 8.1 Work Session - July 17, 2023
 - 8.2 Council Meeting - July 24, 2023
 - 8.3 Closed Session - July 24, 2023
- 9. Consent Agenda**
- 10. Old Business**
 - 10.1 Road Closure Resolution September Festival - September 30, 2023
 - 10.2 Annexation Ordinance - 3577 Hinshaw Country Road
- 11. New Business**
 - 11.1 Budget Amendment #2
 - 11.2 Budget Amendment #3
 - 11.3 Budget Amendment #4
 - 11.4 Budget Amendment #5
 - 11.5 Budget Amendment #6
- 12. Administrative Reports**
 - 12.1 Manager's Report
- 13. Committee Reports**
- 14. Council Comments**
- 15. Mayor Comments**
- 16. Adjourn**

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Shah Ardalan - Randolph Community College President

Attachment:	Yes
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Brief Description:

The new President of Randolph Community College will introduce himself.

Staff Recommendation:

Review and discuss.

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Agenda Item Cover Sheet

Meeting Date:	August 21, 2023 and August 28, 2023
Item:	Watershed Ordinance Proposed Amendment WS-23-1 Public Hearing August 28, 2023

Attachment:	Yes
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Brief Description:

This is an advertised Public Hearing to receive public input on the Watershed Ordinance proposed amendment WS-23-1 Monday August 28, 2023 5:30 PM at the regular Council Meeting. There will be a sign in sheet for anyone who wants to speak on this matter.

Staff Recommendation:

Receive public comments and discuss.

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Agenda Item Cover Sheet

Meeting Date:	August 21, 2023 and August 28, 2023
Item:	Zoning Ordinance Proposed Amendments RZ- 23-3 Public Hearing August 28, 2023

Attachment:	Yes
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Brief Description:

This is an advertised Public Hearing to receive public input on the Zoning Ordinance Proposed Amendments RZ-23-3 Monday August 28, 2023 5:30 PM at the regular Council Meeting. There will be a sign in sheet for anyone who wants to speak on this matter.

Staff Recommendation:

Receive public comments and discuss.

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Code Enforcement Update

Attachment:	Yes
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Brief Description:

Code Enforcement Officer Nicole Mabe will present the report and be available to answer any questions.

Staff Recommendation:

Receive report and discuss.

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Finance Report

Attachment:	No
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Brief Description:

Finance Director Kathy Bond will give a monthly Finance Report for Council's consideration and approval.

Staff Recommendation:

Review and discuss if needed.

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Agenda Item Cover Sheet

Meeting Date:	August 21, 2023 and August 28, 2023
Item:	Road Closure Request September Festival - September 30, 2023

Attachment:	Yes
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Brief Description:

This is a road closure request/resolution for the temporary road closing Saturday September 30, 2023 for the Downtown Festival. This includes the updated map.

Staff Recommendation:

Discuss and approve.

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RESOLUTION 2023-13

**RESOLUTION AUTHORIZING A TEMPORARY STREET CLOSING IN
ACCORDANCE WITH THE LIBERTY CODE OF ORDINANCES § 90.33**

WHEREAS, the Town of Liberty is willing to accommodate temporary street closures for civic events; and

WHEREAS, the Town Manager will have appropriate traffic control devices installed to give notice of the temporary street closing; and

WHEREAS, the Town of Liberty Chief of Police has received a written request for a temporary street closing for the September Downtown Festival and recommends said closing ; and

WHEREAS, this event will benefit the community and not hamper other Town of Liberty activities on the date of request; and

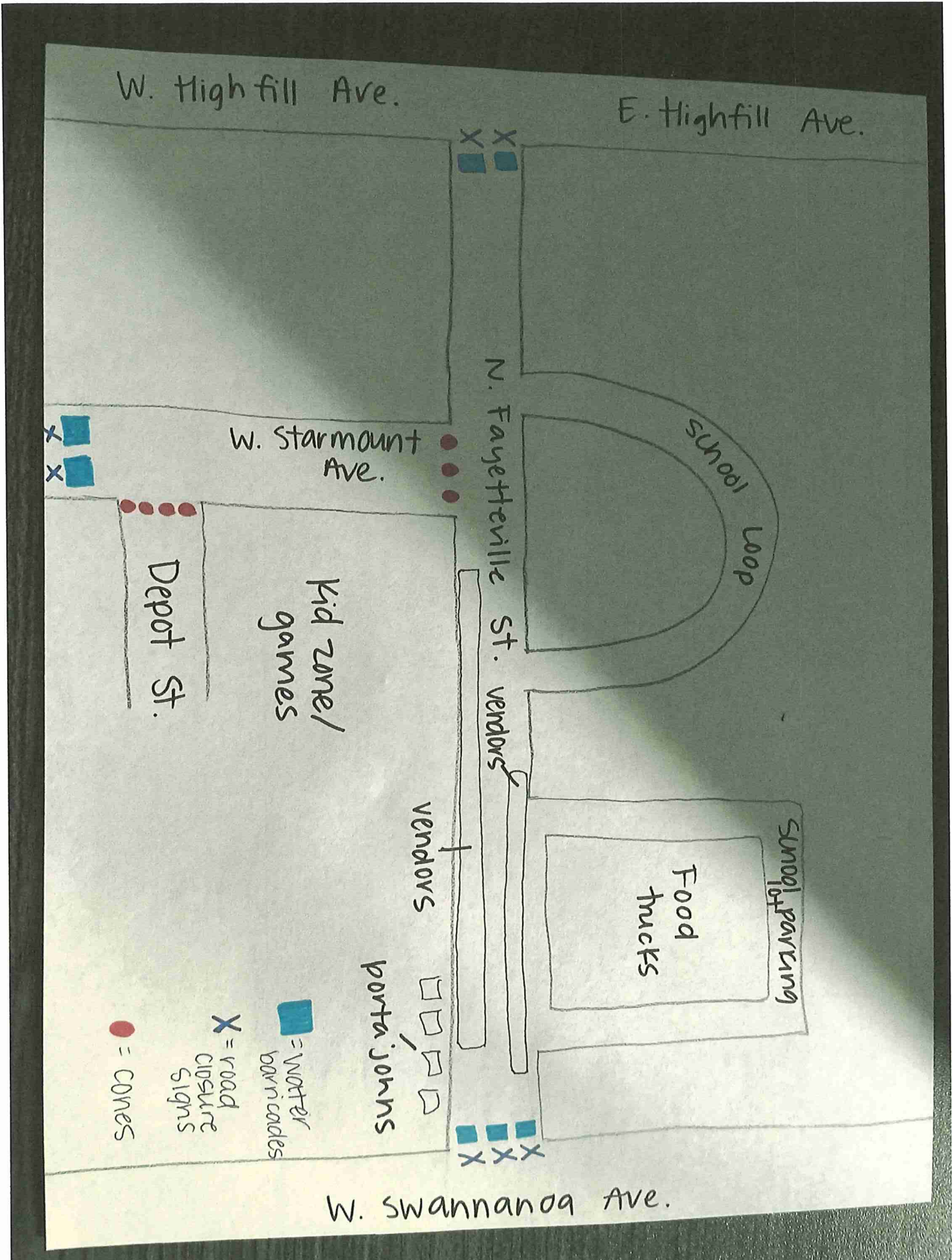
NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Liberty, North Carolina, meeting in regular session on the 28th day of August, 2023 allow the temporary street closing below:

On Saturday September 30, 2023 for the Downtown street festival to occur there will be closures of Depot Street from West Swannanoa Avenue to Starmount Avenue, North Fayetteville Street from West Swannanoa Avenue to Highfill Street, and Starmount Avenue from Depot Street to N. Fayetteville Street from 8 AM to 8 PM.

Filmore York, Mayor

ATTEST:

Jessica Brown, Town Clerk



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Agenda Item Cover Sheet

Meeting Date:	August 21, 2023 and August 28, 2023
Item:	Annexation Ordinance - 3577 Hinshaw Country Road, Liberty

Attachment:	Yes
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Brief Description:

This is the Annexation Ordinance for 3577 Hinshaw Country Road, Liberty. We are currently waiting on the metes and bounds description from the owner/applicant and hope to receive it by August 28, 2023 so we can vote on the ordinance at that time.

Staff Recommendation:

Review and approve when description is received.

