

**Zebulon Board of Commissioners**  
**Minutes**  
**May 2, 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

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

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Miles.

**APPROVAL OF AGENDA**

Commissioner Baxter amended the agenda to move Ordinance 2022-38 – Police Vehicle Repair and Fire Equipment Maintenance – Appropriation of Insurance Proceeds, Fire/EMS Station Memorandum of Understanding with Wake County, Parks and Recreation Facility Use Policies under New Business. Mayor York moved the items to New Business under E.

Commissioner Baxter made a motion, second by Commissioner Miles to remove Ordinance 2022-39 from the agenda. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Loucks to remove Ordinance 2022-42 from the agenda. There was no discussion and the motion passed with a vote 4 to 1 with Commissioners Baxter, Loucks, Miles and Harrison voting in favor and Commissioner Clark voting in opposition.

Commissioner Baxter made a motion, second by Commissioner Loucks to remove Resolution 2022-13 from the agenda. There was no discussion and the motion passed with a vote 4 to 1 with Commissioners Baxter, Loucks, Miles and Harrison voting in favor and Commissioner Clark voting in opposition.

Commissioner Miles asked for the April 21, 2022 minutes to be updated to reflect Commissioner Harrison was in attendance.

Commissioner Miles made a motion, second by Commissioner Baxter to remove the Parks and Recreation Facility Use Policies from the agenda. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Miles to approve the agenda as amended. There was no discussion and the motion passed with a vote 4 to 1 with Commissioners Baxter, Loucks, Miles and Harrison voting in favor and Commissioner Clark voting in opposition.

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### **SCHOOL RECOGNITIONS**

Mayor York recognized student Jayden Grantham and teacher Zachary Parchomenko, both from Zebulon Middle School.

### **PROCLAMATIONS**

Commissioner Baxter read the Proclamation for Public Service Week.

Commissioner Loucks read the Proclamation for Municipal Clerks Week.

Commissioner Clark read the Proclamation for National Police Appreciation Week.

Commissioner Harrison read the Proclamation for National Public Works Week.

### **PUBLIC COMMENT PERIOD**

Lisa Markland read comments from Norman Martin about his support of 130.01 alcohol regulations.

Lisa Markland read comments from Chris Jorgenson about his support of 130.01 alcohol regulations.

### **CONSENT**

#### *A. Minutes*

Commissioner Miles made a motion, second by Commissioner Harrison to approve the minutes of the March 24, 2022 Board mini retreat. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the minutes of the April 4, 2022 regular meeting. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the minutes of the April 4, 2022 closed session. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the minutes of the April 11, 2022 joint public hearing. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the minutes of the April 14, 2022 Board mini retreat. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the minutes of the April 21, 2022 work session. There was no discussion and the motion passed unanimously.

#### *B. Finance*

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

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

Commissioner Miles made a motion, second by Commissioner Harrison to approve Ordinance 2022-37 – NCLM Grant – Police Outer Carrying Vests. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the Planning Quarterly Report. There was no discussion and the motion passed unanimously.

## **OLD BUSINESS**

### *A. Planning*

#### 1. Ordinance 2022-40 – TA 2022-03 Dumpster Enclosure

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.

The Planning Board unanimously recommended approval as modified at their April 11, 2022 meeting and staff also recommended approval of Ordinance 2022-40.

Commissioner Harrison asked how the modification would affect current businesses. It was explained that staff could not retroactively enforce the regulations unless a property owner made modifications to the site and would be required to meet current standards.

The proposed enclosure regulations would reduce code enforcement issues and keep trash more secure.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve Ordinance 2022-40. There was no discussion and the motion passed unanimously.

#### 2. Ordinance 2022-41 – TA 2022-04 SCM Landscaping

Michael Clark gave examples of storm water control measure landscaping currently allowed and examples under the proposed regulation.

There was a correction in the text amendment to section 5.6.1(9) (b) should state trees instead of streets.

The Planning Board unanimously recommended approval as modified at their April 11, 2022 meeting and staff also recommended approval of Ordinance 2022-41 as modified.

Commissioner Miles inquired who would be financially responsible for upgrades and maintenance. The developers would be responsible for any upgrades and the Homeowner's Associations would be responsible for all future maintenance.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Ordinance 2022-41 as amended. There was no discussion and the motion passed unanimously.

