

Zebulon Board of Commissioners
Minutes
March 4, 2013

Present: Robert S. Matheny-Mayor, Curtis Strickland, Roy Collins, Beverly Clark, Don Bumgarner, Dale Beck, Roy Collins, Rick Hardin-Town Manager, Lisa Markland-Town Clerk, Greg Johnson-Parks & Recreation, Bobby Fitts-Finance, Mark Hetrick-Planning, Tim Hayworth-Police, Chris Ray-Public Works, Sidney Perry-Fire, Eric Vernon-Attorney
Absent:

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

APPROVAL OF AGENDA

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

PRESENTATIONS

PHP of NC, Inc—Justine Wiggins

Justine Wiggins gave a presentation merely to inform the Board and the citizens of Zebulon that their organization would be in Zebulon. They serve people with intellectual and mental disabilities and had been in business in Durham for 17 years. A DVD was shown about their program.

CAMPO—Shelby Powell on the Northeast Area Study

Ms. Powell gave a presentation on the NEA Study and explained that there would be a symposium in Wendell on March 21 from 4-7pm. The 2045 transportation plan was needed and they were zooming in on the north eastern planning area to try to get a better look at the issues that face the area. There were projects that were in the new plan and then projects that needed to be in the plan but there was no funding available prior to 2040. The study area included portions of nine municipalities and two counties which were Wake and Franklin.

There was a consultant that would be assisting in the study. It was driven by the core technical team that included staff from the area, CAMPO, NCDOT and there was a stakeholder oversight team which was made up of elected officials, school board officials, and economic development interests. It would take approximately 18 months to complete the process to have a draft of the policies, recommendations and so on available for review.

Mayor Matheny asked how the study would correlate with the Town's transportation study that they have begun to update. Shelby Powell said that their study was at a higher level and mainly dealing with state roads and NC routes. Mark Hetrick explained that the Town's project would take three to five months to complete. Mayor Matheny said that since they were looking at state roads it seemed that both groups needed to be in discussions so that each knew what the other was doing and what the impacts would be.

PUBLIC COMMENT PERIOD

There was no one wishing to make public comment.

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CONSENT

A. Finance

Commissioner Clark made a motion, second by Commissioner Collins to approve the tax report for December 2012. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Collins to approve ordinance 2013-37. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

Ordinance 2013-38—Mobile Food Vendors

Mark Hetrick presented the recommendation of the Planning Board and what the privilege license and permit fee could be for the vendors. He stated that all the fees would be presented at a later date since that would have to be an amendment to the fee schedule.

The geographic restrictions recommended by the Planning Board were 200' from a property boundary line of another food stand, restaurant or push cart. Staff proposed 100' from the primary entrance and a map was shown with the various options.

There was discussion about why there was a 1000' boundary around the stadium and community park. Mark stated it was due to the large number of permits associated with the site and that would cover the entire area and so there would be no competition with the stadium during ballgames. The "non-compete" area was discussed and thought that there needed to be a reasonable distance in place because it appeared that there would not even be an area that they could be located in town since there was approximately 36 restaurants in Zebulon.

Mark explained that the proposed ordinance from the Planning Board was 200' from the property boundary and staff recommended from the front doors of the business, which would be less of an impact. Mayor Matheny said that he did not have a problem with stating that it could not be located on a property where a restaurant was already located. Mark Hetrick said that the Planning Board and staff were trying to protect the bricks and mortar businesses from undue competition.

There was considerable discussion about where a food vendor could be located and other issues like special events, shopping centers, and the fact that they did not want to craft an ordinance that was so restrictive that there was no way to even locate one in Zebulon. They also did not want to take away the rights of the property owner to decide what they could and could not do with their property. The Board decided to do away with all the geographical restrictions and it would be left up to the property owner to decide if they wanted to allow it or not.

There was discussion about the fees and privilege license charges for the vendors and what would be reasonable. Eric Vernon said that the thought process that staff was taking was appropriate and a good starting place. Mayor Matheny said that his biggest concern was that those vendors were not adding to the tax base of the Town and he had issue with what was being proposed by staff. He wanted a balance between the bricks & mortar businesses. Commissioner Beck agreed with that principle and said what staff was asking for was too low.

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Bo Dobrzanski explained that those vendors that set up outside of town would not be subject to a privilege license fee and if they wanted to collect from those people it would have to be in the form of a permit fee.

The Board asked staff to take the recommendations back and incorporate them into the document and bring it back for review and approval.

B. Surplus Buildings

Review of the contract with NAI Carolantic

Rick Hardin stated at the Board retreat Scott Hadley had presented that in the current market he thought the current asking prices were not realistic and should be reduced. The recommended prices were \$85,000 for the council chambers, \$145,000 for the old town hall and then there was no recommended price for the police station since it would require so much work to make it a viable building. The contracts before the Board would set those prices and extend the listing contract.

A price to demolish the police station would be approximately \$50,500 from DH Griffin.

There were questions about the gas tank and where it was located at the Police Department. It was explained that it was probably under the HVAC system and had not been used in over 20 years.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the contracts with NAI Carolantic and to go with their recommendations for the asking prices.

BOARD COMMENTS

There were no board comments.

MANAGERS REPORT

Rick Hardin said that there would not be a joint public hearing; there would be a work session on March 20; the Easter Egg Hunt would be March 23 at 10am on the front lawn of the Municipal Complex; and finally Town Hall Day was March 27 and if any board member wanted to attend they needed to let Lisa know as soon as possible.

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

Date

Robert S. Matheny—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk