

Zebulon Board of Commissioners
Work Session
Minutes
August 21, 2019

Present: Robert S. Matheny, Don Bumgarner, Dale Beck, Curtis Strickland, Beverly Clark, Annie Moore, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Michael Clark-Planning, Chris Perry-Fire, Chris Ray-Public Works, Sheila Long-Parks and Recreation, Tim Hayworth-Police, Eric Vernon-Attorney

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

Mayor Matheny asked that the Board amend the agenda to remove appointment of a Planning Board member.

APPROVAL OF AGENDA

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

OLD BUSINESS

A. Administration

1. Planning Board Appointment

Jessica Luther told the Board why she was interested in serving on the Planning Board and gave her qualifications.

NEW BUSINESS

A. Administration

1. Downtown Overlay District Utilities

Joe Moore gave a PowerPoint presentation on the downtown utilities. The Streetscape Match Policy and Façade Grant Program created improvements in the downtown district which increased property tax revenue and sales tax revenue.

It was explained that after the utility merger with the City of Raleigh, the City took all responsibility for utilities and the Town no longer had control over utilities. Issues that occurred in the right-of-way were the City of Raleigh's responsibility, but if the issue was on private property it became the responsibility of the property owner.

Joe Moore offered the example where three properties on the corner of Vance and Arendell shared a private sewer line that connected to the City of Raleigh sewer. These property owners were having issues with their line. The City of Raleigh was working with Mr. Bullock to understand the issue. The Board would have similar issues in the future with businesses moving into the older buildings downtown. It was asked if the Board considered this a private, public or private/public matter. If so, a policy, similar to the Streetscape Match Policy, would be created to handle these situations. If the Board considered this a public matter then the Town would need to take over, or if a private matter then it would be the owner's responsibility to handle or it could be a joint venture. A drawing of the pipe where the issue resided was shown to the Board. It was unclear if the narrow section of pipe was on the private or public side. The Board was asked for their input on whether they considered this a private, public or joint matter.

Mayor Matheny stated the City of Raleigh agreed to bring a 6” pipe off the main to the edge of the right-of-way which may fix the problem. If beyond the right-of-way it was the property owner’s responsibility. Mayor Matheny wanted to help the business owners and stated it was a nonconforming use. Since Zebulon transferred the property to the City of Raleigh there are no longer any utility funds available to repair the issue.

There was discussion about the City of Raleigh installing a new service lateral. There was uncertainty of where the blockage was located and would be unknown until the new pipe was installed. The 6” line was sufficient to serve the businesses.

Property owner, Brian Bullock, believed the City of Raleigh’s right-of-way stopped where the sidewalk ended which was approximately 4’ on the railroad right-of-way. Mr. Bullock met with the City of Raleigh who considered moving the clean-out closer to the sidewalk. Since the stores had more occupancy the issue has increased, but Mr. Bullock believed changing to the 6” pipe would alleviate the issue.

The City of Raleigh would abandon the 4” pipe due to it being substandard and old materials. Staff recommended removing the pipe due to the age of the material. Most buildings in the downtown overlay district were located at the right-of-way. There was further discussion about scenarios of responsibility for private vs. public.

The Board agreed if the issue was in the right-of-way the Town would work with the business owner and City of Raleigh to get the issue repaired. Joe Moore stated he would bring future issues before the Board and staff would work internally with the City of Raleigh on any future issues.

2. PEG Media Contract

Joe Moore explained Public Education and Government Funds (“PEG”) was a \$4,000,000 statewide tax on cable companies. The companies were required to provide channels on their network for public, educational, and government programs. The Town had access to the funds for public broadcasting and would receive one share for each channel. Joe Moore explained the history and financial structure.

PEG Media would record two meetings per month for the Town as well as The Mayor’s Show, and PSA’s from each department. Government television programming trends were reviewed. The Board was given the contract to review and discuss and to make a decision later this year.

Mayor Matheny stated he appreciated EWTN and all they did to get the out. There was a question about the Town doing live streaming. Lisa Markland explained the IT Committee had discussed live streaming, but the Town did not currently have enough staff to do the work and hoped to in the future.

B. Planning

Michael Clark gave a preview of the text amendments he would present to the Planning Board at their next meeting. Staff reviewed the significant modifications to the development process structure. There would be restrictions on how the Town handles special land uses. The Planning Board would no longer make a recommendation on special land uses and major residential subdivisions were no longer required to go through the special use permit process if they received

the conditional zoning approval or planned development approval. The concept of planned development and conditional zoning was explained. For major subdivisions the special use permit process would be removed and would become conditional rezoning which shortened the process by months. Large buildings such as Walmart or Costco or sensitive uses such as a refinery would still be required to go through the special use permit process.

Mayor Matheny and Commissioner Beck expressed their support of the conditional process. Commissioner Bumgarner inquired how long the new process would take to be implemented. If approved, it would take place immediately and staff would work with the Town Clerk to have codified.

CLOSED SESSION

Mayor Matheny explained the Board needed a motion to go into closed session as permitted by NCGS §143-318.11(a)(5) for the purpose of discussing of property acquisition.

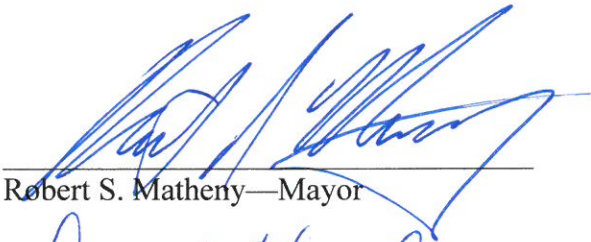
Commissioner Clark made a motion, second by Commissioner Beck to go into closed session as allowed by NCGS §143-318.11(a)(5) for the purpose of discussing property acquisition. There was no discussion and the motion passed unanimously.

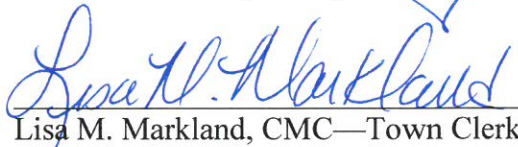
NOTE: In closed session Commissioner Beck made a motion, second by Commissioner Clark to come out of closed session. There was no discussion and the motion passed unanimously.

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

Adopted this the 9th day of September, 2019.




Robert S. Matheny—Mayor


Lisa M. Markland, CMC—Town Clerk