

**ZEBULON
BOARD OF COMMISSIONERS
AGENDA
April 4, 2022
7:00pm**

All meetings are live streamed on Facebook and posted to YouTube after the meeting.

I. PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA

III. SCHOOL RECOGNITION

A. East Wake High School

1. Je'Shaun Cooper – Student
2. Edward Thomas – Teacher

IV. RECOGNITION

V. PUBLIC HEARING

All wishing to speak will be guided by the following parameters. Each person will have five (5) minutes to speak. If there is a group with the same point of view, it is recommended that one person speak for the group. If a person is speaking for a group, they will have a total of eight (8) minutes to speak. No speaker can give their minutes to another speaker. The Mayor has the ability to limit the total time for the public hearing.

A. Alcohol Beverage Consumption in the Public Right-of-Way

VI. PUBLIC COMMENT PERIOD

All wishing to speak must sign up prior to 6:50pm. The comment period will be no longer than 15 minutes with speakers having three minutes each to speak. No speaker can speak on a public hearing item or any item that would need to be discussed under closed session. Speakers cannot give their minutes to another speaker. If you would like to submit comments to be read into the record at the meeting, please send comments, of 400 words or less, to Stacie Paratore (sparatore@townofzebulon.org) by 3:00pm on April 4, 2022.

V. CONSENT

A. Minutes

1. February 17, 2022 – Work Session
2. March 7, 2022 – Regular Meeting
3. March 14, 2022 – Joint Public Hearing
4. March 17, 2022 – Work Session
5. March 24, 2022 – Special Called Meeting
6. March 24, 2022 – Closed Session

B. Finance

1. Monthly Items
 - a. Wake County Tax Report
 - b. Monthly Financial Report

VII. OLD BUSINESS

A. Planning

1. Ordinance 2022-36 - Rezoning E. Gannon Ave. at Old US 264

B. Fire

1. Fire/EMS Station
 - a. Memorandum of Understanding
 - b. Ordinance 2022-35 - Site Evaluation

VIII. NEW BUSINESS

A. Administration

1. Board Appointments
2. Bond Work Session

B. General

1. Election of Mayor Pro Tem

C. Information Request and Action

IX. BOARD COMMENTS

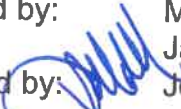
X. MANAGER'S REPORT

XI. CLOSED SESSION

- A. As permitted by NC GS §143-318.11(a)(3 & 6) - for the purpose of consulting with our attorney and personnel discussion

STAFF REPORT
TEXT AMENDMENT 130.01
ALCOHOL REGULATIONS
APRIL 4, 2022

Topic: Public Hearing, 130.01 Text Amendment

Speaker: Michael J. Clark, AICP, CZO, Planning Director
Jacqui Boykin, Police Chief
From: Michael J. Clark, AICP, CZO, Planning Director
Jacqui Boykin, Police Chief
Prepared by: Michael J. Clark, AICP, CZO, Planning Director
Jacqui Boykin, Police Chief
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider amendments to Section 130.01 of the Town's Code of Ordinances.

Background:

Apart from exceptions granted for designated areas or events, the Town restricts the consumption or possession of open alcoholic beverages to private property (§130.01). In light of emerging dining trends downtown and in other communities, as well as more permissive authority recently granted by State statutes, Staff reviewed the Town's regulations and found them much more restrictive than other communities in Wake County and the surrounding area. Other ordinances permit consumption of beverages on public sidewalks, or similar public areas, adjacent to establishments that currently serve alcohol.

An electronic survey was conducted to test the Town's current ordinance versus a more permissive ordinance. The survey registered 30% who strongly disagreed, and 29% who disagreed, with restricting consumption to private property per the Town's current ordinance. The survey further registered 54% who strongly agreed, and 29% who agreed, with a more permissive ordinance.

Similar to the current regulations permitting sidewalk displays (§99.06) and the consumption of food and non-alcoholic beverages on sidewalks or areas "intended for public use" (UDO: §4.3.5), the attached regulations permit the consumption of alcohol on public sidewalks or other public areas immediately adjacent to a property that has a valid ABC permit. The drafted regulations do not establish a social district or allow for the transportation of open alcoholic beverages from one location to another.

Information:

The Public Hearing is an opportunity to hear public comment on the drafted changes to the "Consumption of Alcoholic Beverages on Town Property" ordinance (§130.01).

Policy Analysis:

The 2030 Strategic Plan calls for a Vibrant Downtown and the most visual representation of this goal is pedestrian, commercial, and social activity on the sidewalks. The Comprehensive Land Use Plan notes that the Town should "Activate alleys and other

STAFF REPORT
TEXT AMENDMENT 130.01
ALCOHOL REGULATIONS
APRIL 4, 2022

underutilized spots as vibrant outdoor spaces to support Downtown businesses and provide more ways to access and enjoy Downtown destinations.”

Financial Analysis:

Operationally, the current regulations will require additional staff and other resources to enforce their compliance. The expectation of patrons and businesses, particularly influenced by COVID-related social distancing requirements, is to dine outside, weather permitting, with alcoholic beverages in adjacent proximity to establishments with ABC licenses. Given this expectation of patrons and businesses, Police will continue the *educate, warn, cite* strategy, coupled with an aggressive marketing and communications plan, on rules and regulations that will appear counter-intuitive. The enforcement and communication of the current ordinance is expected to have an additional impact on reinvestments of new businesses into older buildings within the Downtown Overlay District, resulting in additional code enforcement cases, decreased property values, and the loss of sales tax revenue from these, and ancillary, businesses.

If approved, the draft regulations maintain the Town’s competitiveness in attracting small restaurants, resulting in reducing the number of vacant buildings and the associated costs of code enforcement, while increasing property values and sales activity and their respective property and sales tax revenue. The draft regulations represent a logical expectation on the boundaries associated with alcohol consumption, and existing Police tactics focused on educating the community about the rules related to public consumption in and around alcohol establishments is not expected to increase.

Staff Recommendation:

Staff Recommends conducting a public hearing on this subject with the potential to deliberate and take action at a future Board of Commissioners Meeting.

Attachments:

1. Draft Language 130.01
2. Survey Results (As of 3/28/2022)

§ 130.01 CONSUMPTION OF ALCOHOLIC BEVERAGES ON TOWN PROPERTY.

(A) It shall be unlawful to consume alcoholic beverages on public streets or on property owned, occupied, or controlled by the ~~town~~Town, unless as authorized below.

(B) It shall be unlawful to possess an open container of alcoholic beverages on public streets or on property owned, occupied, or controlled by the ~~town~~Town, unless as authorized blow.

(C) The provisions of this section shall not apply to the following locations and/or events, upon obtaining a valid ABC permit:

(1) ~~Restaurants, private lounges, designated~~Designated areas at Five County Stadium, or receptions in areas designated by the Town of Zebulon.

(2) Receptions, fundraising events, or other events and activities designated by the Town Manager or designee.

(3) Permits as approved by the Chief of Police.

(4) Events on public streets, alleys, or parking lots within the town which are temporarily closed to regular traffic for special events as permitted by the Town of Zebulon.

(5) Public sidewalks and other public areas immediately adjacent to establishments with an approved ABC Permit, but not to include on-street parking areas, crosswalks, or travel lanes without prior authorization by the Town of Zebulon.

(D) For purposes of this section, an OPEN CONTAINER means a container whose seal has been broken or a container other than the manufacturer's unopened original container.

(E) ALCOHOLIC BEVERAGES includes intoxicating liquor, malt beverages, wine (fortified or unfortified) shall be as defined in G.S. Ch. 18B.

(F) Effective July 1, 2012, violation of this § 130.01 shall subject the offender to civil penalties of not more than \$50. Pursuant to G.S. § 160A-175, all criminal penalties for these violations as set out in G.S. § 14-4 are hereby removed. Civil penalties may be recovered by the town in a civil action in the nature of the debt.

(1985 Code, § 130.01) (Ord. 2010-05, passed 7-6-2009; Ord. 2013-01, passed 7-18-2012)

Statutory reference:

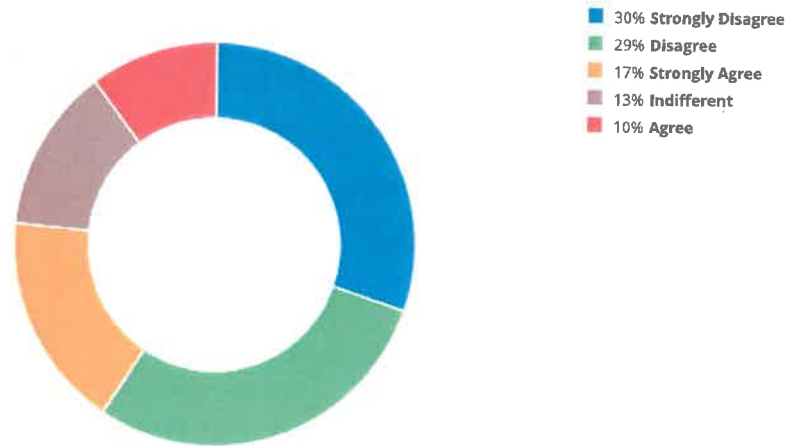
Drinking on public property, see G.S. § 18B-301, § 18B-904.1 § 160A-205.4

Beverages in Public Areas in Downtown Zebulon

Project Engagement

VIEWS	PARTICIPANTS	RESPONSES	COMMENTS
1,088	642	2,185	218

The consumption of alcoholic beverages should only occur inside a building or on private property.



630 respondents

In order to compete with nearby towns and communities, we will need to change our way of thinking on this issue.

3 days ago

I agree it should be consumed inside the establishment, but also outside on the sidewalk (if the business has an outside dining area)

3 days ago

It should be a decision of the business

4 days ago

I am assuming private property means the outdoor areas owned by the restaurant.

4 days ago

Sidewalk and ailey service please!

5 days ago

Many towns and cities allow sidewalk service within guidelines. Outdoor dining, including alcohol beverages adds an ambiance and attractiveness to downtown that will draw visitors and perhaps more renovations to existing buildings.

5 days ago

I think alcohol should be consumed in a building and not on public property due to issues that it may cause in public spaces.

5 days ago

Customers should be able to enjoy a beverage in common areas relaxing in a chair at a table in the middle of downtown if they please as part of a way to be more inviting for more people to come hang out downtown.

5 days ago

Definitely agree that alcoholic beverages should be allowed on the Business's property.

5 days ago

Adults should be able to take a drink outside, and in a public location.

5 days ago

In designated areas

5 days ago

I think this is a liability to other property owners neighboring and the town to allow alcohol to be consumed in public.

5 days ago

Agree.

8 days ago

Can this town offer something besides an alcoholic facility??

8 days ago

It promotes growth and revenue

8 days ago

I started coming to Zebulon for the ORD opening. Now there is Mythic Brewing. Hoping that more restaurants are to follow. It would be great if they were all integrated, like all the businesses were working together. "Controlled" alcohol consumption would help bring that together. Next a food court (Small business incubator)

8 days ago

It is ok for establishments to have an outdoor section, but they should not be using the sidewalks. Also, smoking should not be allowed on the sidewalks.

9 days ago

I think allowing a small outdoor section outside of the building would be acceptable, too

10 days ago

With the town developing downtown the way they do with alley restoration and curb appeal grants you'd think they would allow businesses to serve customers in these adjacent areas. Not keep customers confined to a building when they have other areas planned for serving. When establishments host food trucks etc customers shouldn't be constrained to enjoying alcohol only on premises.

10 days ago

It's outrageous this town becomes more and more filled with bars while we have nothing for our teens to enjoy

11 days ago

Unless there is a special event, a festival, a street fair, or the like with designated areas where alcohol consumption would be limited to designated areas, I feel where you buy the alcohol drink is where you drink the alcohol drink.

11 days ago

inside patio private property great

11 days ago

I strongly agree unless a special event is happening.

11 days ago

All through town

11 days ago

Patio tables outside should be able to serve alcohol. This would include the alley way beside The Fall Line and the front and rear of building.

11 days ago

But outdoor on property should be allowed.

11 days ago

I think we should have more shops & restaurants downtown. We already have variety bars & Valentine's shop.

11 days ago

I am not familiar with that scenario and it's effects. We sure don't want to see any drunkenness in public. That would bother me.

11 days ago

Need something that sets Zebulon apart from other towns in Wake County. What will attract folks from other towns to visit and spend \$\$\$ in Zebulon.

11 days ago

I think during certain times it should be allowed outside of buildings.

11 days ago

I believe there should be certain outside areas that allow for this. It creates a spirit of community and also helps police to use resources in better ways thsn issuing citations to people who stray 1 foot off from the establishment's perimeter. We need Zebulon to have a vibrant downtown!

12 days ago

Perhaps there could eventually be a annual "crawl" type event where restaurants or breweries could participate but other times it can be inviting trouble if some people can't be responsible adults with liquor/beer consumption.

12 days ago

Needs to be allowed in outdoor spaces within say 50 feet of the building and on sidewalk area if establishment has open bar area with seating without special use permits

12 days ago

Be responsible. Wouldn't that be nice.

12 days ago

This town is not large enough/laid out correctly to warrant or need a social district. It's not Raleigh or Durham and doesn't have anywhere you can go INSTEAD downtown/ in the commerce area if you don't want to be in the social/drinking district. If people need to drink outdoors, make it easier for restaurants/bars to have outdoor seating that is considered their own, even if it has to be closer to the sidewalk.

12 days ago

12 days ago

Why do we need intoxicated people outside setting an example for tlour kids.

12 days ago

If they are over 21 they should be able to consume it anywhere

12 days ago

You should be able to drink a beverage outside

12 days ago

Closed container with a straw. Stamp or bracelet limits 2 drinks

12 days ago

I think outside patios and street areas in front of an establishment that serves alcohol should be allowed to have patrons consume responsibly

12 days ago

Plastic cups to go.

12 days ago

Do not like how this question is worded. Inside a building and private property can be two different areas.

12 days ago

You should Be able to drink outside especially if you are on the restaurant property

12 days ago

The city need changes especially with the grow in our city

12 days ago

I'm a controlled area

12 days ago

If the restaurant or bar has outdoor sitting or game area then people should be allowed to have their drink there also. Most people like to sit outside and enjoy the sun and a nice drink.

12 days ago

This rule limits the number of patrons to occupancy limits. Now that retail and restaurants have had to adjust to pandemic issues, moving patrons outside, especially in nice weather, increases the number of people that can be served, as well as increases the revenue taken in by these establishments. This, in turn, increases tax revenue for the town. Win-win!

12 days ago

It's 2022! Get with it Zeb! We need fresh air and to LIVE!

12 days ago

Allowing for alcoholic beverages to be consumed outside building lets patrons walk the sidewalks, window shopping, having a few sips while walking to a restaurant nearby, or sitting in the community areas. I'm not sure of liabilities, but many other places do this.

12 days ago

Hey New Orleans does it.

12 days ago

Should be able to dine and drink outside the establishment

12 days ago

If they are standing outside the establishment just hanging out with friends or eating I don't see an issue. But if they outside being obnoxious or getting loud y disturbing the neighboring business then it's an issue.

12 days ago

Have an area where it is allowed. With so many adult beverage businesses in the downtown area it would be great to allow for co- mingling

12 days ago

What kind of language is going to be written into the ordinance? Only beverages purchased downtown in bars or will it include "all" business that sell alcoholic beverages, such as gas stations and grocery/drug stores? You have three gas stations within walking distance, Walgreens and Compare is soon to open, as well as possible alcohol being brought in on person.. A casual drink is one thing ~ intoxication is another. Already bottles,cups,and glasses are being left on sidewalk benches and curving.

12 days ago

Not in favor of just walking around drinking, but in designated areas within vicinity of establishment would be good. Nice to be outside.

12 days ago

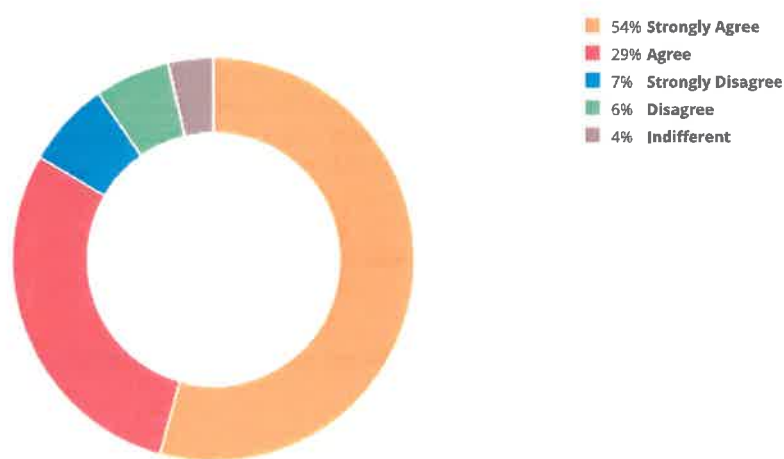
With limited space inside of some of these restaurants/businesses, consumption needs to occur. The line between the Fall Line and the "park" for example is very tight and the way it is designed appears to be one open space. Being able to use open space may drive more businesses and customers downtown. I would definitely attend a sip and shop event if that were an option.

12 days ago

If the outside has a patio or designated outdoor area, They should be allowed

12 days ago

Patrons should be able to consume alcoholic beverages in the public areas adjacent to an establishment.



609 respondents

More and more, family-oriented environments are becoming popular. Families enjoy time outdoors with the adults having an alcoholic beverage while kids play games and a dog enjoys being part of the experience.

3 days ago

If the business has an outdoor dining area & serves alcohol, yes you should be able to consume alcohol in the outside area (ex: The Fall Line). However, that being said, downtown does not need to "taken over" by every business having an outdoor dining area solely for the intent of alcohol consumption. We already have enough distilleries/bars & areas downtown for outdoor dining. We do not need to clutter up downtown to the point that people can't walk around or drive through. Plus we need to ensure there is room to allow downtown businesses to expand & be able to add parking space if needed. Or to add new buildings if needed.

3 days ago

From the photo I take it to mean should we allow outdoor sidewalk seating at restaurants and bars? I'm okay with that if there is enough space. Currently, I do not think our sidewalks are wide enough to accommodate this. Brandon has an ideal set up at the distillery with the covered outdoor seating.

4 days ago

If the tables and chairs are part of the establishment and the alcoholic beverages were purchased from the establishment, I think they should be allowed outdoors. But if the public property is a bench provided by the city, I do not think they should be allowed. In other words, I do not think you should allow people to purchase an alcoholic beverage and walk around downtown.

4 days ago

I agree as long as there is seating beside of the establishment. No alcohol on the streets and sidewalks.

5 days ago

YESSSSSS!!!!!!

5 days ago

See my comments to the first question

5 days ago

I fully agree with this.

5 days ago

We should be able to enjoy the outdoors around a restaurant or bar with an adult beverage.

5 days ago

I think the only time you can serve alcohol on the sidewalk should be at a restaurant that also is required to serve a full food menu. Not a bar with a food truck.

No one wants to pay the money to upfit these buildings to a restaurant. Its way easier to make it a bar. If they want to keep it a bar they must service there product inside there facility. I think the fall line is a awesome idea but in a horrible location for the town. I was very surprised this passed. I like Mike and think a lot of him and don't fault him for what he is doing. Most families that would really spend more money don't want to be hanging out with the drunks on the sidewalk downtown. Its not going to take much to lose the charm of zebulon and way harder to get it back.

5 days ago

the photos help a lot in discerning the meaning. thank you

5 days ago

As long as the establishment can police this area and keep them clean I feel these areas can be used by neighboring businesses.

9 days ago

The road through downtown is very busy. The last thing we need are drunks wondering the streets legally!

10 days ago

If the business agrees to it, only then should it be allowed

10 days ago

Many good opportunities for businesses to serve customers alcohol without hindering public walkways and spaces.

10 days ago

This has a potential for areas like the butterfly alley and The Fall Line, but I'm not sure where else this would be appropriate where it wouldn't have the potential to disrupt another business or public area.

10 days ago

It could get touchy if someone gets drunk it too tipsy.

11 days ago

Just let fall line drink in the park already their consumers don't know the difference.

11 days ago

very necessary especially as covid makes inside more challenging

12 days ago

Outside seating is fine as long as it stays confined to establishment

12 days ago

People are not responsible. Especially going adults who have just started drinking. Who will remove them if they are loud and obnoxious or dangerous because they're drifting around, and therefore a server or bartender is also not keeping up with their drinks from one place? Much more likely to overserve. I want to be able to walk around town even if I'm not drinking and still have fun, and that rarely happens in zones like this. Encouraging and allowing/enabling (through easier zoning and restrictions) restaurants to have their own outdoor seating where they can serve their own drinks is a better idea. There is not enough to do in this town socially and recreationally that this won't become the go to activity. I drink, but don't feel the need to try to party outside in public, which in a place like this is likely to be the outcome.

12 days ago

Agree if it is outdoor seating for an establishment- the question is too vague. I would not agree with someone supplying their own alcohol and hanging out in front of a store.

12 days ago

On special days like a parade, allow for closed containers with a straw and limit to 2- regulate by wearing a bracelet or stamp

12 days ago

A town of friendly people no longer be if alcohol is allowed to freely be.

12 days ago

If the person is being good and just enjoying friends, chatting and a drink I don't see a problem

12 days ago

I feel the "butterfly area" with the red tables are now part of the Fall Line I wouldn't feel comfortable getting a pizza with my kids and sitting at those red tables to hang out anymore.

12 days ago

Of course, they should! Allowing this brings more activity and patronage to downtown businesses. This is a positive all around. Making downtown more social is key to bringing it back to life. We are so lucky that we have retailers and restaurant/bar owners that WANT to establish a presence downtown. We need to embrace the growth and optimize the opportunities this offers the town.

12 days ago

Absolutely! No good reasons not. What's gonna happen on a slab of sidewalk different from steps inside a door? Silly question.

12 days ago

Responsible behavior and limitations.

12 days ago

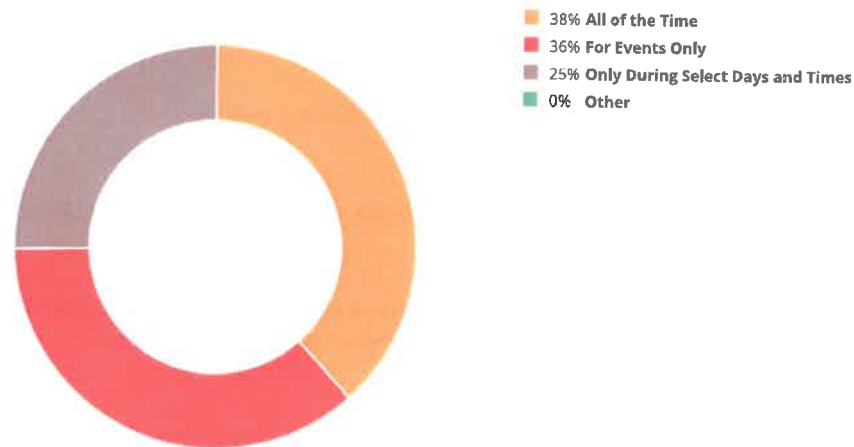
Only exception is if there is a festival or street fair and then contain the ability to consume alcohol to a restricted area.

12 days ago

With street parking, blind spots and inebriated people.....opportunity for getting injured by vehicles

12 days ago

Alcohol Should Be Consumed Anywhere in Downtown Zebulon



550 respondents

no alcohol should be permitted in sidewalks...it becomes a nuisance for those trying to get thru town. But inside or on their adjacent property. perfect!

3 days ago

I would suggest events AND certain times of the day.

3 days ago

My opinion is it's OK for alcohol consumption to happen inside the business that is serving alcohol (ie: distillery, bar, wine shop, restaurant), or on the sidewalk directly outside/adjacent to the business serving it (like the alley beside The Fall Line). There is no need to be able to consume alcohol publicly on all the streets downtown & inside retail shops (ie: clothing boutique, bakery, plant shop, etc.) unless there is a special event downtown where alcohol is approved/allowed (ie: festival, music concert, farmers market).

I feel that alcohol consumption should be limited to certain areas & certain events. We already have plenty of breweries/bars downtown. We need to start attracting Non Fast Food restaurants, more retail shops & places where families can go with their kids (entertainment complex ie: movie theater, bowling alley, arcade, updating our Parks)

3 days ago

Poll Questions 'Other' Responses:

Never

3 days ago

None

3 days ago

I'm not really sure what you're asking. If you're asking if we should be able to walk around with drinks in hand at any time, I say only if the streets are blocked off for outdoor festival with food trucks, live music ,etc.

4 days ago

For Events Only AND IN DESIGNATED AREAS ONLY

4 days ago

For events only AND in designated areas ONLY.

4 days ago

People should not be allowed to walk around downtown Zebulon with an alcoholic beverage.

4 days ago

None of the time in public areas!

4 days ago

None of the time!

4 days ago

My main issue with all the new business' coming to downtown Zebulon is:
Where is everyone going to park? We already have an issue with parking!!!

5 days ago

sensible times of course... would like to grab a beer and stroll around with it

5 days ago

The question is very vague. Consumption should be within the guidelines of sidewalk service.

5 days ago

I LIVE IN SURROUNDING AREAS AND DO NOT WISH ALCOHOL TO BE CONSUMED OUTSIDE OF RESTAURANTS. I REGULARLY PICK UP EMPTY BEER CANS AND BOTTLES OF ALCOHOL IN MY YARD AND ALONG STREET AND THIS WILL ONLY WORSEN THE SITUATION.

5 days ago

NEVER OUTSIDE OF PRIVATE RESTAURANTS I LIVE IN THE AREA AND DO NOT WANT ALCOHOL IN ADJACENT AREAS.

5 days ago

This is the hardest challenge to make it where people can enjoy it but not take advantage. You'll have those people late at night that will want to cause trouble but honestly that's anywhere if you have alcohol or not. I think if people want to have a drink outside of a shop that offers a chair and enjoy the drink with a slice of pizza or socialize with friends while having a drink there shouldn't be stipulations on it. I think it should be welcome. Some small towns are very open to this in other areas. Crime is going to happen no matter what anyway so we shouldn't let alcohol make the decision.

5 days ago

Alcohol should only be sold and consumed in permitted restaurants, bars and authorized public areas.

5 days ago

or during select times/ at restaurants or businesses

5 days ago

I feel this is a slippery slope for the town. This is mostly a family suburb not downtown Raleigh. We need restaurant to attract long term customers and a wide audience. I can tell you most people don't want to go downtown and have to listen to drunks yelling and the problems to naturally come with this. This should not be the progress the town should be pushing for. People that are interested in drinking on sidewalks and walking around drinking are not going to be the paying customers that will support downtown in the long run.

5 days ago

Assuming that there are wrist bands provided for those who consume alcohol to prove legal age requirements and extra law enforcement presence

5 days ago

No! Only at place that is licensed to sell alcohol.

8 days ago

NO! Only at place licensed to sell alcohol.

8 days ago

Start with events to work out the issues. Add more trash cans in the designated area.

8 days ago

Only within the confines of any establishment with current ABC permits.

8 days ago

Alcohol should be consumed ONLY within businesses with the proper ABC permits. Downtown Zebulon is becoming known as drunktown with the excessive amounts of bars/drinking establishments per capita. We're the Town of Friendly People, NOT the Town of Boisterous and Sloppy Drunks!

8 days ago

Any day after 2 PM

8 days ago

For downtown events when an area is roped off with Law Enforcement present I feel the community can enjoy the event and walk freely with beverages.

9 days ago

Anytime

9 days ago

Only on the property of the seller

10 days ago

Never just anywhere. Only on the proper of the selling establishment

10 days ago

Anywhere in food service bar areas

10 days ago

Anywhere in food service/bar areas

10 days ago

Directly in front of an establishment or adjacent with the applicable permits.

10 days ago

Only events, it would get out of hand otherwise

10 days ago

I think in certain instances this would be a good thing to have being we have multiple ABC establishments downtown. I do think having designated times would be something that should be implemented as you don't want people using that as an excuse to loiter and drink at all hours of the night etc. How much leverage do commissioners have in this issue? Seems like it's been a big concern for at least one of our newer commissioners Id love to know what makes them so against it. SB?

10 days ago

When I first read about social districts, I initially thought, "yay! what a great idea – we can freely do our knitting with wine out and about downtown." But then I really thought about it and realized an action like this really serves very little purpose to the greater good while also placing a greater and unnecessary burden on our already overburdened town resources.

We all want the family friendly, vibrant downtown our town officials continually speak of and that's the direction the downtown seems to be going. I ask the town officials if alcohol were to be permitted on all of the streets of our downtown, where does the additional trash, an ever-present alcohol aroma, and increase in general alcohol-inspired tomfoolery all sure to come fit into a family friendly vibrant downtown image?

I watch the town meetings. In a recent one, Chief Boykin stated majority of the time the department currently has only 2 officers patrolling the entire town. I also see online where Public Works seems to be unable to fill vacancies. With these two departments currently lacking the personnel resources to adequately tend to our growing and bustling little town, how could the town find the resources to monitor and patrol this new initiative?

In all honesty, if this vague survey is to truly assess the public's stance on public drinking and is indicative of the type of lackadaisical approach the town would take in implementing and monitoring this initiative, it's all extremely disappointing and a recipe for disaster. A quick-fix, band-aide solution to attract downtown visitors and boost the economy cannot be eliminated with minimal effort and it is not beneficial for the health of the town's future. If the town believes the only way the masses can enjoy their downtown is by allowing town-wide imbibing, I have to question how devoted the officials are to the long-term overall success of the town and request the officials do better.

Thanks for reading.

10 days ago

Never – even special events still should be contained within certain restricted areas for a multitude of reasons, not "anywhere in downtown Zebulon."

10 days ago

Hopefully to be similar to Savannah

10 days ago

Only at establishments serving alcohol. Not people just wondering around town drinking alcohol

11 days ago

No alcohol outside of building where sold

11 days ago

Solo dentro de los edificios en cualquier area del centro de Zebulon

11 days ago

Solo dentro de los edificios

11 days ago

And special events

11 days ago

I think this could include specific town events. I don't think for any event that someplace may host alcohol should be consumed all around down town. But if there is a large town event I think that is fine.

11 days ago

Never.

11 days ago

Off premise alcohol possession is rarely enforced in the first place so you might as well legalize it.

11 days ago

No

11 days ago

Never!

11 days ago

Never

11 days ago

None outside of establishment

11 days ago

It should be 7 days a week from noon to 10:00 PM.

11 days ago

Alcohol should only be consumed in licensed establishments. ZPD has enough to worry about w/o unruly, inebriated patrons.

11 days ago

Only in licensed establishments

11 days ago

N/A

11 days ago

If there is an event, it should be allowed in the event areas. It should be allowed in front of establishments during their normal business hours.

11 days ago

Would need to be closely monitored so none of these events turn into an unfortunate event.

11 days ago

And monitored. Don't want any tipsy or drunk folks walking off the curb into oncoming traffic...OR trying to drive down there.

11 days ago

Only in a cup, NO BOTTLES ALLOWED past establishment.

11 days ago

Not at all

11 days ago

Disagree

11 days ago

This rule should also only apply for alcoholic beverages that are bought at local establishments. You should not be able to buy alcohol from a gas station and walk up and drink on the side of the street.

11 days ago

I feel that it could be nice during events such as bar crawl. But I feel times should be limited to weekends only starting after 6 pm on Friday and not to go past 12am Monday morning.

11 days ago

Unfortunately, the community page and comments have shown that there are a lot of individuals that don't respect rules or appropriate behaviors. I don't think we should encourage drunk strolling in Zebulon. I think allowing it on certain days would be too confusing for some whereas events make sense.

12 days ago

Drinking is a choice not "your right"

12 days ago

No

12 days ago

Never

12 days ago

Never.

12 days ago

And only with an increased police presence on this event days.

12 days ago

Never

12 days ago

Yes

12 days ago

In venues/ on venues property.

12 days ago

None of the time

12 days ago

Not "anywhere" - only in front of the establishments where it is served.

12 days ago

With all of the development going on in and around Zebulon, it's way past time for the city to begin figuring out this and other things that will accommodate the rapid growth we are experiencing. We need to get ahead of this growth in ways that I fear few in charge have considered.

12 days ago

Plastic cups to go

12 days ago

Never

12 days ago

No

12 days ago

I just do not think 'having a traveller' is necessary at all to help brand and build character. I'm all for having a drink at an establishment, and we already have more than enough (5) downtown. Plenty of capacity without having to walk with one down the sidewalk.

12 days ago

Only inside buildings

12 days ago

Friday nights

12 days ago

What would prevent someone drinking alcohol not purchased from downtown merchants

12 days ago

Only inside of the building serving it!

12 days ago

Inside or outside a restaurant only. Not all over town

12 days ago

Not outside any time, any where. Only at establishment or outside the establishment

12 days ago

Never

12 days ago

At the business

12 days ago

Fri after 6pm, Sat all day

12 days ago

None of the time

12 days ago

Only in establishments

12 days ago

Let people roam all over Zebulon with alcohol?! That is just plain irresponsible. Shame on whoever put this survey together.

12 days ago

Never. What a stupid, dangerous idea

12 days ago

During Bussiness

12 days ago

We need to do what we can to support businesses in downtown. The town can't turn its back on businesses anymore.

12 days ago

During events and/or weekends until reasonable time(l.e 11pm)

12 days ago

Never

12 days ago

We don't need drunk folks wandering around town, we need to keep it family friendly.

12 days ago

No, don't need drunks wandering around town, we need it to be family friendly

12 days ago

I feel the "butterfly area" with the red table is now part of the Fall Line I wouldn't feel comfortable getting a pizza with my kids and sitting at those red tables to hang out anymore.

12 days ago

I have no problem with anyone enjoying a good beverage while enjoying an evening out in Zebulon. However; it seems like the ONLY establishments going in downtown are just bars.. Like, no bar and grills, no restaurants, nothing of real substance that would really make one interested in going downtown. With that said, I feel like there is going to be a lot more police issues with the open containers on the streets... No where to actually GO to, just wandering with open containers of alcohol.... Zebulon can do much better than this...

12 days ago

See below comment

12 days ago

Designated areas defined by alcohol serving businesses- during their business hours

12 days ago

Designated areas defined by alcohol serving businesses

12 days ago

Specific areas designated by the alcohol serving businesses

12 days ago

Adjacent areas only

12 days ago

-

12 days ago

Not in public only at the establishment provided.

12 days ago

Only in establish or in outdoor seating of the establishment

12 days ago

Only allow when local downtown bars/breweries are open/operating. And no byob allowed.

12 days ago

I think Thurs - Sun would be best. On weekend nights Fri and Sat it could be from 3p-11p or something reasonable

12 days ago

Depends what do you mean down town.

12 days ago

Never

12 days ago

Keep it inside only. Lived there my whole life and can't believe all the alcohol in downtown. Disgusting

12 days ago

Not a good idea unless you are going to at least double the police.

12 days ago

As long as they are not bothering other people I don't see an issue with it

12 days ago

With the exception it has to be alcohol purchased in the downtown establishments. Can't go in Walgreens and walk around with a 12 pack.

12 days ago

The city will become liable for anything that happens on their property! We do not need to encourage people walking around and drinking. Keep things family friendly!

12 days ago

Never

12 days ago

Downtown Zebulon is not just for adults... children, teens, and many who don't wish to have to be exposed to the potential risks have a right to enjoy downtown also. This has a thin line to walk...

12 days ago

Keep night life at night where more drunk drivers are so Zebulon can nab them better

12 days ago

For events AND select days and times

12 days ago

For events and during certain days/times.

12 days ago

Zebulon also needs to get some Uber drivers with the opening of the new establishments for those that would like a safe ride home

12 days ago

No. Never all over downtown.

12 days ago

No never

12 days ago

No. Never.

12 days ago

Never

12 days ago

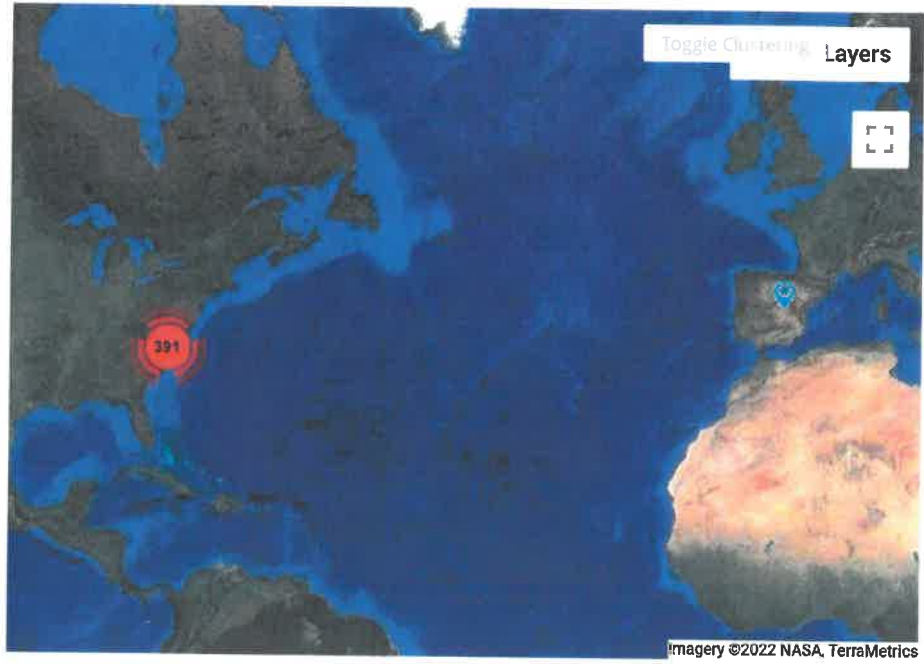
This is a poorly created survey. More thought should have gone into the wording.

12 days ago

For events only during certain days and times.

12 days ago

What is your Zip Code



**Zebulon Board of Commissioners
Work Session
Minutes
February 17, 2022**

Present: Glenn York, Beverly Clark, Quentin Miles, Shannon Baxter, Larry Loucks, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Bobby Fitts-Finance, Sheila Long-Parks and Recreation, Chris Perry-Fire, Chris Ray-Public Works, Jacqui Boykin-Police, Michael Clark-Planning, Eric Vernon-Attorney

Mayor York called the meeting to order at 4:00pm.

APPROVAL OF AGENDA

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

Joe Moore gave an overview of the topics to be discussed at the meeting. The creation of the Zebulon 2030 Strategic Plan was detailed and how the budget requests fit with the Zebulon 2030 Strategic Plan. The vision and mission of the Zebulon 2030 Strategic Plan were stated along with the Salary Market Study.

COMMUNITY NEEDS ASSESSMENT: POLICE, FIRE, PARKS & RECREATION

POLICE

Jacqui Boykin spoke about the capacity and capability requirements to serve a growing and diversifying community within the Vibrant Downtown, Small-Town Life, and Growing Smart focus areas of the 2030 Strategic Plan. There were examples given of the implications of the Police Department being short-staffed.

There was discussion about the Police Department's needs in diversity, recruiting, succession/retention, training, and policy management/accreditation. The budget request included two patrol officers and a police planner. The Town could apply for The Governor's Highway Safety Program grant which would fund a portion of the officer's salary, benefits, patrol car and equipment.

The demands for police services were changing and Chief Boykin spoke about the benefits of an accreditation program.

There was discussion about how to prioritize domestic calls. Chief Boykin explained law enforcement was asked to do things outside of their profession and was open to having discussions about alternative resources for domestic calls.

FIRE

Chris Perry spoke about the purpose of the fire department and the services they provided. Call volumes increased almost 20% in 2021. The response time goal was five minutes and thirty seconds. The Fire Department's goal was 90% which was met 84% of the time. The goal was only

met 41% of the time with simultaneous calls. There was discussion about the response from volunteers and other supporting departments. There were examples given of calls where there were limited firefighters on scene. The department faced challenges such as high turnover/low retention, weak succession plan, recruitment challenges/lack of applicants and wage compression. The salaries were much lower in Zebulon than in surrounding areas. Chris Perry spoke about the pay compression issues in the department and ways to address inadequate staffing and pay issues. It would cost \$165,000 to add two additional firefighters in FY 23. The County's share would be \$61,000 and the Town's share would be \$104,000. Three additional firefighters were proposed for FY 24 which would provide one additional firefighter per shift. The current salary schedule and an example of a future salary schedule were shown.

The cost associated with the Child Seat Safety Program was the certification and recertification cost and the Fire Department performed approximately 75-100 inspections per year.

There was discussion about a Fire Department administrative position.

PARKS & RECREATION

Sheila Long spoke about the primary services of the Parks and Recreation department. The vision goals were explained and how they tied into the Town's strategic plan goals.

There was discussion about the capacity and capability of the department to serve a Town of 18,000.

Some of the budget requests included a full-time parks maintenance employee, athletics support, recreational opportunities and a downtown concert series.

The recommended projects and positions for FY 24 through FY 28 were detailed.

It was explained the Town had a Joint Use Agreement with the two elementary schools to use their outdoor courts. There was discussion about renting indoor courts at the schools.

Sheila Long passed out a draft of 2022 calendar events.

Staff was looking for opportunities for neighborhood-based events.

There was interest among the Board for the Town to organize a downtown concert series.

Joe Moore gave a summary of each department's budget request at the meeting. The next community assessment work sessions were scheduled for March 17 and April 21. The budget work sessions were May 10, 18 and 26 with a budget ordinance public hearing on June 6.

FIRE/EMS STATION: MEMORANDUM OF UNDERSTANDING

Chris Perry gave a presentation and spoke about the various services provided by the Zebulon Fire Department. In 2021, the Fire Department saw a 20% increase in call volume due to the growth of the community. The response time goal was five minutes and thirty seconds. A map showing the

travel time was shown. The current fire station would not continue to meet the service demands as the Town grows.

The current fire station facility deficiencies were stated. Some of the options from 2017 for a new fire station were shown. The 2018 Brooks Innovative Solutions Study was given to the Board at their 2018 retreat and their recommendations were summarized. It was recommended to upgrade and relocate Fire Station #1 to a more centralized location. There was discussion about the opportunity to retain a Wake County EMS station in Zebulon by co-locating at the same site. It was explained how the consultant evaluated potential fire station sites and why the GSK site was the one chosen. The GSK site was in the target area, accessible and the most affordable site. There was an agreement on funding partnership with Wake County and they have agreed to manage design and construction. Wake County would contribute 49%, 20% would be from EMS and 29% would be fire tax. The next steps were outlined and included:

- A Memorandum of Understanding with Wake County for a station design
- Public engagement was included in the design project
- Design costs were included in the current budget and shared by Zebulon and Wake County

Chris Perry answered frequently asked questions he received included building a smaller substation, the municipal complex site, consequences on waiting to build the station and concerns about building on Judd Street.

There was discussion about the required lot size for a fire station. Collaborating with EMS provided the Town with funds to build the fire station and ensured the Town had an EMS station close by. The fire station could cover 85% of calls if the station was in the right location, but a second station would eventually be needed with the growth of the Town. Wake County would participate in the building of one station. There was a cost share methodology with the County about operating expenses.

It was stated the GSK property was selected as the primary fire station location and discussion about other possible locations for the fire station.

There was consensus from the Board that more information on the fire station and other options needed to come back before the Board.

UTILITY ALLOCATION POLICY

Michael Clark explained water allocation was a means for the Board to incentivize land use development that reflected a vibrant, growing community that maintained its small-town charm and heritage. The presentation provided a “report card” concept that Commissioners could use to grade proposed developments against their attainment of policy goals (ex. Comprehensive Land Use Plan, Parks and Recreation Master Plan). Michael Clark explained the structure of the policy and gave examples of the point structure. The goals of the policy were stated:

- Raise the bar on new development
- Incentivize target developments
- Leverage finite resources
- Shift the burden for land to be provided for future parks and greenways

- Focus on quality of life

A Water Allocation Policy was scheduled for presentation at the Joint Public Hearing on March 14, 2022 with a possible adoption in April.

It was stated the policy was comparable to the water and utility policies in Wendell, Knightdale and Clayton.

FIVE COUNTY STADIUM: PLAYER DEVELOPMENT & LEASE AMENDMENT

Chris Ray presented an overview of Major League Baseball's Player Development requirements and how they could influence the alteration of Five County Stadium. Some of the costlier items included field replacement and upgraded lighting. The County was working with the consultant to bring data to the Wake County Board and Zebulon's Board of Commissioners to meet the new standards.

The Town's financial contribution would be determined after receiving the report then through negotiations with the County and the Milwaukee Brewers.

It was explained an ADA Accessibility project was done by adding additional bathrooms and ADA access and would be included in the assessment.

Commissioner Loucks asked if the Town's usage of Five County Stadium could be increased. Chris Ray stated that could be revised in the new lease agreement.

Eric Vernon spoke about the following concerns with Five County Stadium:

- Existing lease
- Mudcats' desire to extend the lease
- Major League Baseball's improvement initiative
- Cost of compliance
- Next steps

Mr. Vernon presented the details of the proposed lease amendment for the Mudcats use of Five County Stadium.

The Wake County Commissioners would consider the lease extension at the February 21, 2022 meeting.

BOND REFERENDUM: BOND COUNSEL, FINANCIAL ADVISOR, ENGAGEMENT

Bobby Fitts followed-up on questions raised at the Board's December work session and offered more detailed information about the role and cost of bond counsel, financial advising, and public information messaging associated with the bond referendum process. The services to be provided by the financial advisor were explained.

Examples of public engagement videos from Fuquay-Varina and Garner were shown. Bobby Fitts explained that the Town and staff could not advocate for the bond, only educate.

Board of Commissioners
Minutes
February 17, 2022

There was mention of Senate Bill 265 which was a Bond Transparency Act. A summary of the costs was shown, and it was explained any fees could be rolled into the bond issuance.

The Town's bond rating was AA3.

If the Board wanted the bond referendum added to the November ballot, a decision would need to be made soon.

There was discussion about the prices for a stormwater infrastructure update.

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

Adopted this the 4th day of April 2022.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk

Zebulon Board of Commissioners
Minutes
March 7, 2022

Present: Glenn York, Beverly Clark, Quentin Miles, Larry Loucks, Shannon Baxter, Jessica Harrison, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Jacqui Boykin-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Eric Vernon-Town Attorney, Sam Slater-Town Attorney

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

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by student Gavin Farriss.

APPROVAL OF AGENDA

Commissioner Baxter amended the agenda to add a detailed expenditure request for line item 10-410 and The Mayor's Monarch Pledge to the agenda.

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

SCHOOL RECOGNITIONS

Mayor York recognized student Gavin Farriss and teacher Rebecca Cone, both from Wakelon Elementary School.

PRESENTATIONS

A. Proclamation – Women's History Month

Commissioner Baxter made a motion, second by Commissioner Clark to approve the Proclamation for Women's History Month. There was no discussion and the motion passed unanimously.

B. FY 22 Audit Presentation

Bobby Fitts gave the FY 2021 audit highlights. The assessed valuation had increased 19.3%, fund balance had an increase of 18.6%, tax collections increased 8.0% and the outstanding debt decreased 14.5%. The Town's principal taxpayers were GSK at 26.4% and Truist at 13.1%.

Cynthia Biggar, from Mauldin & Jenkins, introduced her firm, spoke about the audit process and gave the 2021 audit results. There were no issues found during the audit.

Commissioner Loucks asked Ms. Biggar to email the PowerPoint presentation to the Board and asked if there were any software glitches. It was stated there were no software issues and no material weaknesses or deficiencies were found.

