

**Zebulon Board of Commissioners**  
**Minutes**  
**February 16, 2023**

Present: Glenn York, Quentin Miles, Larry Loucks, Shannon Baxter, Jessica Harrison, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Jacqui Boykin-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Eric Vernon-Town Attorney

Absent: Beverly Clark

Mayor York called the meeting to order at 6:00pm.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Loucks.

**APPROVAL OF AGENDA**

Commissioner Baxter asked to remove the October 3, 2022 regular meeting minutes from the agenda.

Commissioner Miles asked to add the St. Patrick's Day event to the agenda. Mayor York stated it would be added under New Business item D.

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the agenda as amended. There was no discussion and the motion passed unanimously.

**SCHOOL RECOGNITION**

Mayor York recognized student Maria Dominguez-Nunez and teacher Harrison Thomas, both from East Wake High School.

**PUBLIC COMMENT**

No one signed up to speak.

**CONSENT**

*A. Minutes*

Commissioner Harrison made a motion, second by Commissioner Loucks to approve the minutes of the December 5, 2022 closed session. There was no discussion and the motion passed unanimously.

Commissioner Harrison made a motion, second by Commissioner Loucks to approve the minutes of the January 9, 2023 regular meeting. There was no discussion and the motion passed unanimously.

Commissioner Harrison made a motion, second by Commissioner Loucks to approve the minutes of the January 19, 2023 work session. There was no discussion and the motion passed unanimously.

Commissioner Harrison made a motion, second by Commissioner Loucks to approve the minutes of the January 26, 2023 mini retreat. There was no discussion and the motion passed unanimously.

*B. Finance*

Commissioner Harrison made a motion, second by Commissioner Loucks to approve the monthly financial report. There was no discussion and the motion passed unanimously.

Commissioner Harrison made a motion, second by Commissioner Loucks to approve the Wake County tax report – November 2022. There was no discussion and the motion passed unanimously.

*C. Fire*

Commissioner Harrison made a motion, second by Commissioner Loucks to approve Ordinance 2023-23 – Fire Vehicle Repair – Appropriation of Insurance Proceeds. There was no discussion and the motion passed unanimously.

*D. Police*

Commissioner Harrison made a motion, second by Commissioner Loucks to approve Ordinance 2023-24 – ABC Grant Appropriation. There was no discussion and the motion passed unanimously.

*E. Public Works*

Commissioner Harrison made a motion, second by Commissioner Loucks to approve Resolution 2023-19 – Weavers Ridge Phase 1, 2, 3 Infrastructure Acceptance. There was no discussion and the motion passed unanimously.

*F. Planning*

Commissioner Harrison made a motion, second by Commissioner Loucks to approve Order approving SUP 2023-02 Storage Max. There was no discussion and the motion passed unanimously.

**OLD BUSINESS**

*A. Parks and Recreation*

i. Special Event Standards Amendments

Sheila Long stated at the August work session the Board received an early working draft of the Special Event Standards and participated in discussion to help shape the final documents. Based on discussion from the work session, staff made updates to the document and a legal review was conducted. The Board was provided with the final draft at their October regular meeting. The Board adopted the Special Event Standards at the November work session and requested to revisit the standards in January 2023. At the January work session, the Board indicated a desire to address the following:

- Revise the standards to allow consideration by the Board to authorize consumption & distribution of liquor on Town property.
- Provide more guidance for parades and consider limitations on routes that impact major thoroughfares.

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Ms. Long stated staff needed more time to study the recommendations made by the Board but did add language to limit impact on major roads. Additional review and consideration will be brought to the Board at a later date.

Commissioner Harrison asked Ms. Long to review the changes made to the policy so the public would know. The changes to make parades safer were reviewed. Commissioner Harrison praised staff for raising the standards.

There was a question about classifying and handling a protest. Chief Boykin spoke about how protests were typically handled and that they were not considered a parade.

Commissioner Baxter asked where the parade route would be if not allowed to travel Arendell or Gannon. Sheila Long spoke about the different types of parades and the Board could approve any parade route.

There was discussion about types of vehicles to be allowed in parades.

Commissioner Miles stated the policy needed more work and wanted to table it to give more time for the Board to review further.

There was a question about the Town's Special Events Committee and Sheila Long provided information about the Committee's role. There were also details given about the application process and fee.

Commissioner Miles expressed wanting to wait and review the policy more stating there was grey area in the policy and wanted it to be clearer for citizens. Sheila Long stated the only grey area was the Board consideration portion and could revise that section if the Board wanted it revised.

Commissioner Miles made a motion, second by Commissioner Baxter to table the Special Event Standards Amendments to the March work session.

Commissioner Baxter asked for a clear understanding of what Commissioner Miles wanted to speak about at the March work session. Commissioner Miles stated he wanted to break down the standards so the citizens were comfortable and would meet with the Board members prior to the meeting.

There was no further discussion and the motion passed unanimously.

## **NEW BUSINESS**

### *A. Finance*

#### i. Resolution 2023-20 – Fund Balance Policy

Bobby Fitts stated the last Fund Balance Policy was adopted in 2011 and reviewed the current policy. The proposed amendment was in-line with a more commonly used financial measurement and more readily revealed a government's financial condition when reviewing a balance sheet. The proposed policy would measure the unassigned fund balance and would change the amount to 30% of budgeted expenditures.

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At their October Mini-Retreat, the Board expressed comfort in making this change. This change would not have any negative effect on the Town's bond rating as all metrics regarding fund balance are well above levels that achieve the maximum possible score in their categories.

The change would make approximately \$2.7 million in funds available for appropriation to move forward on pending capital projects.

Staff recommended adoption of Resolution 2023-20.

Commissioner Baxter asked for staff to explain the difference between restricted and unrestricted. Mr. Fitts gave a thorough explanation and stated changing the policy would free up unassigned funds.

There was a question about language in the resolution regarding the ability to add an amount over 65% of unassigned funds into capital reserve funds. Mr. Fitts offered clarification that the Resolution changed the amount from 75% to 65% and allowed the Board to use a committed portion toward a capital improvement project.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve Resolution 2023-20. There was no further discussion and the motion passed unanimously.

ii. Ordinance 2023-25 – Funding Bond Referendum Finance and Education Team

Bobby Fitts explained at the January mini retreat, the Board heard presentations regarding the scope and purpose of bond counsel and financial advisors in developing and executing the bond process. The budget amendment would appropriate funds for the legal, financial, and public educational components of a bond referendum. Bond counsel and financial advisor services were expected to cost approximately \$70,000 each and the public education campaign was expected to cost approximately \$60,000. Staff recommended approval of Ordinance 2023-25.

Commissioner Miles asked if the bond counsel had been selected. Staff stated the bond counsel had not been engaged at this time and spoke about the selection process.

Eric Vernon gave legal insight about the bond counsel selection process stating bond counsel choices were very limited. The counsel with experience were well known and referred through the Local Government Commission.

The education campaign was explained. The Town was only allowed to educate the facts and could not campaign for the bond. Sheila Long stated a request for proposal ("RFP") would be done for the company who would handle the promotional videos about the bond. The selection process was discussed.

Commissioner Loucks stated he was putting faith in staff and the Town attorney to select the bond counsel and advisor.

Commissioner Harrison made a motion, second by Commissioner Miles to approve Ordinance 2023-25. There was no discussion and the motion passed unanimously.

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*B. Administration*

i. Meeting Schedule

Joe Moore explained the meeting on February 23, 2023 changed from a retreat to a work session. The mini retreat was scheduled to begin a 9:00am and end at 3:00pm, however staff anticipated the work session to last approximately three to four hours.

Commissioner Baxter stated she had a class on that day from 9:00am to 2:30pm and asked for the meeting to begin at 3:00pm.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve moving the meeting to 3:00pm on February 23, 2023. There was no discussion and the motion passed unanimously.

Joe Moore stated on December 5, 2022, the Board of Commissioners moved up the start time of their regular meetings to begin at 6:00pm. The Board was asked if there was interest in moving up the start time for Joint Public Hearings to 6:00pm to maintain consistency with the start time of regular meetings.

Commissioner Baxter was asked if the Planning Board approved of moving up the start time. Michael Clark stated he spoke to the Planning Board and they were in favor of the time change, but could not begin earlier than 6:00pm.

Commissioner Baxter stated moving the Joint Public Hearings to 6:00pm would give consistency.

Commissioner Miles made a motion, second by Commissioner Baxter to begin Joint Public Hearings at 6:00pm. There was no discussion and the motion passed unanimously.

*C. Parks and Recreation*

i. Resolution 2023-21 – 8K Kickoff Race

Sheila Long stated the Boys and Girls Club requested use of the Zebulon Municipal Complex and closure of right of way for an 8k race. The race would start and finish at the Zebulon Municipal Complex and would have food, drinks, and music.

John Hanlon spoke about details of the race and why it was changed from a 5k to an 8k race.

The Board's consideration for the event and a fee waiver were expressed. The expected expense for the Town was \$1,277.80.

Mayor York stated he was a member of the Boys and Girls Club Board of Directors, but was not a voting member on the resolution and did not see a need to recuse himself.

Commissioner Baxter wanted the race to be at no cost to the youth who attended the Boys and Girls Club. Mr. Hanlon stated they would not have to pay and could also volunteer at the event.

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Commissioner Miles asked about the sound ordinance. Jacqui Boykin stated there were links to all of the Town's Ordinances on the Town's website. There was discussion about alternatives if the temporary sound ordinance was not granted.

There was a question about police presence at the race. Jacqui Boykin stated one officer would work the event. The organizer was responsible for routing the runners during the race and Mr. Hanlon spoke about the volunteers' roles during the race.

