

Zebulon Board of Commissioners
Work Session
Minutes
March 20, 2013

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

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

APPROVAL OF AGENDA

Mayor Matheny stated that they needed to amend the agenda by adding Resolution 2013-17 to Old Business.

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. Planning

Overlay District Ordinance

Julie Spriggs presented the map and the recommendations of the Overlay Committee and asked for the Boards direction for staff on how to proceed.

Mayor Matheny asked why the committee was recommending going from Vance St. to Wakefield and east all the way to Whitley. Julie stated that the committee wanted to include the businesses that were already present to prepare for development in the future.

There was discussion about chain link fencing not being allowed as part of their recommendations. The Board did not think that chain link to the rear of the building was a problem but agreed it should not be allowed along Arendell. However, what was already in place maybe should not be allowed to be replaced if it were damaged or removed. Commissioner Bumgarner asked about the iron bars that were part of that suggestion and said that chain link was around playgrounds at various churches and daycares located in the area discussed and did not see that as a problem and should be allowed. Mayor Matheny stated that he did not have a problem with bars on the windows and the type that were on Mike Weeks' building but maybe there were other types.

Commissioner Beck said that the areas down Vance Street were not part of the downtown core which was the area that he thought was before the Overlay Committee to be making recommendations on. Julie Spriggs said that the committee wanted to make the area larger. Mayor Matheny said that he didn't think at this time that there was a problem with expanding the

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downtown core but was concerned about being reasonable with conditions in those areas until growth came along.

There was some discussion about buildings being inset like Mike Weeks' building and there was some discrepancy between what was written in the policy and the staff's interpretation. Mayor Matheny stated that according to what was presented in the packet it said that under 152.1524 (B) that new construction, redevelopment or infill had to maintain the alignment of facades along the sidewalk edge. Commissioner Beck said that was what he read as well and said that it stated "a wall of buildings effect" in the packet. Julie explained that what she thought they wanted was to keep the edges of the property clean and there was not a problem with the façade being recessed as long as the area in front was maintained with the building line. It could be a patio area that separated the recessed façade so it did not look misplaced. Mayor Matheny said that it needed to be better stated so that it was clear what was intended and no one had to guess.

Mayor Matheny said his biggest issue was with chain link and bars. They were not really an issue for him. It was clarified that bars located on the inside were not being regulated just on the outside. The committee wanted something more decorative not so utilitarian.

Staff was asked to make recommendations for ways that the problem could be addressed when it came to dealing with that along all streets and the rear of the buildings. Julie said that staff could do that.

There was discussion about boarding windows so that it would be safe as well as aesthetically pleasing.

Commissioner Beck asked about the recommendations on architecture on Vance St. to match Arendell Avenue. Julie Spriggs said that they wanted something that was close to the type of the architecture and feel so that it would be cohesive and aesthetically pleasing. They did not want a modern front to the building.

The Board asked that staff put together recommendations and bring it back to a work session for further consideration by the Board of Commissioners.

The map was discussed and Commissioner Beck did not think that the overlay should extend past the core of downtown as it currently existed. Julie Spriggs explained that if the building was not going to be commercial in nature then the overly ordinance would not apply to the residence. The overlay district would apply only to commercial property, residential would not be affected. Setbacks and parking issues that commercial property or potential commercial property might face were being addressed with the overlay ordinance as it was proposed. Mayor Matheny said that the boundaries on the map would be dependent on the recommendations and the decision of the Board.

Mayor Matheny asked Julie to clarify if the zoning of the property would be affected by the overlay districts as proposed. Julie said that the zoning would not be affected just the development standards for various types of zoning.

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Commissioner Strickland asked about the utility areas and mechanical equipment what was meant by screening. Julie Spriggs said that screening of mechanical equipment and dumpsters were already required and what was proposed would include roof top units as well.

Commissioner Bumgarner asked how difficult it would be to expand the designated boundary area. Julie Spriggs said that depended on the Board of Commissioners and how they would want to make the change. It was strictly a decision by the Board.

Commissioner Beck said that he thought the overlay district was to protect the historical downtown area. Julie Spriggs said that it was to protect the core of downtown not necessarily the historical aspect of downtown. Commissioners Beck and Bumgarner said that they thought that the downtown went from Gannon Avenue to Vance Street. Mayor Matheny said that he thought the concept was to grow downtown and expand beyond its current corridor and might be the reason why the committee chose to expand into the other areas. It would be a commercial center for the Town on a larger scale than it currently was.

B. Facility Use Policy

Rick Hardin stated the he directed the Town Attorney to put together something using the direction of the Board from the last meeting. Eric Vernon stated that the place to start was that the Complex was not available except by application and approval of the Board. There were six guidelines that came out of previous discussions that were important for consideration but it was not intended to be an exclusive list.

Mayor Matheny said that they wanted to allow for set up on Friday without blocking access to the building and he did not want to prohibit that from occurring. Commissioner Clark said that she did not think that anyone should be allowed to set up sooner than after work on a Friday. Mayor Matheny said that depending on how big the event was he thought that they might need to be able to set up sooner than close of business on Friday. Disruption of the normal business day should not be allowed at all.

