

Zebulon Board of Commissioners
Minutes
May 3, 2021

Present: Robert S. Matheny, Beverly Clark, Annie Moore, Larry Loucks, Shannon Baxter, Glenn York, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Chris Ray-Public Works, Jacqui Boykin-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 Moore.

APPROVAL OF AGENDA

Mayor Matheny asked to amend the agenda to add Historic Preservation Month under Proclamation, move Special Use Permit Application: Adult Day Care at 111 N. Church Street under the Public Hearing and to add Eastern Wake EMS UTV and trailer under New Business, Administration.

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

PROCLAMATION

Mayor Matheny read the proclamation for Clerks Week.

Commissioner Baxter made a motion, second by Commissioner Loucks to adopt the Proclamation for Clerks Week. There was no discussion and the motion passed unanimously.

Mayor Matheny read the proclamation for Police Week.

Commissioner Baxter made a motion, second by Commissioner Loucks to adopt the Proclamation for Police Week. There was no discussion and the motion passed unanimously.

Mayor Matheny read the proclamation for Public Works Week.

Commissioner Baxter made a motion, second by Commissioner Loucks to adopt the Proclamation for Public Works Week. There was no discussion and the motion passed unanimously.

Mayor Matheny read the proclamation for Historic Preservation Month.

Commissioner Baxter made a motion, second by Commissioner Loucks to adopt the Proclamation for Historic Preservation Month. There was no discussion and the motion passed unanimously.

PUBLIC COMMENT PERIOD

No comments were submitted.

PUBLIC HEARING

A. Special Use Permit Application: Adult Day Care at 111 N. Church Street
Mayor Matheny opened the public hearing and read the guidelines for a quasi-judicial hearing.

Meade Bradshaw, 1003 N. Arendell Ave, Zebulon, NC 27597, was sworn in by Stacie Paratore.

Mr. Bradshaw explained Rosemary Nwankwo, representing Eagle Healthcare Services, had submitted a request to obtain a Special Use Permit for operating an Adult Day Care in an existing building. The property was .71 acres and zoned as Downtown Periphery District.

The Findings of Fact were as follows:

- 1) Please explain how the proposed Special Use Permit will not materially endanger the public health or safety if located where proposed;
- 2) Please explain how the proposed Special Use complies with all required standards, conditions, and specifications of this Ordinance, including Article 4: Uses;
- 3) Please explain how the proposed Special Use will not substantially injure the value of the abutting land, or the special use is a public necessity;
- 4) Please explain how the proposed Special Use will be in harmony with the area in which it is to be located;
- 5) Please explain how the proposed Special Use is in general conformity with the Town's adopted policy guidance; and
- 6) Please provide details regarding the required includes a concept plan that accurately depict the proposed use's configuration and compliance with other applicable sections of the UDO.

The vicinity map, zoning map, concept plan, and pictures of the property were shown.

Mayor Matheny asked if anyone wished to speak in favor.

Iheoma Alaribe, 1708 Trawick Road, Suite 115, Raleigh, NC 27604, was sworn in by Stacie Paratore.

Ms. Alaribe submitted documents about psychosocial rehabilitation programs and services offered by Eagle Healthcare Services as evidence. Ms. Alaribe gave details about the psychosocial rehabilitation program and how patients integrate into the community. It was stated staff were trained in mental illness and substance abuse and there was a ratio of one staff member to eight consumers. The warehouse on the property would also be used for interventions and teaching workshops.

The facility served approximately 12 people and the hours of operation were Monday through Friday 8:30am to 1:30pm.

Board of Commissioners
Minutes
May 3, 2021

The types of certifications for staff members were explained. Staff did not administer any medication to patients.

Ms. Alaribe spoke about the mental health and substance abuse criteria for the program.

There was a question about transportation needs. Some patients had their own transportation or had family members take them to and from the facility. Eagle Healthcare Services also had vehicles to transport patients, if needed.

It was explained how Eagle Healthcare Services' staff was trained for crises and emergency situations.

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

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

Mayor Matheny asked if anyone wished to speak or ask a question.

Craig Peoples, 7704 Highlandview Circle, Raleigh, NC, was sworn in by Stacie Paratore.

Mr. Peoples stated he owned the building at 112 N. Church Street and expressed concerns for safety in the area if the adult day care was allowed.

There was discussion about the public hearing notification process to adjacent property owners.