**An Ordinance to Extend the Corporate Limits of the Town of Liberty,
North Carolina**

WHEREAS, the Liberty Town Council has been petitioned under G.S 160A- 31 to annex the area described below; and

WHEREAS, the Liberty Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition; and a public hearing on the question of this annexation was held at the Liberty Town Hall 239 S Fayetteville Street July 24, 2023 5:30 PM after due notice by posting on July 18, 2023 on Town Website, Town Hall, and Facebook and the Courier Tribune Newspaper.

WHEREAS, the Liberty Town Council finds that the petition meets the requirements of G.S. 160A-31;

NOW THEREFORE, BE IT ORDAINED by the Liberty Town Council of the Town of Liberty, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 10A-31. The following described territory is hereby annexed and made part of the Town of Liberty August 28, 2023.

3577 Hinshaw Country Road
Parcel Number 8736318014
25.41 acres
(see attached also)

Section 2. Upon and after August 28, 2023, 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 Liberty North Carolina and shall be entitled to the same privileges and benefits as other parts of the Town of Liberty North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

Mayor

ATTEST:

APPROVED AS TO FORM:

Clerk

Town of Liberty Attorney

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Budget Amendment #2

Attachment:	No
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Brief Description:

This amendment is to move funds from the General Fund Appropriated to the Fire Dept. Debt and Interest Payment of Fire Building. Please see attached for further explanation.

Staff Recommendation:

Review and approve

Meeting Date August 28, 2023

Town of Liberty Budget Amendment (FY 2023-2024 #2) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2023-2024, which was adopted on June 21, 2023, be amended as follows:

This amendment is to move funds from General Fund Appropriated to the Fire Dept Debt and Interest payment of Fire Building. Please see attached letter for further explanation.

Section 1: The following revenues and expenditures in the General Fund shall be increased by the amounts indicated:

10 Fund Revenues				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Appropriated	10-3990-000	0	35,912	35,912
Total Expenditures		0	35,912	35,912

10 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
Fire Dept Capital Payment	10-5300-700	0	30,932.58	30,933
Fire Dept Capital Int Payment	10-5300-720	0	4,979.01	4,979
Total Expenditures		0	35,912	35,912

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: *SK*

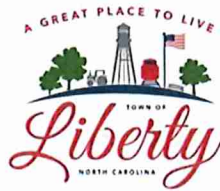
ATTEST:

Filmore York, Mayor

Date: _____

Town Clerk

Date: _____



August 2, 2023

Town of Liberty Council:

The following is to explain why the debt for the Fire department building is still owed.

The Town of Liberty Council approved to pay off Fire department debt for air packs and building. The air packs were paid off on April 14, 2022, in the amount of \$55,039.87. A payment of \$156,744.84 was sent on April 27, 2022, with the intention of paying off this Fire Dept building debt. On June 30, 2022, the bank sent us a refund check for the same amount. With the end & beginning of year and audit duties the refund was forgotten about.

A payment was made on Sept 1, 2022, in the amount of \$35,911.59 on this debt. Currently, there is not a budget amount for the Sept 1, 2023, payment. The amount due is \$35,911.59.

A request is being made for a budget amendment of \$35,911.59 for the month of August to pay the amount due on Sept 1, 2023.

Also a recommendation is being made to only make the payment for this year until our audits are completed. After that, we will re-access if we should pay off the Fire Department building.

Thank you,
Kathy Bond
Finance Director

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Budget Amendment #3

Attachment:	No
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Brief Description:

This amendment is to move funds from the General Fund Appropriated to the Library Department expenditures line items (These are monies that were put in General Fund at the end of the FY 22-23 and need to be moved to the Lowe account in the Library line items.)

Staff Recommendation:

Review and approve

Meeting Date August 28, 2023

Town of Liberty Budget Amendment (FY 2023-2024 #3) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2023-2024, which was adopted on June 21, 2023, be amended as follows:

This amendment is to move funds from General Fund Appr to the Library Dept expenditures line items. (These are monies that was put in General Fund at the end of the FY 22-23 and need to be moved to the Lowe account in the Library line items.)

Section 1: The following revenue and expenditures in the Library line items shall be increased by the amounts indicated:

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Balance Appr	10-3990-000	0.00	4,101	4101
Total Expenditures		0	4,101	4,101

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
Lib Lowe Transfer Outlay Bldg	10-6300-781	0	4,101	4,101
Total Revenues		0	4,101	4,101

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: _____

ATTEST:

Filmore York, Mayor

Date: _____

Town Clerk

Date: _____

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Budget Amendment #4

Attachment:	No
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Brief Description:

This amendment is to move funds from General Fund Appr to the Library Dept expenditures line items. (These are monies that will be transferred from NCCMT Library Lowe Fund to the Truist General Fund.)

Staff Recommendation:

Review and approve.

Meeting Date August 28, 2023

Town of Liberty Budget Amendment (FY 2023-2024 #4) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2023-2024, which was adopted on June 21, 2023, be amended as follows:

This amendment is to move funds from General Fund Appr to the Library Dept expenditures line items. (These are monies that will be transferred from NCCMT Library Lowe Fund to the Truist General Fund.)

Section 1: The following revenue and expenditures in the Library line items shall be increased by the amounts indicated:

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Balance Appr	10-3990-000	0	1,200	1200
Total Expenditures		0	1,200	1,200

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
Lib Lowe Transfer Books	10-6300-741	0	1,200	1,200
Total Revenues		0	1,200	1,200

Prepared By: Kathy Bond, Finance Director
Reviewed By: Scott Kidd, Town Manager
Town Manager Initials: _____

ATTEST: _____
Filmore York, Mayor

Date: _____

Town Clerk

Date: _____

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Budget Amendment #5

Attachment:	No
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Brief Description:

This amendment is to move funds from General Fund Appr to the Library Dept expenditures line items. (These are monies that will be transferred from NCCMT Library Coward Interest Only Fund to the Truist General Fund.)

Staff Recommendation:

Review and approve

Meeting Date August 28, 2023

Town of Liberty Budget Amendment (FY 2023-2024 #5) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2023-2024, which was adopted on June 21, 2023, be amended as follows:

This amendment is to move funds from General Fund Appr to the Library Dept expenditures line items. (These are monies that will be transferred from NCCMT Library Coward Interest Only Fund to the Truist General Fund.)

Section 1: The following revenue and expenditures in the Library line items shall be increased by the amounts indicated:

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Balance Appr	10-3990-000	0	2,000	2,000
Total Expenditures		0	2,000	2,000

10 Fund				
General Fund	Line Item	Budget	Change	Amended Budget
Library Coward Tran Programs	10-6300-568	0	400	400
Library Coward Tran Books	10-6300-569	0	1,600	1,600
Total Revenues		0	2,000	2,000

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: _____

ATTEST:

Filmore York, Mayor

Date: _____

Town Clerk

Date: _____

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Agenda Item Cover Sheet

Meeting Date:	August 28, 2023
Item:	Budget Amendment #6

Attachment:	No
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Brief Description:

This amendment is to move funds from General Fund Balance Appr to the Library for the Grant received from Berea College.

Staff Recommendation:

Review and approve

Meeting Date August 28, 2023

Town of Liberty Budget Amendment (FY 2023-2024 #6) Council Approval Needed

BE IT ORDAINED, by the Liberty Town Council that the Town of Liberty Budget Ordinance for fiscal year 2023-2024, which was adopted on June 21, 2023, be amended as follows:

This amendment is to move funds from General Fund Balance Appropriated to the Library for the Grant received from Berea College CK#20282097 in the Fy 22-23.

Section 1: The following revenue and expenditures in the General Fund shall be increased by the amounts indicated:

10 Fund Revenues				
General Fund	Line Item	Budget	Change	Amended Budget
General Fund Balance App.	10-3990-000	0	1,000	1,000
Total Revenues		0	1,000	1,000
10 Fund Expenditures				
General Fund	Line Item	Budget	Change	Amended Budget
Lib Travel & Development	10-6300-140	2,500	1,000	3,500
Total Expenditures		2,500	1,000	3,500.00

Prepared By: Kathy Bond, Finance Director

Reviewed By: Scott Kidd, Town Manager

Town Manager Initials: _____

ATTEST:

Filmore York, Mayor

Date: _____

Town Clerk

Date: _____