

**Zebulon Board of Commissioners**  
**Minutes**  
**August 5, 2019**

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

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

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Beverly Clark.

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENT PERIOD**

Denise Nowell from the Zebulon Chamber of Commerce spoke about the 3<sup>rd</sup> annual Teachers First event benefiting teachers from East Wake High School, Corinth Holders High School, East Wake Academy, and Heritage Christian Academy. The Chamber was accepting donations through August 15 and passed out fliers detailing the items needed and donation sites. An event to meet the teachers and see the donated items was scheduled for Thursday, August 22 at the Zebulon Rotary Woman's Club building from 2pm to 4pm. The candidate's forum was scheduled for October 15 from 6:30pm to 7:30pm at the Town Hall Council Chambers. The moderator would be ABC 11 anchor Julie Wilson. Meet and greet candidate events were being scheduled.

Amanda LaRoque expressed her concerns about the downtown area and the vision the Board had for it.

Scott Carpenter from Preservation Zebulon thanked the Board members who attended the Historic Landmark Celebration. Two of the five landmarks recognized included the Wakelon building and the E.C. Daniels House. An update on the Zebulon Historic District was given to the Board. Scott Carpenter inquired about the UDO meeting schedule and for an update on the Little River Corridor. Preservation Zebulon was hosting a Murder Mystery fundraiser on September 28 and encouraged everyone to attend.

Tracey Alford, from Simply Blush Bridal, spoke about the sewer issue behind her business on Vance Street and expressed concerns that she felt were not being addressed.

**PUBLIC HEARING**

*A. SC 2017-01 Eddins Street*

Mayor Matheny declared the public hearing open and asked for a staff report.

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Michael Clark presented the request for the right-of-way abandonment of Eddins Street. Photos and a map of the street were shown to the Board and the background of the street closure was explained.

The application to close the right of way was received in March 2017, and Resolution 2017-12 of intent to close the street was approved on April 3, 2017. A presentation was done on May 1, 2017 and concern of the landlocked parcel and utilities was expressed by the Board. Staff was directed to work with property owners to ensure there was an easement granted to continue access to the landlocked parcel, as well as a utility access agreement to provide services. The agreement for and easement for access and utilities was recorded on July 11, 2019.

Staff recommended approval of Resolution 2020-01 for the closure of Eddins Street subject to the retention of access and utility easements as detailed in the agreement recorded by the Wake County Recorder of Deeds, Book 017581 Pages 01788-01794.

Mayor Matheny asked if the Board had questions.

Commissioner Strickland asked if there were any lots on Eddins Street. Michael Clark explained there was one single standalone parcel that would have access through an easement. The Town's current code of ordinances allowed for a parcel to have frontage on an easement verses a dedicated public right-of-way.

Mayor Matheny asked if there was anyone who wished to speak.

Mike Weeks explained Eddins Street was originally platted to serve utility easements. Several remaining streets in the Wakefield neighborhood were able to be closed by agreement since they were not being utilized. Eddins Street had one parcel that would not have access; therefore an agreement was done to conserve an easement for the parcel. All requirements for the statute had been met.

Mayor Matheny asked if anyone else wished to speak. There was no one that wished to speak and the public hearing was closed.

## **CONSENT**

### *A. Minutes*

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the May 13, 2019 Joint Public Hearing. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the May 22, 2019 Work Session. There was no discussion and the motion passed unanimously. Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the May 30, 2019 Work Session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the June 3, 2019 meeting. There was no discussion and the motion passed unanimously.

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Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the June 10, 2019 Joint Public Hearing. There was no discussion and the motion passed unanimously.

*A. Finance*

Commissioner Clark made a motion, second by Commissioner Moore to approve the tax report for April 2019. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the financial report as of July 22, 2019. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-01 – rollover for Parks and Rec grounds maintenance. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-02 – rollover for Wellness Program. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-03 – rollover for Parks and Rec part-time salaries. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-04 – rollover for the Farmers Market. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-05 – rollover for Shop with a Cop. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-06 – rollover for Zebulon Night Out. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-07 – rollover for Planning travel and training. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-08 – rollover Tornado clean-up. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-09 – rollover for Town Hall 1200 AMP GFCI. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-10 – rollover for Little River master plan. There was no discussion and the motion passed unanimously.

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Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-11 – rollover for Fire Station PER. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-12 – rollover for Sidewalk/Handicap ramp maintenance. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-13 – rollover for professional services. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-14 – rollover for street resurfacing. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-15 – rollover for sanitation GPS vehicles. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-16 – rollover for Streets – computers. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-17 – rollover for storm drainage maintenance. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-18 – rollover for Administration/HR/IT. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-19 – rollover for Board travel and training. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-20 – rollover for Police station masonry repair. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the Façade Grant Policy Revision. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the Quarterly Reports for Planning, Fire Department, and Public Works. There was no discussion and the motion passed unanimously.