Rosemary Nwankwo, 1708 Trawick Road, Suite 115, Raleigh, NC 27604, was sworn in by Stacie Paratore.

Ms. Nwankwo, who owned Eagle Healthcare Services, explained the office in Raleigh had operated for approximately six years and was too large now since some services were being done virtually.

Craig Peoples expressed his concerns about safety.

Ms. Alaribe spoke about the day-to-day operations in the facility. The patients were on a specific plan and were taught independent living skills and working skills. All patients were ages 18 and up.

Mayor Matheny asked if anyone else wished to speak. There were none.

Mayor Matheny closed the Public Hearing.

B. Planning

1. Special Use Permit Application: Adult Day Care at 111 N. Church Street

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the Special Use Permit Application: Adult Day Care at 111 N. Church Street. There was no discussion and the motion passed unanimously.

Michael Clark spoke about the quasi-judicial hearing notification standards.

CONSENT

A. Minutes

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the April 12, 2021 meeting. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the April 19, 2021 Joint Public Hearing. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Clark made a motion, second by Commissioner Moore to approve the Wake County Tax Report – February 2021. 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 April 19, 2021. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the quarterly reports from the Fire and Planning Departments. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

1. Ordinance 2021-65 – TA 2021-02 – Required Text Amendments

Michael Clark explained 160D would amend Chapters 95, 151, and 153 of the Zebulon Code of Ordinances and the Zebulon UDO to conform to NCGS 160D. The new state law enabled legislation for land use regulations and combined sections of 153A for counties and 160D for cities into a single document. The law became effective on June 19, 2020 and all amendments had to be adopted by July 1, 2021.

The changes from 160D were explained which included minor regulation changes, clarification on intent, consistency statements for approvals, quasi-judicial processes, internal staff processes and emphasis on land use plans.

The Planning Board unanimously recommended approval at their April 19, 2021 meeting and staff recommended approval of Ordinance 2021-65.

Commissioner York made a motion, second by Commissioner Baxter to approve Ordinance 2021-65. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Administration

1. Budget Presentation FY 2021-2022

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 11, May 19 and May 27. The public hearing would be June 7 for the Board to consider adoption. The budget ordinance had to be adopted no later than July 1.

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 downtown and attracting people downtown. Alley activation II, the Farm Fresh Market, NC Main Street Program and incentives to improve downtown buildings were included in the FY22 budget.

The budget goals of growing smart were to meet transportation needs and support a growing community. Items included in the FY22 budget were traffic signals and road widening, infrastructure maintenance, building and property maintenance, and staffing.

The budget goals of small-town life increased walkability and connectedness. The W. Sycamore sidewalk, Parks and Recreation Master Plan and community engagement were included in the FY22 budget.

Joe Moore went over the budget changes from FY21 to the FY22 proposed budget as well as the general fund fund balance.

The only requested positions included in the budget were a Patrol Officer, Firefighter, and to increase a part-time Parks and Recreation Park Maintenance position to a full-time position. There were three positions upgraded: Fire Inspector to a Marshall, Athletic Coordinator to a Park Manager, and a Permit Technician to a Planner.

An additional Patrol Officer, Development Services Engineer, Assistant Public Works Director, Public Works three-person crew, Public Works Service Technician, and an Economic Development Specialist were all positions not funded in the recommended budget.

Some of the capital projects in the FY22 proposed budget included the new fire station, street resurfacing, traffic signals at Green Pace and Arendell Ave., Old Bunn and Shepard School Rd., N. Arendell widening, W. Sycamore sidewalk, fleet, turnout gear, and Community Center card access.

It was stated the swap loader debt was paid off in FY21.

The next budget work session was scheduled for May 11 and would include presentations on community and economic development, Downtown Associate Community, and storm drain. The May 19 budget work session would include presentations on walk Zebulon, property management. The last budget work session was scheduled for May 27 and included presentations on market

study results, streets and thoroughfares, and Parks and Recreation. The budget public hearing was scheduled for June 7. The Board could adopt the budget on June 7 or any time prior to July 1. The budget was on the Town of Zebulon's website for public viewing.

2. Eastern Wake EMS UTV and trailer

Mayor Matheny stated Eastern Wake EMS agreed to sell their UTV and trailer to the Town of Zebulon for \$1.00. The UTV was not street licensed but would be useful for the Town.