All processes for the Town were reviewed including cash receipts, accounts payable, revenue recognition, contract approval, bidding, internal security and cyber security.

It was stated the Town received the first disbursement of ARPA funds after July 1, 2021 and was not included in the FY21 audit.

Mayor York commended Mauldin & Jenkins on their thoroughness and thanked Town staff for their work on the audit.

PUBLIC COMMENT PERIOD

Honey Wiggs, the President of the Zebulon Rotary Club, spoke about upcoming events including the Business After Hours on March 10 at the Zebulon Women’s Club and the Annual Day of Service on April 23.

CONSENT

A. Minutes

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the February 7, 2022 regular meeting. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the February 7, 2022 closed session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the February 23, 2022 retreat. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the February 25, 2022 special called meeting. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Clark made a motion, second by Commissioner Loucks to approve the Wake County tax report – December 2021. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the monthly financial report. There was no discussion and the motion passed unanimously.

C. Police

Commissioner Clark made a motion, second by Commissioner Loucks to approve the 2022 Governor’s Highway Safety Program Grant Process. There was no discussion and the motion passed unanimously.

D. General

Commissioner Clark made a motion, second by Commissioner Loucks to approve the Five County Stadium Lease Agreement – Second Amendment. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. General

1. Rotary Club “Flags for Heroes” Zebulon Municipal Complex Facility Use Application
Chris Ray stated there was a request from the Zebulon Rotary Club to use the Municipal Complex from May 27 through June 14 to install 125 10-foot American flags to recognize our veterans and other local heroes. The Rotary Club was requesting a waiver from the facility use fee.

Commissioner Baxter inquired if there would be placement of flags on Arendell Avenue. The flags would be inside the fence at the Municipal Complex.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the Rotary Club “Flags for Heroes” Zebulon Municipal Complex Facility Use Application with the fee waiver. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Parks and Recreation

1. Resolution 2022-12 – Downtown Event: Spring Festival

Sheila Long presented the request to close roads and allow consumption of alcohol within the designated event boundary of a Spring Festival. The festival would require closing the following:

- Arendell Avenue from Vance St. to Sycamore St.
- Sycamore St. from Arendell to N. Poplar St.
- Horton St. from N. Church St. to Poplar St.
- The downtown public lot and adjacent alley to Horton St.

The adoption of the resolution would also allow consumption of alcohol within the festival boundary during the event’s operating hours from 4PM to 9PM.

Commissioner Miles asked about a designated area for alcohol consumption. Sheila Long explained there could be a designated area but the downtown businesses would not benefit as much if the area was limited.

Outside alcohol would be controlled by issuing wristbands to patrons. The Town had event liability insurance and could ask participating businesses to provide a certificate of insurance.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve Resolution 2022-12 – Downtown Event: Spring Festival. There was no discussion and the motion passed unanimously.

B. Detailed Expenditure Report for 10-410

Commissioner Baxter asked for a detailed expenditure breakdown for 10-410. Bobby Fitts stated he would email that information to the Board.

C. Mayor’s Monarch Pledge

Commissioner Baxter stated the Board received a request for the Town to join the Mayor’s Monarch Pledge. Mayor York stated he had signed the pledge.

BOARD COMMENTS

Commissioner Loucks thanked Sergeant Pulley and Officer Dobson for their work with the Special Olympics and reminded everyone to sign up for Ready Wake for severe weather notification.

Commissioner Clark welcomed Jessica Harrison to the Board.

Commissioner Miles welcomed Jessica Harrison and reminded everyone it was Women’s History Month. The Parks and Recreation Department was looking for volunteers for youth coaches and reminded everyone about the activation artist butterfly contest. Commissioner Miles spoke about the emergency supply drive hosted by Miss Zebulon and gave remembrance to Andy Gay.

Commissioner Baxter spoke about events coming up including bingo and a work session on March 17. The St. Patrick’s event would be Saturday, March 19, the Board mini-retreat was scheduled for March 24 and Superhero Day was on March 26.

There was mention of Emergency Preparedness Week and congratulations to Tivon Howard for running for Wake County Sheriff.

Mayor York welcomed Jessica Harrison to the Board, thanked Commissioner Miles, Commissioner Loucks and Town Manager Joe Moore for joining him at the recent Wake County Board meeting and thanked Commissioner Baxter for joining him at the Coffee Connection event.

MANAGER’S REPORT

Joe Moore stated a Joint Public Hearing was scheduled for March 14, 2022. The March 17, 2022 work session would begin at 4:00pm and Mr. Moore spoke about the topics to be discussed at the meeting.

On March 24, 2022 the Board would have a mini-retreat at Zebulon’s Industrial Park.

Bobby Fitts reported the following budget transfers:

Planning:

Moved \$1,500 from Professional Services to Advertising;
Moved \$210 from Minimum Housing to Insurance & Bonds

Operations:

Moved \$4,000 from Insurance & Bonds to Vehicle Maintenance; Moved \$2,000 from Contract Services (Yard Waste Management) to Materials & Supplies – Stormwater

CLOSED SESSION

Per N.C. General Statute § 143-318.11(a)(3): “To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body

Board of Commissioners
Minutes
March 7, 2022

is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.”

Commissioner Loucks made a motion, second by Commissioner Baxter 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 Loucks to come out of closed session. There was no discussion and the motion passed unanimously.

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

Adopted this the 4th day of April 2022.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk

**Zebulon
Joint Public Hearing
Minutes
March 14, 2022**

Present: Glenn York, Beverly Clark, Quentin Miles, Shannon Baxter, Jessica Harrison, Larry Loucks, Joe Moore-Town Manager, Stacie Paratore-Deputy Town Clerk, Michael Clark-Planning, Meade Bradshaw-Planning, Aaron Chalker-Planning, Jacqui Boykin-Police, Sam Slater-Attorney

Planning Board Present: Laura Johnson, Michael Germano, David Lowry, Stephanie Jenkins
Absent: Joshua Robinson

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

PUBLIC HEARING

A. Rezoning E. Gannon Ave. at Old US 264

Mayor York opened the public hearing.

Aaron Chalker gave a presentation stating the applicant, Bunn Farms, Inc. requested a rezoning of a 9.8-acre parcel from Residential Suburban (R2) to Heavy Commercial (HC). The property was located on the south side of E. Gannon Avenue and Old US 264 Hwy intersection. The vacant parcel was located within the Town's ETJ and must be annexed before it was developed.

The future land use map, aerial map, zoning map and pictures of the property were shown. The list of permitted uses or uses allowed with a Special Use Permit in the HC District were shown. Some examples given were religious institutions, urgent care, automotive repair and services, convenience store with and without gasoline sales, hotel or motel and retail.

The future land use and character map were shown. The subject property showed a future use of General Commercial which was typically along primary roadways with high visibility and accessibility. Primary land use types within the General Commercial designation included commercial retail, office and service.

The Town's Transportation Plan designated Old US 264 Hwy as a four lane divided highway and E. Gannon Avenue as a two lane divided roadway. Upon development of the property, the developer was responsible for road improvements from the center line to the property line.

The fiscal analysis of the potential property tax for the site was shown. Staff recommended the Board's consideration of public comments and approval of the rezoning.

Commissioner Baxter asked if a fee-in-lieu would be accepted from the developer for road improvements. It was explained a fee-in-lieu was not accepted for road improvements

Joint Public Hearing
Minutes
March 14, 2022

Commissioner Miles inquired about the costs for the Town. Aaron Chalker stated once the right-of-way was dedicated as a public street, the Town would then take over maintenance. There was water and sewer near the subject property and all the commercial properties along the road were served by water and sewer.

Michael Germano expressed concerns about businesses that could be allowed in the space. Staff could not impose any conditions on the rezoning since it was not a conditional rezoning. Any use permitted in the Heavy District was allowed.

There were concerns expressed about an automotive store, pawn shop, flea market or vape shops going into the subject property.

The entrance could be on either E. Gannon Ave. at Old US 264 and NCDOT would be involved with the driveway permit. There was no plan for a traffic light at this time.

There were questions about a TIA. Arron explained a traffic impact analysis was not required at this stage. It would depend on what uses were proposed one was to be performed.

Several Commissioners asked about what was being planned for the site. Brent Purdum at Bowman NC Civil Engineers explained the applicant was unable to have commitments from businesses until the property was rezoned. There was interest from restaurants and retail stores.

Mayor York asked if the Board had any questions. There were none.

Mayor York asked if the Planning Board had any questions. There were none.

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

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

Mayor York closed the public hearing and referred the matter to the Planning Board.

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

Adopted this the 4th day of April 2022.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk

Zebulon Board of Commissioners
Work Session
Minutes
March 17, 2022

Present: Glenn York, Beverly Clark, Quentin Miles, Shannon Baxter, Larry Loucks, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Bobby Fitts-Finance, Sheila Long-Parks and Recreation, Chris Perry-Fire, Chris Ray-Public Works, Jacqui Boykin-Police, Michael Clark-Planning, Eric Vernon-Attorney

Mayor York called the meeting to order at 4:00pm.

APPROVAL OF AGENDA

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

Mayor York introduced student Vianka Guillen who was volunteering with the Town of Zebulon.

Joe Moore gave an overview of the topics to be discussed at the meeting.

FIRE/EMS STATION: MEMORANDUM OF UNDERSTANDING

Chris Perry gave a follow-up presentation on the Fire/EMS project. The 2019 map showing the potential Fire Station sites was shown and the site evaluation was explained. The criteria included 2.5-3 acres, was it acceptable for EMS co-location, location in relation to the target, and roadway with operational capability. It was explained how the identified properties were now unacceptable based on the criteria. The two potential sites were the GSK property and the Tart property and the comparison of each were explained. The total estimate for the GSK property was \$720,000 and the Tart property was \$3,910,000 due to the uncertainty of the soil and environmental survey.

Chris Perry answered questions from the last work session:

- EMS would pay a share of operational costs based upon their usage of the building
- An estimation of how many responses the new facility could handle
- Memorandum of Understand follow-up

It was stated it took about 15 seconds for a fire truck to navigate an intersection.

The funding for the fire station from Wake County was discussed, and it was explained it came from two funding sources: Wake County General Fund and Fire Service Tax Fund.

The Town had not asked Wake County to help with the purchase of the land. Commissioner Baxter asked staff to inquire about the flexibility of the price on the Tart property.

Joe Moore spoke about how the budget requests met with the Town's Strategic Plan.

COMMUNITY NEEDS ASSESSMENT: LEGAL, PLANNING, PUBLIC WORKS

LEGAL

Eric Vernon spoke about the duties and responsibilities of the Town Attorney, analysis and evolution of legal services, legal resources and projects and the legal department budget.

A cost comparison from 2016 to 2021 and a more detailed year to year analysis were shown. There was discussion about specific projects that caused higher than normal expenses.

The legal budget request for FY 2023 was \$275,000. The total represented an increase from the actual fees billed in FY 2022 and was based on case experiences in the first six months of FY 2022.

There were questions on what percent Wake County paid of the Town of Zebulon legal fees. It was explained in the negotiations with Five County Stadium Wake County paid 100% of their attorney's fees and the Town paid 100% of their attorney's fees.

PLANNING

Michael Clark spoke about the current services offered by the Planning Department. The community growth assessment was shown. Zebulon was expected to have a population of 18,000 by 2028. There was discussion about the current capabilities and staff structure of the Planning Department.

To continue and maintain the level of service of the Planning Department, the Town needed to invest in current staff, hire an economic development specialist and join the NC Main Street Program. The Planning Department requested \$166,000 in the FY 23 budget for the economic development specialist and to advance into the NC Main Street Program.

The Board of Commissioner recessed for 45 minutes.

PUBLIC WORKS

Chris Ray spoke about the services Public Works offered and gave the capacity assessment. The geographic and volume growth were explained and the impacts of each were given.

Over the last 10 years, the Town roads, sidewalks, pipes and residences had increased without increasing staff. Public Works was serving more people with fewer resources. The department was facing recruitment challenges, turnover with staff and a lack of succession planning and solutions for each were discussed. Staff requested \$420,000 in the FY 23 to cover new positions, market adjustments and career ladder.

There was discussion about the budget requests to cover the needs for the Public Works facilities and maintenance yard.

There were questions about how the positions were advertised and Chris Ray and Lisa Markland explained the process.

Commissioner Baxter asked about no longer picking up bulky waste to save some money. Chris Ray stated that bulk waste was a revenue stream for the Town through the fee that was charged to the homeowner. If the service was taken away the Town would lose money and could potentially become an issue for code enforcement.

Joe Moore spoke about the budget purpose, schedule and process. The budget message would be May 2 with budget work sessions on May 10, 18 and 26. The budget ordinance Public Hearing was scheduled for June 6.

UTILITY ALLOCATION POLICY

Joe Moore stated the presentation was a follow-up from the February work session. The Board was given detailed information on the point system to incentivize land development proposals.

Michael Clark presented the policy and explained the base point and bonus points. A total of 50 points would be needed. It was explained how a developer could receive base points as well as bonus points. Some of the examples for bonus points were green development standards, outdoor enhancements, transit improvements, and certain amenities.

Staff gave options to the Board to 1) obtain public input at a Joint Public Hearing, 2) revisit the point structure, or 3) explore options other than a Utility Allocation Policy.

There were four other communities in Wake County who had a similar system.

It was stated another option was to amend the UDO to raise the bar with each category, but that limited the flexibility for developers. The system allowed for the Town to achieve quality developments that fit the character of Zebulon.

BOARD OF ADJUSTMENT

Joe Moore stated the Town's Board of Adjustment heard appeals from decisions of the Zoning and Enforcement Official and granted variances to the zoning ordinance.

Michael Clark explained the requirements for the Board of Adjustment under § 160D-302. The statute allowed the Board of Adjustment duties to be delegated to the Board of Commissioners or the Town Planning Board.

There was low participation and quorum due to the infrequency of the meetings. There had only been seven appeals in the last 20 years. Some options if the Board remained as a stand-alone board was to hold monthly meetings, but there were costs and resources associated with holding more meetings. Funding was needed for training to ensure the Board was up to date on current regulations.

The options included retaining a separate Board of Adjustment, transfer powers to the Planning Board or transfer powers to the Board of Commissioners.

It was explained how the Board of Adjustment members could be involved in the community in a different capacity.

There was discussion about ETJ representation on the Board of Commissioners.

There was a consensus among the Board for additional information about training from NCLM and the School of Government

BOND REFERENDUM: BOND COUNSEL, FINANCIAL ADVISOR, ENGAGEMENT

Bobby Fitts handed out a sample of a Preliminary Findings Resolution which needed to be approved by the May 2, 2022 meeting to be added to the November 2022 ballot and an Ordinance to appropriate funds to begin the bond process.

The breakdown of the total bond was based on the Board's priority and the fees for the bond were explained.

Commissioner Clark suggested adding the bond referendum to the November 2023 election cycle to allow more time.

The consensus of the Board was to wait and have more time to discuss the bond referendum before making a decision to hold it in 2022 or wait for 2023.

Staff would have a calendar adjustment at the April meeting for the Board to consider adding a meeting to discuss the bond referendum.

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

Adopted this the 4th day of April 2022.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk

Zebulon Board of Commissioners
Special Called Meeting
Minutes
March 24, 2022

Present: Glenn York, Beverly Clark, Larry Loucks, Quentin Miles, Shannon Baxter, Jessica Harrison, Joe Moore-Town Manager, Michael Clark-Planning, Chris Ray-Public Works, Chris Perry-Fire, Lisa Markland-Town Clerk, Eric Vernon-Attorney, Sam Slater-Attorney

Mayor York called the meeting to order at 9:00am.

CLOSED SESSION

Per allowed per N.C. General Statute § 143-318.11(a)(3): "...to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged..."

Commissioner Baxter made a motion, second by Commissioner Clark to go into closed session. There was no discussion and the motion passed unanimously.

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

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

Adopted this the 4th of April 2022.

SEAL

Glenn L. York—Mayor

Lisa M. Markland, CMC—Town Clerk

Zebulon Board of Commissioners
Closed Session
Minutes
March 24, 2022

Present: Glenn York, Beverly Clark, Quentin Miles, Shannon Baxter, Larry Loucks, Jessica Harrison, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Michael Clark-Planning, Chris Perry-Fire, Chris Ray-Public Works, Eric Vernon-Attorney, Sam Slater-Attorney

NOTE: In open session, Commissioner Baxter made a motion, second by Commissioner Clark to go into closed session. There was no discussion and the motion passed unanimously.

Sam Slater gave an update on the Autumn Lakes dispute. The engineers for Autumn Lakes stated it would cost \$555,000 to build the 350 ft. of pavement, where the Town stated it would cost \$831,000. The attorneys representing Autumn Lakes offered \$188,000 and the Town countered at \$831,000. The other side had a follow-up offer of \$376,000.

It was stated the Town had spent approximately a couple of thousand dollars on the Autumn Lakes negotiations. There was discussion about getting them to pay the Town's attorney's fee and it was explained we were unable to recovery attorney's fees, no matter what the outcome.

There was discussion about parameters for a counteroffer amount.

There was consensus among the Board to counter at \$750,000 then gave permission to the town attorney to counter again at \$700,000. The minimum amount the Board was willing to go was \$650,000.

Commissioner Loucks made a motion, second by Commissioner Baxter to come out of closed session. There was no discussion and the motion passed unanimously.

Adopted this the 4th day of April 2022.

Glenn L. York—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk



Board of Commissioners
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180
FAX 919 856 5699

SIG HUTCHINSON, CHAIR
SHINICA THOMAS, VICE-CHAIR
VICKIE ADAMSON
MATT CALABRIA
MARIA CERVANIA
SUSAN EVANS
JAMES WEST

March 10, 2022

Ms. Lisa Markland
Town Clerk
Town of Zebulon
1003 North Arendell Avenue
Zebulon, North Carolina 27597

Dear Ms. Markland:

The Wake County Board of Commissioners, in regular session on March 9, 2022, approved and accepted the enclosed tax report for the Town of Zebulon.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in cursive script, appearing to read "Yvonne Gilyard".

Yvonne Gilyard
Deputy Clerk to the Board
Wake County Board of Commissioners

Enclosure(s)

Tax Committee Meeting: 02/17/2022

Board of Commissioners Meeting: 03/09/2022

TO: Wake County Board of Commissioners and Town Board of Zebulon

FOR: Consideration of Requests for Adjustments, Rebates, and/or Refunds of Penalties

Approved by:



The Wake County Tax Committee has approved the following policy to recommend relief of the late listing and/or vehicle penalties when at least one of the following conditions apply:

Relief Codes:

- 1. New to North Carolina
- 2. First time listing
- 3. Previous year listing on time
- 4. Omitted item(s) from listing - Current/previous listing on time
- 5. Military Deployment
- 6. Provided proof of timely listing

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Late List Appealed	Appeal/Request Type	Recommendation	Relief Code
17993	ABC PHONES OF NC INC MARVIN F POER PO BOX 52427 ATLANTA GA 30355	BUSINESS PERSONAL PROPERTY ZEBULON	0006503893 2021 Paid in Full	\$43.64	Late List Penalty	Granted	6
18017	BANC OF AMERICA LEASING & CAPITAL 2059 NORTHLAKE PKWY TUCKER, GA 30084	IRP VEHICLES ZEBULON	0006903445 2021 Not Paid	\$2,032.11	Late List Penalty	Granted	6
18037	WM COMPACTOR SOLUTIONS INC MARVIN F POER & CO PO BOX 52427 ATLANTA GA 30355-0427	BUSINESS PERSONAL PROPERTY ZEBULON	0006483758 2021 Paid in Full	\$6.00	Late List Penalty	Granted	6


This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary



Marcus Kinrade, Tax Administrator

Topic: FY 2022 Monthly Financial Statement Update

Speaker: Bobby Fitts, Finance Director (if pulled from Consent)
Prepared by: Bobby Fitts, Finance Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

This monthly report summarizes the status of the Town's revenues and expenditures.

Background:

The attached financials are a summary of revenues and expenditures to date. These monthly reports are provided to inform the Board of revenue and expenditure trends throughout the year. The enclosed statements are through March 21, 2022.

Information:

FY '22 Expenditures

More than eight and a half months into Fiscal Year 2022 (72%), the Town has spent approximately \$8,161,000 (~48% of its General Fund budget of \$17,036,203). All departments are operating within budgeted expenditures at this point in the fiscal year.

A few individual line items within some departments will go over their budget due to either market conditions (fuel), unanticipated repairs (Fire), and staff coverage to serve a growing service area (Police, Public Works). Rising fuel costs have impacted all departments, but the Fuel Expense line item of Police, Fire and Public Works will see the biggest impact. The Vehicle Maintenance line item in the Fire Department is over budget due to a couple of unexpected large repairs, such as new brake drums on the tanker and transmission and fuel injection problems on the brush truck. Overtime Salaries in Public Works and Police will exceed their line item budgets due to transitions in staffing and covering larger service areas.

When line-item shortfalls occur, they are covered initially through budget transfers from other line items within the department, and then budget adjustments from other departments or funds.

FY '22 Revenues

The following summary provides insight into the revenue activity of the current fiscal year:

- Property Tax (largest revenue stream)
 - + FY 2022 collections: \$7,961,836 collected to date (104% of \$7,628,000 budget).
 - + Observations:
 - # 9.1% more than collected last fiscal year (\$7,298,771).
 - # Majority of property taxes have now come in.
 - # There are 4 months of vehicle tax remaining to be collected as well.

- Sales Tax (second largest revenue stream)
 - + Comparisons (December's sales (reports lag 3-months)):
 - # \$73,221 (57.1%) more collected than last December for all sales tax.
 - # \$32,305 (55.4%) more collected than last December for "local" sales tax.
 - + Year-to-Date comparisons
 - # \$336,884 (+51.3%) more collected than at this time last year for all sales tax
 - # Collections represent 77% of budgeted revenues at 50% of the fiscal year.
- Utilities Sales Tax (5% of revenue stream): second quarterly disbursement received March 15
 - + FY 2022 (2nd quarter totals) (reports received quarterly)
 - + \$8,184 (5.9%) collected above FY 2021 actual for same quarter
- Permits & Zoning
 - + \$144,145 collected total (66% of budgeted revenues (\$220,000))
 - + 39.3% less than what was collected this time last fiscal year (\$183,548).
 - + An indication of development activity and corresponding support services.
- Transportation Impact Fees
 - + \$236,030 collected to date (118% of budgeted revenues (\$200,000)).
 - + 32.5% less than what was collected last fiscal year.
 - + Revenue placed in reserve for transportation projects to be spent within 10 years

Policy Analysis: N/A

Financial Analysis: Budgeted revenue in FY 2022 is \$17,036,203 while year to date revenue collected was \$12,138,810 (71% of budgeted). As shown in the chart on the Revenue Statement, 66.7% of year-to-date revenues come from property taxes as the large majority of the total for the year has been collected.

Staff Recommendation:

No staff recommendation or Board action is necessary. These are informational only.

Attachments:

1. General Fund Fiscal Year 2022 Expenditure Statement and Revenue Statement (as of March 21, 2022)
2. Sales Tax – FY 2022

ZEBULON

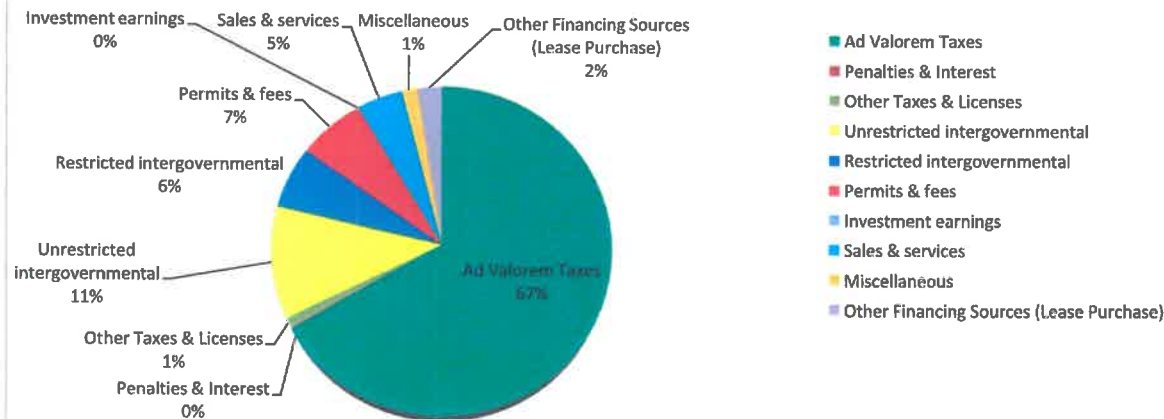
NORTH CAROLINA

TOWN OF ZEBULON
 Revenue Statement: 2021 - 2022
 for Accounting Period 6/30/2022
 GENERAL FUND

As of 3/21/2022

<u>Revenue Categories</u>	<u>Estimated Revenue</u>	<u>Revenue YTD</u>	<u>% Collected</u>	<u>% of Total Revenue YTD</u>
Ad Valorem Taxes	\$7,672,000	\$8,097,064	105.5%	66.7%
Penalties & Interest	\$13,500	\$18,300	135.6%	0.2%
Other Taxes & Licenses	\$145,400	\$114,466	78.7%	0.9%
Unrestricted intergovernmental	\$1,927,500	\$1,329,284	69.0%	11.0%
Restricted intergovernmental	\$943,845	\$752,444	79.7%	6.2%
Permits & fees	\$551,500	\$794,063	144.0%	6.5%
Investment earnings	\$3,500	\$1,087	31.1%	0.0%
Sales & services	\$931,400	\$555,939	59.7%	4.6%
Miscellaneous	\$77,136	\$171,163	221.9%	1.4%
Other Financing Sources (Lease Purchase)	\$315,000	\$305,000	0.0%	2.5%
Fund Balance Appropriated	<u>\$4,455,422</u>	<u>\$0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Revenues	\$17,036,203	\$12,138,810	71.3%	100%

Town of Zebulon General Fund % of Total Revenue To Date - FY 2022



ZEBULON

NORTH CAROLINA

TOWN OF ZEBULON

Expenditure Statement:2021 - 2022
for Accounting Period 6/30/2022

As of 3/21/2022

GENERAL FUND

<u>Dept #</u>	<u>Department</u>	<u>Approp Amount</u>	<u>Expenditure YTD</u>	<u>% Exp.</u>
410	GOVERNING BODY	\$435,015	\$307,503	70.7%
420	FINANCE	\$407,016	\$290,041	71.3%
430	ADMINISTRATION	\$1,021,700	\$655,307	64.1%
490	PLANNING AND ZONING	\$672,366	\$425,842	63.3%
500	PUBLIC WORKS-PROPERTY & PROJECT MGMT	\$2,854,915	\$753,971	26.4%
510	POLICE	\$2,768,155	\$2,008,029	72.5%
520	PUBLIC WORKS-OPERATIONS	\$3,338,766	\$1,605,937	48.1%
530	FIRE	\$3,038,614	\$1,360,589	44.8%
570	POWELL BILL	\$351,500	\$9,834	2.8%
620	PARKS & RECREATION	\$1,783,011	\$683,814	38.4%
690	COMMUNITY & ECONOMIC DEVELOPMENT	\$365,145	\$60,191	16.5%
	Total Expenditures	\$17,036,203	\$8,161,058	47.9%

FY 2022

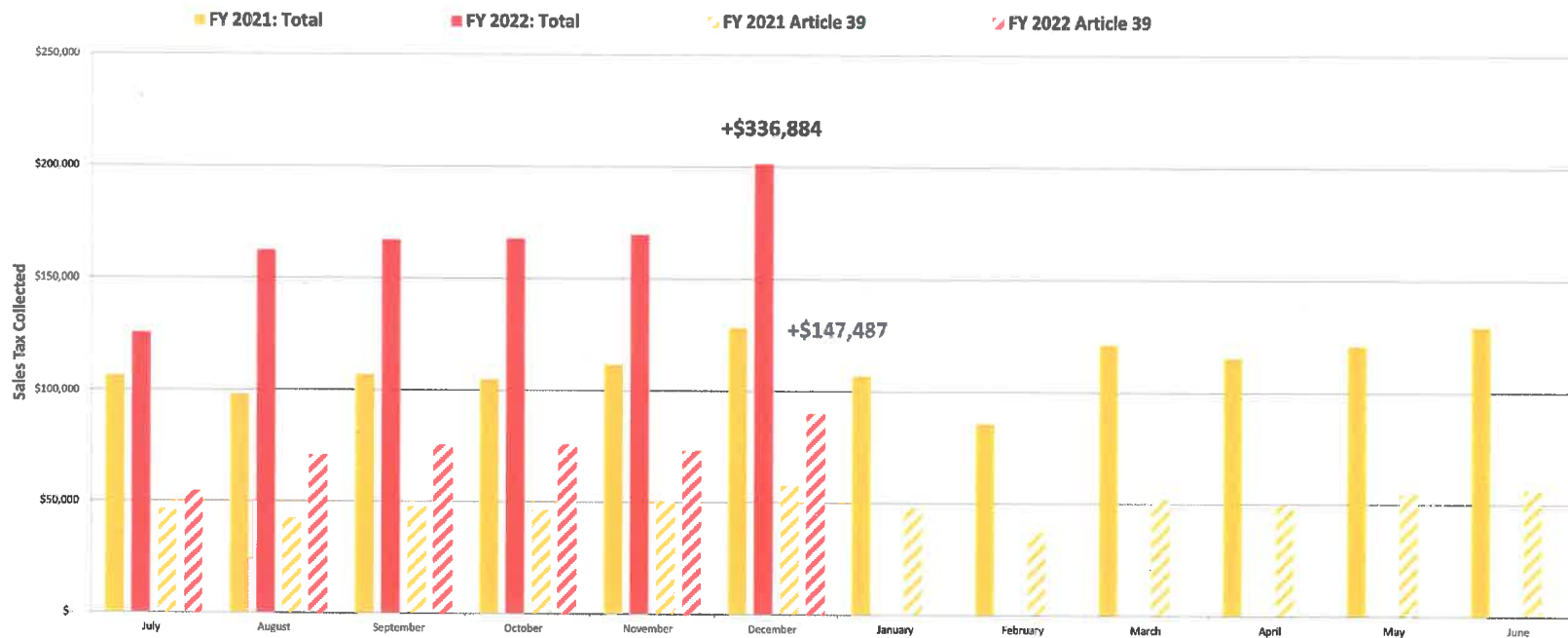
Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 22 Totals	Prior Year (FY 2021)	% Inc (Dec) from Prior Yr
July	\$ 54,740	\$ 23,633	\$ 27,374	\$ (8)	\$ 19,820	\$ 125,560	\$ 106,293	18.1%
August	70,908	30,305	35,575	0	25,312	162,100	98,134	65.2%
September	75,195	30,242	37,636	(8)	23,969	167,034	107,017	56.1%
October	76,033	30,096	38,111	1	23,345	167,586	105,056	59.5%
November	73,190	32,351	36,680	0	27,435	169,657	111,773	51.8%
December	90,634	36,407	45,390	6	28,988	201,425	128,204	57.1%
January	-	-	-	-	-	-	107,034	-100.0%
February	-	-	-	-	-	-	85,810	-100.0%
March	-	-	-	-	-	-	121,143	-100.0%
April	-	-	-	-	-	-	115,436	-100.0%
May	-	-	-	-	-	-	120,866	-100.0%
June	-	-	-	-	-	-	129,315	-100.0%
Total	\$ 440,699	\$ 183,034	\$ 220,768	\$ (8)	\$ 148,869	\$ 993,362	\$ 656,477	51.3%


FY 2021

Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 21 Totals	Prior Year (FY 2020)	% Inc (Dec) from Prior Yr
July	\$ 46,727	\$ 19,891	\$ 23,331	\$ (7)	\$ 16,351	\$ 106,293	\$ 94,711	12.2%
August	42,713	18,626	21,327	11	15,457	98,134	96,820	1.4%
September	47,770	19,733	23,858	(2)	15,658	107,017	98,482	8.7%
October	46,956	19,326	23,433	(13)	15,354	105,056	101,205	3.8%
November	50,717	20,199	25,285	(2)	15,574	111,773	100,498	11.2%
December	58,329	23,016	29,146	10	17,704	128,204	108,478	18.2%
January	48,410	19,425	24,185	1	15,012	107,034	84,115	27.2%
February	37,570	16,223	18,734	1	13,282	85,810	85,027	0.9%
March	51,917	23,270	25,950	(2)	20,007	121,143	96,647	25.3%
April	50,198	21,765	25,058	(3)	18,418	115,436	81,112	42.3%
May	54,888	21,736	27,402	0	16,841	120,866	93,940	28.7%
June	56,533	24,213	28,255	2	20,313	129,315	112,742	14.7%
Total	\$ 592,728	\$ 247,422	\$ 295,964	\$ (4)	\$ 199,972	\$ 1,336,082	\$ 1,153,778	15.8%

* Net proceeds of the Article 39 tax are returned to the county of origin.

Monthly Summary of Sales Tax Collected



Topic: Rezoning E. Gannon Ave. @ Old US 264
Speaker: Aaron H. Chalker, CZO, Planner II
From: Michael J. Clark, CZO, AICP, Planning Director
Prepared by: Aaron H. Chalker, CZO, Planner II
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider a Zoning Map Amendment for 0 Old US 264 Hwy (PIN# 2705973068). This is a legislative case.

Background:

The Applicant, Bunn Farms, Inc, requests rezoning a 9.8-acre parcel from Residential Suburban (R2) District to Heavy Commercial (HC) District. The subject property is located on the south side of the E. Gannon Ave. (NC 97 Hwy) and Old US 264 Hwy. intersection. The vacant parcel is located within the Town's Extra Territorial Jurisdiction (ETJ) and must be annexed before it is developed.

Rezoning amends the Town's Official Zoning Map. Rezoned properties permit the land uses and follow the standards of the Unified Development Ordinance (UDO) for the specified district.

Discussion:

Unified Development Ordinance Section 2.2.24.J provides the following standards for the Board to base their decision on the rezoning request:

1. The proposed zoning map amendment advances the public health, safety, or welfare;
2. The proposed rezoning is appropriate for its proposed location, and is consistent with the purposes, goals, objectives, and policies of the Town's adopted policy guidance.
3. The rezoning is reasonable and in the public interest.
4. Other factors as the Board of Commissioners may determine to be relevant.

Policy Analysis:

The Future Land Use and Character map adopted on June 7, 2021, designates the future use of the property as General Commercial. The General Commercial land use designation is defined as "primarily along portions of major roadway corridors within the community for high visibility and accessibility." Primary land use types for this designation include commercial retail, office and service uses. The proposed rezoning is consistent with the Comprehensive Land Use Plan and the surrounding area.

The property is surrounded by numerous commercial uses, including a "big-box" commercial store and gas station across the street, and is adjacent to industrial zoning. The property is situated at the corner of two state highways, and within ¼ mile of US 264, providing high visibility and accessibility. This location allows for commercial uses to be easily accessible to residents of the Town and the surrounding area while keeping the impacts of the development an adequate distance from residential neighborhoods.

The list of permitted uses within the proposed Zoning District as regulated in Section 4.2.3 of the UDO is attached. Those uses are consistent with the spirit and intent of the general vicinity and are compatible with the surrounding land uses. Any development of the subject parcels will meet the dimensional requirements of Section 3.4.4 and the design regulations of Chapter 5 of the UDO.

The Comprehensive Transportation Plan (CTP) designates Old US 264 Hwy and a portion of E Gannon Ave as a 4-Lane Divided roadway. Any development of the property requires the dedication of right-of-way and the construction of roadway improvements consistent with the specifications and goals of the CTP.

Fiscal Analysis:

The configuration of the parcel, and its proximity to major roadways, limits its potential to develop as a residential use. The parcel will likely remain vacant with the existing zoning classification. The rezoning and subsequent development of the property is expected to bring a positive fiscal impact to the Town.

The development of the property into commercial uses will generate more property tax revenue and demand fewer public services than if developed as a residential use. An estimated 10 residential dwellings, valued at \$200,000 each, generates \$11,000 per year in property taxes. Conversely, commercial buildings, ranging from 40,000 - 80,000 square feet in size and valued between \$6,000,000 - \$12,000,000, generates \$33,000 - \$66,000 a year in property tax. Commercial buildings also generate sales tax revenue.

Planning Board Recommendation:

Following the Joint Public Hearing on March 14, 2022, the Planning Board considered this case. A motion was made to approve the request as submitted, followed by a second, however the motion failed 2-2. A second motion was made to deny the request, however the motion failed due to lack of a second. The Planning Board was unable to come to a consensus regarding a recommendation.

Staff Recommendation:

Staff recommends approval of Project # 685884 Zebulon-Old US 264 finding that the request is consistent with the future land use and character map in the Comprehensive Land Use Plan.

Attachments:

1. Application
2. Future Land Use and Character Map
3. Aerial Map
4. Zoning Map
5. Site Pictures
6. Public Hearing Notice
7. Properties Receiving Mailed Notice
8. List of permitted uses within HC Zoning District



**Town of Zebulon
Planning Department**

1003 N. Arendell Avenue, Zebulon, NC 27597
Phone: (919) 823-1810 | Fax: (919) 887-2824
www.townofzebulon.org

Project Overview

#685884

Project Title: Zebulon-Old US 264
Application Type: Zoning Map Amendment Application
Workflow: Zoning Map Amendment: Planning Director Review
Jurisdiction: Town of Zebulon
State: NC
County: Wake

Description of Request

Would you like to enter your project using Street Address or PIN?: PIN
Parcel Identification Number (NC PIN):: 2705973068
Deed Book:: 6057
Existing Zoning of the Property:: R2 Residential Suburban
Existing Use of the Property: : Vacant
Scope of Work::
General rezoning.
Street Address of Property::
Acreage:: 10.765
Deed Page(s):: 594
Proposed Zoning of the Property: HC Heavy Commercial
Proposed Use of the Property:: Retail Use, Other

Contact Information

Contact Info: Applicant/Agent

Betty Donovan
Bunn Farms, Inc
219 Royal Fern Road
Wilmington, NC 28412
P:919-269-7439
chucor@msn.com

Contact Info: Property Owner

Betty Donovan
Bunn Farms, Inc
219 Royal Fern Road
Wilmington, NC 28412
P:919-269-7439
chucor@msn.com

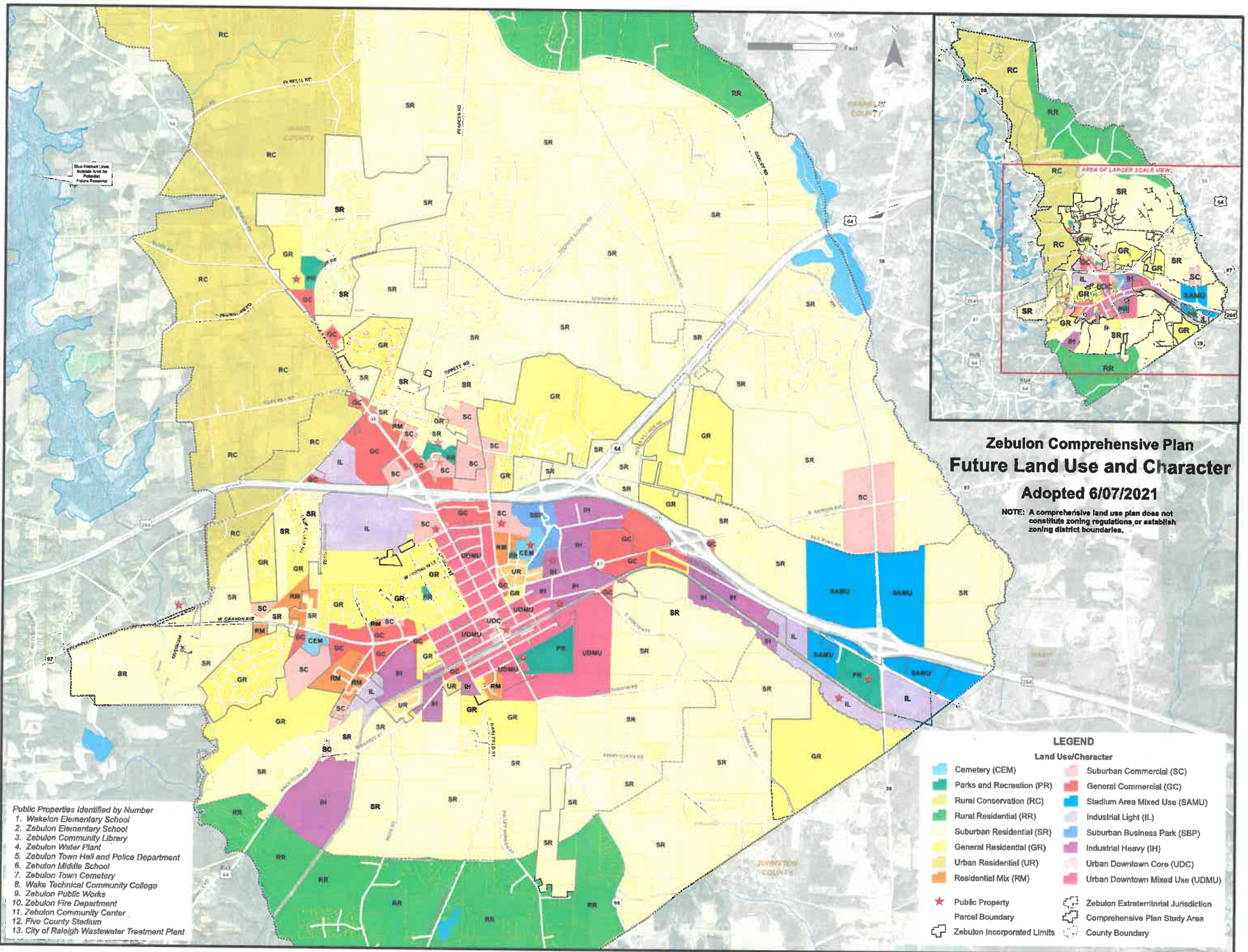
Are you the owner of the property?: I am the owners agent

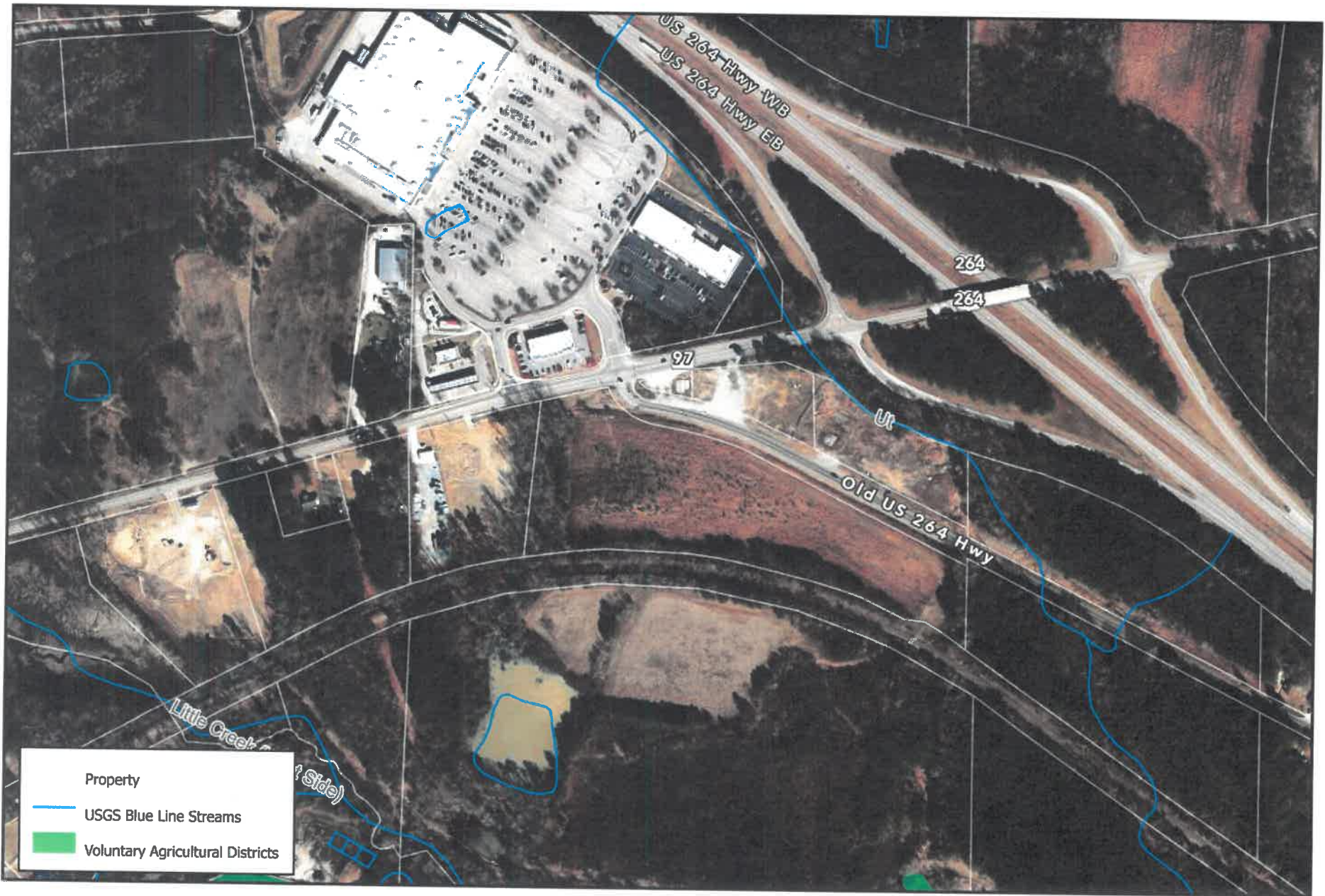
Note: If you are not the owner of the property, you must obtain the Owner's consent and signature giving you permission to submit this application.

Supplemental Information

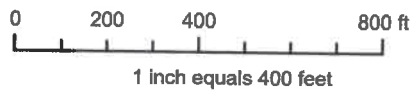
The Zoning Map Amendment Application also requires supplemental information beyond our standard online application. Please follow the directions below to access the appropriate forms and documents.

1. [Access the online Zoning Map Amendment Application Package here.](#)
2. Fill out the following sections of the document package:
 - a. Legislative Considerations;
 - b. Owner's Consent Form (also available via hyperlink in your submittal checklist – note that only one consent form is required for submittal); and
 - c. Adjacent Owner's and HOA Contacts.
3. Save the PDF Application Package as "Application Supplemental" and submit it with all other required documents on the document upload screen (available in next steps of online submittal).

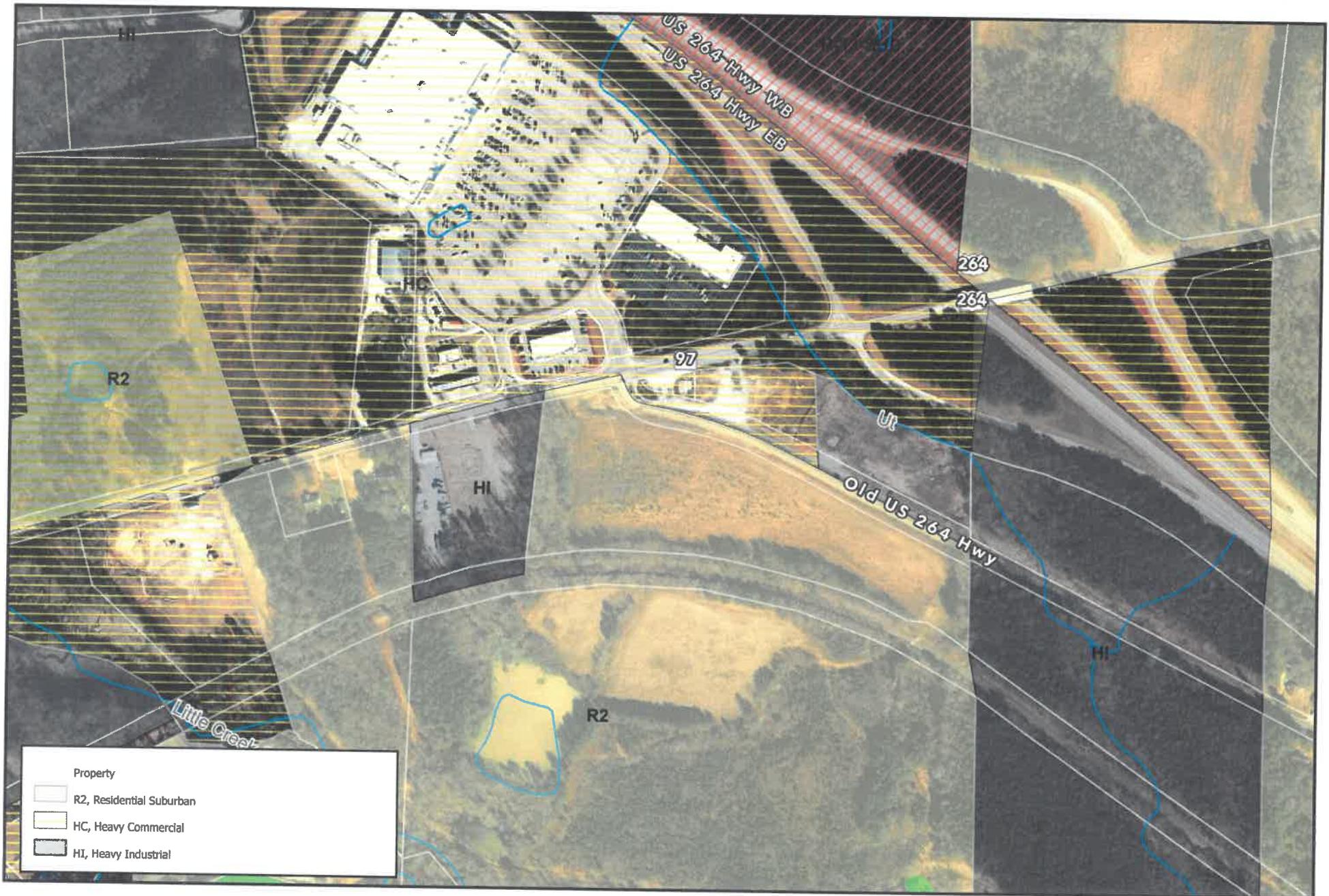




**Rezoning E. Gannon Ave. @ Old US 264 Hwy
- Attachment 3 - Aerial Map**



Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



**Rezoning E. Gannon Ave. @ Old US 264 Hwy
- Attachment 4 - Zoning Map**

Disclaimer
iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

Attachment 5: Rezoning E. Gannon Ave. @ Old US 264 Hwy



View of property looking down Old US 264 Hwy

Attachment 5: Rezoning E. Gannon Ave @ Old US 264 Hwy



View of the vacant parcel

Attachment 5: Rezoning E. Gannon Ave. @ Old US 264 Hwy



Notice of Public Hearing sign

Attachment 5: Rezoning E. Gannon Ave. @ Old US 264 Hwy



View looking west from the property down E Gannon Ave

Attachment 5: Rezoning E. Gannon Ave. @ Old US 264 Hwy



Walmart and multi-tenant commercial building across the street

Attachment 5: Rezoning E. Gannon Ave. @ Old US 264 Hwy



View looking east down E Gannon Ave toward US 264 Hwy

Rezoning E. Gannon Ave. @ Old US 264 – Attachment 6

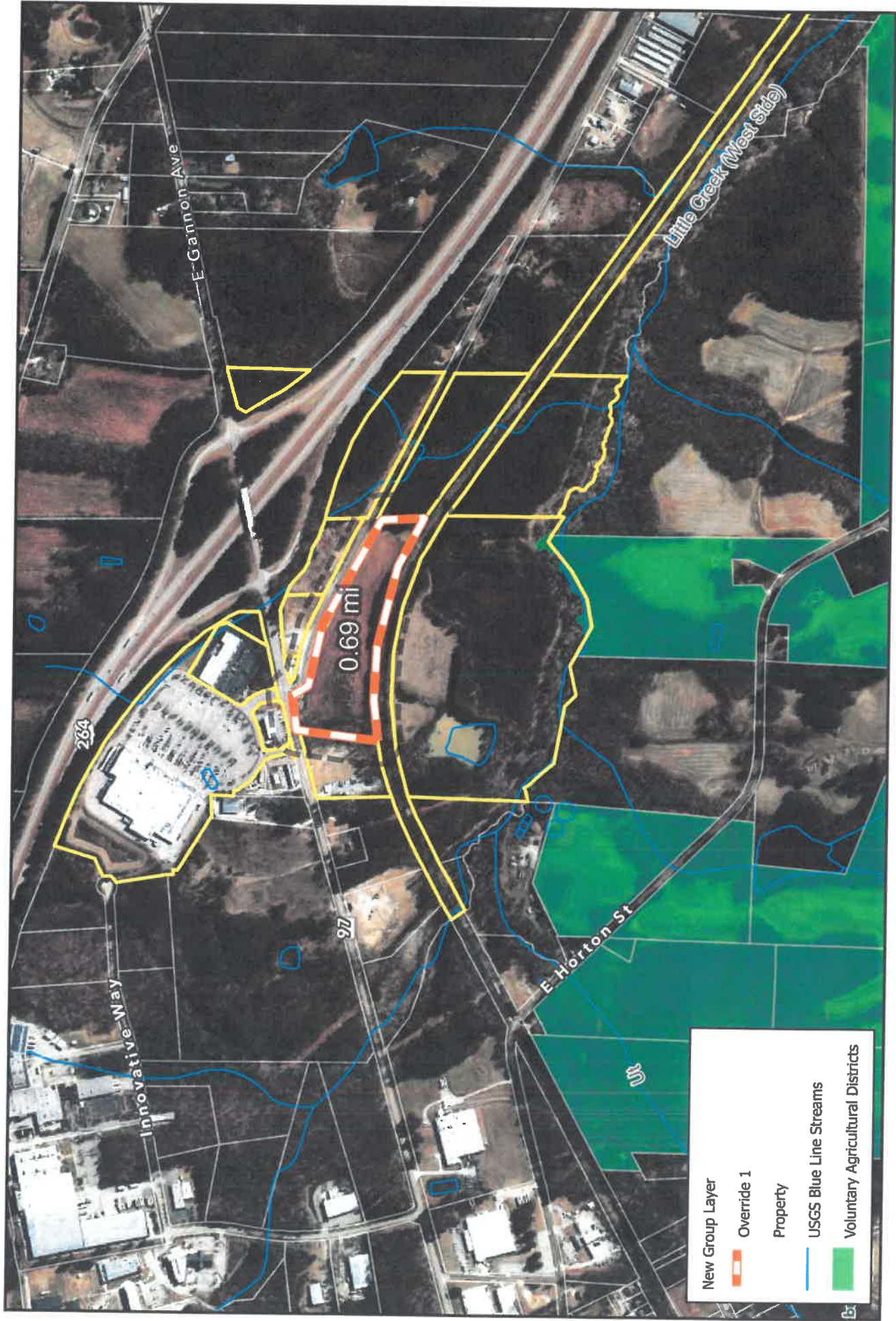
Notice of Public Hearing

Notice is hereby given pursuant to the provisions of Article 2.2.2 of the Town of Zebulon Unified Development Ordinance that a public hearing will be held on **March 14, 2022 at 7:00 PM** at the **Zebulon Municipal Complex, 1003 N. Arendell Avenue**, and will be conducted by the Board of Commissioners of the Town of Zebulon for the purpose of considering the following items:

IDT # 685884 Old US 264 Hwy. 0 Old US 264 Hwy; Pin # 2705973068. A request by Bunn Farms, Inc. requesting a Zoning Map Amendment from Residential Suburban (R2) to Heavy Commercial (HC).

Due to potential social distancing and occupancy limits related to the State's COVID-19 Order, in-person public comments will be accepted; however, the Town of Zebulon encourages that all public comments be submitted to Deputy Town Clerk Stacie Paratore at SParatore@TownofZebulon.org no later than 12:00 Noon on the day of the hearing to be read into the record. The meeting will be streamed live and links will be provided along with the full application packet and documentation on the Planning Department web page at www.TownofZebulon.org/services/planning. For questions or additional information, please contact us at (919) 823-1809.

Wake Weekly March 4 & March 11



Rezoning E. Gannon Ave. @ Old US 264 - Attachment 7 - 150' Mailed Notice

Disclaimer
 Maps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

**Attachment 8 – Rezoning E. Gannon Ave. @ Old US 264 – List of Uses Permitted
or Allowed with a Special Use Permit in the HC District**

- Live/Work Dwelling
- Upper Story Residential
- Adult Day Care
- Antenna Collocation, Major
- Antenna Collation, Minor
- Auditorium
- Broadcast Studio
- Cemetery (S)
- Child Care Center
- College or University (S)
- Community Center
- Coliseum/Arena
- Convention Center
- Library/Museum/Cultural Facility
- Drug/Alcohol treatment Facility (S)
- EMS/Fire Station/Police Station
- Fraternal Club or Lodge
- Government Office
- Government Maintenance, Storage, Distribution
- Hospital (S)
- Park
- Passenger Terminal
- Post Office
- Religious Institution
- School, Elementary/Middle/High/Vocational
- Small Wireless Facility
- Telecommunications, Major (S)
- Telecommunications, Minor or Concealed (S)
- Temporary Wireless Facility
- Urgent Care
- Utility, Major
- Utility, Minor
- ABC Store
- Adult Business (S)
- Animal Grooming/Day Care
- Art Gallery
- Artisan Studio
- Auction house
- Automotive Repair and Service
- Automotive Repair and Service (paint and body shop)
- Automotive Rental and Sales
- Automotive Parts and Accessories Sales
- Bar and Cocktail Lounge (S)
- Bed and Breakfast
- Boat And Marine Rental, Sales, and Service
- Bottle Shop
- Business Incubator
- Carwash and Automobile Detailing
- Catering Establishment (S)
- Check Cashing/Payday Lending Establishment (S)
- Clothing Rental
- Coffee Shop
- Commercial Recreation, Indoor
- Computer - Related Services
- Convenience Store With and Without Gasoline Sales
- Co-Working Space
- Crematorium (S)
- Equipment and Tool Rental
- Event Venue
- Fairgrounds (S)
- Financial Services Establishment
- Flea Market
- Funeral Related Services (S)
- Games of Skill (S)

All uses are permitted by right, unless otherwise noted with an (S) for Special Use Permit

- Golf Course or Driving Range
- Grocery Store
- Gymnasium/Fitness Center
- Hair, Nails, and Skin Related Services
- Hotel or Motel
- Kennel, Indoor/Outdoor
- Laundry or Cleaning Service
- Microbrewery, Microwinery, or Microdistillery
- Nightclub or Dance Hall
- Office – Medical, Professional, Sales or Service
- Outdoor Commercial Recreation
- Package and Printing Service
- Park and Ride Facility
- Parking Lot
- Parking Structure
- Pawn Shop
- Pharmacy
- Pool Hall (S)
- Repair Shop
- Restaurant Indoor/Outdoor Seating
- Restaurant with Drive Through/Drive-Up Service
- Retail, Bulky Item
- Retail, large Format
- Retail Use, Other
- Self Service Storage, Internal and External Access (S)
- Shooting Range – Indoor (S)
- Specialty Eating Establishment
- Tattoo and Piercing Establishment
- Theatre
- Truck Stop
- Vape, Tobacco, and CBD Shop
- Veterinary Clinic
- Contractor Service Yard
- Flex Space
- General Industrial Services (S)
- Makerspace
- Recycling Center (S)
- Research and Development (S)
- Wholesale Sales
- Wind Energy Conversion (S)
- Agricultural Support Services
- Farmer’s Market
- Plant Nursery

All uses are permitted by right, unless otherwise noted with an (S) for Special Use Permit

STAFF REPORT
ORDINANCE 2022-35
FIRE/EMS STATION MOU/SITE EVALUATION
APRIL 4, 2022

Topic: Ordinance 2022-25 - Fire/EMS Station Memorandum of Understanding/Site Evaluation

Speaker: Christopher C. Perry, Fire Chief

From: Christopher C. Perry, Fire Chief

Prepared by: Christopher C. Perry, Fire Chief

Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider executing a Memorandum of Understanding with Wake County regarding Fire/EMS station design, or to allocate funds towards the site evaluation of a second prospective Fire/EMS station location.

Background:

Two sites meet the criteria to relocate Fire Station #1 to a more centralized location and co-locate an EMS station in the same facility. These criteria include adequate acreage to house the services, adequate road network to facilitate access and egress to the facility, centralized location to meet response times to the expanded Town limits, and interchange access to US 64.

The Judd Street location purchased on 8/31/2021 is one of the sites meeting these criteria. The preliminary site plan, soil survey, and environmental surveys for this site are complete and clear. This site is compatible to house a Fire/EMS facility. The next step for this site would be to enter a Memorandum of Understanding (MOU) with Wake County for site planning, architectural programming, floor plans, building elevations, community engagement, and renderings. This MOU would be instrumental in preliminary design and determining project cost estimates.

The second site is not owned by the Town. The next steps for this site would be completion of a preliminary site plan, soil survey, and environmental surveys. A budget adjustment is needed to allocate funds for these preliminary property assessments.

Discussion:

The discussion before the Board is to either authorize the Town Manager to execute the Memorandum of Understanding with Wake County or to allocate funding towards evaluating the second site.

Fiscal Analysis:

Funding for the execution of the Memorandum of Understanding is budgeted in the FY 2023 Budget. The MOU outlines that the costs associated with the project are to be shared by the Town of Zebulon, the Wake County fire service tax, and Wake County general fund.

Funding for the site evaluation requires allocation of \$83,000 for the following services:

- Preliminary Site Plan (\$19,000)
- Soil Survey and Phase I Environmental Survey (\$35,000)
- Phase II Environmental Survey, if needed (\$25,000)
- Appraisal (\$4,000)

STAFF REPORT
ORDINANCE 2022-35
FIRE/EMS STATION MOU/SITE EVALUATION
APRIL 4, 2022

This allocation of funds would be from unrestricted fund balance.

Policy Analysis:

The Town is responsible for providing firefighting, medical responder, and vehicle extrication services (§33.02). Relocating Fire Station #1 to a more centralized location, and upgrading the facility to current standards, are essential in meeting the obligations of this responsibility. Co-locating EMS in the same facility will retain these services within the Town of Zebulon.

Attachments:

1. Memorandum of Understanding
2. Ordinance 2022-35

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

THIS MEMORANDUM OF UNDERSTANDING, made and entered into this _____ day of _____, 2022 by and between **WAKE COUNTY**, a public body politic and corporate of the State of North Carolina, hereinafter referred to as "the County" and the **TOWN OF ZEBULON**, a Municipality of the State of North Carolina, hereinafter referred to "the Town," the County and the Town being jointly referred to herein as "the Parties".