Commissioners Baxter and Harrison both wanted to waive the fees for the event.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Resolution 2023-21 and to waive the fees for the event. There was no discussion and the motion passed unanimously.

ii. Resolution 2023-22 – Cinco De Mayo Event

Sheila Long presented the request from the Fall Line to offer a Cinco de Mayo celebration featuring live music, kid activities, vendors, and food trucks within the network of alleys located on the eastern 100 block of N. Arendell.

Commissioner Baxter asked about the specific activities to be provided at the event. Ms. Long explained there would be a band, activities for children, and a food trucks. Mike Lombardo, owner of the Fall Line provided more details about the event.

Sheila Long stated the Fall Line's ABC permit was defined. Any alcohol consumption that would require additional permitting for the event would need to follow those applicable guidelines.

Cyrus Stacey said they were willing to pay all fees.

Commissioner Miles made a motion, second by Commissioner Baxter to approve Resolution 2023-22 and to waive the fees for the event.

Sheila Long stated there was not a request to waive the fees and spoke about the costs associated with the event.

Commissioner Miles clarified that his motion would have the applicant pay all fees associated with the event. Commissioner Harrison seconded the motion.

There was no further discussion and the motion passed unanimously.

iii. Resolution 2023-18 – St. Patrick's Day Event

Commissioner Miles stated the original event organizer backed out. A new group was looking at hosting the St. Patrick's Day event and felt it needed to come back before the Board for re-approval. Commissioners Baxter and Harrison agreed.

Sheila Long stated the Fall Line agreed to host the event on March 18, 2023 and was similar to the Cinco De Mayo event.

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Mike Lombardo stated the event times would be from 12:00pm to 7:00pm. There would be a car show, live music and the bag pipe band would be performing in the alleyways.

Commissioner Baxter stated if there were significant changes to an event, she wanted to see the application re-submitted.

Commissioner Baxter asked if there were additional bathroom requirements. Mr. Lombardo stated he was bringing in porta johns for the event.

Sheila Long stated the resolution that was previously adopted closed the street for the St. Patrick's Day event and did not specify the event host.

Commissioner Harrison did not need to see a re-application but wanted a layout and details of the event.

Commissioner Baxter made a motion to approve the St. Patrick's Day Event. Staff explained the event was already approved and a motion was not necessary.

#### **BOARD COMMENTS**

Commissioner Loucks thanked Zebulon Police Department for the Citizens Police Academy, stated a Citizens Fire Academy and Citizens Planning Academy would be coming up soon and spoke about the agenda packets being posted on the Town's website.

Commissioner Harrison asked for staff to bring information on the Town joining the Chamber of Commerce and invited everyone to the Zebulon Winter Festival at the Zebulon Library on February 25, 2023 from 3:00pm to 4:00pm.

Mayor York recognized Commissioner Loucks for his completion of the Advanced Leadership class.

Commissioner Miles stated it was Black History Month, welcomed new employee Shannon Johnson, stated there were new jobs posted on the Town's website, met with Representative Ross earlier in the week. He thanked the Zebulon Police Department for the Police Academy, asked citizens to contact him with any questions and honored Richard Harris.

Commissioner Baxter spoke about the Advanced Leadership Corp., stated she supported putting the agenda packets on the Town's website, spoke about Representative Ross' visit, and thanked Zebulon Police Department for handling a situation at the Zebulon Middle School.

Commissioner Miles stated the agenda was on the Town's Facebook page and Lisa Markland clarified that the entire agenda packet was also on the Town's website.

**MANAGER’S REPORT**

Joe Moore gave an overview of topics for the upcoming work session on February 23.

Michael Clark gave a monthly development update and introduced Shannon Johnson as the new Community and Economic Development Specialist.

Commissioner Baxter asked if Clifton Grove was required to adhere to the Utility Allocation Policy. Michael Clark stated the process was started two years ago and the policy was not applicable.

Bobby Fitts reported the following budget transfers:  
Governing Board:

Moved \$2,750 from Group Insurance - \$725 to Triangle J Council of Governments, \$1,725 to NCLM and \$300 to School of Government.

Finance:

Moved \$1,900 to Contracted Services – Wake Co Tax Collections - \$1,000 from Insurance & Bonds and \$900 from Unemployment Insurance.

Property & Project Management:

Moved \$7,000 from Salaries - \$3,000 to Salaries – Overtime and \$4,000 to Professional Services.

Operations:

Moved \$9,000 from Salaries to Professional Services; Moved \$7,000 from Insurance & Bonds - \$4,000 to Salaries – Overtime and \$3,000 to Vehicle Maintenance

Commissioner Loucks made a motion, second by Commissioner Miles to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 6<sup>th</sup> day of March 2023.



*Glenn L. York*  
Glenn L. York—Mayor

*Lisa M. Markland*  
Lisa M. Markland, CMC—Town Clerk