There was discussion about required personnel needed for the event and the use of the interior of the building. Additional staff would have to be inside the building at all times if the interior bathrooms were being used. Mayor Matheny said that he did not think that the Board would approve all requests to use the interior bathrooms but it would be on a case by case basis.

The Board discussed the number of events allowed per month and the intent was that it would be one per month and they should stick to that number. It was stated that governmental uses would not always be prohibited from having use of the facility if one event had already occurred. The definition of governmental entity or purpose was discussed.

The license was discussed next. The approved vendor list was discussed and the purpose was so that the Town would be protected by having vendors that they knew were reputable and insured. Staff stated that was the intent. There was discussion about the fire permit and inspection requirement.

Mayor Matheny asked why a tent was only allowed on the grass instead of allowing them to be on the asphalt and said he did not have a problem with them being located on the asphalt as long as they did not damage or penetrate the asphalt in any way.

There was discussion about setting standards of when and how many staff members would need to be on site during an event. Rick Hardin said that when applications came in staff would discuss the event and bring forward the recommended number of staff personnel needed to man the event for the Board to consider.

The closing of the front gates was discussed and the Mayor thought that as long as access to the emergency phone or personnel was made available that it should be allowed for the front gates to be closed.

Commissioner Beck asked if the interior of the building was going to be allowed. Mayor Matheny said that they could apply to use the interior bathrooms and it was up to the Board to say yes or no. They would not have the ability to use the rest of the interior of the building. It was discussed that if the interior of the building was used that someone would have to be posted in the area of the bathrooms at all times during the event to keep control of the building.

Tours would not be prohibited by the license or policy being discussed.

C. Public Works

Resolution 2013-17

Chris Ray presented that NCDOT was intending to award the Town of Zebulon \$100,000 grant funding and needed a resolution of the Town's intent to accept that funding.

Commissioner Beck made a motion, second by Commissioner Clark to adopt resolution 2013-17. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Police

Ordinance 2013-39

Dennis Brannan presented that they needed to transfer funds from the federal forfeiture fund line item to informant fees line item. There were several investigations that were ongoing and that line item had been depleted.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve ordinance 2013-39. There was no discussion and the motion passed unanimously.

B. Public Works

Ordinance 2013-40

Chris Ray presented that there was a potential to save the Town some money on a project that was needed by capitalizing on the savings that was being seen from the Community Center roof and the Community Park lighting project. What staff was proposing was that the \$58,727

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savings being realized with those projects be used to do the project proposed for next year of repairs to the façade at Town Hall.

Chris Ray presented a powerpoint presentation that showed that there were masonry voids ranging from small to some that were three inches deep that needed to be tuck pointed. There were loose and cracking bricks that could propose a safety hazard. The concern was that water would get behind the bricks and additional damage could occur. The proposal would be a change order to use the existing contractor doing similar work at the Community Center. Chris explained that by doing it as a change order it would be low interest financing over six years to do the work and BB&T was ok with adding the project. If it were to be done as a standalone project next year as it was currently listed in the CIP, it would have to be cash flowed which could be difficult based on the Town's budget.

There was discussion with the Board and Mayor Matheny stated that he was not comfortable with jumping into doing projects set for next year's budget. He also said that staff had not talked to other contractors to check their pricing of that project. Chris said that since the current contractor was significantly lower and 90% of the Community Center project would transfer to the Town Hall facility staff was confident that the price was adequate.

Mayor Matheny asked how long the contractor would hold that price. Chris stated that the contractor would hold it for as long as they were under contract with the Town of Zebulon and that was projected to be around the second week in May. Chris also explained that staff would need several weeks to pull it together and the contractor would need 45 days to complete the project. Mayor Matheny asked if the contractor would hold the price for any longer than that and Chris stated he would not, based upon what the contractor stated.

There was discussion about the price of the project and the credibility of the contractor and what it would or could cost the Town later. Chris said that he thought that if it were to be done next year there was potential for there to be additional cost to do the same work. The savings by doing the work now would be approximately \$4,000-\$6,000. Mayor Matheny stated that he would like to put it off until they could look at the budget and see where things were and ask the contractor if they would put it off until the first of June.

Commissioner Strickland asked if it was an issue since the building was purchased. Chris said that there were issues for the last several years and clearly the problems were getting worse not better. The Public Works staff had it as the second highest priority for them.

Commissioner Beck said that he did not want to push it too far but would like to see what the contractor would be willing to do, Commissioners Bumgarner, Strickland, Clark and Collins all agreed with that.

Manager Rick Hardin stated that state law required that the budget be officially presented prior to June 1 so the Board would have budget information prior to the June meeting.

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MANAGERS REPORT

Mayor Matheny stated that there were two bills introduced that would help with the hold harmless funding. The first would be for two years receiving full funding and the other bill would extend the funding for four years with the funding to decrease over that time.

Rick Hardin presented that Town Hall would be closed on Friday, March 29 for Good Friday; Town Hall day was March 26; the annual Easter Egg Hunt would be held at the Municipal Complex on Saturday March 23 at 10am, and finally there would be an Art Opening for Michelle Matheny on March 28.

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

Date

Robert S. Matheny—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk