

**ZEBULON**  
**BOARD OF COMMISSIONERS**  
**AGENDA**  
**May 2, 2022**  
**7:00pm**

All meetings are live streamed on Facebook and posted to YouTube after the meeting.

**I. PLEDGE OF ALLEGIANCE**

**II. APPROVAL OF AGENDA**

**III. SCHOOL RECOGNITION**

*A. Zebulon Middle School*

1. Jayden Grantham– Student
2. Zachary Parchomenko– Teacher

**IV. PROCLAMATION**

*A. Public Service Week*

*B. Municipal Clerks Week*

*C. National Police Appreciation Week*

*D. National Public Works Week*

**V. PUBLIC COMMENT PERIOD**

All wishing to speak must sign up prior to 6:50pm. The comment period will be no longer than 15 minutes with speakers having three minutes each to speak. No speaker can speak on a public hearing item or any item that would need to be discussed under closed session. Speakers cannot give their minutes to another speaker. If you would like to submit comments to be read into the record at the meeting, please send comments, of 400 words or less, to Stacie Paratore ([sparatore@townofzebulon.org](mailto:sparatore@townofzebulon.org)) by 3:00pm on May 2, 2022.

**V. CONSENT**

*A. Minutes*

1. March 24, 2022 – Board Mini Retreat
2. April 4, 2022 – Regular Meeting
3. April 4, 2022 – Closed Session
4. April 11, 2022 – Joint Public Hearing
5. April 14, 2022 – Board Mini Retreat
6. April 21, 2022 – Work Session

*B. Finance*

1. Monthly Items
  - a. Wake County Tax Report
  - b. Monthly Financial Report
2. Budget Adjustments
  - a. Ordinance 2022-37 – NCLM Grant - Police Outer Carrying Vests

*C. General*

1. Planning Quarterly Report

**VI. OLD BUSINESS**

*A. Planning*

1. Ordinance 2022-40 – TA-2022-03 Dumpster Enclosure
2. Ordinance 2022-41 – TA-2022-04 SCM Measure Landscaping

**VII. NEW BUSINESS**

*A. Parks and Recreation*

1. Resolution 2022-14 – Juneteenth Event

*B. Police*

1. Resolution 2022-15 – Resolution to sell Chevrolet Tahoe to Maysville Police Department

*C. Public Works*

1. Resolution 2022-16 and Resolution 2022-17 – Public Auction of Surplus Vehicles
2. Ordinance 2022-43 and Ordinance 2022-44 – 2022 Roadway and Storm Drainage Construction Bid Award

*D. Administration*

1. Board Appointments
2. Budget Presentation FY 2022-2023

*E. General*

1. Ordinance 2022-38 – Police Vehicle Repair & Fire Equipment Maintenance – Appropriation of Insurance Proceeds
2. Fire/EMS Station Memorandum of Understanding with Wake County

**VIII. BOARD COMMENTS**

**IX. MANAGER'S REPORT**

**X. CLOSED SESSION**

Per N.C. General Statute § 143-318.11(a)(5): "... to instruct the [Town] staff or negotiating agents concerning the position to be taken by or on behalf of the [Town] in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; ..."

*A. General*

1. Ordinance 2022-45 – ZSPA Appropriation
2. Resolution 2022-18 – Zebulon Acquisition of ZSPA Property



***PROCLAMATION***  
***PUBLIC SERVICE WEEK***  
**May 1 - May 7, 2022**

**WHEREAS**, the people of the state of North Carolina and the Town of Zebulon are served every single day by public servants at every level in the state, county and municipal governments. These unsung heroes do the work that keeps our state and community working; and,

**WHEREAS**, public employees take not only jobs, but some take oaths to perform their jobs to the best of their abilities; and,

**WHEREAS**, public servants, including police officers, firefighters, public works employees, human resources, parks & recreation employees, planners, doctors, nurses, health care professionals and others, risk their lives each day in service to the people of the Town of Zebulon; and,

**WHEREAS**, public servants, including teachers, social workers, administrators, computer technicians, laborers, and countless other occupations, day in and day out, provide with efficiency and integrity, the diverse services expected by the citizens of the Town of Zebulon; and,

**WHEREAS**, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and,

**NOW, THEREFORE**, the Board of Commissioners of the Town of Zebulon hereby proclaims **May 1 - 7, 2022** as **PUBLIC SERVICE RECOGNITION WEEK**

All citizens of the Town of Zebulon are encouraged to recognize the accomplishments and contributions of all the hardworking and deserving public employees within the Town of Zebulon.

Adopted this the 2<sup>nd</sup> day of May 2022.

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Glenn L. York – Mayor

SEAL

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Lisa M. Markland, CMC – Town Clerk



**PROCLAMATION**  
**MUNICIPAL CLERKS WEEK**  
**May 1 - May 7, 2022**

**WHEREAS**, The Office of the Municipal Clerk, a time honored and vital part of local government existing throughout the world, and

**WHEREAS**, The Office of the Municipal Clerk is the oldest among public servants, and

**WHEREAS**, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**WHEREAS**, The Municipal Clerk serves as the information center on functions of local government and community.

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

**WHEREAS**, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW, THEREFORE**, we, the Board of Commissioners of the Town of Zebulon, do recognize the week of May 1 through May 7, 2022 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Adopted this the 2<sup>nd</sup> day of May, 2022

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*Glenn L. York—Mayor*

*Seal*

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*Lisa M. Markland, CMC—Town Clerk*



**PROCLAMATION**  
**NATIONAL POLICE APPRECIATION WEEK**  
May 11 - May 17, 2022

**WHEREAS**, in 1963 the Congress and President of the United States designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

**WHEREAS**, there are approximately 900,000 law enforcement officers serving across the United States, including the dedicated members of the Town of Zebulon Police Department; and

**WHEREAS**, the members of the Zebulon Police Department play an essential role in safeguarding the rights and freedoms of our community; and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, and sacrifices of their law enforcement agencies, and that officers of the Town of Zebulon recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**WHEREAS**, the men and women of law enforcement of the Town of Zebulon unceasingly provide a vital public service; and

**WHEREAS**, by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to this community and in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens;

**NOW, THEREFORE**, the Town of Zebulon Board of Commissioners proclaims the week of May 11 through May 17, 2022 as Police Week;

**FURTHERMORE**, all citizens of Zebulon and all patriotic, civic, and educational organizations are called upon to observe May 15, 2022, as Peace Officers' Memorial Day in which people may join in commemorating law enforcement officers, past and present, who have made the ultimate sacrifice in service to their community or have become disabled in the performance of their duty.

ADOPTED this the 2<sup>nd</sup> day of May 2022.

SEAL

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Glenn L. York—Mayor

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Lisa M. Markland, CMC—Town Clerk



**PROCLAMATION**  
**NATIONAL PUBLIC WORKS WEEK**  
**May 15 – May 21, 2022**

**WHEREAS**, Public Works professionals focus on infrastructure, facilities, and services vital to sustainable and resilient communities; and

**WHEREAS**, Zebulon Public Works dedicate their work towards building and caring for the streets, sidewalks, stormwater infrastructure, solid waste and recycling collections, and public buildings vital to the health, well-being, and quality of life in Zebulon; and

**WHEREAS**, it is in the interest of the public for all citizens to understand the role Public Works plays in the Town of Zebulon; and

**WHEREAS**, 2022 marks the 62<sup>nd</sup> annual National Public Works Week;

**NOW, THEREFORE**, the Board of Commissioners of the Town of Zebulon joins the American Public Works Association in recognizing the contributions of Public Works professionals to the health, safety and quality of life in Zebulon and proclaims the week of May 15 through May 21, 2022 as “National Public Works Week.”

ADOPTED this the 2<sup>nd</sup> day of May 2022

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Glenn L. York – Mayor

*Seal*

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Lisa M. Markland, CMC – Town Clerk

**Zebulon Board of Commissioners**  
**Retreat**  
**Minutes**  
**March 24, 2022**

Present: Glenn L. York-Mayor, Beverly Clark, Shannon Baxter, Larry Loucks, Quentin Miles, Jessica Harrison, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Mike Clark - Planning, Sheila Long – Parks & Recreation, Eric Vernon-Attorney

Mayor York called the meeting to order at 9:00am. The Board and staff met at Braven Environmental.

**INDUSTRIAL PARK TOUR**

Town Manager Joe Moore presented that the group would be walking through various businesses in the Zebulon Industrial Park . The tour included Braven Environmental, Kam Tool and Die, Gert Noel Innovation Center and Vinventions.

The Board and staff did a walking tour at each facility and learned about various manufacturing companies in Zebulon. They learned about what was made and how it was used locally as well as nationally and globally.

The group enjoyed a box lunch together at Vinventions.

**PANEL DISCUSSION**

After lunch representatives from each business was present and talked about why they choose to come to Zebulon and what needed to happen for them to stay. The main points that came out of the panel discussion was that they loved the small town feel and that staff was easy to work with to make things happen for them whereas in other places they had been there were quite a few roadblocks.

The panel also said that they saw a need for housing that their staff could afford, places to eat for their third shift personnel and they also stated that they saw the need for Wake Tech to bring back trade school training. Each of them stated that they would love to partner with the Town to do things and looked forward to collaborating with them in the future.

**PLACEMAKING**

Joe Moore and Mike Clark talked about the social district and shared the information about the survey that was done. There was a great deal of discussion about what was occurring right now and what they would like to see. There was discussion about patrons being targeted for DUI and how that would be managed.

The Board talked about what they were hearing from the public and stated they would like to get more input from the public to determine what the best options would be for the Town. There was also discussion about a hybrid approach where alcohol would be allowed on adjacent property like the sidewalk and the activated alleyways

Mike was asked about what Mitch Silver talked about when he was brought to Town recently to speak with Staff and the Park and Recreation and Planning Boards. Mike said that Mitch Silver explained that they had to open things up for public use so the Town was inviting and public spaces used. Towns were more vibrant, accessible and active when this occurred. He went on to say that your policies/ordinances have to match what you are saying that you want to happen and then make it happen.

Board of Commissioners  
Minutes  
March 24, 2022

It was decided that a public hearing on alcohol on adjacent property at the April 4<sup>th</sup> Board meeting.

The Board asked for information that presented from the survey and Mike said that he would get that information to the Board.

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

The meeting was adjourned at 4:15pm.

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Date

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Glenn L. York—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk



**Zebulon Board of Commissioners**  
**Minutes**  
**April 4, 2022**

Present: Glenn York, Beverly Clark, 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, Sam Slater-Town Attorney

Mayor York called the meeting to order at 7:00pm.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Baxter.

**APPROVAL OF AGENDA**

Commissioner Baxter amended the agenda to add a request for information and action under New Business.

Lisa Markland asked to add Ordinance 2022-36, Ordinance 2022-35 and a second closed session for personnel discussion.

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

**SCHOOL RECOGNITIONS**

Mayor York recognized student Je'Shaun Cooper and teacher Edward Thomas, both from East Wake High School.

**RECOGNITION**

Mayor York recognized Green for Life employees, Adrian Wall and Braxton Moore, and read a Proclamation honoring both men for saving a citizen's life. Green for Life presented a plaque to both men.

**PUBLIC HEARING**

Mayor York opened the public hearing.

Michael Clark explained the public hearing was informational only and staff was not making any recommendations at this time. The results of the survey regarding alcohol beverage consumption in the public right-of-way were given. It was stated out of the 609 respondents 54% strongly agreed, 29% agreed, 7% strongly disagreed, 6% disagreed and 4% were indifferent with allowing alcohol beverages in the public areas adjacent to an establishment. Over 400 of the survey respondents had a Zebulon address.

The proposed amendment allowed for consumption of alcohol on the sidewalks and adjacent public right-of ways. It was clarified that the proposed regulations did not create a social district. Pictures and examples of permitted areas in Town were shown. Some of the economic implications of the amendment would allow restaurant recruitment, downtown vibrancy and visual activity.

Board of Commissioners  
Minutes  
April 4, 2022

Additional examples from Apex, Holly Springs, Wendell, New Bern, Wilmington and Raleigh were shown. It was explained how outdoor dining created downtown vibrancy.

It was stated the proposed regulations did not allow someone to walk down the sidewalk to neighboring businesses with alcohol. The regulations did allow the consumption of alcohol on sidewalks and adjacent public areas where businesses were located.

Police Chief, Jacqui Boykin, spoke about the enforcement of alcohol regulations and explained the Police Department's philosophy was to educate, warn and then cite.

The department's calls had increased 100% in the first three months of 2022. The existing ordinance had placed a burden on the police and the proposed ordinance change was more intuitive and inviting to the community.

Lisa Markland read comments submitted by Tom Schmidt.

Cyrus Stacey, co-owner of the Fall Line, wanted to continue to work with the Town and come up with a solution for patrons to enjoy the outdoor space adjacent to his business.

Kacie Germano, Weavers Pond resident and business owner, spoke about her desire for the Town to inspire a cohesive and attractive downtown. Ms. Germano stated the boundary would allow the downtown to flourish and make it more walkable and vibrant.

John Saffold from the Zebulon Chamber of Commerce stated the proposed regulation would make a positive impact in Zebulon's downtown.

Domenick Schilling spoke about his positive experience at the Fall Line and supported the amendment to the ordinance. Mr. Schilling asked staff how foot traffic would be addressed if sidewalk seating was added downtown.

Michael Clark explained there was a provision in the UDO and Code of Ordinances that prohibited blocking the sidewalk and an ADA accessible path needed to be maintained on the sidewalk areas.

Susan Pearce, a downtown property owner, asked the amendment to be passed for the immediate future, but not the long range. It was asked for additional steps to move toward having a social district downtown and spoke about the positive impacts the amendment would have.

Greg Goldberg, a downtown business owner, spoke about bringing his business to downtown Zebulon and the change to the ordinance was necessary to benefit his establishment, should he come to Zebulon.

Robert Brown, a resident of Weaver's Pond, spoke about his concerns of people turning the wrong way out of Sheetz gas station.

Mayor York asked if anyone else wished to speak. There were none.  
Mayor York closed the public hearing.

**PUBLIC COMMENT PERIOD**

No one signed up to speak.

**CONSENT**

*A. Minutes*

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the February 17, 2022 work session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the March 7, 2022 regular meeting. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the March 14, 2022 joint public hearing. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the March 17, 2022 work session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the March 24, 2022 special called meeting. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the March 24, 2022 closed session. There was no discussion and the motion passed unanimously.

*B. Finance*

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

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

**OLD BUSINESS**

*A. Planning*

1. Ordinance 2022-36 – Rezoning E. Gannon Ave. at Old US 264

Michael Clark gave a follow-up presentation from the March 14, 2022 Joint Public Hearing. The applicant, Bunn Farms, Inc. requested a rezoning of a 9.8-acre parcel from Residential Suburban (R2) to Heavy Commercial (HC). The property was located on the south side of E. Gannon Avenue and Old US 264 Hwy intersection. The vacant parcel was located within the Town's ETJ.

The aerial map and zoning map were shown. The subject property showed a future use of General Commercial which was typically along primary roadways with high visibility and accessibility. Primary land use types within the General Commercial designation included commercial retail, office and service.

Board of Commissioners  
Minutes  
April 4, 2022

The Town's Transportation Plan designated Old US 264 Hwy as a four lane divided highway and E. Gannon Avenue as a two lane divided roadway. Upon development of the property, the developer was responsible for road improvements from the center line to the property line.

At the March 14, 2022 Planning Board meeting, the motion to approve failed due to a tie vote and a motion to deny was made, but died for lack of a second. The Planning Board did not have a recommendation.

Staff recommended approval of the E. Gannon Avenue at Old US 264 rezoning based upon the consistency with the Town of Zebulon Comprehensive Lane Use Plan in that the Heavy Commercial District was compatible with the future land use designation of General Commercial and all other applicable plans.

Commissioner Miles asked about a Traffic Impact Analysis. It was explained that it would depend on the use and activity of the business if a Traffic Impact Analysis would be required. The developer would be responsible for any additional traffic improvements from the center line to the property line.

Ethan Connolly, from Bell Commercial, was ready to move forward with the project and spoke about the interested tenants in the project. The developer would work with NCDOT on the road improvements and traffic studies.

Matt Lowder, from Bowman Engineering, stated there was a need for commercial business and wanted to compliment commercial development in the growth of Zebulon.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve Ordinance 2022-36. There was no discussion and the motion passed unanimously.

B. Fire

1. Fire/EMS Station
  - a. Memorandum of Understanding
  - b. Ordinance 2022-35 Site Evaluation

Chris Perry gave a follow-up from the questions asked at the March 17, 2022 work session.

It was stated there were tax advantages for selling land to the Town for less than fair market value.

Wake County was open to sharing the cost in land purchase but would need more information. Chris Perry talked with the realtor and was told there was not any flexibility of the seller's price for the property in option B.

There was discussion about the Memorandum of Understanding being updated to reflect the entire state of affairs. The Town Attorney clarified that if the Board was inclined to approve the Memorandum, they could give direction to staff on how to finalize the document and bring back for final approval.

Commissioner Baxter made a motion, second by Commissioner Miles to instruct staff to update the Memorandum of Understanding to reflect the Board's changes then to bring back before the Board for final approval. There was no discussion and the motion passed unanimously.

## **NEW BUSINESS**

### *A. Administration*

#### 1. Board Appointments

Lisa Markland stated there were three in-Town vacancies on the Planning Board. Domenick Schilling submitted an application to fill one of the three-year open positions.

Commissioner Baxter made a motion, second by Commissioner Miles to appoint Domenick Schilling to the Planning Board with a term expiring on June 30, 2025. There was no discussion and the motion passed unanimously.

#### 2. Bond Work Session

Joe Moore reviewed the bond process. If the Board wanted to place a bond referendum on the November 2, 2022 ballot they would need to adopt a notice of intent by their May 2, 2022 meeting.

Commissioner Baxter expressed concerns about moving forward without having the totals for each project.

Commissioner Loucks asked to have the bond referendum added to the April 21, 2022 work session so the Board had more time to discuss the details and options.

### *B. General*

#### 1. Election of Mayor Pro Tem

Mayor York opened the floor for nominations.

Commissioner Clark nominated Quentin Miles as Mayor Pro Tem.

Commissioner Baxter nominated Larry Loucks as Mayor Pro Tem.

Mayor York closed the floor for nominations.

The Board voted by paper ballot.

Lisa Markland collected the ballots.

Quentin Miles received three votes and Larry Loucks received two votes. Quentin Miles was appointed as Mayor Pro Tem.

### *C. Information Request and Action*

Commissioner Baxter asked staff to respond to Carolyn Spencer's appropriation request.

It was suggested to add a reassessment for permitted uses in the Heavy Commercial District at a work session meeting.

Board of Commissioners  
Minutes  
April 4, 2022

Commissioner Baxter asked about a policy for the Town's website and social media pages, a list of ARPA funds requested from Wake County and a breakdown of the 400 Zebulon residents who responded to the alcohol beverage consumption survey.

Joe Moore clarified that the ARPA funds from Wake County were restricted to non-profits, so the Town was not able to make a request.

### **BOARD COMMENTS**

Commissioner Baxter spoke about upcoming April events including the teen egg decorating event on April 7, the Artisan Market on April 23, City Vision April 26 – 29 in Wilmington and the Boys and Girls Club charity golf tournament on April 29.

Commissioner Miles thanked everyone who spoke at the public hearing, thanked Adrian Wall and Braxton Moore for their life saving act and stated opening day at the Mudcats was April 8, 2022.

Commissioner Clark thanked everyone who spoke at the public hearing and for the participation of the citizens.

Commissioner Harrison thanked those who participated in the St. Patrick's Day event and thanked all who attended the Board meeting.

Commissioner Loucks thanked everyone for their work at the St. Patrick's Day event and making it a success and reminded everyone the Spring Fest was scheduled for May 14.

Mayor York thanked everyone for their comments at the Public Hearing and spoke about the importance of citizen engagement.

### **MANAGER'S REPORT**

Joe Moore stated a Joint Public Hearing was scheduled for April 11, 2022, a Board mini retreat was scheduled for April 14, 2022 and the April 21, 2022 work session would begin at 6:00pm. Mr. Moore spoke about the topics to be discussed at each meeting.

The following employees were recognized for their years of service:

#### Five Years

Josh Manning  
Jordan Perry  
Joe Beck

#### Ten Years

Corbin Johnson

#### Fifteen Years

Edwin Killelte  
Jason Bridges

Board of Commissioners  
Minutes  
April 4, 2022

Twenty-Five Years  
Bobby Fitts

Bobby Fitts reported the following budget transfers:

**Property & Project Management:**

Moved \$3,510 from ZCC/Maintenance Bldg. Maintenance - \$260 to ZMC Natural Gas, \$750 to ZCC Water and Sewer and \$2,500 to Part-time Salaries; Moved \$2,500 to Salaries (Overtime) - \$1,810 from Insurance & Bonds and \$690 from Professional Services; Moved \$500 from LED Lighting Conversion to ZPW Natural Gas; Moved \$2,000 from Janitorial Contracted Service to Part-time Salaries

**Operations:** Moved \$2,500 from Salaries to Salaries (Overtime)

**Police:**

Moved \$5,000 from Salaries - \$3,500 to Salaries (Overtime) and \$1,500 to Part-time Salaries;

**Fire:**

Moved \$5,000 from Insurance & Bonds to Vehicle Maintenance;

**CLOSED SESSION**

As permitted by NC GS §143-318.11(a)(3 & 6) - for the purpose of consulting with our attorney and personnel discussion.

Commissioner Baxter made a motion, second by Commissioner Miles to go into closed session. There was no discussion and the motion passed unanimously.

NOTE: In closed session, Commissioner Baxter made a motion, second by Commissioner Miles to come out of closed session. There was no discussion and the motion passed unanimously.

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

Adopted this the 2<sup>nd</sup> day of May 2022.

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Glenn L. York—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk

**Zebulon  
Joint Public Hearing  
Minutes  
April 11, 2022**

Present: Glenn York, Beverly Clark, Quentin Miles, Shannon Baxter, Jessica Harrison, Larry Loucks, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Michael Clark-Planning, Planning, Jacqui Boykin-Police, Eric Vernon-Attorney

Planning Board Present: David Lowry, Michael Germano, Stephanie Jenkins, Domenick Schilling  
Absent: Laura Johnson

Mayor York called the meeting to order at 7:00pm.

**APPROVAL OF THE AGENDA**

Commissioner Loucks made a motion, second by Commissioner Clark to approve the agenda. There was no discussion and the motion passed unanimously.

**PUBLIC HEARING**

*A. Utility Allocation Policy*

Mayor York opened the public hearing.

Michael Clark explained the proposed Utility Allocation Policy leveraged water and sewer capacity to incentivize higher quality developments. The policy provided a list of options for developers to improve the quality of their project. A minimum threshold of improvements was necessary to gain access to the Town's water and sewer capacity.

The base points and bonus points of the policy were presented. Bonus points could be achieved through green development standards, outdoor enhancements, transit improvements and amenities. There was detail given about the point systems and specific examples of bonus points.

Staff recommend the Board obtain public input at the meeting, refer the matter to the Planning Board, approve the UDO amendment at the May 2 meeting and approve the Utility Allocation Policy at the May 2 meeting.

It was stated the points were determined when working with the applicant during the Technical Review Process. A staff member from each department as well as representatives from NCDOT, Wake County Environmental Services, City of Raleigh and at times Wake County Building Inspections were part of the process. Some of the matters would still go before the Board of Commissioners for approval in instances of conditional zoning or planned development and the points structure would be part of the application.