## **NEW BUSINESS**

### *A. Parks and Recreation*

#### 1. Resolution 2022-14 – Juneteenth Event

Sheila Long stated Todd's Production submitted a request to implement an event recognizing Juneteenth. The original scope included music, food trucks, vendors, bounce houses, horse rides and family-friendly activities as well as a request to host a parade. It was explained staff did not have the capacity to offer municipal service support to both events at the same time therefore the event was reduced to the parade only with hopes to expand in the future.

Staff recommended the Board 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 to 4:30pm and waive associated fees.

Three Resolution options were given to the Board:

- Option A: waive all Town related fees
- Option B: waive fees for road closure/require payment of off duty officers
- Option C: waive no fee

Commissioner Miles wanted to reveal he had worked with Todd's Production but was not in leadership with the organization.

There was discussion about the parade that covered the cost to close a NC DOT road was the same as it would be to close a Town road. There were 25 available parade entries with ATVs, horses, cars, floats and walkers.

Commissioner Miles asked for the end time in Resolution 2022-14 to be changed from 4:00pm to 4:30pm.

The Town's cost for the event would be approximately \$1,500 to cover two Public Works employees and up to nine Police officers. Jacqui Boykin spoke about how it was determined the number of officers needed for the event.

There was discussion about the insurance requirement for events.

Lisa Green with Todd's Production spoke about details of the event.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Resolution 2022-14 option A as amended with the street closures from 12:00pm to 4:30pm. There was no discussion and the motion passed unanimously.

### *B. Police*

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

Jacqui Boykin stated the Town had a vehicle rotation policy that surplused vehicles with excess mileage and maintenance costs. In FY22, a 2012 Chevrolet Tahoe used in the Police Department was taken out of the operational fleet and readied for surplus sale.

The Maysville Police Department had crashed one of their patrol vehicles and did not have funding to replace the damaged patrol car. Maysville reached out to the Town about their interest in a private sell of the vehicle.

There was discussion about how the Town had received surplused vehicles from other larger municipalities.

Maysville's insurance claim was valued at \$9,000. The sale of the vehicle could generate \$12,000 through a public auction and all revenue from the sale of the vehicle would go into Fleet Capital Reserve.

There were concerns by Commissioner Miles about the vehicle being unfit to donate. Jacqui Boykin clarified the vehicle was in fair condition but had excess mileage and maintenance costs.

Commissioner Loucks made a motion, second by Commissioner Harrison to approve Resolution 2022-15. There was no discussion and the motion passed with a vote 4 to 1 with Commissioners Loucks, Harrison, Baxter and Clark voting in favor and Commissioner Miles voting in opposition.

### *C. Public Works*

#### 1. Resolution 2022-16 and Resolution 2022-17 – Public Auction of Surplus Vehicles

Chris Ray stated there were five vehicles taken out of the operation fleet and readied for surplus sale:

- 2012 Chevrolet Tahoe – Police
- 2012 Dodge Charger – Police
- 2015 Dodge Charger – Police
- 2005 Ford Expedition – Public Works
- 2008 Freightliner leaf truck – Public Works

The Town typically sold surplus passenger vehicles through the NC Department of Administration's State Surplus Property Agency and large, specialty vehicles by electronic auction such as GovDeals.com.

Commissioner Miles asked for maintenance logs of the vehicles. Chris Ray said he would provide the logs.

It was explained the Town had two leaf trucks to serve the Town and the life of a leaf truck was typically 10 to 15 years.

The potential values of each vehicle were given.

Commissioner Clark made a motion, second by Commissioner Harrison to approve Resolution 2022-16 and Resolution 2022-17. There was no discussion and the motion passed unanimously.

2. Ordinance 2022-43 and Ordinance 2022-44 – 2022 Roadway and Storm Drainage Construction Bid Award

Chris Ray spoke about the bids to construct the 2022 roadway and storm drainage project which included the following sub-projects:

- East Vance Street storm drainage improvements
- Annual street surfacing
- Jones Street completion
- US 64 off ramp widening

Narron Construction had the lowest of the four bids at \$925, 351.05 which was significantly over budget. Chris Ray spoke about the price increases being due to the labor and material market.

Staff recommended 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 did not recommend funding Jones Street completion and the 64 off ramp widening at this time.

The Powell Bill reserves would be \$330,000, street capital reserves would be \$126,000 and stormwater reserves would be a total of \$133,000.

The bid advertisement process was explained.

There were questions about Narron Contracting. It was explained Narron Contracting had performed work for the Town in the past and recently completed the Town's greenway project. Narron was a minority and women owned business. There was discussion about keeping the business in Zebulon. Eric Vernon stated bidding had to be done without discrimination and could not be awarded to a business just because they were located in Zebulon.

Mayor York asked about the street paving schedule Chris Ray explained a formula to determine street paving based on the street conditions was used.

Commissioner Clark made a motion, second by Commissioner Harrison to approve Ordinance 2022-43 and Ordinance 2022-44. There was no discussion and the motion passed unanimously.

D. Administration

1. Board Appointments

Lisa Markland stated there were two in-Town vacancies and one ETJ vacancy. The in-Town vacancies were unexpired terms of members who resigned their positions when they moved their residency outside of Town limits. The in-Town vacancy terms would expire on June 30, 2024, and the ETJ vacancy would expire on June 30, 2025.

The Town received the following applications for the Planning Board:

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

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Ms. Newkirk gave her background and stated she would like to resign from the Board of Adjustment if that would allow her to be a part of the Planning Board.

There was agreement among the Board if Ms. Newkirk stepped down from the Board of Adjustment, she could serve on the Planning Board.

Commissioner Baxter made a motion, second by Commissioner Miles to appoint Genia LaRese Newkirk to the Planning Board with a term expiring on June 30, 2024. There was no discussion and the motion passed unanimously.

Commissioner Loucks made a motion, second by Commissioner Harrison to recommend reappointment of Stephanie Jenkins to the Planning Board as an ETJ representative with a term expiring on June 30, 2025. There was no discussion and the motion passed unanimously.

Lisa Markland stated there were two vacancies on the Parks and Recreation Advisory Board with both terms expiring on June 30, 2025.

The Town received an application from the following:

- Brandon Wiggins applied for re-appointment.

Commissioner Harrison made a motion, second by Commissioner Miles to reappoint Brandon Wiggins to the Parks and Recreation Board with a term expiring on June 30, 2025. There was no discussion and the motion passed unanimously.

Commissioner Baxter asked Lisa Markland for a breakdown of appointed board openings. Ms. Markland stated she would email the information to the Board.

## 2. Budget Presentation FY 2022-2023

Joe Moore began the budget presentation by reviewing the statutory requirements as well as the budget schedule and process. The budget work sessions would be May 10, May 18 and May 26. The public hearing would be June 6 for the Board to consider adoption. The budget ordinance had to be adopted no later than July 1.

There would be more mini retreats later in the year:

- Strategic Plan update – August
- Capital Project Appropriation – September
- Bond Referendum draft – October

Mayor York stated there was a conflict with the work session on May 18 because the CAMPO meeting was that same day. Staff would present other dates and times for consideration at the May 10 work session.

Joe Moore detailed the goals and features by explaining how population was increasing, use of land was changing with land development and the Town of Zebulon needed to have the capacity and capability to handle the changes. The budget goals for a vibrant downtown included revitalizing

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downtown and attracting people downtown. Alley activation and the Main Street Program and incentives to improve downtown buildings were included in the FY23 budget.

Federal Fund Appropriation would be used to activate the alleyways behind the fire station and connect to greenways to Little River Park and the Five County Stadium.

The Town was a year and a half ahead of schedule with the NC Mainstreet Program and was eligible to become fully designated as a North Carolina Main Street Community. A full-time coordinator was required for that designation.

The budget goals of growing smart were to meet transportation needs and support a growing community. Items included in the FY23 budget were increases in police and fire staffing, an Economic Development Specialist, a Public Information Officer, improvements to storm drains and assessments for transportation improvements.

The budget goals of small-town life increased walkability and connectedness. The W. Sycamore sidewalk, vibrant downtown, community engagement, placemaking and brand execution were included in the FY23 budget.

Joe Moore went over the budget changes from FY22 to the FY23 proposed budget as well as the general fund fund balance.

Some of the requested positions included in the budget were two Patrol Officers, two Firefighters funded by the Town and three Firefighters funded this year by Wake County, an Engineer, Economic Development Specialist, Mainstreet Coordinator and a part time Public Works Service Technician. Transition of a part-time Parks and Recreation Park Maintenance worker to a full time position. The budget included retention pay for employees, a 5% merit raise and 2% COLA.

Commissioner Loucks asked to see salary data from other towns.

Commissioner Baxter asked for a merit breakdown for FY22.

The engineer position would have both Planning and Public Works responsibilities.

Joe Moore explained the importance of a good credit rating for the Town of Zebulon. Capital funding was reviewed.

The next budget work session was scheduled for May 10 and would include:

- Operations
  - Parks and Recreation
  - Fire Department
  - Public Works operations
- Capital
  - Storm drain
  - Service equipment



- Public Input

The budget was on the Town of Zebulon’s website for public viewing as well as physical copies at the Zebulon Library, Eastern Regional Center, Community Center, East Wake Academy and East Wake High School.

Commissioner Loucks asked how other service fees could be implemented and gave the example of the Fire Department. It was explained a master plan would need to be adopted to serve as a rationale for the basis of an impact fee.

*E. General*

1. Ordinance 2022-38 – Police Vehicle Repair & Fire Equipment Maintenance – Appropriation of Insurance Proceeds

It was explained that the Town’s insurance company would pursue the at fault person’s insurance and if collected the Town would be reimbursed.

Commissioner Baxter made a motion, second by Commissioner Clark to approve Ordinance 2022-38. There was no discussion and the motion passed unanimously.

2. Fire/EMS Station Memorandum of Understanding with Wake County

Commissioner Baxter asked about the wording Town Council in the Memorandum. Eric Vernon clarified that Town Council and Board of Commissioners could be used interchangeable in the Memorandum.

Commissioner Baxter asked for clarification about language in the Memorandum that stated the entire 10.97-acre parcel would be used for the Fire Department. Eric Vernon explained it was not a designation of the entire parcel, just a statement of what was acquired by the Town.

Commissioner Clark made a motion, second by Commissioner Harrison to approve Fire/EMS Station Memorandum of Understanding with Wake County. There was no discussion and the motion passed with a vote 3 to 2 with Commissioners Clark, Harrison and Miles voting in favor and Commissioners Baxter and Loucks voting in opposition.

**BOARD COMMENTS**

Commissioner Loucks thanked staff for all of their hard work and encouraged everyone to get vaccinated and wear their masks.

Commissioner Harrison thanked everyone who reached out to the Board regarding the meeting and reminded everyone it was nurses and teacher appreciation week.

Commissioner Clark spoke about the North Carolina League of Municipalities City Vision conference and how she learned a lot of valuable information.

Commissioner Miles recognized Ms. High at Wakefield Mission Baptist Church, thanked Olde Raleigh Distillery for hosting the GSK hiring event, congratulated the owners of the Barbee House on their historic landmark acceptance and invited everyone to the Spring Fest on May 14.

Commissioner Baxter stated the North Carolina League of Municipalities City Vision conference was very helpful, Meals on Wheels was looking for additional drivers to help deliver meals and Spring Fest was scheduled for May 14. The 21<sup>st</sup> annual Boys and Girls Club charity golf tournament was April 29 and thanked everyone for their hard work in making the event a success.

Mayor York stated May was mental health awareness month and thanked the Board for their participation at the North Carolina League of Municipalities City Vision conference.

**MANAGER’S REPORT**

Joe Moore had nothing additional to add.

**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; ...”

Commissioner Loucks made a motion, second by Commissioner Clark 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 Loucks to come out of closed session. There was no discussion and the motion passed unanimously.

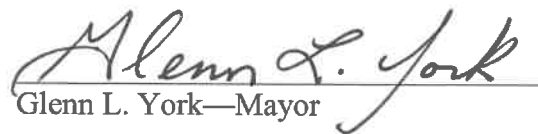
Commissioner Baxter made a motion, second by Commissioner Miles to approve Resolution 2022-18. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve Ordinance 2022-45 with a total appropriation of \$61,000. There was no discussion and the motion passed unanimously.

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

Adopted this the 6<sup>th</sup> day of June 2022.



  
Glenn L. York—Mayor

  
Lisa M. Markland, CMC—Town Clerk