Chris Perry thanked Eastern Wake EMS for their many years of service to the Town of Zebulon. It was explained the UTV provided assistance at difficult locations such as the greenways. The UTV would be a resource for the Town's Fire and Police departments.

Commissioner Baxter made a motion, second by Commissioner York to purchase the Eastern Wake UTV for \$1.00. There was no discussion and the motion passed unanimously.

3. Ordinance 2021-66 – Eastern Wake EMS Property

Joe Moore stated this was a budget adjustment to fund the due diligence to acquire the Eastern Wake EMS property and building located at 131 E. Vance Street.

Commissioner Clark made a motion, second by Commissioner York to approve Ordinance 2021-66. There was no discussion and the motion passed unanimously.

BOARD COMMENTS

Commissioner Loucks thanked Eastern EMS for their 50 years of service and reminded everyone to get their COVID-19 vaccine.

Commissioner Clark stated there was a lot to review in the new budget book.

Commissioner Baxter thanked the Boy Scout Troop and Zebulon Police Department for their litter pick-up over the weekend and spoke about the Trash for Trees Program. The Farm Fresh Market was on Saturdays from 9:00am to 1:00pm in the 100 block of N. Arendell Ave. Commissioner Baxter encouraged citizens to take the recent survey from the Police Department and thanked Officer Elliot for his response to a difficult call. Girl Scout Troop 3306 was selling chicken plates at Zebulon Baptist Church on May 8 beginning at 11:00am.

Commissioner York thanked Mayor Matheny and Commissioner Loucks for their help with the trash pick-up and congratulated Jeremy Pulley for his promotion to Sergeant and Bennie Holder for his second retirement from the Town of Zebulon. The Police Department was commended for their forward thinking with their use of force and diversity training.

Mayor Matheny stated the work session meetings at 6:00pm conflicted with CAMPO meetings and the Farm Fresh Market and asked for staff to add a change of time to the June agenda.

Mayor Matheny stated tonight was the night to ask any questions for the Public Hearing and explained the quasi-judicial hearing procedures.

Board of Commissioners
Minutes
May 3, 2021

MANAGER'S REPORT

Joe Moore explained the National Register Advisory Committee tabled the Zebulon Historic District. The Town was holding a meeting on May 6 at the Community Center to get public information and public engagement for the Zebulon Historic District

Bobby Fitts gave the following budget transfers:

Finance:

Moved \$2,000 from Group Insurance to Retiree Insurance;

Moved \$1,000 from Insurance & Bonds to Contract Services-Wake County Tax Collections

Project & Property Management:

Moved \$4,000 from Professional Services to Buildings & Grounds Maintenance;

Moved \$1,000 from Equipment Maintenance to Mowing Equipment Maintenance;

Moved \$1,200 from Materials & Supplies to Fuel Expense

Police:

Moved \$5,000 from Vehicle Maintenance to Uniforms;

Moved \$5,000 from Fuel to Contract Services-Other;

Moved \$5,000 from Recruitment - \$4,000 to Contract Services-Raleigh and \$1,000 to SERT Tactical Firearms

Fire:

Moved \$3,000 from Insurance & Bonds to Equipment Maintenance; Moved \$3,000 from Salaries to Overtime

Operations:

Moved \$5,000 from Professional Services to Street Lighting;

Moved \$2,000 from Contract Services (Stormwater) to Storm Drainage Maintenance

CLOSED SESSION

Mayor Matheny stated they needed a motion to go into closed session as permitted by 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 Baxter made a motion, second by Commissioner Loucks 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 York 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 adopt the contract for purchase and sale of the GSK property.

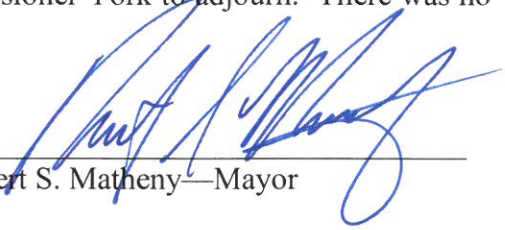
Commissioner York thanked the Town Attorney for his work on getting the contract finalized.

Board of Commissioners
Minutes
May 3, 2021

There was no further discussion and the motion passed unanimously.

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

Adopted this the 7th day of June 2021.



Robert S. Matheny—Mayor



Lisa M. Markland, CMC—Town Clerk