Other Wake County communities used programs similar to the Utility Allocation Policy.

It was stated a developer could not buy points.

Michael Germano expressed concerns about mulch or gravel greenways being a burden on a development's Homeowner's Association to maintain and greenways should be at the Town's standard.



There was discussion about amending the business office professional service center threshold point category to be based upon the square footage.

Commissioner Baxter stated some category base points needed to be lowered to encourage developers do more than one upgrade. Staff explained if the policy was made overly burdensome developers would locate to a different town.

One example of points for a coffee shop vs. a golf course was mentioned by Commissioner Loucks. Michael Germano suggested developing the definition of a coffee shop with a square footage requirement and offerings.

Mayor York asked if either Board had any more questions. There were none.

Mayor York asked if anyone else wished to speak in favor. There were none

Mayor York asked if anyone wished to speak in opposition. There were none

Mayor York closed the public hearing and referred the matter to the Planning Board.

*B. Commercial Dumpster Enclosure Design*

Mayor York opened the public hearing.

Michael Clark spoke about the proposed amendment to the UDO to create regulations pertaining to dumpster enclosures for commercial and mixed-use buildings. Examples of the current regulations were shown.

The proposed regulations would require the dumpster building materials to be the same as the primary structure. The regulations would make the dumpster enclosures more secure, durable and easier to maintain.

Staff recommended the Board obtain public input, refer the matter to the Planning Board and approve the UDO amendments at the May 2 meeting.

There was discussion about natural wood fence panels and cinderblock materials. Staff would change the proposed language to exclude natural wood panels.

Commissioner Loucks asked about shared dumpster space and repairing current dumpster enclosures. Staff stated if the enclosure was included in the site plan, the business owner was required to replace dumpster fencing or repair the enclosure.

Michael Germano suggested adding a minimum height requirement of the screening walls.

Michael Clark spoke about the rationale for the required colors.

Mayor York asked if either Board had any more questions. There were none.

Mayor York asked if anyone else wished to speak in favor. There were none

Mayor York asked if anyone wished to speak in opposition. There were none

Mayor York closed the public hearing and referred the matter to the Planning Board.

*C. Storm Water Control Measure Landscaping*

Mayor York opened the public hearing.

Michael Clark spoke about the amendment to the UDO to establish regulations pertaining to landscape requirements in and around Storm Water Control Measures.

Examples from the Town's current regulation were shown. The proposed regulations included activation in the space, vegetative screening, in-pond plantings, natural habitat and environmental factors.

Staff recommended the Board obtain public input, refer the matter to the Planning Board and approve the UDO amendments at the May 2 meeting.

Commissioner Baxter inquired how the mosquito population would be handled. Staff had researched plantings and wildlife that would decrease the mosquito population and offered some suggestions.

There was the discussion about safety concerning storm water ponds.

Mayor York asked if either Board had any more questions. There were none.

Mayor York asked if anyone else wished to speak in favor. There were none

Mayor York asked if anyone wished to speak in opposition. There were none

Mayor York closed the public hearing and referred the matter to the Planning Board.

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

Adopted this the 2<sup>nd</sup> day of May 2022.

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Glenn L. York—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk

**Zebulon Board of Commissioners**  
**Retreat Minutes**  
**April 14, 2022**

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

Michelle Ferguson with Raftelis facilitated the meeting for the day.

Mayor York called the meeting to order at 9:00am. The Board and staff met at Rose Hill Conference Center.

Joe Moore introduced Michelle to the Board, and she took over and presented what the plan was for the day and what the goal would be.

Everyone introduced themselves and stated what they wanted to get out of the day.

Each Board member answered the “I Believe.....” statement that was given to them, as well as ranking how they saw their “Governance Roles” based on their personal preference and style.

The Board and Staff separated for the next exercise on sharing expectations. The Board discussed their expectations of staff and what they were willing to give staff. Staff did the same exercise of what their expectations were of the Board and what they were willing to give the Board. The group then got back together to share with each other what was needed for each group to be successful.

The group took a break for lunch from 12:15 to 1:00.

When the group met back up after lunch, Michelle asked everyone to write down what was true today that they wanted to be true in 10 years and what was not true today, but you hoped to be true in 10 years. We then went around the room and shared what we wrote down.

Finally, Joe presented the goals in the Strategic plan that were set in 2018. Joe pointed out what had been completed, what was in the works and what was not done. The discussion about the future goals for the Town Strategic Plan was had and the Board shared what they would like to see happen in the next few years.

Joe shared that a work session would be held to discuss the desires of the Board to allow them to finalize what they want the goals to be. This would allow for staff to ask questions to fully understand what the Board was looking for in each focus area and staff could be more successful in implementing those goals.

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

The meeting was adjourned at 4:50pm.

\_\_\_\_\_  
Date

SEAL

\_\_\_\_\_  
Glenn L. York—Mayor

\_\_\_\_\_  
Lisa M. Markland, CMC—Town Clerk

**Zebulon Board of Commissioners**  
**Work Session**  
**Minutes**  
**April 21, 2022**

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

Mayor York called the meeting to order at 4:00pm.

**APPROVAL OF AGENDA**

Commissioner Loucks made a motion, second by Commissioner Clark to approve the agenda. There was no discussion and the motion passed unanimously.

Joe Moore gave an overview of the topics to be discussed at the meeting.

**WAKE COUNTY RETENTION INCENTIVES**

Ashley Jacobs, the Deputy County Manager for Wake County, spoke about retention issues and how the county faced the highest turnover rate in 17 years. Key positions remained vacant which caused strain and stress on the employees and budget.

The retention incentives were based on an employee's salary. American Rescue Plan funds would be used to cover the costs of the retention pay. The county paid for a portion of the salaries in the Fire Department. and the county's share was 39.95%. The incentive pay would cost the county \$30,828 and the Town of Zebulon's share would be \$46,337, if they chose to adopt this incentive plan.

Joe Moore stated some fire employees' salaries had changed and would bring a more precise number for the Board as well as information if the Board wanted to extend the program to all Town employees.

**COMMUNITY NEEDS ASSESSMENT: ADMINISTRATION**

Joe Moore spoke about the needs for an engineer, economic development director and public information officer positions for the Town. There was also a need for training in diversity, equity and inclusion, generational, supervisory/management and routine topics (e.g. harassment and bullying). The retention issues within the director positions were explained.

There was discussion about the need for separate Human Resources and Information Technology Departments and showed how they may look in the future.

**FY '23 BUDGET PREVIEW**

Bobby Fitts spoke about the revenue and expenditure projections for the FY '23 proposed budget. The tax base value was \$1.61 billion made up from 40% residential and 60% commercial. Real property totaled \$1.02 billion and personal property totaled \$586 million.

Board of Commissioners  
Minutes  
April 21, 2022

There were questions about how Town money was invested. Staff explained the Town's investments were in the local bank or North Carolina Capital Management Trust.

The concept of revenue neutral was explained. The FY '22 fund balance was estimated to be \$12.9 million. The Town's policy was 50% of expenditures had to be maintained in fund balance which would be approximately \$4.4 million and to retain the current credit rating the balance needed to be no less than \$4.2 million.

**BOND REFERENDUM: GENERAL INFORMATION**

Some of the possible projects and costs were detailed. Those included roads, parks and facilities projects.

The road projects were estimated to be \$10.5 million and included intersections and road widenings. The parks project was estimated to be \$59.4 million and were detailed in the Play Zebulon Master Plan. The facility projects were estimated to cost \$9 million and included the Fire/EMS building, Public Works storage/renovation and expansion of Police/Town Hall renovation, restoration.

There were questions about the parks cost. Sheila Long stated the number included all projects and the Board could decide which projects were a priority from the Play Zebulon Master Plan for the bond referendum. The Master Plan included recommended projects for each year.

It was clarified the unreleased funds of \$350,000 for the Public Works building expansion, yard expansion and new building were included in the bond total.

If the Board wanted a bond referendum added to the November 2022 election, a notice of intent would need to be adopted at the May 2, 2022 meeting.

There were concerns about the bond referendum being rushed. Commissioner Loucks stated pushing it out would delay the building of the fire station. Joe Moore explained pushing the bond referendum would not delay the construction of the new Fire/EMS station.

It was decided that they would wait on the bond referendum.

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

Adopted this the 2<sup>nd</sup> day of May 2022.

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Glenn L. York—Mayor

SEAL

---

Lisa M. Markland, CMC—Town Clerk



**Board of Commissioners**  
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180  
FAX 919 856 5699

SIG HUTCHINSON, CHAIR  
SHINICA THOMAS, VICE-CHAIR  
VICKIE ADAMSON  
MATT CALABRIA  
MARIA CERVANIA  
SUSAN EVANS  
JAMES WEST

April 5, 2022

**Ms. Lisa Markland**  
**Town Clerk**  
**Town of Zebulon**  
**1003 North Arendell Avenue**  
**Zebulon, North Carolina 27597**

Dear Ms. Markland:

The Wake County Board of Commissioners, in regular session on April 4, 2022, approved and accepted the enclosed tax report for the Town of Zebulon.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in cursive script that reads "Yvonne Gilyard".


**Yvonne Gilyard**  
**Deputy Clerk to the Board**  
**Wake County Board of Commissioners**

Enclosure(s)

**Board Report**


Return

Date : 04/04/2022

Approved By : 

TO : WAKE COUNTY BOARD OF COMMISSIONERS

RE: CONSIDERATION OF REFUND FOR TAXES, INTEREST AND PENALTIES FOR ZEBULON

No.	Name of Tax Payer	Account Number	Tax and Penalties	Total Rebate	Total Refund	Request Status
1	BANC OF AMERICA LEASING & CAPITAL 2059 NORTHLAKE PKWY TUCKER, GA, 30084	0006903445- 2021- 2021- 000000	City County	610.63 633.41	1,244.04	1,244.04 Refund
	Marcus D. Kinrade		Total City Rebated	610.63		
	Wake County Tax Administrator		Total County Rebated	633.41		
			Total Rebate/Refund		1,244.04	1,244.04

CC:

\*Refund amount may differ from rebated total due to released interest or application of payment to any balance due on the account.



Wake County Tax Administration

Rebate Details

02/01/2022 - 02/28/2022

ZEBULON

DATE  
03/01/2022

TIME  
11:47:45 AM

PAGE  
1

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
<b>INDIVIDUAL PROPERTY ACCOUNTS</b>											
807309	7.70	0.00	0.77	0.00	8.47	02/04/2022	0006862890	2021	2021	000000	MOSCRIP, HEATHER
807308	8.80	0.00	0.88	0.00	9.68	02/04/2022	0006862890	2020	2020	000000	MOSCRIP, HEATHER
808593	527.85	30.00	52.78	0.00	610.63	02/18/2022	0006903445	2021	2021	000000	BANC OF AMERICA LEASING & CAPITAL
<b>SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS</b>	<b>544.35</b>	<b>30.00</b>	<b>54.43</b>	<b>0.00</b>	<b>628.78</b>		<b>3</b>	<b>Properties Rebated</b>			
<b>TOTAL REBATED FOR ZEBULON</b>	<b>544.35</b>	<b>30.00</b>	<b>54.43</b>	<b>0.00</b>	<b>628.78</b>		<b>3</b>	<b>Properties Rebated for City</b>			





Wake County Tax Administration

Rebate Details  
02/01/2022 - 02/28/2022

DATE  
03/01/2022

TIME  
11:47:45 AM

PAGE  
1

ZEBULON

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
<b>Grand Total:</b>	<b>17,415.79</b>	<b>1,255.00</b>	<b>462.39</b>	<b>0.00</b>	<b>19,133.18</b>		<b>102</b>	<b>Properties Rebated for All Cities</b>			

**Topic: FY 2022 Monthly Financial Statement Update**

Speaker: Bobby Fitts, Finance Director (if pulled from Consent)

Prepared by: Bobby Fitts, Finance Director

Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

This monthly report summarizes the status of the Town's revenues and expenditures.

**Background:**

The attached financials are a summary of revenues and expenditures to date. These monthly reports are provided to inform the Board of revenue and expenditure trends throughout the year. The enclosed statements are through April 18, 2022.

**Information:**

FY '22 Expenditures

More than nine and a half months into Fiscal Year 2022 (79%), the Town has spent approximately \$9,111,000 (~54% of its General Fund budget of \$17,036,203). All departments are operating within budgeted expenditures at this point in the fiscal year.

A few individual line items within some departments will go over their budget due to either market conditions (fuel), unanticipated repairs (Fire), and staff coverage to serve a growing service area (Police, Public Works). Rising fuel costs have impacted all departments, but the Fuel Expense line item of Police, Fire and Public Works will see the biggest impact. The Vehicle Maintenance line item in the Fire Department is over budget due to a couple of unexpected large repairs, such as new brake drums on the tanker and transmission and fuel injection problems on the brush truck. Overtime Salaries in Public Works and Police will exceed their line item budgets due to transitions in staffing and covering larger service areas.

When line-item shortfalls occur, they are covered initially through budget transfers from other line items within the department, and then budget adjustments from other departments or funds.

FY '22 Revenues

The following summary provides insight into the revenue activity of the current fiscal year:

- Property Tax (largest revenue stream)
  - + FY 2022 collections: \$7,979,566 collected to date (105% of \$7,628,000 budget).
  - + Observations:
    - # 8.8% more than collected last fiscal year (\$7,331,966).
    - # Majority of property taxes have now come in.
    - # There are 4 months of vehicle tax remaining to be collected as well.

- Sales Tax (second largest revenue stream)
  - + Comparisons (January's sales (reports lag 3-months)):
    - # \$33,239 (31.1%) more collected than last January for all sales tax.
    - # \$10,849 (22.4%) more collected than last January for "local" sales tax.
  - + Year-to-Date comparisons
    - # \$370,123 (+48.5%) more collected than at this time last year for all sales tax
    - # Collections represent 88% of budgeted revenues at 58% of the fiscal year.
- Utilities Sales Tax (5% of revenue stream):
  - + Third disbursement due June 15
  - + Reflects natural gas and electricity sales and heavily weather dependent
- Permits & Zoning
  - + \$166,213 collected total (75% of budgeted revenues (\$220,000))
  - + 28.1% less than what was collected this time last fiscal year (\$231,181).
  - + An indication of development activity and corresponding support services.
- Transportation Impact Fees
  - + \$281,650 collected to date (141% of budgeted revenues (\$200,000)).
  - + 32.1% less than what was collected last fiscal year.
  - + Revenue placed in reserve for transportation projects to be spent within 10 years

**Policy Analysis: N/A**

**Financial Analysis:** Budgeted revenue in FY 2022 is \$17,036,203 while year to date revenue collected was \$12,659,599 (74% of budgeted). As shown in the chart on the Revenue Statement, 64.1% of year-to-date revenues come from property taxes as the large majority of the total for the year has been collected.

**Staff Recommendation:**

No staff recommendation or Board action is necessary. These are informational only.

**Attachments:**

1. General Fund Fiscal Year 2022 Expenditure Statement and Revenue Statement (as of April 18, 2022)
2. Sales Tax – FY 2022

# ZEBULON

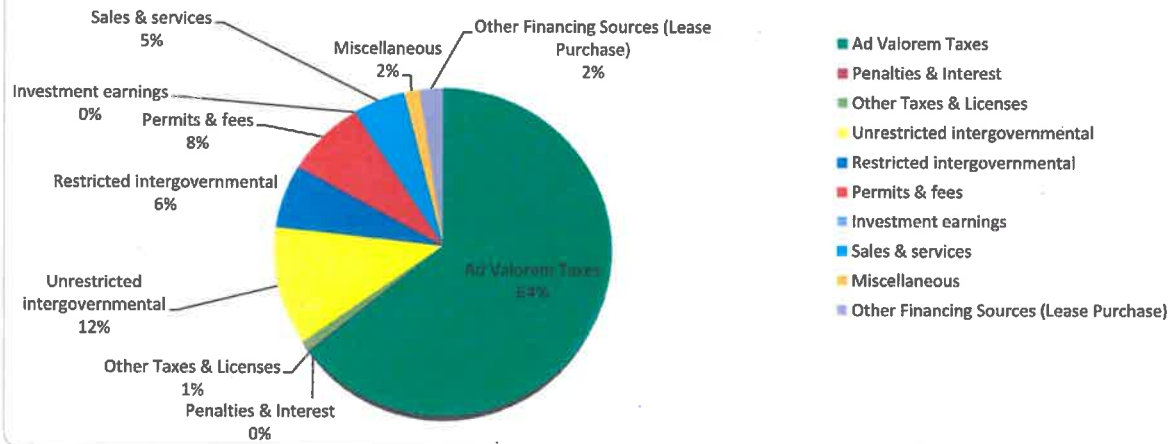
NORTH CAROLINA

TOWN OF ZEBULON  
 Revenue Statement: 2021 - 2022  
 for Accounting Period 6/30/2022  
 GENERAL FUND

As of 4/18/2022

<u>Revenue Categories</u>	<u>Estimated Revenue</u>	<u>Revenue YTD</u>	<u>% Collected</u>	<u>% of Total Revenue YTD</u>
Ad Valorem Taxes	\$7,672,000	\$8,115,528	105.8%	64.1%
Penalties & Interest	\$13,500	\$19,141	141.8%	0.2%
Other Taxes & Licenses	\$145,400	\$114,756	78.9%	0.9%
Unrestricted intergovernmental	\$1,927,500	\$1,469,557	76.2%	11.6%
Restricted intergovernmental	\$943,845	\$806,162	85.4%	6.4%
Permits & fees	\$551,500	\$980,223	177.7%	7.7%
Investment earnings	\$3,500	\$2,349	67.1%	0.0%
Sales & services	\$931,400	\$660,135	70.9%	5.2%
Miscellaneous	\$77,136	\$186,748	242.1%	1.5%
Other Financing Sources (Lease Purchase)	\$315,000	\$305,000	0.0%	2.4%
Fund Balance Appropriated	\$4,455,422	\$0	0.0%	0.0%
<b>Total Revenues</b>	<b>\$17,036,203</b>	<b>\$12,659,599</b>	<b>74.3%</b>	<b>100%</b>

**Town of Zebulon General Fund % of Total Revenue To Date - FY 2022**





TOWN OF ZEBULON  
Expenditure Statement:2021 - 2022  
for Accounting Period 6/30/2022  
GENERAL FUND

As of 4/18/2022

<u>Dept #</u>	<u>Department</u>	<u>Approp Amount</u>	<u>Expenditure YTD</u>	<u>% Exp.</u>
410	GOVERNING BODY	\$435,015	\$320,109	73.6%
420	FINANCE	\$407,016	\$314,550	77.3%
430	ADMINISTRATION	\$1,021,700	\$699,964	68.5%
490	PLANNING AND ZONING	\$672,366	\$462,027	68.7%
500	PUBLIC WORKS-PROPERTY & PROJECT MGMT	\$2,854,915	\$1,081,502	37.9%
510	POLICE	\$2,768,155	\$2,195,279	79.3%
520	PUBLIC WORKS-OPERATIONS	\$3,338,766	\$1,707,720	51.1%
530	FIRE	\$3,038,614	\$1,468,491	48.3%
570	POWELL BILL	\$351,500	\$15,561	4.4%
620	PARKS & RECREATION	\$1,783,011	\$782,620	43.9%
690	COMMUNITY & ECONOMIC DEVELOPMENT	\$365,145	\$63,233	17.3%
<b>Total Expenditures</b>		<b>\$17,036,203</b>	<b>\$9,111,056</b>	<b>53.5%</b>

**Sales Tax**

**FY 2022**

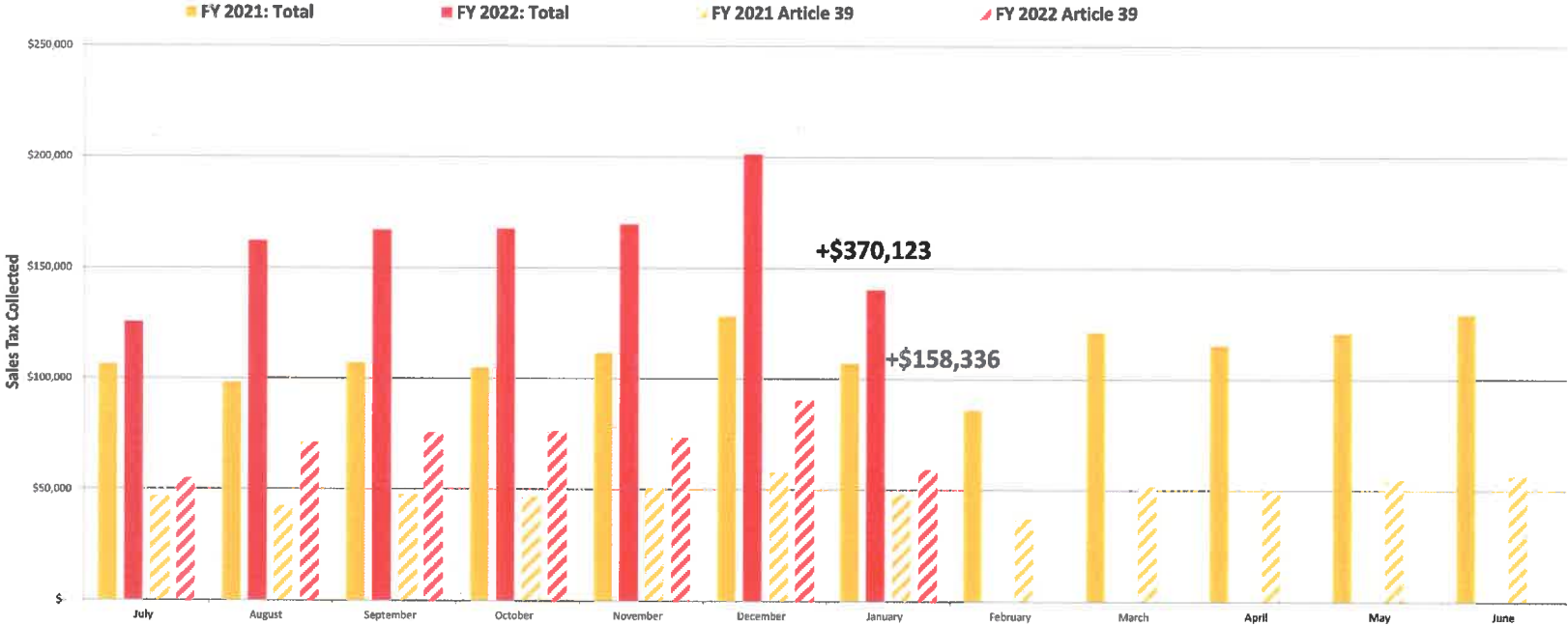
Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 22 Totals	Prior Year (FY 2021)	% Inc (Dec) from Prior Yr
July	\$ 54,740	\$ 23,633	\$ 27,374	\$ (8)	\$ 19,820	\$ 125,560	\$ 106,293	18.1%
August	70,908	30,305	35,575	0	25,312	162,100	98,134	65.2%
September	75,195	30,242	37,636	(8)	23,969	167,034	107,017	56.1%
October	76,033	30,096	38,111	1	23,345	167,586	105,056	59.5%
November	73,190	32,351	36,680	0	27,435	169,657	111,773	51.8%
December	90,634	36,407	45,390	6	28,988	201,425	128,204	57.1%
January	59,259	27,588	29,798	(0)	23,629	140,273	107,034	31.1%
February	-	-	-	-	-	-	85,810	-100.0%
March	-	-	-	-	-	-	121,143	-100.0%
April	-	-	-	-	-	-	115,436	-100.0%
May	-	-	-	-	-	-	120,866	-100.0%
June	-	-	-	-	-	-	129,315	-100.0%
<b>Total</b>	<b>\$ 499,958</b>	<b>\$ 210,621</b>	<b>\$ 250,565</b>	<b>\$ (9)</b>	<b>\$ 172,498</b>	<b>\$ 1,133,634</b>	<b>\$ 763,512</b>	<b>48.5%</b>

**FY 2021**


Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 21 Totals	Prior Year (FY 2020)	% Inc (Dec) from Prior Yr
July	\$ 46,727	\$ 19,891	\$ 23,331	\$ (7)	\$ 16,351	\$ 106,293	\$ 94,711	12.2%
August	42,713	18,626	21,327	11	15,457	98,134	96,820	1.4%
September	47,770	19,733	23,858	(2)	15,658	107,017	98,482	8.7%
October	46,956	19,326	23,433	(13)	15,354	105,056	101,205	3.8%
November	50,717	20,199	25,285	(2)	15,574	111,773	100,498	11.2%
December	58,329	23,016	29,146	10	17,704	128,204	108,478	18.2%
January	48,410	19,425	24,185	1	15,012	107,034	84,115	27.2%
February	37,570	16,223	18,734	1	13,282	85,810	85,027	0.9%
March	51,917	23,270	25,950	(2)	20,007	121,143	96,647	25.3%
April	50,198	21,765	25,058	(3)	18,418	115,436	81,112	42.3%
May	54,888	21,736	27,402	0	16,841	120,866	93,940	28.7%
June	56,533	24,213	28,255	2	20,313	129,315	112,742	14.7%
<b>Total</b>	<b>\$ 592,728</b>	<b>\$ 247,422</b>	<b>\$ 295,964</b>	<b>\$ (4)</b>	<b>\$ 199,972</b>	<b>\$ 1,336,082</b>	<b>\$ 1,153,778</b>	<b>15.8%</b>

\* Net proceeds of the Article 39 tax are returned to the county of origin.

# Monthly Summary of Sales Tax Collected



**Topic: NCLM Grant - Police Outer Carrying Vests**

Speaker: Bobby Fitts, Finance Director (if pulled from Consent)  
From: Bobby Fitts, Finance Director  
Prepared by: Bobby Fitts, Finance Director  
Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider appropriating grant funds from the NC League of Municipalities towards the purchase of 14 outer carrying vests.

**Background:**

Risk management and liability grant programs award its members and will fund projects that reduce the potential for workmen's compensation and liability claims. They recognize that outer carriers improve officer health by moving weight off the hips and redistributing to the upper body.

**Discussion:**

The Board of Commissioners must recognize insurance proceeds through a Budget Adjustment to appropriate those funds towards repair work or replacement. Adoption of the attached ordinance will appropriate funds toward replacing this vehicle.

**Policy Analysis:**

NCGS 159-15, as part of The Local Government Budget and Fiscal Control Act, allows amendments to the budget ordinance with Board approval.

**Staff Recommendation:**

Staff recommends approval of Ordinance 2022-37.

**Attachments:**

1. Ordinance 2022-37



ORDINANCE 2022-37

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
NCLM Grant	\$2,836.00	
EXPENDITURES		
Police—Uniforms	\$2,836.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: May 2, 2022

Effective: May 2, 2022

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Glenn L. York - Mayor

ATTEST:

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Lisa M. Markland, CMC - Town Clerk

Planning  
**ZEBULON**  
 NORTH CAROLINA  
**FY2022 Q3**

STAFF ACOMPLISHMENTS



Aaron Chalker was hired in July of 2021. He has done superb work with the Town and has been promoted to a newly created Planner II Position.

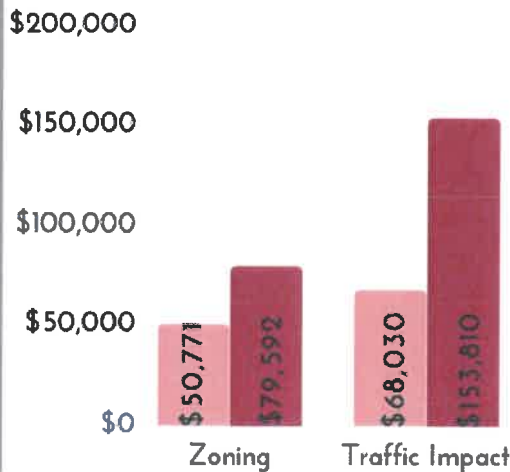
PLANNING VEHICLE UPGRADES:



The Planning Truck was upgraded with a light bar, running board lighting, and front and rear bumper lighting. These additions will create high visibility when the vehicle is stopped for field work.

WHAT'S NEW

FY22 Q2 & FY22 Q3  
 FEE COMPARISON



ZONING

**+\$28,821**

FY2022 Q2 TO FY2022 Q3 DIFFERENCE

TRAFFIC IMPACT

**+\$85,780**

FY2022 Q2 TO FY2022 Q3 DIFFERENCE

CASES  
 FINALIZED

TECHNICAL  
 REVIEW  
 COMMITTEE

- Pizza Amore Ice Cream Parlor
- Zebulon Outdoor Storage
- GNIC Building Expansion

ZONING MAP  
 AMENDMENTS

- E. Gannon @ Old US 264 Highway - From Residential-2 to Heavy Commercial

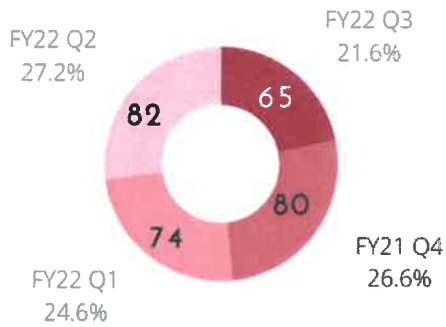
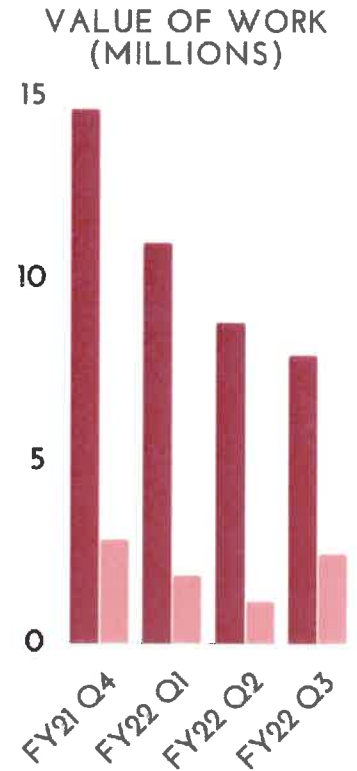
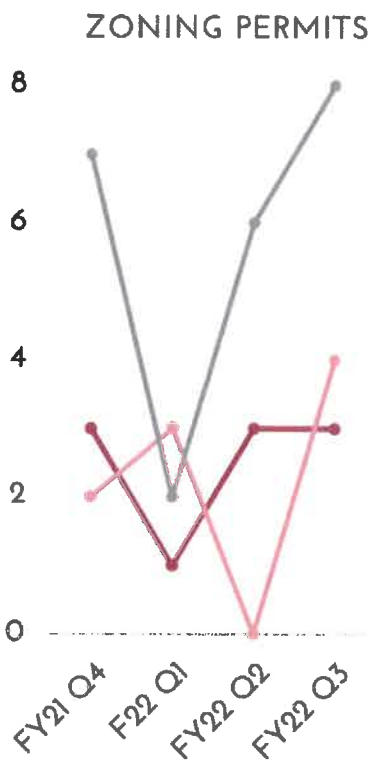
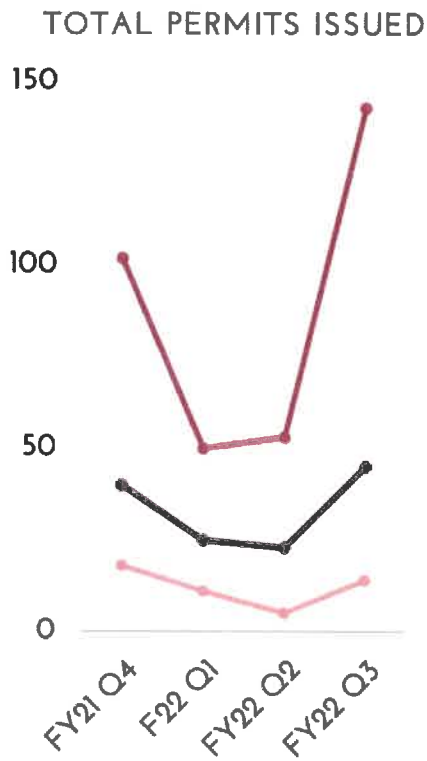
PLAT  
 RECORDINGS

- Autumn Lakes Phase 3
- 530 E. Gannon Ave Subdivision

COMMERCIAL  
 CERTIFICATE OF  
 OCCUPANCY

- SPC Mechanical
- The Fall Line
- Creative Cup
- Share Boutique
- Pinafore Boutique
- Turner Law Office

PERMITTING

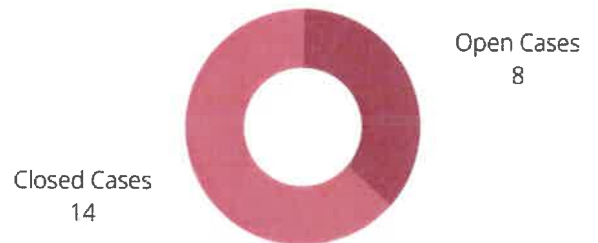
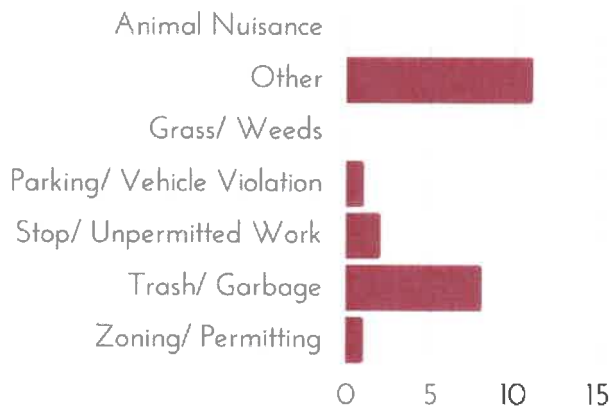


**\$154,875.70**

Average builder's cost for each house.


CERTIFICATES OF OCCUPANCY

CODE ENFORCEMENT



STAFF REPORT  
ORDINANCE 2022-40  
TA – 2022-3 DUMPSTER ENCLOSURES  
MAY 2, 2022

**Topic: Ordinance 2022-40 TA-2022-03 – UDO § 5.3.1.H & 5.3.2.F – Dumpster Enclosure**

Speaker: Michael J. Clark, AICP, CZO, Planning Director  
From: Michael J. Clark, AICP, CZO, Planning Director  
Prepared by: Michael J. Clark, AICP, CZO, Planning Director  
Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider text amendments to Chapter 5 of the Unified Development Ordinance (UDO) regulating the design of dumpsters for commercial and mixed-use developments.

**Background:**

The UDO provides standards for the screening of dumpster enclosures, but not the physical construction. The proposed regulations require dumpsters be constructed of materials matching both the aesthetics of the principal structure and the durability of the frequency/type of use.

Wood panel dumpster enclosures within commercial locations are often not constructed to a standard to withstand the intensity of use. Refuse and debris are regularly blown out of the easily damaged enclosures. Furthermore, the characteristics of the wood panel style of dumpster enclosure is often out of character with the surrounding structures.

**Discussion:**

The discussion before the board is whether to adopt Ordinance 2022-40 amending Sections 5.3.1.H and 5.3.2.F regulating the construction and appearance of commercial dumpster enclosures.

**Policy Analysis:**

The proposed text amendment is a tool to achieve the 2030 Strategic Plan's Growing Smart goal, and directly addresses the Comprehensive Land Use Plan's further refined strategy to enhance landscaping and building design requirements for Commercial Land Use types.

**Financial Analysis:**

The proposed amendments will reduce Code Enforcement activity. The improved aesthetics and functionality required by these regulations will also increase the quality and property value of commercial and mixed-use developments.

**Planning Board Recommendation:**

At their meeting on April 11, 2022, the Planning Board discussed the proposed text amendments and unanimously recommended approval of amendments to 5.3.1.H and 5.3.2.F as modified finding that the proposed request is consistent with the Strategic Plan's Growing Smart goal, and directly addresses the Comprehensive Land Use Plan's

STAFF REPORT  
ORDINANCE 2022-40  
TA – 2022-3 DUMPSTER ENCLOSURES  
MAY 2, 2022

further refined strategy to enhance landscaping and building design requirements for Commercial Land Use types.

**Staff Recommendation:**

Staff recommends adoption of Ordinance 2022-40 to amend Sections 5.3.1.H and 5.3.2.F of the UDO to regulate construction and appearance of commercial dumpster enclosures.

**Attachments:**

1. Commercial Design Standards – Dumpster Enclosure
2. Mixed Use Design Standards – Dumpster Enclosure
3. Ordinance 2022-40

## ARTICLE 5: DEVELOPMENT STANDARDS

### 5.3. Design Standards

### 5.3.1. Commercial Design Standards

3. Articulated wall forms designed to mimic window openings that also include an overhang or awning.

**FIGURE 5.3.1.G.3.B: LARGE RETAIL BUILDING FENESTRATION**



#### **c. OFF-STREET PARKING LOCATION**

- i. Sites comprised of large format retail buildings subject to these design standards shall be configured such that no more than 75 percent of the provided off-street parking shall be located between a building's primary building façade and the street it faces.
- ii. Off-street parking serving large format retail development located within a Gateway Corridor Overlay (GCO) district shall be configured in accordance with the applicable requirements in Section 3.8.3, Gateway Corridor Overlay (GCO) District.

#### **H. DUMPSTER ENCLOSURE DESIGN**

The following standards shall apply to dumpster and refuse collection areas for commercial uses.

1. The sides and back of enclosures shall be constructed of the same materials as the primary building and the following materials are prohibited
  - a. Natural wood fence panels
  - b. Synthetic Stucco or EFIS
  - c. Chain-Link
  - d. Reflective Corrugated Metal
2. Gates shall be constructed of a metal panel system and painted or coated black, grey, or similar neutral color.
3. Enclosures shall meet the standards of Table 5.10.5, Screening Methods.

## ARTICLE 5: DEVELOPMENT STANDARDS

### 5.3. Design Standards

### 5.3.2. Mixed-Use Design Standards

FIGURE 5.3.1.H: COMMERCIAL DUMPSTER ENCLOSURE DESIGN



### 5.3.2. MIXED-USE DESIGN STANDARDS

#### A. PURPOSE AND INTENT

The purpose for these standards is to create vibrant, pedestrian-oriented areas of residential and non-residential use that are located in the same building or in close proximity to one another on the same site. More specifically, these standards are intended to:

1. Create well-designed, desirable places for Town residents and visitors to shop, dine, recreate, and live;
2. Ensure development within mixed use areas is compact and walkable;
3. Shorten travel times and support alternative modes of transportation by reducing the need for automobile travel within urban portions of the Town;
4. Encourage human-scaled development that is pedestrian-oriented;
5. Reduce development costs by facilitating the most dense forms of development in areas easily served by public infrastructure; and
6. Accommodate both vertically mixed-use development within an individual building as well as horizontally mixed-use development on a single site.

#### B. APPLICABILITY

The standards in this section shall apply to all the following:

1. New development within the OI district;
2. New multi-story development within the DTP district;
3. Live/work dwellings;
4. Upper story residential; and
5. Any development that includes principal use types from the residential and commercial or institutional use classifications in [Table 4.2.3, Principal Use Table](#), within the same building or within the same development site.

#### C. EXEMPTIONS

These standards shall not be applied to the following forms of development:

1. Agriculture-related uses;
2. Renovation or redevelopment of existing structures; and
3. Mixed-use development established prior to January 1, 2020.

#### D. TIMING OF REVIEW

## ARTICLE 5: DEVELOPMENT STANDARDS

### 5.3. Design Standards

### 5.3.3. Multi-Family Residential Design Standards

#### 12. DRIVE-UP/DRIVE THROUGH PROHIBITED

No building within a mixed-use development or downtown district shall include drive-up or drive through facilities.

#### 13. SIGNAGE

Pole signs shall be prohibited on lots with mixed-use development.

#### F. DUMPSTER ENCLOSURE DESIGN

The following standards shall apply to dumpster and refuse collection areas for commercial uses.

1. The sides and back of enclosures shall be constructed of the same materials as the primary building and the following materials are prohibited
  - a. Natural wood fence panels
  - b. Synthetic Stucco or EFIS
  - c. Chain-Link
  - d. Reflective Corrugated Metal
2. Gates shall be constructed of a metal panel system and painted or coated black, grey, or similar neutral color.
3. Enclosures shall meet the requirements of Table 5.10.5 Screening Methods

FIGURE 5.3.2.F: MIXED USE DUMPSTER ENCLOSURE DESIGN



### 5.3.3. MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS

#### A. PURPOSE AND INTENT

These multi-family residential design standards supplement the applicable zoning district and use-specific standards of this Ordinance by providing the minimum requirements for design and configuration of multi-family development within the Town's planning jurisdiction. They are intended to:

1. Ensure multi-family development takes place in a manner consistent with the context, scale, and proportion of its surroundings;
2. Promote greater compatibility between new multi-family development and other allowable use types, particularly adjacent residential single-family detached dwellings;
3. Establish expectations for minimum level of quality for multi-family development;
4. Encourage creativity in design and promote individual project identity;
5. Create neighborhoods with enhanced architectural and visual interest; and
6. Preserve property values and protect public and private investment.



# ORDINANCE 2022-40

## ARTICLE 5: DEVELOPMENT STANDARDS

### 5.3. Design Standards

### 5.3.1. Commercial Design Standards

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#### **H. DUMPSTER ENCLOSURE DESIGN**

The following standards shall apply to dumpster and refuse collection areas for commercial uses.

1. The sides and back of enclosures shall be constructed of the same materials as the primary building and the following materials are prohibited
  - a. Natural wood fence panels
  - b. Synthetic Stucco or EFIS
  - c. Chain-Link
  - d. Reflective Corrugated Metal
2. Gates shall be constructed of a metal panel system and painted or coated black, grey, or similar neutral color.
3. Enclosures shall meet the standards of Table 5.10.5, Screening Methods.

FIGURE 5.3.1.H: COMMERCIAL DUMPSTER ENCLOSURE DESIGN



#### **5.3.2. MIXED-USE DESIGN STANDARDS**

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## 12. DRIVE-UP/DRIVE THROUGH PROHIBITED

No building within a mixed-use development or downtown district shall include drive-up or drive through facilities.

## 13. SIGNAGE

Pole signs shall be prohibited on lots with mixed-use development.

### F. DUMPSTER ENCLOSURE DESIGN

The following standards shall apply to dumpster and refuse collection areas for commercial uses.

1. The sides and back of enclosures shall be constructed of the same materials as the primary building and the following materials are prohibited
  - a. Natural wood fence panels
  - b. Synthetic Stucco or EFIS
  - c. Chain-Link
  - d. Reflective Corrugated Metal
2. Gates shall be constructed of a metal panel system and painted or coated black, grey, or similar neutral color.
3. Enclosures shall meet the requirements of Table 5.10.5 Screening Methods

FIGURE 5.3.2.F: MIXED USE DUMPSTER ENCLOSURE DESIGN



Adopted this the 2<sup>nd</sup> day of May 2022

SEAL


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Glenn L. York - Mayor

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Lisa M. Markland, CMC - Town Clerk

**Topic: Ordinance 2022-41 – TA-2022-04 – Text Amendment of UDO Section 5.6.19  
SCM Measure Landscaping**

Speaker: Michael J. Clark, AICP, CZO, Planning Director  
From: Michael J. Clark, AICP, CZO, Planning Director  
Prepared by: Michael J. Clark, AICP, CZO, Planning Director  
Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider text amendments to Chapter 5 of the Unified Development Ordinance requiring plantings in, and around, Stormwater Control Measures (SCM).

**Background:**

The UDO allows for grass to be planted up to the edge of the water line in SCMs but does not require any plantings within the pond itself. The proposed regulations would require plantings unless the SCM is part of an active open space area.

The UDO currently treats SCMs strictly as utility requirements instead of amenities or aesthetic elements. Additional landscaping in, and around, an SCM would mirror the natural environments of ponds and wetlands. This both improves the aesthetic nature of these features and more effectively stabilizes the soils, thereby reducing runoff into the ponds and enhancing habitats for aquatic and wetland species.

**Discussion:**

The Board will discuss amendments to Section 5.6.19 regarding landscape requirements in and around SCMs.

**Policy Analysis:**

The proposed text amendment is a tool to achieve the 2030 Strategic Plan's Growing Smart goal, and directly addresses the Comprehensive Land Use Plan's further refined strategy to protect the environment through unique landscapes and mature tree stands.

**Financial Analysis:**

The proposed regulations will assist the Town in meeting the National Pollutant Discharge Elimination System (NPDES) requirements of their Municipal Separate Storm Sewer System (MS4) Permit with the North Carolina Department of Environmental Quality. The amenities and aesthetics required by these regulations will also increase the quality and property value of developments.

**Planning Board Recommendation:**

On April 11, the Planning Board discussed the proposed text amendments and unanimously recommended approval with modifications as noted in attachment 1 finding that the proposed request is consistent with the 2030 Strategic Plan's Growing Smart goal, and directly addresses the Comprehensive Land Use Plan's further refined strategy to protect the environment through unique landscapes and mature tree stands.

STAFF REPORT  
ORDINANCE 2022-41  
TA – 2022-04 SCM LANDSCAPING  
MAY 2, 2022

**Staff Recommendation:**

Staff Recommends approving the text amendments to Section 5.6.19 of the Unified Development Ordinance and adoption of Ordinance 2022-41.

**Attachments:**

1. Landscape Design Standards – Stormwater Control Measures
2. Ordinance 20220-41

## ARTICLE 5: DEVELOPMENT STANDARDS

### 5.6. Landscaping

### 5.6.18. Replacement of Required Vegetation

#### C. PERIODIC INSPECTION

1. The Planning Director may periodically inspect sites subject to the provisions of this Ordinance. If, through inspection, it is determined that a site does not comply with the approved site plan, preliminary plat, planned development master plan, or building permit, a notice to comply shall be served upon the landowner by registered mail with return receipt or other means by the Town.
2. The notice shall set forth that which will be necessary to comply with the Ordinance.
3. The Town shall have the power to conduct investigations as it may reasonably deem necessary to carry out its duties as prescribed in this Ordinance and for this purpose may enter at reasonable times upon the property, public or private, for the purpose of inspecting the site(s) subject to the provisions of this Ordinance.

### 5.6.18. REPLACEMENT OF REQUIRED VEGETATION

#### A. DAMAGE OR REMOVAL OF VEGETATION IS A VIOLATION

The damage, disturbance, or removal of any landscaping area or vegetation required by this section shall constitute a violation of this Ordinance subject to the remedies described in [Article 8: Enforcement](#).

#### B. REPLACEMENT REQUIRED

1. Any disturbed landscaping areas, areas of preserved existing vegetation, or required plant material shall be replaced in accordance with the approved development application and these standards.
2. Trees or vegetation that die within one year of construction completion shall be removed and replaced with new vegetation of equal or greater size.
3. Replacement trees shall be planted within 180 days of removal of required vegetation.

#### C. REVEGETATION PLAN REQUIRED

In cases where required landscaping or existing vegetation required to be preserved is damaged, disturbed, or removed, a revegetation plan shall be submitted for review and approval by the Planning Director, in accordance with the following standards:

1. Any tree with a caliper of at least eight inches that is damaged or removed shall be replaced with one or more trees that have a caliper of at least two and one-half (2½) inches and a cumulative caliper equal to or greater than the original tree.
2. Trees damaged or destroyed less than eight inches in diameter shall be replaced to satisfy the performance criteria of this section.
3. Shrubs may also be required to restore the landscaping performance criteria for the disturbed area.

#### D. LOCATION OF REPLACEMENT TREES AND VEGETATION

1. Replanting shall be located within the vicinity of the violation.
2. If the area is too small for sufficient growth, a more suitable location on the site may be selected, as permitted by the Planning Director.

### 5.6.19. STORMWATER CONTROL MEASURE (SCM) LANDSCAPING

In cases when a stormwater control measure is constructed and improved for active outdoor recreation space, a landscape plan shall be provided subject to the following conditions.

- A. Area surrounding the SCM shall be landscaped to the Type A buffer standard per Table 5.6.10.C unless otherwise restricted based on engineering or State of North Carolina requirements.
- B. Shrubs may be clustered if a combination of canopy and understory streets are planted.
- C. Plantings within the pond area shall meet the recommendations of the NC State Extension Office for Stormwater Wetland Construction.

# ORDINANCE 2022-41

## ARTICLE 5: DEVELOPMENT STANDARDS

5.6. Landscaping

5.6.18. Replacement of Required Vegetation

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### 5.6.19. STORMWATER CONTROL MEASURE (SCM) LANDSCAPING

In cases when a stormwater control measure is constructed and improved for active outdoor recreation space, a landscape plan shall be provided subject to the following conditions.

- A. Area surrounding the SCM shall be landscaped to the Type A buffer standard per Table 5.6.10.C unless otherwise restricted based on engineering or State of North Carolina requirements.
- B. Shrubs may be clustered if a combination of canopy and understory streets are planted.
- C. Plantings within the pond area shall meet the recommendations of the NC State Extension Office for Stormwater Wetland Construction.


Adopted this the 2<sup>nd</sup> day of May 2022

SEAL

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Glenn L. York - Mayor

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Lisa M. Markland, CMC - Town Clerk

STAFF REPORT  
RESOLUTION 2022-14  
JUNETEENTH PARADE  
PUBLIC EVENT APPLICATION  
MAY 2, 2022

**Topic:** Resolution 2022-14 – Juneteenth Parade  
**Speaker:** Sheila Long, Parks & Recreation Director  
**From:** Sheila Long, Parks & Recreation Director  
**Prepared by:** Sheila Long, Parks & Recreation Director  
**Approved by:**  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider a request by Todd’s Productions to hold a Juneteenth Parade in public right-of-way on Saturday, June 18, 2022.

**Background:**

Community input gathered during the development of Zebulon’s 2030 Strategic Plan revealed the desire for “more community events/activities”. In response, the Town funded, organized, and staffed the 2019 Tree Lighting Festival.

As discussed during the 2020 Retreat, the Town can more efficiently and effectively create more community events by indirectly encouraging and supporting the private and non-profit sectors in their efforts to host functions on public property and right of way. Indirect encouragement and support is accomplished through Town infrastructure, such as the Alley Activation projects that provide space and electricity, and Town services, such as the permitting, logistics, or operational support that facilitate the events.

Todd’s Production, a 501(c)3 non-profit affiliated with Todd’s LLC (located in Zebulon’s ETJ), submitted a request on April 8<sup>th</sup> to implement an event recognizing Juneteenth. The original scope included music, food trucks, vendors, bounce houses, horse rides and family-friendly activities and requested closing W. Horton St, between Church St. and Arendell Ave., and the Vance Street municipal lot from public access. There was also a request to host a parade from Barbee St to Arendell Ave to W Sycamore St to Wakefield St and ending on Barbee St. No alcohol will be sold for on-site consumption.

The requested event was to be part of a larger annual event series hosted by Todd’s LLC on their property just outside of Zebulon. Event representatives are seeking to continue expansion of their event in future years and have stated a continued interest to include downtown Zebulon in their efforts.

An interdepartmental team reviewed the event request, and the scope of the event had to be logistically planned as two separate events. Staff does not have the capacity to offer municipal service support to both at the same time. After meeting with Todd’s Production representatives, it was determined that the scope requested is reduced to the parade only with hopes to expand in the future. The Parks and Recreation Department will work with Todd’s Productions and Zebulon First Baptist to determine opportunity to incorporate components of a Juneteenth Celebration with the Artisan Market.

STAFF REPORT  
RESOLUTION 2022-14  
JUNETEENTH PARADE  
PUBLIC EVENT APPLICATION  
MAY 2, 2022

Expectations for the Town and requesting organization are identified in the Road Closure for Events Agreement (attached). The agreement is consistent with that of the Saint Patrick's Day Event and has been reviewed by both the Town Attorney and the Risk Manager for the Town's insurance. This agreement has been drafted for Board consideration.

Todd's Production will work closely with Zebulon Public Works and Police to close the public right of way and oversee the event. The exact time needed for the road closure will be dependent upon the number of parade entries. Staff will only shutdown roads when necessary to conduct the parade and maintain safety.

**Discussion:**

The discussion before the Board is whether to close Barbee St to Arendell Ave to W Sycamore St to Wakefield St and ending on Barbee St. on Saturday, June 18, 2022 in support of the event planned and implemented by Todd's Production. If the Board waives any fees associated with this event or any non-profit, Board members who serve in leadership positions on the non-profit must identify their role and request recusal from the vote.

**Policy Analysis:**

The proposed event is consistent with the following focus areas and goals of the Board-adopted *Zebulon 2030* Strategic Plan:

Vibrant Downtown: We will have a clean, attractive, and historic downtown with a variety of special events, entertainment, shops, restaurants, businesses, and housing to serve as the heart of Zebulon, providing a gathering place for the community and a destination for visitors, by:

- developing events, entertainment, and cultural attractions to draw people downtown

Small Town Life: We will preserve and enhance our small-town feel by developing more activities and locations to gather with family and neighbors, making Zebulon a safe, connected, family friendly and walkable town, by:

- promoting more community events and festivals
- enhancing and creating more community gathering places

Growing Smart: Our community is growing, and we will plan for the growth with appropriate staffing and service levels to address land use and traffic concerns; promote economic development and preserve the affordability of our community, by:

- Pursuing economic development opportunities with our community partners
- Maintaining appropriate staffing to support expected service levels for the growing community

The proposed event is consistent with, and specifically addresses a recommendation of, the Board-adopted *Play Zebulon* Parks and Recreation Master Plan by increasing



STAFF REPORT  
RESOLUTION 2022-14  
JUNETEENTH PARADE  
PUBLIC EVENT APPLICATION  
MAY 2, 2022

“community-based events and identify opportunities to support and encourage private organizations and partners to offer events”.

While the Town has closed public rights of way for Town-sponsored events, such as the Tree Lighting Festival, there isn't a regulatory mechanism within the Code of Ordinances to close public rights-of-way for private functions. The closest guidance is found in the Police Chief's authority to permit parades (Code § 98.02). Absent a text amendment to the Town's Code of Ordinances allowing private use of public space for public purposes, adopting a Resolution recognizing the event's consistency with adopted public purpose and the Board's utilization of statutory authority to temporarily close rights-of-way (NCGS §160A-296) is necessary.

Staff is drafting a special event policy for Board consideration to provide clear guidance for the Board, the community, and Staff moving forward.

**Fiscal Analysis:**

The Town's fee schedule does not identify a fee associated with street closures, although there would clearly be costs borne both by the Town in closing a street and overseeing an event. The fee schedule does address hourly rates for Public Works staff and equipment. The Town anticipates \$480 to close the street (2 Public Works employees at an overtime rate, work zone signage and trucks) and \$1000 to oversee the event (9 Police officers at an overtime rate).

The Recreation Cost Recovery Policy provides some guidance on fee reductions and waivers for non-profits providing a recreational opportunity that is both free to the public and in-line with the Town's Strategic Plan. While allowed per policy, expenses incurred but authorized by the Board for fee reductions or waivers must be covered. The Parks and Recreation Special Event line-item was established, and includes limited funds, to support private development of special events. If authorized, funds will be transferred to Police & Public Works overtime to cover incurred expenses.

**Staff Recommendation:**

Staff recommends the Zebulon Board of Commissioners approve the closure of Barbee St to Arendell Ave to W Sycamore St to Wakefield St and ending on Barbee St. on Saturday, June 18, 2022 from 12:00pm – 4:30 pm and waive associated fees.

**Attachments:**

1. Road Closure for Events Agreement
2. Letter from Todd's Production
3. Resolution 2022-14 to temporarily close right of way
  - a. Option A: Waive all staff related fees
  - b. Option B: Waive fees for road closure/ require payment of off duty officers
  - c. Option C: Waive no fee



## Road Closure for Public Event Agreement & Expectations

The Town of Zebulon owns and manages the majority of streets within Town limits. The Town's Strategic Plan includes the following areas of focus: Grow Smart, Vibrant Downtown, and Small Town Life. The primary purpose of streets is to provide transportation access connecting businesses, residents, and visitors to Zebulon. When the impact is manageable it is common for streets to be closed for events made available to the public by private organizations. Private organizations may request closure of streets from the Town. All events must be evaluated on a case by case basis due to the complexity of closing streets and each town department will identify appropriate requirements necessary to approve a street closure for events.

### GENERAL POLICIES

1. If the applicant ("Licensee") is an individual, Licensee must be an adult, age 21 years of age or older. If Licensee is an entity, a responsible adult, age 21 years of age or older, must be present and supervising at all times.
2. Fees are charged in accordance with the adopted Fee Schedule and the Recreation Cost Recovery Policy.
3. Licensee will comply with all laws, ordinances (including Town of Zebulon Noise Ordinance), and regulations adopted or established by federal, state, county, or Town of Zebulon and require that all its attendees comply with same. Licensee will comply with all Zebulon Community Center rules and regulations and will require that all its attendees comply with same.
4. The Town of Zebulon or its agents will not be responsible for any accidents or personal injuries that occur during the leasing period. Licensee is responsible for the actions of the participants in their group and/or event.
5. The Town of Zebulon will not be responsible for any stolen or damaged goods.
6. Licensee is responsible for the cost of any professional repairs or replacement of any damages to Town assets or equipment.
7. The Town of Zebulon reserves the right to require Licensee to provide security for its event. In such cases, Licensee will be required to hire off-duty officers of the Zebulon Police Department at their designated rate. This fee will be paid directly to the hired police officer prior to the event starting or as directed by the Police Department. If a Zebulon Police Officer is not available, the Licensee may hire a "sworn officer" approved by the Town of Zebulon.

8. Licensee and permitted caterer will provide a general liability insurance policy (and liquor liability insurance policy if applicable) in the amount of \$1,000,000 (or higher dependent upon the size or nature of the event) per claim naming the Town of Zebulon as additional insured covering claims for injuries, deaths, and/or property damage arising out of the use of the premises by Licensee. Proof of this liability insurance coverage must be provided to the Town of Zebulon no later than 48 hours prior to the event, and if not, the Town may cancel this agreement, and Licensee shall forfeit all rights to refund of any monies paid.
9. No alcoholic beverages are permitted to be sold, possessed, or consumed without the appropriate permit from the Alcohol Beverage Control Board. Persons holding such permit must be who provides the beverages to be consumed at the event. A copy of the permit for providing alcoholic beverages at the event must be presented to the Town of Zebulon no later than 48 hours in advance of the event. Attendees cannot bring in their own alcoholic beverages. No brown bagging is allowed. All applicable Alcohol Beverage Control laws shall be complied with.
10. Nothing is to be installed to the streets, sidewalks, or other privately owned businesses that may cause damage to the property.
11. The Town of Zebulon reserves the right to make any public announcements.
12. Licensee's event shall end no later than 11:00pm, not to include clean up time. A later ending time than 11:00pm must be requested and approved by the Town's Special Events Committee during the application process.
13. Licensee's road closure is for the hours specified on Licensee's public event application that has been approved by the Town of Zebulon. This should include the time needed to setup and cleanup. Please make sure that you request enough time for set up and clean up. Licensee will be subject to additional charges for time that exceeds the approved hours.
14. Special Event (Event) applications should be submitted at least 120 days prior to the date requested. Use payment is due within five days of approval. No reservation is confirmed until payment is received.
15. A refundable security deposit equivalent to half of the facility use rate may be required. Assuming there are no damages to the Town's assets or equipment, the security deposit will be refunded within two weeks after the rental.
16. Licensee agrees that at all times the Event and all activities will be conducted with full regard to public safety and will observe and abide by all applicable regulations and requests by duly-authorized governmental agencies responsible for public safety and with the Town of Zebulon to assure such safety.

17. Walkable and ADA accessible ingress or egress to and from the event location and the impacted private property owners shall not be obstructed.
18. Licensee assumes all costs, liabilities, and claims arising from the use of patented, trademarked, franchised, or copyright music, movies, devices, processes or dramatic rights used on or incorporated in the Event.
19. The Town of Zebulon reserves the right to make cancellations to any road closure at any time due to public health, safety, and welfare concerns including after the event has commenced. Cancellation notices will be issued as far in advance as possible. All rental fees and deposits paid to the Town will be returned in full if the cancellation is initiated by the Town of Zebulon. The Town of Zebulon will not be liable for any other costs incurred by Licensee due to cancellations made by the Town of Zebulon.
20. Cancellations initiated by Licensee more than 30 days prior to the event date shall be granted a refund of paid fees and any deposits minus a \$25 administration fee. Cancellations initiated by Licensee within 30 days of the scheduled event shall be granted a refund of any paid deposits and 50% of the total rental fee. Cancellations initiated by Licensee less than 48 hours prior to a reservation shall be granted a refund of only any security deposit paid. There will be no refund of fees if cancellation occurs less than 48 hours prior to any scheduled event.
21. The Town of Zebulon reserves the right to refuse road closures to any person or group for any event that, at the sole discretion of the Town, is deemed to potentially impair the health, welfare, and/or public safety of citizens or the efficient operation of the Town.
22. Licensee must ensure that the impacted streets are left in a manner that is consistent with the way it was upon their arrival. Licensee is expected to make sure all trash, paper, cups, food, bottles, etc. is placed in the provided and appropriate containers. A cleaning fee will be charged to events that require Town staff cleaning of the streets. This will be calculated based on the staff resources required to address any issues and the adopted Fee Schedule. Trash and Recycling containers are provided; please recycle appropriately.
23. At the conclusion of the Event, Licensee will be expected to complete a final walk-through of the event area with Town staff to ensure that the event area is clean and free of damage, and that all provided equipment is accounted for, clean, and damage free. Licensee understands that they will be held financially responsible for any damages to the event area that may occur during the event and are responsible at all times for their guests' behavior. The Town of Zebulon endeavors to provide and maintain a family atmosphere. The Town of Zebulon expects each user group to treat our public spaces with care and respect.
24. The Town of Zebulon reserves the right to alter these policies if necessary or it is in the best interest of the Town of Zebulon.

### Event Specific Details and Requirements:

Licensee: Todd's Production  
Location: Barbee St, Arendell Ave, Sycamore St, Wakefield St (back to Barbee)  
Street Closure Time: Road closures may begin at Noon. Anticipated reopen time is 4:30 PM.  
Event Purpose: Juneteenth Parade

Each town department has reviewed the event request, the following items are expected:

1. The Town will provide barricades, traffic cones, NCDOT traffic signs and trach carts. The Public Works department will plan, set up, and break down the road closure. Fees for street closure services by Public Works will be applied according to the FY 22 fee schedule. This fee will be billed to the licensee unless the Board of Commissioners adopts a resolution waiving the fees.
2. Licensee is responsible for contacting impacted property owners about the event and street closure as it will impact access to their property no less than two weeks prior to the event. Impacted properties for this event are identified as frontage properties along the parade route. The Planning Department can help provide a list of addresses. The Licensee shall provide the Town with a copy of print information that is shared with the affected property owners two weeks prior to the event and confirm with the Town that impacted property owners have been contacted.
3. The Licensee will need to coordinate with the Zebulon Police department to secure 9 off duty officers at the off duty rate. This fee will be required by the licensee unless the Board of Commissioners adopts a resolution waiving the fees.
4. A meeting will need to be held no less than 2 weeks prior to the event in order to solidify the layout of your event and finalize details as it pertains to the Town. At this meeting, staff will need a final layout of the event, list of parade participants, emergency plan and a contact list from the licensee.
5. Licensee must provide a point of contact at all times during the event to include set up and break down that is on site within the event grounds. The point of contact must be available for staff, vendor, and participant questions and concerns.
6. All planning aspects of this event are the responsibility of the licensee. Town staff will not be responsible for coordinating parade participants.
7. All horse manure must be removed by the license throughout the event. The Licensee must provide the Town with it's plan to conduct manure removal two weeks prior to the event. This plan must be approved by the Public Works Department and the Police Department.

8. It is the licensee's responsibility to develop an application and guidelines for parade participants. In addition to guidelines the license will expect of participants, the town requires the following guidelines to be included and enforced by the applicant:
  - a. All entries must be lined up by the designated time. Late arrivals will not be permitted to participate.
  - b. All entries must maintain movement throughout the parade. There should not be more than two car lengths between entries. Dance groups and other pedestrian entries must keep moving, with no stopping for performances.
  - c. Any motorized vehicle (ATVs and motorcycles included) must adhere to traditional traffic laws. No burning tires, revving engines, playing excessively loud music, or driving in an erratic manner.
  - d. Candy may not be thrown from any moving vehicles or horses as it poses a danger to children seeking to collect candy. Candy may only be passed out by walkers along the parade route.
  - e. Participants may not be dropped off or picked up throughout the parade route. Participants should only stage and disburse from the designated area on Barbee St.

The applicant must provide a plan of action to enforce guidelines throughout the parade route to the Police Department 2 weeks prior to the event.

9. The Licensee will limit the parade to 25 parade entries and horses. Horses will lead the parade. Other parade entries will follow. 15 ATVs/motorbikes will be considered equivalent to 1 parade entry. ATVs/motorbikes should remain in a groups of no more than 15 separated by other parade entries.
10. Licensee is responsible for maintaining a consistent flow of the parade and to address safety issues created by parade entry and guideline violations.
11. The licensee is responsible for developing and distributing all marketing materials related to this event. Use of Town logos in any marketing and/or promotional materials is strictly prohibited without prior written approval by the Town. The Town is not a sponsor or participant of the Event and licensee is strictly prohibited from referring to the Town as a sponsor or participant in the Event in its marketing and/or promotional materials, in any manner, without prior written approval by the Town.
12. The town will provide information to the public about the road closure and purpose of the road closure that will refer the Community to Todd's Production for more information about the event.
13. The Zebulon Police Department and Zebulon Public Works Department will only close streets as absolutely necessary for event activities during the time requested. If activities don't necessitate street closure during the entirety of the proposed road closure, the streets will be open to the public.

14. The license is authorized for activities and street closures only as specifically identified in this road closure agreement and as adopted by the Board of Commissioners through resolution. The licensee may not begin event set up prior to 12:00 PM on June 18<sup>th</sup>, 2022 and the event must be cleaned up with streets reopened by 4:30 PM.
  
15. The Licensee hereby releases and holds harmless the Town and each of its officers, elected officials, employees and agents from any and all liability, claims, and demands of whatever kind or nature which arise or may hereafter arise from the activities related to the parade, including claims that arise out of negligence. The Licensee understands and acknowledges that this release discharges the Town from any liability or claim that the Licensee may that it may have against the Town with respect to bodily injury, personal injury, illness, death, or property damage that may result from the Licensee's involvement in the parade. Licensee understand that the activities related to the parade in which the Licensee is involved may include activities that are inherently dangerous to the Licensee. Licensee hereby expressly assumes the risk of injury or harm to the Licensee from these activities and release the Town from all liability for injury, illness, death, or property damage resulting from these activities. Furthermore, Licensee shall cause each participant in the parade to sign, print name and date a release in the form set out below as a condition of participating in the parade:

"I, \_\_\_\_\_, (the "Participant") release and forever and hold harmless the Town and each of its officers, elected officials, employees and agents from any and all liability, claims, and demands of whatever kind or nature which arise or may hereafter arise from my participation in the activities related to the parade, including claims that arise out of negligence. The Participant understands and acknowledges that this release discharges the Town from any liability or claim that the Participant may that it may have against the Town with respect to bodily injury, personal injury, illness, death, or property damage that may result from the Participant's involvement in the parade. Participant understands that the activities related to the parade in which the Participant is involved may include activities that are inherently dangerous to the Participant. Participant hereby expressly assumes the risk of injury or harm to the Participant from these activities and release the Town from all liability for injury, illness, death, or property damage resulting from these activities. Participant grants and conveys to the Town all right, title and interest in any and all photographs, images, video or audio recording of the Participant or his likeness or voice made or used by the Town in connection with the Participant's involvement in the parade and related events."

The undersigned Licensee certifies that it has read the above agreement and understands that it is responsible for Licensee and its guests adhering to the expectations at the event for which Licensee has requested use of public streets.

**IF LICENSEE IS AN INDIVIDUAL:**

Print Name: \_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_

**IF LICENSEE IS AN ENTITY:**

\_\_\_\_\_  
(Print Entity Name)

By: \_\_\_\_\_  
(Signature of authorized person)

Name: \_\_\_\_\_  
(Print name of authorized person)

Title: \_\_\_\_\_  
(Print capacity of authorized person (President,  
Vice President, etc.))

Town Manager's Signature: \_\_\_\_\_

Date: \_\_\_\_\_





## Heels, Hoof, Wheels Juneteenth Explosion

Town of Zebulon and Board of Commissioners

Todd's Productions (Tony, Derrius & Harrison Todd) would like to bridge the gap between the city and the community by partnering with the Town of Zebulon to conduct the Saturday Family Fun Day portion of Heels, Hoof, and Wheels Juneteenth Explosion downtown Zebulon with the inspiration in becoming an Annual Event.

Heels, Hoof, and Wheels Juneteenth Explosion (HHWJE) is an event that brings over 1000 cowboys and cowgirls with their horses to Todd's Park each year. This 3-day event has had a significant economic impact on the Town as it attracts over 2000 attendees from residents as well as our neighboring cities and visitors from all over the United States. This year marks the event's 9th year. The Town has graciously allowed the cowboy/cowgirl downtown procession in past years and the community response was both positive and encouraging.

The HHWJE festival will be celebrating the National Holiday of Juneteenth which will bring all cultures together for a day of family festivities. The day will consist of music, family activities (games) Kid's corner, music, vendors (merchandise, service, health, and wellness), food trucks, spoken words and other performances.

The Celebration will start at 11:00 am and end at 5:00 pm. The Juneteenth Parade will serve as the event's finale. The Parade will start approximately 2pm at Barbee Street proceeding down Arendelle Ave to Sycamore St.

We would like to build, bridge and connect the community together by bringing the Artisan Market to set up in the public parking area with the vendors at the festival. This partnership directly supports the Town's strategic plan of creating a Vibrant Downtown, would provide an opportunity for community engagement and would provide a unique cultural experience while highlighting the benefits of Small Town Life.





Todd's Productions thank you in advance for your consideration in allowing us to bring the HHWJE Family Fun Day to downtown Zebulon on June 18 th and we would like to extend an invitation to join us at the park to experience the cowboy life later that evening as we will continue the fun with line dancing and more.

Please find attach the following:

- Application (detailed)
- Map of set up
- Parade Application
- Vendor Application
- Brief Day line up from start to finish

If the town is needing more information or insight for HHWJE please do not hesitate to contact us

**Sincerely,**

**Todd's Productions**



**RESOLUTION 2022-14**  
**RESOLUTION A TO CLOSE STREETS FOR PARADE**  
**ON JUNE 18, 2022**

**WHEREAS**, the 2030 Strategic Plan identifies Downtown as a Focus Area and strives to create a Vibrant Downtown with a variety of special events and entertainment; and

**WHEREAS**, the 2030 Plan's goal is to revitalize Downtown, develop events, entertainment, and cultural attractions to draw people Downtown; and

**WHEREAS**, the Town has funded Downtown infrastructure and alley improvements to support special events; and

**WHEREAS**, the Town encourages non-profits to participate and contribute to the vibrancy of Downtown; and

**WHEREAS**, Todd's Production is a nonprofit seeking municipal service support from the Town of Zebulon to close streets for the purpose of a Juneteenth Parade; and

**WHEREAS**, the Juneteenth Parade will recognize struggles experienced by enslaved African Americans and celebrates exercised independence; and

**WHEREAS**, supporting the Juneteenth Parade meets the Town's 2030 Strategic Plan focus areas: Small Town Life, Vibrant Downtown, and Growing Smart; and

**WHEREAS**, supporting the Juneteenth Parade meets the Play Zebulon: Parks & Recreation Master Plan goal to provide quality programs for people of all ages and backgrounds and to support community development of programs; and

**WHEREAS**, the Juneteenth Parade is organized by a private organization for the purpose of celebration of achievements of African Americans while overcoming hardships and not for direct business profit.

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Zebulon does hereby approve the request by Todd's Production to close Barbee St to Arendell Ave; Arendell Ave to W Sycamore St; W. Sycamore St to Wakefield St and Wakefield St ending on Barbee St on Saturday, June 18, 2022 from 12:00PM until 4:00PM; and, in consideration of the premises set out above, waive fees associated with Town staff for the purpose of a Juneteenth parade in Downtown Zebulon. The Town reserves the right to cancel or cause the interruption of the event when, in the sole discretion of the Town, such act is necessary in the interest of public safety or protection of public property.

Adopted the 2<sup>nd</sup> day of May 2022

SEAL

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Glenn L. York – Mayor

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Lisa M. Markland, CMC – Town Clerk

**RESOLUTION 2022-14**  
**RESOLUTION B TO CLOSE STREETS FOR PARADE**  
**ON JUNE 18, 2022**

**WHEREAS**, the 2030 Strategic Plan identifies Downtown as a Focus Area and strives to create a Vibrant Downtown with a variety of special events and entertainment; and

**WHEREAS**, the 2030 Plan's goal is to revitalize Downtown, develop events, entertainment, and cultural attractions to draw people Downtown; and

**WHEREAS**, the Town has funded Downtown infrastructure and alley improvements to support special events; and

**WHEREAS**, the Town encourages non-profits to participate and contribute to the vibrancy of Downtown; and

**WHEREAS**, Todd's Production is a nonprofit seeking municipal service support from the Town of Zebulon to close streets for the purpose of a Juneteenth Parade; and

**WHEREAS**, the Juneteenth Parade will recognize struggles experienced by enslaved African Americans and celebrates exercised independence; and

**WHEREAS**, supporting the Juneteenth Parade meets the Town's 2030 Strategic Plan focus areas: Small Town Life, Vibrant Downtown, and Growing Smart; and

**WHEREAS**, supporting the Juneteenth Parade meets the Play Zebulon: Parks & Recreation Master Plan goal to provide quality programs for people of all ages and backgrounds and to support community development of programs; and

**WHEREAS**, the Juneteenth Parade is organized by a private organization for the purpose of celebration of achievements of African Americans while overcoming hardships and not for direct business profit.

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Zebulon does hereby approve the request by Todd's Production to close Barbee St to Arendell Ave; Arendell Ave to W Sycamore St; W. Sycamore St to Wakefield St and Wakefield St. ending on Barbee St on Saturday, June 18, 2022, from 12:00PM until 4:30PM; and, in consideration of the premises set out above, waive fees associated with Public Works staff for the purpose of a Juneteenth parade in Downtown Zebulon. Fees associated with off duty officers will be the responsibility of Todd's Production. The Town reserves the right to cancel or cause the interruption of the event when, in the sole discretion of the Town, such act is necessary in the interest of public safety or protection of public property.

Adopted the 2<sup>nd</sup> day of May 2022

SEAL

\_\_\_\_\_  
Glenn L. York - Mayor

\_\_\_\_\_  
Lisa M. Markland, CMC - Town Clerk

**RESOLUTION 2022-14**  
**RESOLUTION C TO CLOSE STREETS FOR PARADE**  
**ON JUNE 18, 2022**

**WHEREAS**, the 2030 Strategic Plan identifies Downtown as a Focus Area and strives to create a Vibrant Downtown with a variety of special events and entertainment; and

**WHEREAS**, the 2030 Plan's goal is to revitalize Downtown, develop events, entertainment, and cultural attractions to draw people Downtown; and

**WHEREAS**, the Town has funded Downtown infrastructure and alley improvements to support special events; and

**WHEREAS**, the Town encourages non-profits to participate and contribute to the vibrancy of Downtown; and

**WHEREAS**, Todd's Production is a nonprofit seeking municipal service support from the Town of Zebulon to close streets for the purpose of a Juneteenth Parade; and

**WHEREAS**, the Juneteenth Parade will recognize struggles experienced by enslaved African Americans and celebrates exercised independence; and

**WHEREAS**, supporting the Juneteenth Parade meets the Town's 2030 Strategic Plan focus areas: Small Town Life, Vibrant Downtown, and Growing Smart; and

**WHEREAS**, supporting the Juneteenth Parade meets the Play Zebulon: Parks & Recreation Master Plan goal to provide quality programs for people of all ages and backgrounds and to support community development of programs; and

**WHEREAS**, the Juneteenth Parade is organized by a private organization for the purpose of celebration of achievements of African Americans while overcoming hardships and not for direct business profit.

**WHEREAS**, the Town of Zebulon will support this request by closing Barbee St to Arendell Ave to W Sycamore St to Wakefield St and ending on Barbee St.

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Zebulon does hereby approve the request by Todd's Production to close Barbee St to Arendell Ave; Arendell Ave to W Sycamore St; W. Sycamore St to Wakefield St and Wakefield St. ending on Barbee St on Saturday, June 18, 2022, from 12:00PM until 4:30PM, and, in consideration of the premises set out above, no fees associated will be waived. The Town reserves the right to cancel or cause the interruption of the event when, in the sole discretion of the Town, such act is necessary in the interest of public safety or protection of public property.

Adopted the 2<sup>nd</sup> day of May 2022


\_\_\_\_\_  
Glenn L. York - Mayor

Attest:

\_\_\_\_\_  
Lisa M. Markland, CMC - Town Clerk

STAFF REPORT  
RESOLUTION 2022-15  
DIRECT SALE TO TOWN OF MAYSVILLE, NC  
MAY 2, 2022

**Topic: Resolution 2022-15—Resolution to sell Chevrolet Tahoe to Maysville Police Department**

Speaker: Jacqui Boykin, Chief of Police  
From: Jacqui Boykin, Chief of Police  
Chris Ray, Public Works Director  
Prepared by: Jacqui Boykin, Chief of Police  
Approved by:  Joseph M. Moore, II, PE, Town Manager

**Executive Summary:**

Consideration of resolution to sell 2012 Chevy Tahoe to Maysville Police Department.

**Background:**

The Town employs a vehicle rotation strategy that surpluses vehicles with excess mileage and maintenance costs. In FY22, a 2012 Chevy Tahoe used in the Police department was taken out of the operational fleet and readied for surplus sale.

In March 2022, the Maysville Police Department (pop. 818 (2020 Census)) crashed one of their patrol vehicles. As a small municipality located in southeastern Jones County, they do not have funding to purchase a new vehicle to replace the damaged patrol car. The Maysville Police Department learned of the Tahoe through one of our service providers who could speak to its condition. Maysville solicited the Town's interest in a private sale of the Tahoe, in lieu of auction.

The Town typically sells surplus items through the NC Department of Administration's State Surplus Property Agency or by public auction through a service such as GovDeals.com. The Town has also sold surplus items via direct sale when approached by other municipalities or government entities (the direct sale of a fire engine to Middlesex in 2019 being an example).

A resolution has been prepared, authorizing the sale, in accordance with 160A-274.

**Discussion:**

The discussion before the Board is whether to surplus the 2012 Chevrolet Tahoe to the NC Department of Administration's State Surplus Property Agency, or via direct sale to Maysville.

**Fiscal Analysis:**

Based upon current market value of similar vehicles, the sale of the vehicle could generate \$12,000. All revenue from the sale of the truck would go into Fleet Capital Reserve.

Maysville's insurance claim was valued at \$9,000.

STAFF REPORT  
RESOLUTION 2022-15  
DIRECT SALE TO TOWN OF MAYSVILLE, NC  
MAY 2, 2022

**Policy Analysis:**

N.C.G.S. § 160A-265 authorizes towns to sell or dispose of personal property.

N.C.G.S. § 160A-274 authorizes the sale of property between government entities.

**Staff Recommendation:**

Staff recommends approval of the resolution authorizing the Town Manager (or his designee) to sell the Chevy Tahoe, via private sale to Maysville Police Department.

**Attachment:**

1. Resolution 2022-15 (direct sale to Maysville)

**RESOLUTION 2022-15**  
**RESOLUTION AUTHORIZING SALE OF**  
**PERSONAL PROPERTY WORTH LESS THAN \$30,000**

**WHEREAS**, The Town of Zebulon owns certain items of personal property that have become surplus for its current needs; and,

**WHEREAS**, North Carolina General Statute 160A-274 permits the Town to sell such property by private sale, upon authorization by the Board of Commissioners at a regular meeting and notice to the public; and,

**WHEREAS**, the Town is the owner of a 2012 Black Chevrolet Tahoe – VIN# 1GNLC2E08CR160711, which has reached the end of its useful service life and will no longer be utilized by the Town’s police department; and

**WHEREAS**, the Board of Commissioners is convened in a regular meeting;

**THEREFORE, THE BOARD OF COMMISSIONER OF THE TOWN OF ZEBULON RESOLVES THAT:**

1. The vehicle is hereby declared as surplus.
2. The Board of Commissioners authorizes the Town Manager to sell by private sale the following items of surplus property, to the Town of Maysville, North Carolina, for the sum of \$9,000:

2012 Black Chevrolet Tahoe – VIN# 1GNLC2E08CR160711

Adopted this the 2nd day of May 2022

\_\_\_\_\_  
Glenn York—Mayor


SEAL

\_\_\_\_\_  
Lisa M. Markland, CMC—Town Clerk



STAFF REPORT  
RESOLUTION 2022-16  
RESOLUTION 2022-17  
PUBLIC AUCTION OF SURPLUS VEHICLES  
MAY 2, 2022

**Topic: Resolution 2022-16 and Resolution 2022-17 Public Auction of Surplus Vehicles**

Speaker: Chris D. Ray, Public Works Director  
From: Chris D. Ray, Public Works Director  
Prepared by: Mary Duffy, Public Works Administrative/Contracts Manager  
Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider auction of surplus vehicles.

**Background:**

The Town employs a vehicle rotation strategy that surpluses vehicles with excess mileage and maintenance costs. In FY2022, five vehicles were taken out of the operational fleet and readied for surplus sale:

- 2012 Chevrolet Tahoe (Police): 108,845 miles
- 2012 Dodge Charger (Police): 82,282 miles
- 2015 Dodge Charger (Police): 79,284 miles
- 2005 Ford Expedition (Public Works): 101,595 miles
- 2008 Freightliner Leaf Truck (Public Works): 40,655 miles, 3707 engine hours

The Town typically sells surplus passenger vehicles through the NC Department of Administration's State Surplus Property Agency. The Town typically sells large, specialty vehicles by electronic auction through a service such as GovDeals.com to reach a nationwide audience.

If the potential value of sales exceeds \$30,000, the Board must adopt a resolution approving the public auction, and specifying the date, time, place, and terms of sale.

**Discussion:**

The discussion before the Board is if, and how, to sell the referenced surplus vehicles.

**Fiscal Analysis:**

All revenue from the sale of the vehicles is deposited into the Fleet Capital Reserve to pay down the purchase price of the replacement vehicles.

State Surplus charges the Town a fee equal to 8% of the sale price.

GovDeals.com fees (12.5% of sale) are paid by the buyer.

**Policy Analysis:**

N.C.G.S. § 160A-265 authorizes towns to sell or dispose of personal property.

STAFF REPORT  
RESOLUTION 2022-16  
RESOLUTION 2022-17  
PUBLIC AUCTION OF SURPLUS VEHICLES  
MAY 2, 2022

N.C.G.S. § 160A-270 authorizes disposal of personal property at public auction.

**Staff Recommendation:**

Staff recommends selling the 2012 Tahoe, the 2012 & 2015 Chargers and the 2005 Expedition through the NC Department of Administration's State Surplus Property Agency.

Staff recommends selling the 2008 Leaf Truck through GovDeals.com.

**Attachment:**

1. Resolution 2022-16 – Auction of Passenger Vehicles
2. Resolution 2022-17 – Auction of Leaf Truck
3. Pictures of surplus vehicles

**RESOLUTION 2022-16**  
**RESOLUTION OF THE TOWN OF ZEBULON BOARD OF COMMISSIONERS**  
**AUTHORIZING THE SALE OF PERSONAL PROPERTY AT PUBLIC AUCTION**

**WHEREAS**, Chapter 160A, Article 12 of the North Carolina General Statutes authorizes the Town of Zebulon (the “Town”), at the discretion of its Board of Commissioners (the “Board”), to sell or dispose of personal property, without regard to the method or purpose of its acquisition or to its intended or actual governmental or other prior use; and

**WHEREAS**, pursuant to N.C.G.S.§160A-270, the Board may authorize an appropriate town official to dispose of personal property through existing private or public electronic auction services; and

**WHEREAS**, the Town is the owner of the following vehicles:

- 2012 Chevrolet Tahoe (VIN# 1GNLC2E0XCR165327)
- 2012 Dodge Charger (VIN# 2C3CDXAT6CH316235)
- 2015 Dodge Charger (VIN# 2C3CDXAT8FH901905)
- 2006 Ford Expedition (VIN# 1FMPU16596LA32704)

collectively “the vehicles,” which have reached the end of their useful service lives and will no longer be utilized by the Town’s police or public works departments; and

**WHEREAS**, the Town desires to sell the vehicles via electronic public auction and designate the Town Manager (or his designee) as responsible for all aspects of such sale;

**NOW, THEREFORE**, the Board of Commissioners of the Town of Zebulon, North Carolina resolves that:

1. The vehicles are hereby declared as surplus.
2. The sale of the vehicles to the highest bidder is hereby approved.
3. The Town authorizes the Town Manager (or his designee) to conduct all aspects of the sale of the vehicles via electronic auction through the North Carolina Department of Administration’s State Surplus Property Agency.
4. This Resolution shall take effect upon its passage.

Adopted this the 2<sup>nd</sup> day of May 2022.

\_\_\_\_\_  
Glenn L. York—Mayor

SEAL

\_\_\_\_\_  
Lisa M. Markland, CMC—Town Clerk

**RESOLUTION 2022-17**  
**RESOLUTION OF THE TOWN OF ZEBULON BOARD OF COMMISSIONERS**  
**AUTHORIZING THE SALE OF PERSONAL PROPERTY AT PUBLIC AUCTION**

**WHEREAS**, Chapter 160A, Article 12 of the North Carolina General Statutes authorizes the Town of Zebulon (the “Town”), at the discretion of its Board of Commissioners (the “Board”), to sell or dispose of personal property, without regard to the method or purpose of its acquisition or to its intended or actual governmental or other prior use;

**WHEREAS**, pursuant to N.C.G.S.§160A-270, the Board may authorize an appropriate town official to dispose of personal property through existing private or public electronic auction services;

**WHEREAS**, the Town is the owner of a 2008 Freightliner Leaf Truck, VIN# 1FVACYBS78HZ60491 (the “Leaf Truck”), which has reached the end of its useful service life and will no longer be utilized by the Town’s public works department;

**WHEREAS**, the Town desires to sell the Leaf Truck via electronic public auction and designate the Town Manager (or his designee) as responsible for all aspects of such sale;

**NOW, THEREFORE**, the Board of Commissioners of the Town of Zebulon, North Carolina resolves that:

1. The Leaf Truck is hereby declared as surplus.
2. The sale of the Leaf Truck to the highest bidder is hereby approved.
3. The Town authorizes the Town Manager (or his designee) to conduct all aspects of the sale of the Leaf Truck via electronic auction on the GovDeals website ([www.GovDeals.com](http://www.GovDeals.com)), for a period starting May 17, 2022 and ending May 27, 2022 at 2 PM.
4. A summary of this Resolution shall be published at least once and not less than 10 days before May 27, 2022 and shall include the electronic address where information about the Leaf Truck can be found as well as the electronic address where bids may be posted (“Notice”).
5. The Board hereby approves Notice via electronic means.
6. This Resolution shall take effect upon its passage.

Adopted this the 2<sup>nd</sup> day of May 2022.

\_\_\_\_\_  
Glenn L. York—Mayor

SEAL

\_\_\_\_\_  
Lisa M. Markland, CMC—Town Clerk

## Attachment 2: Pictures of Surplus Vehicles



Tahoe 327 (State Surplus)



Expedition (State Surplus)



**Charger 235 (State Surplus)**



**Charger 905 (State Surplus)**



**Leaf Truck (GovDeals)**

STAFF REPORT  
ORDINANCE 2022-43  
ORDINANCE 2022-44  
2022 ROADWAY AND STORM DRAINAGE BID AWARD  
MAY 2, 2022

**Topic: Ordinance 2022-43 and Ordinance 2022-44 - 2022 Roadway and Storm Drainage Construction Bid Award**

Speaker: Chris D. Ray, Public Works Director  
From: Chris D. Ray, Public Works Director  
Prepared by: Chris D. Ray, Public Works Director  
Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider bids to construct the 2022 Roadway and Storm Drainage project.

**Background:**

The 2022 Roadway and Storm Drainage project includes the following sub-projects: 1) East Vance Street Storm Drainage Improvements Project, 2) Annual Street Surfacing Project, 3) Jones Street Completion, and US 64 Off Ramp Widening.

A Stormwater Condition Assessment by the Wooten Group identified the need to upsize the storm drainage pipe under East Vance Street. A Pavement Condition Survey by staff identified the streets with the highest priority need for repaving. Jones Street and US 64 Off Ramp Widening were separated from the larger N. Arendell Widening project as a means to expedite portions of that project.

Volkert, Inc completed project surveying, design, and permitting, and will provide contract administration and construction inspection services if the contract is awarded.

The project was advertised on March 3<sup>rd</sup>, 2022, in the News & Observer, the North Carolina Department of Administration Historically Underutilized Business (HUB) web site, and Town of Zebulon web site. The Town directly contacted ten (10) contractors, which included four (4) Minority Business Enterprise/Women Business Enterprise (MBE/WBE) with NCDOT certifications as Disadvantaged Business Enterprises (DBE). Five bidders attended the Pre-bid meeting on March 10<sup>th</sup>.

An insufficient number of bids were submitted to the March 24<sup>th</sup> Bid Opening (General Statutes requires three bids when the project value is estimated greater than \$500,000 (\$143-132)). The project was re-advertised, and the Town received four bids from the following contractors at the April 14<sup>th</sup> Bid Opening, with Narron providing the lowest bid:

Contractor	Certification(s)
Narron Construction, Inc.	DBE, WBE, HUB
Lanier Construction	DBE, MBE, HUB
State Contracting	DBE, WBE, HUB
Turner Asphalt.	

**Discussion:**

Discussion before the board is what scope of work, if any, to award as a contract.

STAFF REPORT  
ORDINANCE 2022-43  
ORDINANCE 2022-44  
2022 ROADWAY AND STORM DRAINAGE BID AWARD  
MAY 2, 2022

**Policy Analysis:**

The construction projects are part of the FY '22 Operating Budget.

**Financial Analysis:**

	Project	Narron's Bid
1	Annual Resurfacing (4 Streets)	\$282,382.50
2	Jones Street Completion (2 missing sections)	\$437,063.55
3	East Vance Street Storm Drainage	\$132,699.00
4	64 Off Ramp Widening (Bid Alternate #1)	\$ 73,206.00
	<b>Total Bid</b>	<b>\$925,351.05</b>

Comparison of project budgets with Narron's bid and construction oversight costs						
Project	Project Budget	Bid <sup>1</sup>	Construction oversight costs			Balance
			Contract Administration	Inspections	10% Contingency	
Annual Resurfacing	\$220,000	\$282,382.50	\$16,363.51	\$2,000.00	\$28,238.00	\$(108,984.01)
E. Vance St. Storm Drainage <sup>2</sup>	\$110,000	\$132,699.00	\$22,245.11	\$19,905.00	\$13,269.00	\$(78,118.11)
Jones Street Completion	\$340,000 <sup>3</sup>	\$437,063.55	\$26,726.70	\$43,706.00	\$43,706.00	\$(306,370.25)
64 Off Ramp Widening (Bid Alt.1)		\$ 73,206.00	0.00	\$10,981.00	\$10,981.00	

**Staff Recommendation:**

Staff recommends awarding the Annual Resurfacing and E. Vance Street Storm Drainage projects to Narron Contracting, Inc, and approving Budget Ordinance 2022-43 appropriating Powell Bill Reserves and Budget Ordinance 2022-44 appropriating Stormwater Capital Reserves to the respective projects. Staff does not recommend awarding Jones Street Completion and Bid Alternate # 1.

**Attachments:**

1. Budget and Option Analysis
2. Bid Tabulation
3. Narron Contracting, Inc bid proposal
4. Ordinance 2022-43
5. Ordinance 2022-44

<sup>1</sup> The backorder of materials, shortage of labor, and rising fuel prices (which directly affect oil-based products like asphalt) have produced sharp increases in construction prices since the budget was adopted.

<sup>2</sup> Rerouting the waterline and sewerline to accommodate the larger culvert and installing backflow valves in the drainage lines of the Fire Station bays were added to the project scope of work.

<sup>3</sup> Jones Street and the US 64 Off Ramp Widening anticipated site development fees from adjacent sites contributing to the project budget.



**STAFF REPORT  
2022 ROADWAY AND STORM DRAINAGE PROJECT  
BUDGET ORDINANCE 2022-43 & 2022-44  
MAY 2, 2022**

**Bid and Option Analysis****1) Annual Street Resurfacing**

	<b>Annual Street Resurfacing</b>	<b>Street Rating (PCR)</b>	<b>Cost</b>
1	East Vance Street - (656' by 52')	61	\$74,945.00
2	Yates Place (1240 by 22)	62	\$56,590.00
3	Smokey Mountain Drive (137' by 30')	63	\$97,892.50
4	Wellington Drive (720' by 22')	66	\$34,955.00
5	Traffic Control & Mobilization		\$18,000.00
	<b>Low Bid Amount</b>		<b>\$282,382.50</b>
	Engineering, Permitting, CA - Costs	PO# 22-00933	\$16,363.51
	10% Contingency		\$28,238.00
	Const. Engineering Inspection (TOZ)	Overtime expenses	\$2,000.00
	<b>Subtotal</b>		<b>328,984.01</b>
	Budget Amount	10-570-7404	\$220,000.00
	<b>Shortfall Amount</b>		<b>\$108,984.01</b>

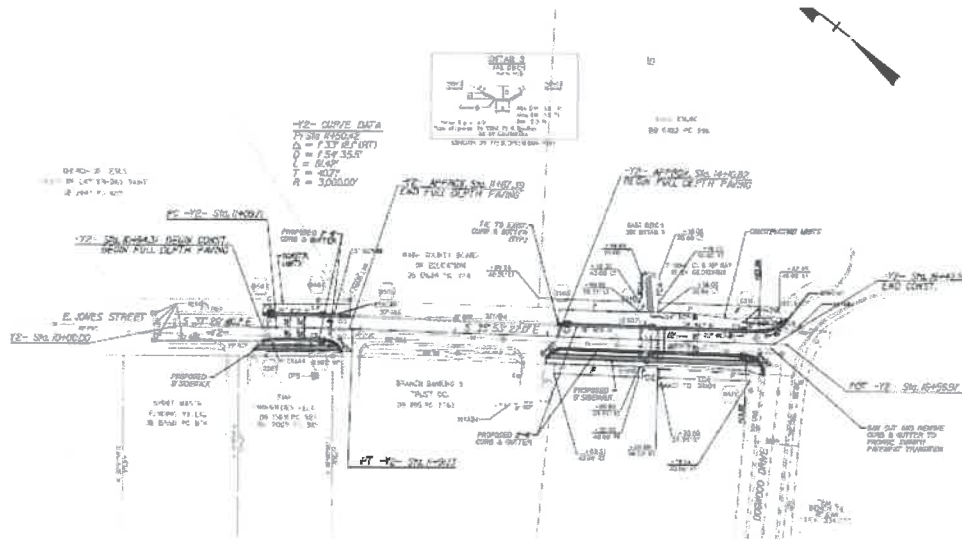
**Options:**

- a) Provide additional funding in the amount of \$108,984.01 from Powell Bill Reserves. Current Powell Bill Reserves total \$330,564.00 and Street Reserves total \$126,151.
- b) Delete– Wellington Drive @ cost of \$38,450 (actual cost-plus contingency) and provide \$70,534.01 in additional funds)
- c) Do not award any portion of the bid.

## STAFF REPORT 2022 ROADWAY AND STORM DRAINAGE PROJECT BUDGET ORDINANCE 2022-43 & 2022-44 MAY 2, 2022

### 2) Jones Street Completion

	Jones Street Completion	Cost
1	Low Bid Amount	\$437,063.55
	Engineering, Permitting, Environmental and CA Cost – PO # 22-0933	\$26,726.70
	Contingency @ 10%	43,706.00
	CEI Allowance @ 10%	43,706.00
	<b>Subtotal</b>	<b>551,202.25</b>
	Budgeted amount – 10-520-7411	340,000.00
	<b>Shortfall</b>	<b>211,202.25</b>



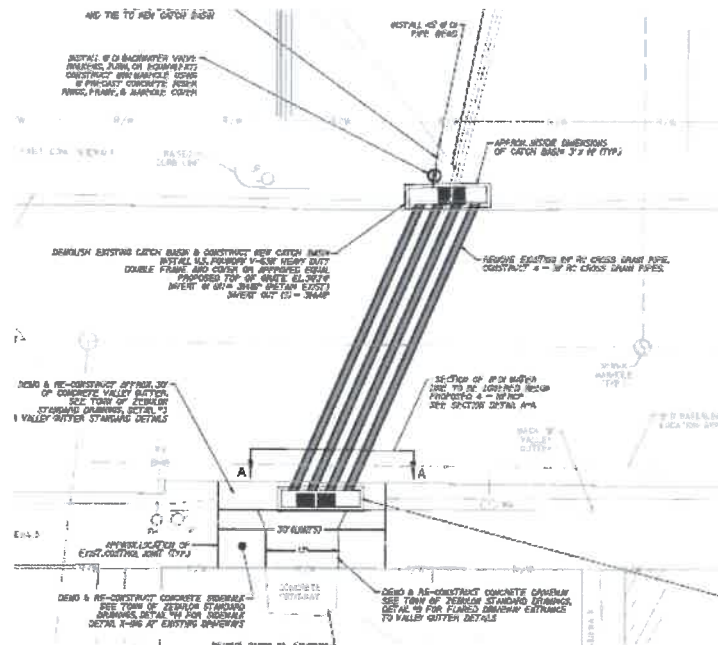
### Options:

- Provide the additional funding in the amount of \$211,202.25 from Powell Bill Reserves.
- Value Engineering option – delete the +/- 330 LF sidewalk and four (4) handicap ramps at cost of \$28,950.00. New shortfall amount \$182,252.25
- Do not award the bid; bid the project with North Arendell Ave Access and Operational Improvements projects. Delays the project starting date for 12-15 months.

## STAFF REPORT 2022 ROADWAY AND STORM DRAINAGE PROJECT BUDGET ORDINANCE 2022-43 & 2022-44 MAY 2, 2022

### 3) East Vance Street Storm Drainage

	East Vance Street Storm Drainage	Cost
1	Low Bid	\$132,699.00
2	Engineering Design, Permitting and CA – PO # 22-00933	\$22,245.11
	Contingency @ 10%	\$13,269.00
	CEI Allowance @ 15%	\$19,905.00
	<b>Subtotal</b>	<b>\$188,118.11</b>
	Budgeted Amount -10-520-7406	\$110,000.00
	<b>Shortfall</b>	<b>\$78,118.11</b>



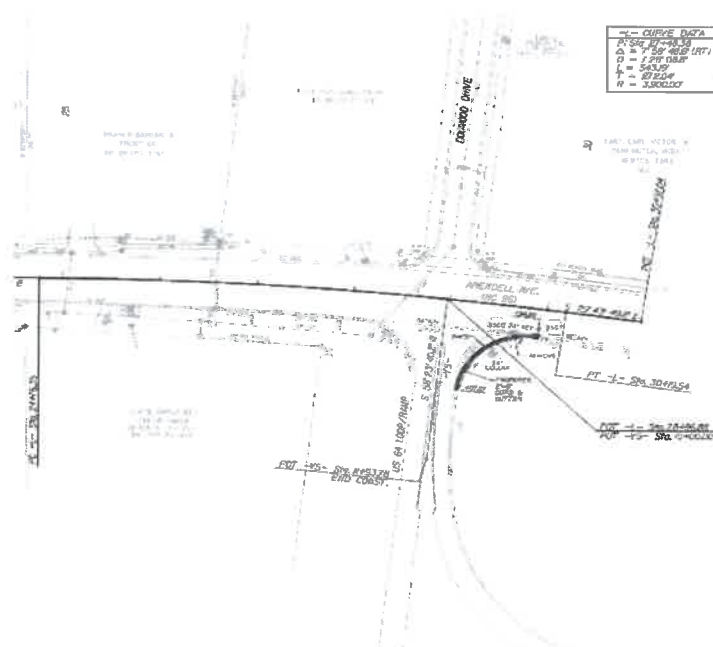
#### Options:

- a) Provide the additional funding from the Stormwater Reserves. Stormwater reserves as of 6/30/21 were \$133,028.00.
- b) Do not award the bid.

**STAFF REPORT**  
**2022 ROADWAY AND STORM DRAINAGE PROJECT**  
**BUDGET ORDINANCE 2022-43 & 2022-44**  
**MAY 2, 2022**

**4) Hwy 64 Off Ramp Widening – Alternate # 1**

	<b>Hwy 64 Off Ramp Widening – Alt. # 1</b>	<b>Cost</b>
1	Low Bid	\$73,206.00
2	Engineering Design, Permitting and CA – PO# 22-00933- Jones Street)	0.00
	Contingency @ 15%	\$10,981.00
	CEI Allowance @ 15%	\$10,981.00
	<b>Subtotal</b>	<b>\$95,168.00</b>
	Budgeted Amount (inclusive with Jones)	0.00
	<b>Shortfall</b>	<b>\$95,168.00</b>



**Options:**

- a) Provide the additional funding from the Street Reserves. Street reserves as of 6/30/21 were \$126,151.00
- b) Do not award the bid; bid the project with North Arendell Ave Access and Operational Improvements projects. Delays the project starting date for 12-15 months.

**BID TABULATION**

**PROJECT:** 2022 Roadway and Stormwater Improvements      **DATE:** April 14, 2022  
**CONTRACT:** (Single) Prime Roadway                              **TIME:** 2 PM

CONTRACTOR	LICENSE NO.	NCDOT Pre-Qualified	MBE	ADDENDA	BID BOND	MBE-1, MBE-2 and 3 as needed	BASE BID (a+b+c)	Alternate # 1 -Off Ramps	BID TOTAL (Base+ Alternate 1)	Section A Resurfacing	Section B Jones St.	Section C-East Vance
Browe Construction 451 Oak Tree Drive Selma, NC 27576		YES	DBE, WBE	NO BID RECEIVED								
Moffat Pipe, Inc 701 Finger Lakes Drive Wake Forest, NC 27587		YES	DBE, WBE	NO BID RECEIVED								
<b>Narron Construction, Inc</b> 4899 Antioch Church Rd Middlesex NC 27557	<b>62426</b>	<b>YES</b>	<b>DBE, WBE</b>	<b>YES</b>	<b>YES</b>	<b>1, 2</b>	<b>\$852,145.05</b>	<b>\$73,206.00</b>	<b>\$925,351.05</b>	<b>\$282,382.50</b>	<b>\$437,063.55</b>	<b>\$132,699.00</b>
Lanier Construction 1505 Brown Town Road Snow Hill, NC 28580	18152	YES	DBE, MBE	YES	YES	1, 2	\$1,131,396.23	\$94,386.25	\$1,225,782.48	\$457,077.50	\$502,853.93	\$171,465.00
Ralph Hodge Const. 2101 F Miller Road S Wilson, NC 27893		YES	N/A	NO BID RECEIVED								
State Contracting 2815 C Superior Drive Wake Forest, NC 27587	62182	YES	DBE, WBE	YES	YES	1, 2	\$959,492.00	\$96,818.50	1,056,310.50	\$342,457.50	\$438,118.50	\$178,916.00
Triangle Grading & Paving 1521 Huffman Mill Road- Burlington NC. 27215		YES	N/A	NO BID RECEIVED								
Turner Asphalt 5805 Lease Lane Raleigh, NC 27617	73137	YES	N/A	YES	YES	1, 2	\$1,122,529.88	\$91,405.88	\$1,213,935.76	\$437,715.08	\$563,031.92	\$121,782.88
White Oak Construction 4020 Pea Ridge Road New Hill NC 27562		YES	N/A	NO BID RECEIVED								

This bid tabulation indicates the apparent low bidder and does not constitute an award of contract or bid. This is to certify that the bids tabulated herein were publicly opened and read on the 14<sup>th</sup> of April, 2022, at the Public Works Facility, Conference Room located at 450 East Horton Street, Zebulon, NC, and that all said bids were accompanied by certified checks or bidder's bond except as otherwise noted.

  
 Chris D. Ray  
 Public Works Director

**ENGINEERING CONSULTANT:**

Volkert, Inc  
 Lacy D. Love, P.E.  
 VP of Asset Management

Town of Zebulon  
2022 Roadway and Stormwater Infrastructure Project  
SECTION 00400

**Town of Zebulon  
2022 Roadway and Stormwater Infrastructure Project  
Bid Proposal Form**

**SINGLE PRIME GENERAL CONSTRUCTION WORK**

The undersigned, as Bidder, hereby declares that the only person or persons interested in this Proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this Proposal or in the Contract to be entered into; that this Proposal is made without connection with any other person, company or parties making a Bid or Proposal; and that it is in all respects fair and in good faith without collusion or fraud.

The Bidder further declares that he has examined the site of the work and informed himself fully in regard to all conditions pertaining to the place where the work is to be done; that he has examined the specifications for the work and the Contract Documents relative thereto, including addenda, if any, and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed.

The Bidder proposes and agrees if this Proposal is accepted to contract with the Town of Zebulon with a definite understanding that no money will be allowed for extra work except as set forth in the General Conditions and Contract Documents, for the sum of:

Base Bid Eight Hundred Fifty-Two Thousand One Hundred Forty-Five

Dollars Five Cent(\$ 852,145.05 ).

Should any of the alternates as described in the specifications be accepted, the amount written below shall be the amount to "add to" or "deduct from" the Base Bid. If to be "deducted from" Base Bid, put minus sign (-) in parentheses at head of alternate and plus sign (+) in parentheses if to be added. **Refer to Bid Alternate #1, US 264/64 Ramp Improvements for description of alternates.**

Alternate No.1        Add Seventy-Three Thousand Two Hundred Six Dollars  
(\$ 73,206.00 ).

For separate prime bids to a single prime contractor pursuant to G.S. 143-128, the separate prime contractor shall not submit a higher bid to any single prime contractor than the separate prime bid submitted to the Owner for the same scope of work, including the cost of bonds. Therefore, if the separate prime contractor is NOT including the bonds in its bid to a single prime contractor, the deduction for bonds shall be clearly shown in the bid to the single prime contractor.

**SUBCONTRACTOR LISTING:**

(OTHER CONTRACTOR)

Name: Bateman Civil Survey Company Lic. No. # 2378

\$ \$ 14,600.00 / Fourteen Thousand Six Hundred Dollars and Zero Cents

Town of Zebulon  
2022 Roadway and Stormwater Infrastructure Project  
SECTION 00400

(OTHER CONTRACTOR)

Name: Daniels Inc. of Garner Lic. No. # 80363  
\$ \$ 272,767.50 / Two Hundred Seventy-Two Thousand Seven Hundred Sixty-Seven Dollars and Fifty Cents

(OTHER CONTRACTOR)

Name: \_\_\_\_\_ Lic. No. \_\_\_\_\_  
\$ \_\_\_\_\_

(OTHER CONTRACTOR)

Name: \_\_\_\_\_ Lic. No. \_\_\_\_\_  
\$ \_\_\_\_\_

The Bidder further proposes and agrees hereby to commence work under his Contract on a date to be specified in a written order of the Town of Zebulon and shall fully complete all work there under within the number of consecutive calendars days stipulated in the Supplementary General Conditions. Applicable liquidated damages shall be as stated in Supplementary General Conditions.

The undersigned acknowledges receipt of the following addenda issued during the time of bidding and includes the changes therein in this Proposal:

Addendum Number # 1, Dated March 30, 2022

Addendum Number \_\_\_\_\_, Dated \_\_\_\_\_

Addendum Number \_\_\_\_\_, Dated \_\_\_\_\_

Addendum Number \_\_\_\_\_, Dated \_\_\_\_\_

Addendum Number \_\_\_\_\_, Dated \_\_\_\_\_

UNIT PRICES

Unit prices are complete for labor, equipment, material, overhead and profit. Base bid includes the stipulated quantity of each item. Unused amount will be credited to the Owner by change order at the end of the project.

**General Project Items**

**SECTION A: Annual Resurfacing**

Item Number	NCDOT Specification #	Description	Unit	Quantity	Unit Price	Total Cost
1	800	Mobilization	L.S.	L.S.	\$ 8,200.00	\$ 8,200.00
2	SP	Temporary Traffic Control	L.S.	L.S.	\$ 9,800.00	\$ 9,800.00
<b>TOTAL \$</b>						<b>18,000.00</b>

**Section I – Street Resurfacing**

**MAP 1 – East Vance Street from Arendell Avenue to Poplar Street – Typical 1**

Item Number	NCDOT Specification #	Description	Unit	Quantity	Unit Price	Total Cost
1	607	Milling asphalt pavement, 1.5" depth	SY	3800	\$ 3.00	\$ 11,400.00
2	654	Asphalt Plant Mix, Type B25.0C Pavement Repair, Patching	TON	20	\$ 143.00	\$ 2,860.00
3	610	Asphalt Concrete Surface Course, Type S9.5B	TON	350	\$ 105.00	\$ 36,750.00
4	620	Asphalt Binder for Plant Mix	TON	24	\$ 700.00	\$ 16,800.00



Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

5	1205	Thermoplastic Pavement, Stop Bar, White, 120 mils	LF	26	\$ 25.00	\$ 650.00
6	1205	Thermoplastic Pavement Marking Lines, Yellow, 4", 90 mils	LF	1,300	\$ 3.00	\$ 3,900.00
7	1205	Thermoplastic Pavement Marking Lines, Yellow, 8", 90 mils	LF	110	\$ 7.00	\$ 770.00
8	SP	Paint Pavement Marking for Concrete Island, Yellow, 15 mils	SF	280	\$ 3.00	\$ 840.00
9	1205	Thermoplastic Pavement Marking Character for Handicap Parking, 120 mils	EA	1	\$ 475.00	\$ 475.00
10	SP	Manhole/Valve box adjustment	EA	1	\$ 500.00	\$ 500.00

**TOTAL MAP 1 – East Vance Street \$ 74,945.00**

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**Bidders should refer to the Additional Quantities and Bid Items for East Vance Street Drainage and Sidewalk Improvements.**

**MAP 2 – Yates Place from Cul-de-sac to Cul-de-sac – Typical 1**

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

Item Number	NCDOT Specification #	Description	Unit	Quantity	Unit Price	Total Cost
1	607	Milling asphalt pavement, 1.5" depth	SY	3040	\$ 2.75	\$ 8,360.00
2	607	Milling asphalt pavement, 0" - 1.5" depth	SY	160	\$ 3.00	\$ 480.00
3	654	Asphalt Plant Mix, Type B25.0C Pavement Repair, <b>Patching</b>	TON	5	\$ 150.00	\$ 750.00
4	610	Asphalt Concrete Surface Course, Type S9.5B	TON	300	\$ 105.00	\$ 31,500.00
5	620	Asphalt Binder for Plant Mix	TON	20	\$ 700.00	\$ 14,000.00
6	1205	Thermoplastic Pavement, Stop Bar, White, 120 mils	LF	12	\$ 125.00	\$ 1,500.00

**TOTAL MAP 2 – YATES PLACE \$ 56,590.00**

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**MAP 3 – Wellington Drive from Stratford Drive to Dead End - Typical 1**

Item Number	NCDOT Specification #	Description	Unit	Quantity	Unit Price	Total Cost
1	607	Milling asphalt pavement 1.5" depth	SY	1760	\$ 3.00	\$ 5,280.00
2	654	Asphalt Plant Mix, Type B25.0C Pavement Repair, <b>Patching</b>	TON	10	\$ 150.00	\$ 1,500.00

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

3	610	Asphalt Concrete Surface Course, Type S9.5B	TON	165	\$ 115.00	\$ 18,975.00
4	620	Asphalt Binder for Plant Mix	TON	11	\$ 700.00	\$ 7,700.00
5	1205	Thermoplastic Pavement, Stop Bar, White, 120 mils	LF	12	\$ 125.00	\$ 1,500.00
<b>TOTAL MAP 3 – WELLINGTON DRIVE</b>						<b>\$ 34,955.00</b>

**MAP 4 – Southland Drive from Spruce Drive to Dead End – Typical 1**

Item Number	NCDOT Specification #	Description	Unit	Quantity	Unit Price	Total Cost
1	607	Milling asphalt pavement 1.5" depth	SY	5470	\$ 2.75	\$ 15,042.50
2	654	Asphalt Plant Mix, Type B25.0C Pavement Repair, Patching	TON	10	\$ 150.00	\$ 1,500.00
3	610	Asphalt Concrete Surface Course, Type S9.5B	TON	510	\$ 105.00	\$ 53,550.00
4	620	Asphalt Binder for Plant Mix	TON	34	\$ 700.00	\$ 23,800.00
5	1205	Thermoplastic Pavement, Stop Bar, White, 120 mils	LF	32	\$ 125.00	\$ 4,000.00
<b>TOTAL MAP 4 – SOUTHLAND DRIVE</b>						<b>\$ 97,892.50</b>

**Total Cost Section A) Annual Resurfacing** \$ **282,382.50**

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

**SECTION B: East Jones Street Improvements:**

The following Contract Items are associated with the improvements to East Jones Street. The Town reserves the right to eliminate portions of the contract due to availability of funds.

TYPE	PAY ITEM NO.	SECTION	PAY ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
M	0000100000-N	800	MOBILIZATION	LS	1	\$ 20,812.55	\$ 20,812.55
M	0000400000-N	801	CONSTRUCTION SURVEYING	LS	1	\$ 11,000.00	\$ 11,000.00
G	0001000000-E	200	CLEARING AND GRUBBING	AC	0.8	\$ 25,000.00	\$ 20,000.00
G	0036000000-E	225	UNDERCUT EXCAVATION	CY	250	\$ 65.00	\$ 16,250.00
G	0063000000-N	SP	GRADING	LS	1	\$ 35,000.00	\$ 35,000.00
G	0192000000-N	260	PROOF ROLLING	H	2	\$ 300.00	\$ 600.00
G	0195000000-E	265	SELECT GRANULAR MATERIAL	CY	250	\$ 85.00	\$ 21,250.00
G	0196000000-E	270	GEOTEXTILE FOR SOIL STABILIZATION	SY	370	\$ 4.00	\$ 1,480.00
D	0366000000-E	310	15" RC PIPE CULVERTS CLASS III	LF	112	\$ 88.00	\$ 9,856.00
D	0372000000-E	310	18" RC PIPE CULVERTS CLASS III	LF	16	\$ 120.00	\$ 1,920.00
D	0378000000-E	310	24" RC PIPE CULVERTS CLASS III	LF	16	\$ 175.00	\$ 2,800.00
D	0448200000-E	310	15" RC PIPE CULVERTS CLASS IV	LF	52	\$ 100.00	\$ 5,200.00
D	0448300000-E	310	18" RC PIPE CULVERTS CLASS IV	LF	268	\$ 75.00	\$ 20,100.00
G	0995000000-E	340	PIPE REMOVAL	LF	44	\$ 60.00	\$ 2,640.00
P	1121000000-E	520	AGGREGATE BASE COURSE	TON	350	\$ 49.00	\$ 17,150.00
P	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE TYPE I19.0C	TON	130	\$ 150.00	\$ 19,500.00
P	1523000000-E	610	ASPHALT CONC SURFACE COURSE TYPE S9.5C	TON	80	\$ 115.00	\$ 9,200.00
P	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	TON	11	\$ 775.00	\$ 8,525.00
D	2253000000-E	840	PIPE COLLARS	CY	0.85	\$ 1,500.00	\$ 1,275.00
D	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	EA	9	\$ 3,500.00	\$ 31,500.00

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

TYPE	PAY ITEM NO.	SECTION	PAY ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
D	2374000000-N	840	FRAME WITH GRATE & HOOD, STD. 840.03, TYPE E	EA	1	\$ 1,000.00	\$ 1,000.00
D	2374000000-N	840	FRAME WITH GRATE & HOOD, STD. 840.03, TYPE F	EA	2	\$ 1,000.00	\$ 2,000.00
D	2374000000-N	840	FRAME WITH GRATE & HOOD, STD. 840.03, TYPE G	EA	6	\$ 1,000.00	\$ 6,000.00
P	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	LF	685	\$ 25.00	\$ 17,125.00
P	2591000000-E	848	4" CONCRETE SIDEWALK	SY	185	\$ 70.00	\$ 12,950.00
P	2605000000-N	848	CONC CURB RAMP	EA	4	\$ 4,000.00	\$ 16,000.00
D	3656000000-E	876	GEOTEXTILE FOR DRAINAGE	SY	115	\$ 4.00	\$ 460.00
S	4025000000-E	901	CONTRACTOR FURNISHED, TYPE F SIGN	SF	19	\$ 45.00	\$ 855.00
S	4102000000-N	904	SIGN ERECTION, TYPE E	EA	3	\$ 200.00	\$ 600.00
Y	4457000000-N	SP	TEMPORARY TRAFFIC CONTROL	LS	1	\$ 6,500.00	\$ 6,500.00
PM	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	LF	160	\$ 7.00	\$ 1,120.00
PM	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	LF	20	\$ 20.00	\$ 400.00
PM	4915000000-E	1264	7' U-CHANNEL POSTS	EA	3	\$ 100.00	\$ 300.00
U	SPECIAL	SP	6" WATERLINE ADJUSTMENT PER CORPUD STANDARDS	EA	3	\$ 10,000.00	\$ 30,000.00
U	SPECIAL	SP	CONCRETE CRADLE	EA	1	\$ 3,000.00	\$ 3,000.00
L	6000000000-E	1605	TEMPORARY SILT FENCE	LF	765	\$ 3.00	\$ 2,295.00
L	6006000000-E	1610	EROSION CONTROL STONE, CLASS A	TON	220	\$ 60.00	\$ 13,200.00
L	6009000000-E	1610	EROSION CONTROL STONE, CLASS B	TON	25	\$ 60.00	\$ 1,500.00
L	6012000000-E	1610	SEDIMENT CONTROL STONE	TON	160	\$ 60.00	\$ 9,600.00
L	6015000000-E	1615	TEMPORARY MULCHING	ACR	1	\$ 2,000.00	\$ 2,000.00
L	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	LB	100	\$ 10.00	\$ 1,000.00
L	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	TON	0.5	\$ 1,500.00	\$ 750.00

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

TYPE	PAY ITEM NO.	SECTION	PAY ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
L	6029000000-E	SP	SAFETY FENCE	LF	600	\$ 6.00	\$ 3,600.00
L	6030000000-E	1630	SILT EXCAVATION	CY	240	\$ 45.00	\$ 10,800.00
L	6036000000-E	1631	MATTING FOR EROSION CONTROL	SY	7500	\$ 2.50	\$ 18,750.00
L	6037000000-E	SP	COIR FIBER MAT	SY	100	\$ 10.00	\$ 1,000.00
L	6071020000-E	SP	POLYACRYLAMIDE (PAM)	LB	10	\$ 50.00	\$ 500.00
L	6084000000-E	1660	SEEDING & MULCHING	ACRE	0.8	\$ 3,500.00	\$ 2,800.00
L	6090000000-E	1661	SEED FOR REPAIR SEEDING	LB	50	\$ 12.00	\$ 600.00
L	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	TON	0.25	\$ 2,500.00	\$ 625.00
L	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	LB	50	\$ 12.00	\$ 600.00
L	6108000000-E	1665	FERTILIZER TOPDRESSING	TON	0.5	\$ 2,000.00	\$ 1,000.00
L	6117000000-N	1675	RESPONSE FOR EROSION CONTROL	EA	25	\$ 50.00	\$ 1,250.00
L	6117500000-N	SP	CONCRETE WASHOUT STRUCTURE	EA	3	\$ 1,200.00	\$ 3,600.00
L	6900000000-E	SP	TOPSOIL	CY	85	\$ 85.00	\$ 7,225.00

**Total Cost Section B) East Jones Street Improvements**

**\$ 437,063.55**

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

**SECTION C: East Vance Street Storm Drainage Improvements:**

The following Contract Items are associated with the improvements to East Vance Street. The Town reserves the right to eliminate portions of the contract due to availability of funds.

TYPE	PAY ITEM NO.	SECTION	PAY ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
M	0000100000-N	800	MOBILIZATION	LS	1	\$ 6,319.00	\$ 6,319.00
M	0000400000-N	801	CONSTRUCTION SURVEYING	LS	1	\$ 11,000.00	\$ 11,000.00
G	0156000000-E	250	REMOVAL OF EXISTING ASPHALT PAVEMENT	SY	130	\$ 30.00	\$ 3,900.00
G	SPECIAL	SP	REMOVAL OF EXISTING CONCRETE PAD	SY	12	\$ 80.00	\$ 960.00
G	0195000000-E	265	SELECT GRANULAR MATERIAL	CY	85	\$ 80.00	\$ 6,800.00
D	SPECIAL	SP	6" DUCTILE DRAINAGE PIPE	LF	8	\$ 300.00	\$ 2,400.00
D	SPECIAL	SP	6" DUCTILE DRAINAGE PIPE ELBOWS	EA	1	\$ 200.00	\$ 200.00
D	0448300000-E	310	18" RC PIPE CULVERTS CLASS IV	LF	240	\$ 85.00	\$ 20,400.00
G	0995000000-E	340	PIPE REMOVAL	LF	68	\$ 40.00	\$ 2,720.00
P	1491000000-E	610	ASPHALT CONC BASE COURSE TYPE B25.0C	TON	65	\$ 140.00	\$ 9,100.00
P	1519000000-E	610	ASPHALT CONC SURFACE COURSE TYPE S9.5B	TON	5	\$ 105.00	\$ 525.00
P	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	TON	4	\$ 700.00	\$ 2,800.00
D	SPECIAL	SP	MASONRY PLUG: EXISTING 6" PIPE	LS	1	\$ 2,000.00	\$ 2,000.00
D	SPECIAL	SP	FRAME WITH TWO GRATES, TOZ STANDARD USF-V-6317	EA	2	\$ 1,000.00	\$ 2,000.00
D	SPECIAL	SP	FRAME WITH TWO GRATES, TOZ STANDARD USF-5164	EA	2	\$ 1,000.00	\$ 2,000.00
D	SPECIAL	840	MASONRY DRAINAGE STRUCTURES - OVERSIZED	EA	2	\$ 8,000.00	\$ 16,000.00
P	2580000000-E	846	CONCRETE VALLEY GUTTER	LF	60	\$ 45.00	\$ 2,700.00
P	2591000000-E	848	4" CONCRETE SIDEWALK	SY	50	\$ 85.00	\$ 4,250.00
P	2605000000-N	848	CONC CURB RAMP	EA	1	\$ 4,500.00	\$ 4,500.00
P	2612000000-N	848	6" CONCRETE DRIVEWAY	SY	25	\$ 125.00	\$ 3,125.00
S	4370000000-N	SP	HANDICAP SIGN ASSEMBLY - CITY DETAIL #23	LS	1	\$ 1,000.00	\$ 1,000.00
Y	4457000000-N	SP	TEMPORARY TRAFFIC CONTROL	LS	1	\$ 4,000.00	\$ 4,000.00

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

TYPE	PAY ITEM NO.	SECTION	PAY ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
U	SPECIAL	SP	6" BACKWATER VALVE	EA	1	\$ 2,000.00	\$ 2,000.00
U	SPECIAL	SP	2' DIA UTILITY MANHOLE	LS	1	\$ 2,000.00	\$ 2,000.00
U	SPECIAL	SP	8" DI WATERLINE ADJUSTMENT CORPUD STANDARDS	LS	1	\$ 14,000.00	\$ 14,000.00
L	SPECIAL	SP	CONCRETE WASHOUT BOX	EA	2	\$ 3,000.00	\$ 6,000.00

**Total Cost Section C) East Vance Street Improvements** **\$** 132,699.00



Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

**Bid Alternate #1**  
**US 264/64 Ramp Improvements**

TYPE	PAY ITEM NO.	SECTION	PAY ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
M	0000100000-N	800	MOBILIZATION	LS	1	\$ 3,486.00	\$ 3,486.00
M	0000400000-N	801	CONSTRUCTION SURVEYING	LS	1	\$ 7,000.00	\$ 7,000.00
M	SPECIAL	SP	NCDOT BOND ALLOWANCE	DOL	1	\$ 1,200.00	\$ 1,200.00
G	0001000000-E	200	CLEARING AND GRUBBING	AC	0.2	\$ 28,000.00	\$ 5,600.00
G	0063000000-N	SP	GRADING	LS	1	\$ 10,000.00	\$ 10,000.00
D	0378000000-E	310	24" RC PIPE CULVERTS CLASS III	LF	24	\$ 250.00	\$ 6,000.00
P	1491000000-E	610	ASPHALT CONC BASE COURSE TYPE B25.0C	TON	40	\$ 140.00	\$ 5,600.00
P	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE TYPE I19.0C	TON	20	\$ 140.00	\$ 2,800.00
P	1523000000-E	610	ASPHALT CONC SURFACE COURSE TYPE S9.5C	TON	15	\$ 105.00	\$ 1,575.00
P	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	TON	4	\$ 700.00	\$ 2,800.00
D	2253000000-E	840	PIPE COLLARS	CY	0.55	\$ 1,500.00	\$ 825.00
D	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	EA	1	\$ 3,800.00	\$ 3,800.00
D	2374000000-N	840	FRAME WITH GRATE & HOOD, STD. 840.03, TYPE G	EA	1	\$ 1,000.00	\$ 1,000.00
P	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	LF	115	\$ 25.00	\$ 2,875.00
S	4025000000-E	901	CONTRACTOR FURNISHED, TYPE F SIGN	SF	7	\$ 30.00	\$ 210.00
S	4102000000-N	904	SIGN ERECTION, TYPE E	EA	1	\$ 600.00	\$ 600.00
Y	4420000000-N	1120	PORTABLE CHANGEABLE MESSAGE SIGN	EA	1	\$ 4,500.00	\$ 4,500.00
Y	4457000000-N	SP	TEMPORARY TRAFFIC CONTROL	LS	1	\$ 5,000.00	\$ 5,000.00
PM	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	LF	35	\$ 25.00	\$ 875.00
PM	4915000000-E	1264	7' U-CHANNEL POSTS	EA	1	\$ 100.00	\$ 100.00
L	6000000000-E	1605	TEMPORARY SILT FENCE	LF	315	\$ 4.00	\$ 1,260.00
L	6012000000-E	1610	SEDIMENT CONTROL STONE	TON	15	\$ 65.00	\$ 975.00
L	6042000000-E	1632	1/4" HARDWARE CLOTH	LF	85	\$ 10.00	\$ 850.00

Town of Zebulon  
 2022 Roadway and Stormwater Infrastructure Project  
 SECTION 00400

TYPE	PAY ITEM NO.	SECTION	PAY ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
L	6084000000-E	1660	SEEDING & MULCHING	ACRE	0.2	\$ 2,500.00	\$ 500.00
L	6117500000-N	SP	CONCRETE WASHOUT STRUCTURE	EA	1	\$ 2,500.00	\$ 2,500.00
L	6900000000-E	SP	TOPSOIL	CY	15	\$ 85.00	\$ 1,275.00

**Total Cost Bid Alternate #1) US 264/64 Off Ramp** \$ 73,206.00

## BID TOTALS

<b>Total Cost Section A) Annual Resurfacing</b>	<b>\$</b>	<b>282,382.50</b>
<b>Total Cost Section B) East Jones Street Improvements</b>	<b>\$</b>	<b>437,063.55</b>
<b>Total Cost Section C) East Vance Street Improvements</b>	<b>\$</b>	<b>132,699.00</b>
<b>Total Cost Section A, B, C Items (Base Bid)</b>	<b>\$</b>	<b>852,145.05</b>
<b>Total Cost Bid Alternate #1) US 264/64 Off Ramp</b>	<b>\$</b>	<b>73,206.00</b>
<b>TOTAL BID FOR SECTION A, B, C plus ALTERNATE #1</b>	<b>\$</b>	<b>925,351.05</b>

**Reminder: Submit MBE-1, -2, & -3 as appropriate with your bid.**

Town of Zebulon  
2022 Roadway and Stormwater Infrastructure Project  
SECTION 00400

The undersigned agrees that this Proposal will not be withdrawn for a period of sixty (60) days.

The undersigned further agrees that in the case of failure on his part to execute the said Contract and the Bond within ten (10) consecutive calendar days after written notice being given of the award of the Contract, the check, cash or Bid Bond accompanying this Bid shall be paid into the funds of Owner's Account set aside for this Project, as liquidated damages for such failure; otherwise the check, cash or Bid Bond accompanying this Proposal shall be returned to the undersigned.

Respectfully submitted this 14th  
day of April, 2022.

Narron Contracting, Inc.  
(Name of Firm or Corporation making Bid)

By: 

WITNESS:

\_\_\_\_\_  
(Proprietorship or Partnership)

Title: President  
(Owner, Partner, or Corporation  
President or Vice President only)

Address: P.O. Box 909  
Clayton, NC 27528

License No.: # 62426

ATTEST:

By: 

Title: Assistant Corporate Secretary  
(Corporation Secretary or Assistant Secretary only)

**Town of Zebulon**  
**2022 Roadway and Stormwater**  
**Infrastructure Project**

Attach To Bid

Town of Zebulon Form MBE-1 (8-2003)

*Identification of Minority Business Participation*

I, \_\_\_\_\_ Narron Contracting, Inc.  
 \_\_\_\_\_  
 (Bidder)

Do hereby certify that on this project we will use the following minority business enterprises as construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone #	Work Type	*Minority Category
Narron Contracting, Inc. / (919) 803-8331	Clearing & Grubbing Undercut Excavation Grading	F
P.O. Box 909 / Clayton, NC 27528		

\*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

The total value of minority business contracting will be (\$)             \$ 86 850.00            .

**Town of Zebulon**  
**2022 Roadway and Stormwater**  
**Infrastructure Project**

**Attach to Bid**

**Town of Zebulon– Form MBE-2 (8-2003)**  
**Listing of the Good Faith Effort**

Affidavit of \_\_\_\_\_ Narron Contracting, Inc. \_\_\_\_\_  
(Name of Bidder)

I have made a good faith effort to comply under the following areas checked:

Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive. (1 NC Administrative Code 30 I.0101)

- 1 - (10 pts) Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- 2 - (10 pts) Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- 3 - (15 pts) Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- 4 - (10 pts) Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- 5 - (10 pts) Attended pre-bid meetings scheduled by the public owner.
- 6 - (20 pts) Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- 7 - (15 pts) Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- 8 - (25 pts) Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- 9 - (20 pts) Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- 10 - (20 pts) Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cash flow demands.

The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS 143-128.2(d). Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: 04-14-2022

Name of Authorized Officer: \_\_\_\_\_

Debbie Narron

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

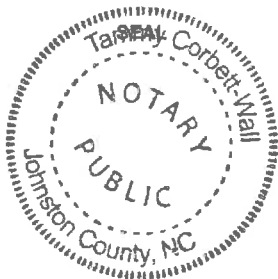
President

State of North Carolina, County of Johnston

Subscribed and sworn to before me this 14th day of April, 2022

Notary Public Tammy Corbett-Wall

My commission expires March 01, 2026



BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we,

Narron Contracting, Inc.

(Bidder's Name)

PO Box 909, of Clayton, NC 27528

(Street Address) (City, State, Zip)

hereinafter called the Principal, and

North American Specialty Insurance Company of

(Surety's Name)

1200 Main Street, Suite 800, Kansas City, MO 64105, a Corporation duly organized, and existing under the laws of the State of NH and authorized to transact business in the State of North Carolina, as Surety,

hereinafter called the Surety, are held and firmly bound unto the Town of Zebulon as Owner, hereinafter called the Obligee, in the Penal sum of five percent (5%) of the amount bid, good and lawful money of the United States of America, for the payment for which the Principal and the Surety, bind ourselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. This bid bond is submitted in lieu of submitting cash, a cashier's check, or a certified check pursuant to G.S. 143- 129.

WHEREAS, the Principal has submitted a Bid for the construction of 2022 Roadway and Stormwater (Project Name)

Infrastructure Project

NOW THEREFORE, if the Obligee shall accept the Bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of said Bid, and give such bond or bonds as may be specified in the Bidding and Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such Contract and give such bond or bonds the Surety shall, upon demand forthwith pay to the Obligee the amount set forth above. The Principal shall pay the Obligee the difference not to exceed the penalty hereof between the amount specified in said Bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said Bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

SIGNED AND SEALED this 14th day of April, 2022 in the presence of:

Witness Jamie Pope

Witness Jenny Snell  
Jenny Snell

Narron Contracting, Inc. (SEAL)

Principal

By: Debi Annunzio  
Title

North American Specialty Insurance Company (SEAL)  
Surety  
By: Angela Y. Buckner  
Title Angela Y. Buckner Attorney

Surety Phone No. 603-644-6600

SWISS RE CORPORATE SOLUTIONS

NORTH AMERICAN SPECIALTY INSURANCE COMPANY  
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Overland Park, Kansas, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Overland Park, Kansas, each does hereby make, constitute and appoint: Angela Y. Buckner

Principal: Narron Contracting, Inc.

Bond Number: Bid Bond

Obligee: Town of Zebulon

Bond Amount: See Bond Form

Bond Description: 2022 Roadway and Stormwater Infrastructure Project

Its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 9<sup>th</sup> of May, 2012:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature]  
Steven P. Anderson, Senior Vice President of Washington International Insurance Company  
& Senior Vice President of North American Specialty Insurance Company



By [Signature]  
Michael A. Ito, Senior Vice President of Washington International Insurance Company  
& Senior Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 14th day of December, 2021.

North American Specialty Insurance Company  
Washington International Insurance Company

State of Illinois  
County of Cook ss:

On this 14th day of December, 2021, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Michael A. Ito, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature]  
Yasmin A. Patel, Notary

I, Jeffrey Goldberg, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 14th day of April, 2022.

[Signature]  
Jeffrey Goldberg, Vice President & Assistant Secretary of  
Washington International Insurance Company & North American Specialty Insurance Company



ORDINANCE 2022-43

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
NC Powell Bill Funds	\$70,000.00	
Fund Balance Appropriated	\$39,000.00	
EXPENDITURES		
Powell Bill—Streets	\$109,000.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: May 2, 2022

Effective: May 2, 2022

\_\_\_\_\_  
Glenn L. York - Mayor

ATTEST:

\_\_\_\_\_  
Lisa M. Markland, CMC - Town Clerk

ORDINANCE 2022-44

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
Fund Balance Appropriated (Stormwater Improvements)	\$79,000.00	
EXPENDITURES		
Operations—E. Vance St Drainage Improvements	\$79,000.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: May 2, 2022

Effective: May 2, 2022


\_\_\_\_\_  
Glenn L. York - Mayor

ATTEST:

\_\_\_\_\_  
Lisa M. Markland, CMC - Town Clerk

STAFF REPORT  
BOARD APPOINTMENTS  
MAY 2, 2022

**Topic: Board Appointments**

Speaker: Lisa M. Markland, CMC, Town Clerk  
From: Stacie Paratore, CMC, Deputy Town Clerk  
Prepared by: Stacie Paratore, CMC, Deputy Town Clerk  
Approved by:  Joseph M. Moore, II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider persons interested in serving on the Planning Board and the Parks and Recreation Advisory Board.

**Background:**

The Board of Commissioners appoints members to Boards (Planning Board, Board of Adjustment, and Parks and Recreation Advisory Board) who make recommendations or decisions in their respective areas. Persons interested in serving on these appointed Boards present applications to the Board of Commissioners for consideration.

**Discussion:**

The discussion before the Board is whether to appoint those interested in serving on the Planning Board and Parks and Recreation Advisory Board.

Planning Board

There are **two** in-Town vacancies and **one** ETJ vacancy. The in-Town vacancies are uncompleted terms of members who resigned their positions when they moved their residency outside of Town limits (Code of Ordinances require residency within Town limits (§31.31)). The in-Town vacancy terms expire on June 30, 2024, and the ETJ vacancy expires on June 30, 2025.

The Town received the following applications:

- Genia LaRese Newkirk applied to fill one of the in-Town vacancies (Ms. Newkirk also serves on the Parks and Recreation Advisory Board and the Board of Adjustment).
- Stephanie Jenkins applied for re-appointment as an ETJ member.

Parks and Recreation Advisory Board

There are **two** vacancies with both terms expiring on June 30, 2025.

The Town received an application from the following:

- Brandon Wiggins applied for re-appointment.

**Staff Recommendation:**

No recommendations on Board appointments.

**Attachments:**

1. Applications

## TOWN OF ZEBULON Application for Board Appointments

Please indicate which board you are interested in serving on. If you are interested in more than one board please list them by preference by using numbers (1,2,3). Please attach a copy of your driver's license for proof of eligibility to serve.

Board of Adjustment       Planning Board       Parks & Recreation Advisory

Name Genia Lakes Newark

Address 897 Golden Plum Ln Zebulon NC 27597

E-mail genialakes@live.com Date of Birth (month & Day) 02/28

Phone (Home) 910 289 1767 (Work) 919 608 3830 (Cell) 910 289 1767

Employer NCDOT / DMV Occupation \_\_\_\_\_

Do you live in the Zebulon Corporate Limits  ETJ \_\_\_\_\_ Years in Zebulon 1yr 4 months

Do you currently, or have you previously, served on any Town of Zebulon, or other municipal board, commission or committee? Yes  No \_\_\_\_\_ If you answered yes, please list them below (use the back if necessary).

Board/Commission/Committee	From	To
<u>Park and Recreation</u>	<u>August 2021</u>	<u>Current</u>
<u>Board of Adjustment</u>	<u>August 2021</u>	<u>Current</u>

Have you taken the opportunity to attend any previous board meetings prior to the notice of this vacancy? Yes  No \_\_\_\_\_  
(Park+Rec)

Describe extent and meetings attended We met in conjunction with the Planning Board to introduce ourselves and listen to a guest speaker.

Why do you want to serve on this board or commission? I wish to serve on this board because I wish to further my involvement in the community, and offer and receive valuable information to assist in the growth of Zebulon.  
Why would you be an asset to this board or commission? I believe I would be an asset because I enjoy working with, and being involved with a group that is working together for the good of all citizens, and just all humankind.

What are your qualifications? I am a Zebulon resident, I have 21 years of experience working with DOT, I have a passion to serve for the greater good.  
What areas of concern would you like to see the Board or Commission address? \_\_\_\_\_

How to appropriately meet the challenge of the current and projected growth.

I certify that the above information is correct. I understand that this is an application to be considered for appointment to a Town of Zebulon board, commission or committee and that final appointment is made by the Zebulon Board of Commissioners. I also understand that any service, if appointed, would be without compensation. This application will remain on file for a period of 6-months from the date of application.

Date April 14, 2022 Signature Genia Lakes

Please fill out the form completely and return it to Stacie Paratore at Town Hall. If you have any question call 919-823-1802.