**OLD BUSINESS**

*A. Planning*

1. RZ 2019-05 – Sidney Creek

Meade Bradshaw presented the request for a zoning map amendment to the Board. The applicant was Stocks Engineering for the property located at 1701 Chamblee Road owned by William McNabb. The parcel was approximately 214.93 acres and currently zoned Residential-20 (R20). The request was to rezone to Residential-10 (R10). The property had two street frontages with one on NC 39 and the other on Chamblee Road. Meade Bradshaw gave the case history.

The Planning Board recommended approval at the June 11, 2019 Planning Board meeting based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.

Commissioner Beck asked if the request would impact the location of the future fire station. Chris Perry explained it was a more remote area and may be difficult to reach within the Fire Department's four minute travel goal. A study was done to locate the best area for a future fire station site and future development was taken into account during the study, however that location was not in the study area. The consultant that performed the study recommended a second substation within the 10-15 year range.

Commissioner Strickland inquired about responding to police calls in that area. Tim Hayworth explained the Town of Zebulon had a Mutual Aid Agreement with the Sheriff's Department where they would support by helping with calls in Town if Zebulon PD was unavailable. As a general rule, the Sheriff's Department would not answer calls in the Town limits.

Commissioner Bumgarner made a motion, second by Commissioner Moore to approve RZ 2019-05 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable. There was no discussion and the motion passed unanimously.

2. RZ 2019-06 – Weavers Ridge

Meade Bradshaw presented the request for a zoning map amendment to the Board. The applicant was Stocks Engineering for the property located at 2340 Zebulon Road owned by PFR Properties, LLC. The parcel was approximately 34 acres. The property was recently annexed, but a zoning designation was not given to the property when it was annexed. The request was to rezone the property to Residential-10 (R10). The property had street frontage on Zebulon Road and Meade reviewed the history of the property.

The Planning Board recommended approval at the June 11, 2019 Planning Board meeting based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve RZ 2019-06 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable. There was no discussion and the motion passed unanimously.



## **NEW BUSINESS**

### *A. Administration*

#### 1. Business Retention and Expansion Program Agreement

Joe Moore explained on June 4, 2018 the Board adopted the Zebulon 2030 Strategic Plan. The plan identified vibrant downtown, small town life, and growing smart as focus areas to achieving the Town's vision of growing a vibrant community that maintained its small town charm and heritage. The Business Retention and Expansion Program Agreement with Chamber of Commerce was a progressive five-year action plan focused on retaining businesses, facilitating growth and expansion, enhancing the business climate, and strengthening the community partnership with local businesses. At the May 22, 2019 worksession the Board heard the proposed implementation plan of the program for each year of the next five. In the 2020 budget that was adopted on June 3, 2019 the Board approved \$35,000 for the program.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the Business Retention and Expansion Program Agreement with the Zebulon Chamber of Commerce. There was no discussion and the motion passed unanimously

#### 2. Board Appointments

Lisa Markland explained there was one in-town vacancy on the Planning Board with two applications received from Jessica Luther and Edward Saunders. The Board of Adjustment had two vacancies. Larry Loucks and Tad Adams both requested to be re-appointed.

Commissioner Beck asked the applicants to the Planning Board come before the Board at the next meeting to hear why they wanted to serve on the Board.

Commissioner Beck made a motion, second by Commissioner Bumgarner to re-appoint Larry Loucks and Tad Adams to the Board of Adjustment. There was no discussion and the motion passed unanimously.

#### 3. Personnel Policy Amendments

##### a. Maternity/Paternity Leave

Lisa Markland explained the HR committee recommended an amendment to the personnel policy to allow full-time employees to use up to 12 weeks of their sick time when taking maternity or paternity leave, if they had the time available. The amendment to the policy met the Town's core values, specifically family. All other municipalities in the County had a similar policy.

Commissioner Clark asked if an employee could take time without pay if they did not have 12 weeks of sick time. Lisa Markland explained an employee could use comp time or vacation time. If they do not have time accrued they could take time without pay or just take a shorter maternity/paternity leave.

Commissioner Strickland inquired if an employee could donate time to another employee. An employee was able to donate vacation time to another employee. There was a question of when an employee became eligible for benefits. It was explained a full-time employee who had worked for the Town for one year with 1,250 hours was eligible for FMLA.

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Commissioner Clark made a motion, second by Commissioner Moore to approve the Personnel Policy Amendment. There was no discussion and the motion passed unanimously.

*A. Fire*

1. Fire Truck Funding Agreement with Wake County

a. Ladder Truck Funding Agreement

Chris Perry presented the fire truck funding agreements to the Board. A new ladder truck and pumper truck were purchased last fiscal year. Wake County agreed to provide 20% funding to assist with the purchase of both vehicles.

Mayor Matheny asked how Wake County came up with 20% for the cost share on the ladder truck. Chris Perry explained the Fire Department replaced their rescue truck with the new ladder truck. The current contract stated the County would provide funds for their rescue vehicle and was based on the County's current rescue truck model.

Commissioner Strickland made a motion, second by Commissioner Clark to approve the Fire Ladder Truck Funding Agreement with Wake County. There was no discussion and the motion passed unanimously.

b. Pumper Truck Funding Agreement

It was stated the cost share with Wake County was 35% on the pumper truck. Commissioner Strickland asked why it decreased from 40% to 35%. The County based their funding on what they paid for their truck that current year.

2. Radio Interoperability Solution

a. Ordinance 2020-21

Chris Perry explained the Fire Department used public safety communication via an 800 MHz radio system operated through Wake County since the late 1990s. The system did not allow users on different systems to communicate with each other which proved difficult especially in emergency situations such as the recent tornado when the cellular network failed. The proposed system would allow the two radio systems to work together and allowed all Town departments to communicate under the same system.

Mayor Matheny asked if the Town would still be able to communicate with local municipalities and Wake County. Chris Perry explained the Town would have communication and would also be able to communicate with surrounding counties on the new system. The Town system had two channels and the County system had hundreds of channels.

Commissioner Strickland asked about communication during a natural disaster. Chris stated the system would be set up in a day-to-day mode which would allow the Fire Department to

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communicate with Public Works or the Police Department, if needed, and would be most helpful during a natural disaster or special event.

Commissioner Strickland made a motion, second by Commissioner Clark to approve Ordinance 2020-21. There was no discussion and the motion passed unanimously.

*B. Planning*

1. SC 2017-01 Eddins Street
  - a. Resolution 2020-01

Michael Clark explained staff recommended approval of Resolution 2020-01 finding that it was consistent with G.S. §160A-299 and the 2008 Comprehensive Plan.

Commissioner Strickland asked what would become of the property. Wakefield Central Baptist Church would acquire the entirety of the right-of-way that was vacated and could use it as they choose.

Commissioner Clark made a motion, second by Commissioner Moore to approve Resolution 2020-01. There was no discussion and the motion passed unanimously.

*C. Public Works*

1. Streetscape Match Grant Request – Preservation Zebulon

Chris Ray explained Preservation Zebulon requested a streetscape match grant to add their civic logo on the Welcome to Downtown Zebulon sign. There were six civic groups currently on the sign so two sidebars could be installed to extend the sign to accommodate additional civic groups.

There was a question if the sidebar spaces could be added one at a time. Chris Ray explained that was possible and at the Board's discretion. Commissioner Strickland and Commissioner Beck agreed that they wanted the spaces added one at a time to prevent having blank spaces.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve The Streetscape Match Grant Request – Preservation Zebulon and that any additional groups would be added one at a time. There was no discussion and the motion passed unanimously.

2. Beaverdam Creek Greenway – NCDOT/CMAQ grant agreement
  - a. Ordinance 2020-22

Chris Ray explained the Town received notice of award for the LAPP/CAMQ grant from NCDOT for the construction of Beaverdam Creek Greenway-Phase 1. The Beaverdam Greenway was a mile-long, 10-foot side asphalt trail connecting the subdivisions of Taryn Meadows, Taryn Creek, and Weavers Pond to the Wakelon Elementary School Park. The proposed greenway would connect 1.4 miles of greenway.

Commissioner Beck inquired about the location around the pond. Chris Ray explained the Board would make that decision at their February or March 2020 meeting.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve Ordinance 2020-22. There was no discussion and the motion passed unanimously.



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**BOARD COMMENTS**

Commissioner Bumgarner gave his condolences to Dayton, Ohio and El Paso, Texas.

Mayor Matheny addressed Scott Carpenter’s concerns that he brought up during the public comment period. Mayor Matheny asked where the UDO meetings were posted. Lisa Markland explained the UDO meetings were posted on the kiosk at Town Hall and the calendar on the Town’s website.

Mayor Matheny explained the Town continued to work in the area of Little River and had approached Wake County about their involvement.

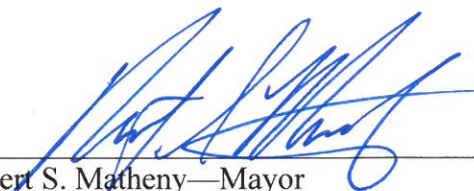
**MANAGER’S REPORT**

The August Work Session was scheduled for August 21 and would focus on downtown utilities. The September Work Session was scheduled for September 18 and would allow the Board to review the Unified Development Ordinance. Movie night was scheduled for August 16 at 7:00pm showing the movie “Leap.”

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

Adopted this the 9<sup>th</sup> day of September, 2019.



  
Robert S. Matheny—Mayor

  
Lisa M. Markland, CMC—Town Clerk