**TOWN OF ZEBULON**  
**Application for Board Appointments**

Please indicate which board you are interested in serving on. If you are interested in more than one board please list them by preference by using numbers (1,2,3). Please attach a copy of your driver's license for proof of eligibility to serve.

Board of Adjustment       Planning Board       Parks & Recreation Advisory

Name Stephanie T Jenkins

Address 745 Water Plant Road, Zebulon, NC 27597

E-mail aljstj@gmail.com      Date of Birth (month & Day) 01/27

Phone (Home) 919 637-3043      (Work) 919 637-3043      (Cell) 919 637-3043

Employer Wake County Smart Start      Occupation Consultant

Do you live in the Zebulon Corporate Limits       ETJ       Years in Zebulon 20 yrs

Do you currently, or have you previously, served on any Town of Zebulon, or other municipal board, commission or committee? Yes  No  If you answered yes, please list them below (use the back if necessary).

Board/Commission/Committee	From	To
<u>Zebulon Planning Board</u>	<u>7/18</u>	<u>Present</u>
<u>Park and Rec Advisory Board</u>	<u>2016</u>	<u>2018</u>

Have you taken the opportunity to attend any previous board meetings prior to the notice of this vacancy? Yes  No

Describe extent and meetings attended currently on planning board 2018 to present participated in monthly meetings.

Why do you want to serve on this board or commission? I would like to serve on the board so I can empower my my community. I would like to represent my community by sharing information and representing our town.

Why would you be an asset to this board or commission? I am active in the Zebulon community. I have been a vital part of the Wake County School System Improvement team in our community schools as well as served on Town of Zebulon Park and Recreation Advisory Board. Currently, I serve on SECU Advisory Board, Woman's Club, Ambassador for Zebulon Chamber and Zebulon Planning Board. I feel that I am and have been a great advocate for our community.

What are your qualifications? I currently serve on Zebulon Planning Board 2018- present. My past history of serving on previous boards advocating for children and serving as an advocate for my community. Also, sharing ideas to help benefit our growing community.

What areas of concern would you like to see the Board or Commission address? \_\_\_\_\_

Our growing community, greenways, transportation planning and continue to preserve our parks and Town of Zebulon as we continue to grow.

*I certify that the above information is correct. I understand that this is an application to be considered for appointment to a Town of Zebulon board, commission or committee and that final appointment is made by the Zebulon Board of Commissioners. I also understand that any service, if appointed, would be without compensation. This application will remain on file for a period of 6-months from the date of application.*

Date 4/7/2022      Signature Stephanie T Jenkins

*Please fill out the form completely and return it to Stacie Paratore at Town Hall. If you have any question call 919-823-1802.*

**TOWN OF ZEBULON**  
**Application for Board Appointments**

Please indicate which board you are interested in serving on. If you are interested in more than one board please list them by preference by using numbers (1,2,3). Please attach a copy of your driver's license for proof of eligibility to serve.

Board of Adjustment       Planning Board       Parks & Recreation Advisory

Name Brandon Wiggins

Address 3201 Laveing Drive Zebulon, NC 27597

E-mail bwiggins7@gmail.com      Date of Birth (month & Day) 07/05

Phone (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) 252-955-2325

Employer McLane Company      Occupation Infrastructure Analyst

Do you live in the Zebulon Corporate Limits       ETJ \_\_\_\_\_      Years in Zebulon 4

Do you currently, or have you previously, served on any Town of Zebulon, or other municipal board, commission or committee? Yes  No \_\_\_\_\_ If you answered yes, please list them below (use the back if necessary).

Board/Commission/Committee	From	To
<u>Parks &amp; Rec Advisory Board</u>	<u>2014</u>	<u>current</u>
_____	_____	_____
_____	_____	_____

Have you taken the opportunity to attend any previous board meetings prior to the notice of this vacancy? Yes \_\_\_ No \_\_\_

Describe extent and meetings attended \_\_\_\_\_

Why do you want to serve on this board or commission? I love being able to be a catalyst in bringing about positive change for the Town of Zebulon.

Why would you be an asset to this board or commission? My ability to listen, adapt, and be a team player would make me a great asset to the advisory board.

What are your qualifications? assisted in the adoption of the Zebulon Parks & Rec Master Plan

What areas of concern would you like to see the Board or Commission address? No concerns at this time.

*I certify that the above information is correct. I understand that this is an application to be considered for appointment to a Town of Zebulon board, commission or committee and that final appointment is made by the Zebulon Board of Commissioners. I also understand that any service, if appointed, would be without compensation. This application will remain on file for a period of 6-months from the date of application.*

Date 4-22-2022      Signature 

Please fill out the form completely and return it to Stacie Paratore at Town Hall. If you have any question call 919-823-1802.

STAFF REPORT  
ORDINANCE 2022-38  
POLICE VEHICLE MAINTENANCE & FIRE  
EQUIPMENT MAINTENANCE APPROPRIATION OF  
INSURANCE PROCEEDS  
MAY 2, 2022

**Topic:** Police Vehicle Repair & Fire Equipment Maintenance – Appropriation of Insurance Proceeds

**Speaker:** Bobby Fitts, Finance Director (if pulled from Consent)

**From:** Bobby Fitts, Finance Director

**Prepared by:** Bobby Fitts, Finance Director

**Approved by:** Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners must recognize insurance proceeds through a Budget Adjustment in order to appropriate those funds towards repair work of damaged vehicles or equipment.

**Background:**

On November 16, 2021, a Police vehicle was involved in an accident resulting in approximately \$5,500 in damage. Insurance proceeds of approximately \$4,500 will go towards repair of the damaged vehicle.

In January 2022, a fire department pager was damaged on a call resulting in approximately \$300 in damage. Insurance proceeds of approximately \$300 will go towards repairing the pager.

On March 22, 2022, a Police vehicle was involved in an accident resulting in approximately \$9,600 in damage. Insurance proceeds of approximately \$8,600 will go towards repair of the damaged vehicle.

**Discussion:**

The Board of Commissioners must recognize insurance proceeds through a Budget Adjustment in order to appropriate those funds towards repair work or replacement. Adoption of the attached ordinance will appropriate funds toward replacing this vehicle.

**Policy Analysis:**

NCGS 159-15, as part of The Local Government Budget and Fiscal Control Act, allows amendments to the budget ordinance with Board approval.

**Staff Recommendation:**

Staff recommends approval of Ordinance 2022-38.

**Attachments:**

1. Ordinance 2022-38

ORDINANCE 2022-38

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
Insurance Proceeds	\$13,410.00	
EXPENDITURES		
Police—Vehicle Maintenance	\$13,120.00	
Fire—Equipment Maintenance	\$290.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: May 2, 2022

Effective: May 2, 2022

\_\_\_\_\_  
Glenn L. York - Mayor

ATTEST:

\_\_\_\_\_  
Lisa M. Markland, CMC - Town Clerk




**Topic:** Fire/EMS Station Memorandum of Understanding with Wake County

**Speaker:** Eric Vernon, Town Attorney (if pulled from Consent)

**From:** Eric Vernon, Town Attorney

**Prepared by:** Eric Vernon, Town Attorney  
Chris Perry, Fire Chief

**Approved by:**  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider executing a Memorandum of Understanding (MOU) with Wake County regarding the Fire/EMS station design.

**Background:**

At their meeting on April 4, 2022, the Board directed staff to revise the proposed MOU to reflect the fact that the Judd Street property had been acquired by the Town of Zebulon. The MOU was reviewed and updated as directed by the Town Attorney and Wake County staff.

**Discussion:**

The discussion before the Board is to authorize the Town Manager to execute the Memorandum of Understanding with Wake County.

**Fiscal Analysis:**

Funding for the execution of the Memorandum of Understanding is budgeted in the FY 2023 Budget. The MOU outlines that the costs associated with the project are to be shared by the Town of Zebulon, the Wake County fire service tax, and Wake County general fund.

**Policy Analysis:**

The Town is responsible for providing firefighting, medical responder, and vehicle extrication services (§33.02). Relocating Fire Station #1 to a more centralized location, and upgrading the facility to current standards, are essential in meeting the obligations of this responsibility. Co-locating EMS in the same facility will retain these services within the Town of Zebulon.

**Attachments:**

1. Memorandum of Understanding

**STATE OF NORTH CAROLINA  
COUNTY OF WAKE**

**THIS MEMORANDUM OF UNDERSTANDING**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by and between **WAKE COUNTY**, a public body politic and corporate of the State of North Carolina, hereinafter referred to as "the County" and the **TOWN OF ZEBULON**, a Municipality of the State of North Carolina, hereinafter referred to "the Town," the County and the Town being jointly referred to herein as "the Parties".

**WITNESSETH:**

**WHEREAS**, in 2008, Wake County EMS first established a Master Plan for EMS Stations that includes co-location of EMS units within a fire station as a first consideration when deploying ambulances; and

**WHEREAS**, as of April 2022, Wake County EMS is co-located in 16 different fire stations, representing 9 different county and municipal fire departments; and

**WHEREAS**, due to consolidation within the Wake County EMS System, the resources serving the Zebulon area have been re-located to the Wake County Eastern Regional Center on only a temporary basis; and

**WHEREAS**, the Wake County EMS Facility Capital Improvement Plan for FY 2023 defines the need for a new station to house an EMS resource in the Zebulon area as a high priority; and

**WHEREAS**, the current population, vulnerability data, and demand for service establish a clear need to retain the EMS resource in Zebulon; and

**WHEREAS**, on August 31, 2021 the Town closed the purchase of a 10.97-acre parcel from GSK (the "GSK Property") adjacent to the Zebulon Town Administration Center property on North Arendell Ave., Zebulon, NC; and

**WHEREAS**, Wake County EMS and the Town of Zebulon desire to co-locate a combined Fire and EMS Station on the GSK Property, to meet both the needs of Wake County EMS and the Town of Zebulon.

**NOW THEREFORE**, in consideration of the promises and mutual understandings, the parties hereby agree to the following terms and conditions:

**1. PURPOSE AND SCOPE**

The purpose of this Memorandum of Understanding (MOU) is to set forth the understanding and mutual agreement of the Parties as it relates to the conditions that must occur in order to proceed with a plan to construct a new Fire and EMS Station (hereafter the "Project") to be located on the GSK Property, and to fund all necessary planning, and construction. The GSK Property is identified as PIN #2705180148, and is shown on Exhibit A, which is attached hereto and hereby incorporated by reference.

## 2. GENERAL CONDITIONS

- A. The Parties' obligations with respect to proceeding with the construction of a new Fire and EMS Station (hereafter referred to as "Project") after the completion of Schematic Design, are expressly conditioned upon and subject to the Parties receiving proper approval and appropriation of funding from their governing boards to enter into mutually acceptable written agreements as to all aspects of the funding, site evaluations and planning for the Project ("Agreements"). Accordingly, except to the extent that specific responsibilities of the Parties are set forth herein, this MOU shall not impose obligations on either Party to proceed with the Project, its associated components or otherwise bind the Parties to enter into future Agreements with respect thereto.
- B. Unless and until superseded by written amendment or final Agreements signed by all Parties, this MOU contains the entire understanding of the Parties with respect to proceeding with the Study.
- C. Description of Study: The scope of work included within this MOU will include site planning, architectural program study, development of floor plans, building elevations and renderings in order to ultimately present a Schematic Design Package (hereafter "Schematic Design"), including estimates of cost to both parties' governing boards for approval.

The Town has conducted land surveying, geotechnical investigations, environmental studies, and other studies necessary to complete due diligence evaluations in order to confirm and finalize purchase of the GSK Property. Information gained from these due diligence studies will also be used to develop the site utilization plans for the portion of the GSK Property that will be part of Schematic Design.

- D. In addition, in an effort to initially evaluate the property for Wake County EMS operations, the County, in advance of development of this MOU and in close coordination with the Town, previously conducted a preliminary evaluation of various site development scenarios in 2019, which were suspended with the onset of the Covid-19 Pandemic. However, these initial studies were complete enough to allow the Town and County to conclude that the GSK Property would be suitable for construction of a combined Fire and EMS Station. The scope of this preliminary phase of planning and its cost will be incorporated into this MOU.
- E. Based on initial planning assumptions by the parties, it is anticipated that this station will contain four full length apparatus bays for the Town's Fire Service and one full length bay for Wake County EMS ambulance service. Therefore, on this basis and for purposes of this study, each party shall share the total cost to develop the scope of work at an initial proportion of eighty percent (80%) for Fire Services and twenty percent (20%) EMS Services, which is based on an approximate projected ratio of dedicated, occupied space within the proposed new facility. This ratio shall not change for this scope of work. Nothing herein shall prevent the parties from making a subsequent adjustment of this ratio of occupied space within the proposed new facility based on the Study, provided that proportionate adjustments of subsequent costs are also considered.

- F. Ownership of Building and Property. The Parties agree that the GSK Property, including the building and all improvements will be owned by the Town. Wake County will contribute funding as described herein for design and construction of EMS station components to be incorporated into this combined, co-located station, and maintain the rights to occupy and operate out of this station.
- G. Ownership of Planning Documents. The County and Town shall each retain ownership or use of the Schematic Design including drawings, renderings, surveys, studies, etc. If one party decides to proceed with development of the site without the participation of the other party, then the party developing the site shall reimburse the other party for its contribution to the cost of the Study prior to its use and within sixty (60) days of a written request for reimbursement from the other party.

### 3. TERM

The term of this Memorandum of Understanding shall be for a period of eighteen (18) months from the date of execution by the last party, or until such time as all documents set forth in Section 6 herein shall be fully and finally executed, whichever is shorter. The Parties may extend this Term by separate written agreement or amendment executed by both Parties. If the Parties agree and obtain all required approvals and appropriation of funding to proceed with the Project, then the Parties contemplate execution of a more formal and detailed Interlocal Agreement or Funding Agreement to replace this Memorandum prior to or at the end of the term. Either Party may terminate this MOU by providing the other five (5) days advance written notice of said termination; provided that termination pursuant to this section shall not relieve the terminating party of responsibility for payment of any fees or expenses incurred up until the effective date of termination pursuant to this MOU.

### 4. RESPONSIBILITIES OF WAKE COUNTY

- A. Owner's Representative During Planning and Design. The Parties agree that Wake County will act as the sole Owner's Representative during the planning and design phases of this project.
- B. Engage Consultant(s). The County shall engage a design consultant or consultants pre-qualified by Wake County Facilities Design & Construction to provide planning services for the Project, as per the standard Wake County Professional Services Agreement, with any applicable amendments and attachments that may be necessary.
- C. Include Town in the Process. Wake County will work collaboratively with the Town on the Schematic Design and any subsequent Design Activities and the County shall ensure that representatives from the Town are closely involved in the design process for the Project, especially on those components of the facility that will be specifically utilized by the Town. The County will seek input, commentary and design approval from the Town and its governing board where applicable.

- D. Initial Planning Funding. The County appropriated an initial amount of Eighteen Thousand Six Hundred Fifty and no/1.00s Dollars (\$18,650.00) for preliminary evaluation of various site development scenarios to determine initial feasibility for site development. These activities took place in 2019.
- E. Schematic Design Funding. For purposes of managing the design process, the County shall appropriate the amount of One Hundred Thousand and no/1.00s Dollars (\$100,000.00) for funding the scope of work defined as Schematic Design. This includes:
  - 1) schematic design fees quoted by the County's design consultant, reimbursable expenses,
  - 2) reimbursable expenses for the design consultant
  - 3) allowance for additional site investigation services beyond the Town's due diligence

As defined in Article 2, the County's proportion of the design and investigation related costs (for subitems E 1-3 above) for EMS will be twenty percent (20%).
- F. Community Engagement Funding. The County will appropriate up to \$6,500 of funding, to be reimbursed by Town as described in Article 5.
- G. Fire Tax Contribution. As described in the Wake County Fire Tax District budget documents for the FY 2022 budget year, the Fire Tax will contribute 29% of the Fire Station portion of the total project cost, including Initial Planning and Schematic Design.
- H. Invoicing the Town. The County will reconcile payment of all expenses related to the Initial Planning and Schematic Design and present the Town with an invoice for the Town's portion of cost paid for the combination of Initial Planning Funding (Article 4D) and Schematic Design Funding (Article 4E).
- I. Review of Work. In a coordinated effort with Town staff, the County shall review the design, and staff shall make a recommendation to present the results to the Wake County Board of Commissioners for review and approval of a proposed co-location of County EMS and Town Fire service, proposed ownership structure of the facility and approval to proceed with development of an Interlocal Agreement with the Town.

**5. RESPONSIBILITIES OF THE TOWN**

- A. Design Funding. The Town shall appropriate funding for the Initial Planning Phase and Schematic Design preparation in an amount not to exceed the costs described in Article 6.
- B. Coordination. The Town shall provide staff to work with the County and its Design Consultant as needed during the Study. The Town will be actively involved in reviewing and approving the Study work product submitted by the Consultants.
- C. Community Engagement. The Town has expressed interest in establishing a community engagement process for feedback relative to the anticipated use of the building and site. The County's Design Consultant can provide support and coordination for this process; however, the Town shall be responsible for facilitation and direct interaction with the community, and will be responsible for the full cost of the Design Consultant's fee for their participation in this

activity. At the Town’s discretion, the Town may choose to hire the design consultant separately to participate in the community engagement process and pay the Consultant at its sole expense; or direct the County to add the Community Engagement Process to the Scope of services in the Design Consultant’s contract with the County up to the amount of \$6,500.00. If the Town chooses to add the services to the County contract, then the Town shall reimburse the County \$6,500 as described in Articles 5 and 6. The community engagement process shall occur prior to development of Schematic Design. The Town shall provide direction to the County for those components it desires to add to the scope of the project based on input from the community engagement process.

- D. Review of Work. In coordinated effort with the County staff, Town staff shall review the design, and make a recommendation to present the Project to the Town Council for review and approval and ultimately enter into an Interlocal Agreement with the County for the co-location of County EMS and Town Fire Stations (“Project”).
- E. Payment of Invoice from Wake County. The Town shall pay the County’s invoice within sixty (60) days of receipt, for reimbursement of the Town’s eighty percent (80%) portion of the cost paid for Schematic Design, plus the cost for Community Engagement for this Scope of Work.

**6. PROJECT FUNDING**

The total of the Initial Planning and Schematic Design shared costs shall be authorized to the limits and proportional allocation to each party per the terms and conditions of this MOU as follows:

Initial Planning Services	\$ 18,650
<u>Schematic Design Fees + Allowance for Further Site Analysis</u>	<u>\$ 100,000</u>
Total	\$ 118,650

The planning budget as defined above will be allocated as follows:

- \$ 23,730 to Wake County (20%) for EMS Services (EMS CIP)
- \$ 34,409 to Wake County (29%) for Fire Services (Fire Tax District)
- \$ 60,511 to Town of Zebulon (51%) for Fire Services
- \$118,650 Total Planning & Design

In addition, the Town shall pay the following for Community Engagement support and Coordination services, as defined in Article 5C. For purposes of this allocation, it is assumed that the Town will reimburse the County for contracting with the County’s consultant for this service. Thus, the total reimbursement by the Town back to the County is as follows:

- \$ 60,511 to Town of Zebulon for Planning & Design
- \$ 6,500 to Town of Zebulon for Community Engagement
- \$ 67,011 Total to the Town of Zebulon\*

The County shall appropriate the amount of One Hundred Twenty Five Thousand One Hundred Fifty Dollars (\$125,150), which includes funding for Initial Planning and Schematic Design, plus Community Engagement support services (\$118,650 + \$6,500) for the Fire and EMS station as

noted in the responsibilities outlined above. \*Should the total expense for this scope of work amount to less than the amount shown, the Town's portion of cost will be suitably adjusted.

**7. ADDITIONAL AGREEMENTS REQUIRED TO BE EXECUTED BY THE PARTIES TO EFFECTUATE PROJECT**

- A. Amendment to this MOU to proceed with completion of full design services and bidding of a co-located facility, as defined above, and as may be required to clarify and amend the terms herein.
- B. Interlocal Agreement setting forth the funding transaction, payment terms, delivery of construction services and identifying the mechanism for determining operational cost sharing and allocations for the Project, and the responsibilities of both parties and the ownership interests that will exist for the Project for the real property and improvements, and any other subject matter necessary to define the joint undertaking of the parties. The construction contracts for the Project are expected to be submitted for approval by the Wake County Board of Commissioners contemporaneous with the approval of the Interlocal Agreement. The construction contract(s) shall not be entered until the Interlocal Agreement is approved by the governing board of each party and executed by all parties.
- C. Rights of Entry, Use Agreement, and/or Lease Agreement, related to all or portions of the facility as may be defined in the Interlocal Agreement that may require additional clarity or agreements.

**8. CONTEMPLATED SEQUENCE OF EVENTS**

- A. Zebulon Board of Commissioners authorizes the Town Manager to enter into this Memorandum of Understanding.
- B. The Wake County Board of Commissioners authorizes the County Manager to enter into this Memorandum of Understanding.
- C. The Town facilitates a Community Engagement process and provides direction to the County to incorporate those components it desires to add to the scope of the project based on input from this process
- D. The County engages Consultant(s) to complete the Schematic Design studies pursuant to this Agreement.
- E. The Consultant(s) makes a presentation to County and Town staff for action related to the Study.
- F. As a result of the two steps above, if Town and County determine that it is feasible to jointly proceed with a co-location Project, each entity shall seek approval from their respective Boards to proceed with the identified steps necessary to proceed with the Project.

- G. Design Consultant makes a presentation together with staff to the County and Town elected boards for action related to the approval, cost estimate, and Schematic Design for the Project. At this time, each party will determine whether to proceed with the project.
- H. Contemporaneous with the above Board approvals, Town and the County staff shall also seek approval of an Amendment to this MOU to proceed with the final design phases and bidding of a co-located Project, and prepare an Interlocal Agreement, the scope of which will be finalized based upon the results of the Project findings and bid results. The Parties will also reach a mutually agreeable solution to the land rights (i.e. lease arrangement), needed for each of their respective needs.
- I. Upon execution of the Interlocal Agreement and award/execution of the Construction Contract(s), Wake County shall begin construction. The Interlocal Agreement shall replace and supersede all previous documents, agreements, and understandings with respect to the subject matter and may be amended to clarify or amend the terms and conditions herein.
- J. It is the expectation of the parties that the Interlocal Agreement shall provide for the County to act as the sole Owner's Representative for purposes of the construction contract and to control all aspects of the development and build out of this Project, subject to the input, participation of, and appropriate review and approval of costs, expenses and directives by the Town.
- K. The Parties shall proceed upon the terms established by the Interlocal Agreement, which shall provide for the completion of the Project.
- L. The Parties shall develop and execute a lease and utilization agreement for operation of the EMS Station within this combined facility.



**IN TESTIMONY WHEREOF, WAKE COUNTY AND THE TOWN OF ZEBULON** through their authorized officers and by their own hands has hereunto set forth their hands and seals of the day and year first above written.

**WAKE COUNTY**

By: \_\_\_\_\_

Title: County Manager or Designee

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_

Wake County Finance Officer

Approved as to form: \_\_\_\_\_

County Attorney

By: \_\_\_\_\_

Director, Facilities Design & Construction

**TOWN OF ZEBULON**

By: \_\_\_\_\_

Title: Town Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_

Town of Zebulon Finance Director or designee

Approved as to form: \_\_\_\_\_

Town Attorney