WITNESSETH:

WHEREAS, in 2008, Wake County EMS first established a Master Plan for EMS Stations that includes co-location of EMS units within a fire station as a first consideration when deploying ambulances; and

WHEREAS, as of June 2020, Wake County EMS is co-located in 19 different fire stations, representing 11 different county and municipal fire departments; and

WHEREAS, the Zebulon EMS Station, constructed in 1966, was identified in a 2002 Facility Condition Assessment by Wake County to have exceeded its useful lifespan; and

WHEREAS, the Wake County EMS Facility Capital Improvement Plan established 2012 as the projected replacement date for that station; and

WHEREAS, the current population, vulnerability data, and demand for service establish a clear need to retain the EMS resource in Zebulon; and

WHEREAS, in May 2021, the Zebulon Board of Commissioners approved the purchase of a 10.97 acre parcel from GSK, (subject to satisfaction of all closing conditions), adjacent to the Zebulon Town Administration Center property on North Arendell Ave.; and

WHEREAS, Wake County EMS and the Town of Zebulon desire to co-locate a combined Fire and EMS Station on the above property, to meet both the needs of Wake County EMS and the Town of Zebulon.

NOW THEREFORE, in consideration of the promises and mutual understandings, the parties hereby agree to the following terms and conditions:

1. PURPOSE AND SCOPE

The purpose of this Memorandum of Understanding (MOU) is to set forth the understanding and mutual agreement of the Parties as it relates to the conditions that must occur in order to proceed with a plan to construct a new Fire and EMS Station (hereafter the "Project") to be located on property currently under consideration for purchase by the Town of Zebulon on North Arendell Avenue, Zebulon, North Carolina, and to fund all necessary planning, and construction. The parcel of land along North Arendell Ave. is identified as PIN #2705180148, and is shown on Exhibit A, which is attached hereto and hereby incorporated by reference.

2. GENERAL CONDITIONS

- A. The Parties' obligations with respect to proceeding with the construction of a new Fire and EMS Station (hereafter referred to as "Project") after the completion of Schematic Design, are expressly conditioned upon and subject to the Parties receiving proper approval and appropriation of funding from their governing boards to enter into mutually acceptable written agreements as to all aspects of the funding, site evaluations and planning for the Project ("Agreements"). Accordingly, except to the extent that specific responsibilities of the Parties are set forth herein, this MOU shall not impose obligations on either Party to proceed with the Project, its associated components or otherwise bind the Parties to enter into future Agreements with respect thereto.
- B. Unless and until superseded by written amendment or final Agreements signed by all Parties, this MOU contains the entire understanding of the Parties with respect to proceeding with the Study.
- C. Description of Study: The scope of work included within this MOU will include site planning, architectural program study, development of floor plans, building elevations and renderings in order to ultimately present a Schematic Design Package (hereafter "Schematic Design"), including estimates of cost to both parties' governing boards for approval.

At the same time, the Town of Zebulon is separately conducting land surveying, geotechnical investigations, environmental studies, and any other studies necessary to complete due diligence evaluations in order to confirm and finalize purchase of the subject property. Information gained from these due diligence studies will also be used to develop the site utilization plans for the property that will be part of Schematic Design.

- D. In addition, in an effort to initially evaluate the property for Wake County EMS operations, the County, in advance of development of this MOU and in close coordination with the Town, previously conducted a preliminary evaluation of various site development scenarios in 2019, which were suspended with the onset of the Covid-19 Pandemic. However, these initial studies were complete enough to allow the Town and County to conclude that this site would be suitable for construction of a combined Fire and EMS Station. The scope of this preliminary phase of planning and its cost will be incorporated into this MOU.
- E. Based on initial planning assumptions by the parties, it is anticipated that this station will contain four full length apparatus bays for the Town's Fire Service and one full length bay for Wake County EMS ambulance service. Therefore, on this basis and for purposes of this study, each party shall share the total cost to develop the scope of work at an initial proportion of eighty percent (80%) for Fire Services and twenty percent (20%) EMS Services, which is based on an approximate projected ratio of dedicated, occupied space within the proposed new facility. This ratio shall not change for this scope of work. Nothing herein shall prevent the parties from making a subsequent adjustment of this ratio of occupied space within the proposed new facility based on the Study, provided that proportionate adjustments of subsequent costs are also considered.

- F. Ownership of Building and Property. The Parties agree that the subject property, including the building and all improvements will be owned by the Town of Zebulon. Wake County will contribute funding as described herein for design and construction of EMS station components to be incorporated into this combined, co-located station, and maintain the rights to occupy and operate out of this station.
- G. Ownership of Planning Documents. The County and Town shall each retain ownership or use of the Schematic Design including drawings, renderings, surveys, studies, etc. If one party decides to proceed with development of the site without the participation of the other party, then the party developing the site shall reimburse the other party for its contribution to the cost of the Study prior to its use and within sixty (60) days of a written request for reimbursement from the other party.

3. **TERM**

The term of this Memorandum of Understanding shall be for a period of eighteen (18) months from the date of execution by the last party, or until such time as all documents set forth in Section 6 herein shall be fully and finally executed, whichever is shorter. The Parties may extend this Term by separate written agreement or amendment executed by both Parties. If the Parties agree and obtain all required approvals and appropriation of funding to proceed with the Project, then the Parties contemplate execution of a more formal and detailed Interlocal Agreement or Funding Agreement to replace this Memorandum prior to or at the end of the term. Either Party may terminate this MOU by providing the other five (5) days advance written notice of said termination; provided that termination pursuant to this section shall not relieve the terminating party of responsibility for payment of any fees or expenses incurred up until the effective date of termination pursuant to this MOU.

4. **RESPONSIBILITIES OF WAKE COUNTY**

- A. Owner's Representative During Planning and Design. The Parties agree that Wake County will act as the sole Owner's Representative during the planning and design phases of this project.
- B. Engage Consultant(s). The County shall engage a design consultant or consultants pre-qualified by Wake County Facilities Design & Construction to provide planning services for the Project, as per the standard Wake County Professional Services Agreement, with any applicable amendments and attachments that may be necessary.
- C. Include Town of Zebulon in the Process. Wake County will work collaboratively with the Town on the Schematic Design and any subsequent Design Activities and the County shall ensure that representatives from the Town are closely involved in the design process for the Project, especially on those components of the facility that will be specifically utilized by the Town. The County will seek input, commentary and design approval from the Town and its governing board where applicable.
- D. Initial Planning Funding. The County appropriated an initial amount of Eighteen Thousand Six Hundred Fifty and no/1.00s Dollars (\$18,650.00) for preliminary evaluation of various site

development scenarios to determine initial feasibility for site development. These activities took place in 2019.

- E. Schematic Design Funding. For purposes of managing the design process, the County shall appropriate the amount of One Hundred Thousand and no/1.00s Dollars (\$100,000.00) for funding the scope of work defined as Schematic Design. This includes:
- 1) schematic design fees quoted by the County's design consultant, reimbursable expenses,
 - 2) reimbursable expenses for the design consultant
 - 3) allowance for additional site investigation services beyond the Town's due diligence
- *In addition, the County will also appropriate funding for the following:
- 4) Community Engagement services defined in Article 5.

As defined in Article 2, the County's proportion of the design and investigation related costs (for subitems E 1-3 above) for EMS will be twenty percent (20%).

- F. Fire Tax Contribution. As described in the Wake County Fire Tax District budget documents for the FY 2022 budget year, the Fire Tax will contribute 29% of the Fire Station portion of the total project cost, including Initial Planning and Schematic Design.
- G. Invoicing Town of Zebulon. The County will reconcile payment of all expenses related to the Initial Planning and Schematic Design and present the Town with an invoice for the Town's portion of cost paid for the combination of Initial Planning Funding (Article 4D) and Schematic Design Funding (Article 4E).
- H. Review of Work. In a coordinated effort with Town staff, the County shall review the design, and staff shall make a recommendation to present the results to the Wake County Board of Commissioners for review and approval of a proposed co-location of County EMS and Town Fire service, proposed ownership structure of the facility and approval to proceed with development of an Interlocal Agreement with the Town of Zebulon.

5. **RESPONSIBILITIES OF THE TOWN OF ZEBULON**

- A. Design Funding. The Town shall appropriate funding for the Initial Planning Phase and Schematic Design preparation in an amount not to exceed the costs described in Article 6.
- B. Coordination. The Town shall provide staff to work with the County and its Design Consultant as needed during the Study. The Town will be actively involved in reviewing and approving the Study work product submitted by the Consultants.
- C. Community Engagement. The Town has expressed interest in establishing a community engagement process for feedback relative to the anticipated use of the building and site. The County's Design Consultant can provide support and coordination for this process; however, the Town shall be responsible for facilitation and direct interaction with the community, and will be responsible for the full cost of the Design Consultant's fee for their participation. At the Town's discretion, the Town may choose to hire the design consultant separately to participate in the community engagement process. The community engagement process shall occur prior to development of Schematic Design. The Town shall provide direction to the

County for those components it desires to add to the scope of the project based on input from the community engagement process.

- D. Review of Work. In coordinated effort with the County staff, Town staff shall review the design, and make a recommendation to present the Project to the Town Council for review and approval and ultimately enter into an Interlocal Agreement with the County for the co-location of County EMS and Town Fire Stations (“Project”).
- E. Payment of Invoice from Wake County. The Town shall pay the County’s invoice within sixty (60) days of receipt, for reimbursement of the Town’s eighty percent (80%) portion of the cost paid for Schematic Design, plus the cost for Community Engagement for this Scope of Work.

6. PROJECT FUNDING

The total of the Initial Planning and Schematic Design shared costs shall be authorized to the limits and proportional allocation to each party per the terms and conditions of this MOU as follows:

Initial Planning Services	\$ 18,650
<u>Schematic Design Fees + Allowance for Further Site Analysis</u>	<u>\$ 100,000</u>
Total	\$ 118,650

The planning budget as defined above will be allocated as follows:

- \$ 23,730 to Wake County (20%) for EMS Services (EMS CIP)
- \$ 34,409 to Wake County (29%) for Fire Services (Fire Tax District)
- \$ 60,511 to Town of Zebulon (51%) for Fire Services
- \$118,650 Total Planning & Design

In addition, the Town of Zebulon shall pay the following for Community Engagement support and Coordination services, as defined in Article 5C. For purposes of this allocation, it is assumed that the Town will reimburse the County for contracting with the County’s consultant for this service. Thus, the total reimbursement by the Town back to the County is as follows:

- \$ 60,511 to Town of Zebulon for Planning & Design
- \$ 6,500 to Town of Zebulon for Community Engagement
- \$ 67,011 Total to the Town of Zebulon*

The County shall appropriate the amount of One Hundred Twenty Five Thousand One Hundred Fifty Dollars (\$125,150), which includes funding for Initial Planning and Schematic Design, plus Community Engagement support services (\$118,650 + \$6,500) for the Fire and EMS station as noted in the responsibilities outlined above. *Should the total expense for this scope of work amount to less than the amount shown, the Town’s portion of cost will be suitably adjusted.

7. ADDITIONAL AGREEMENTS REQUIRED TO BE EXECUTED BY THE PARTIES TO EFFECTUATE PROJECT

- A. Amendment to this MOU to proceed with completion of full design services and bidding of a co-located facility, as defined above, and as may be required to clarify and amend the terms herein.
- B. Interlocal Agreement setting forth the funding transaction, payment terms, delivery of construction services and identifying the mechanism for determining operational cost sharing and allocations for the Project, and the responsibilities of both parties and the ownership interests that will exist for the Project for the real property and improvements, and any other subject matter necessary to define the joint undertaking of the parties. The construction contracts for the Project are expected to be submitted for approval by the Wake County Board of Commissioners contemporaneous with the approval of the Interlocal Agreement. The construction contract(s) shall not be entered until the Interlocal Agreement is approved by the governing board of each party and executed by all parties.
- C. Rights of Entry, Use Agreement, and/or Lease Agreement, related to all or portions of the facility as may be defined in the Interlocal Agreement that may require additional clarity or agreements.

8. CONTEMPLATED SEQUENCE OF EVENTS

- A. Zebulon Town Council authorizes the Town Manager to enter into this Memorandum of Understanding.
- B. The Wake County Board of Commissioners authorizes the County Manager to enter into this Memorandum of Understanding.
- C. The Town facilitates a Community Engagement process and provides direction to the County to incorporate those components it desires to add to the scope of the project based on input from this process
- D. The County engages Consultant(s) to complete the Schematic Design studies pursuant to this Agreement.
- E. The Consultant(s) makes a presentation to County and Town staff for action related to the Study.
- F. As a result of the two steps above, if Town and County determine that it is feasible to jointly proceed with a co-location Project, each entity shall seek approval from their respective Boards to proceed with the identified steps necessary to proceed with the Project.
- G. Design Consultant makes a presentation together with staff to the County and Town elected boards for action related to the approval, cost estimate, and Schematic Design for the Project. At this time, each party will determine whether to proceed with the project.

- H. Contemporaneous with the above Board approvals, Town and the County staff shall also seek approval of an Amendment to this MOU to proceed with the final design phases and bidding of a co-located Project, and prepare an Interlocal Agreement, the scope of which will be finalized based upon the results of the Project findings and bid results. The Parties will also reach a mutually agreeable solution to the land rights (i.e. lease arrangement), needed for each of their respective needs.
- I. Upon execution of the Interlocal Agreement and award/execution of the Construction Contract(s), Wake County shall begin construction. The Interlocal Agreement shall replace and supersede all previous documents, agreements, and understandings with respect to the subject matter and may be amended to clarify or amend the terms and conditions herein.
- J. It is the expectation of the parties that the Interlocal Agreement shall provide for the County to act as the sole Owner's Representative for purposes of the construction contract and to control all aspects of the development and build out of this Project, subject to the input, participation of, and appropriate review and approval of costs, expenses and directives by the Town.
- K. The Parties shall proceed upon the terms established by the Interlocal Agreement, which shall provide for the completion of the Project.
- L. The Parties shall develop and execute a lease and utilization agreement for operation of the EMS Station within this combined facility.

IN TESTIMONY WHEREOF, WAKE COUNTY AND THE TOWN OF ZEBULON through their authorized officers and by their own hands has hereunto set forth their hands and seals of the day and year first above written.

WAKE COUNTY

By: _____

Title: County Manager or Designee

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Wake County Finance Officer

Approved as to form: _____

County Attorney

TOWN OF ZEBULON

By: _____

Title: Town Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Town of Zebulon Finance Director or designee

Approved as to form: _____

Town Attorney

ORDINANCE 2022-35

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
Fund Balance Appropriated	\$84,000.00	
EXPENDITURES		
Fire—Fire Station Site Evaluation	84,000.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: April 4, 2022

Effective: April 4, 2022


Glenn L. York - Mayor

ATTEST:

Lisa M. Markland, CMC - Town Clerk

STAFF REPORT
BOARD APPOINTMENTS
APRIL 4, 2022

Topic: Board Appointments

Speaker: Lisa M. Markland, CMC, Town Clerk
From: Stacie Paratore, CMC, Deputy Town Clerk
Prepared by: Stacie Paratore, CMC, Deputy Town Clerk
Approved by:  Joseph M. Moore, II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider persons interested in serving on the Planning Board.

Background:

The Board of Commissioners appoints members to Boards (Planning Board, Board of Adjustment, Parks and Recreation Advisory Board) who make recommendations or decisions in their respective areas. Persons interested in serving on these appointed Boards present applications to the Board of Commissioners for consideration.

Discussion:

The discussion before the Board is whether to appoint those interested in serving on the Planning Board. Currently, there are three in-Town vacancies and one application on file. This term would expire on June 30, 2025.

Domenick Schilling submitted an application on July 23, 2021 and is interested in being appointed to serve on the Planning Board, if the Board so desires.

Staff Recommendation:

No recommendations on Board appointments.

Attachments:

1. Applications

TOWN OF ZEBULON Application for Board Appointments

Please indicate which board you are interested in serving on. If you are interested in more than one board please list them by preference by using numbers (1,2,3). Please attach a copy of your driver's license for proof of eligibility to serve.

Board of Adjustment
 Planning Board
 Parks & Recreation Advisory

Name DOMENICK W. SCHILLING

Address 207 NOSTALGIA LN ZEBULON NC 27597

E-mail DWSCHILLING711 @ GMAIL . COM Date of Birth (month & Day) 07/11

Phone (Home) NA (Work) NA (Cell) 919.413.7600

Employer COLDWELL BANKER HPW Occupation REAL ESTATE AGENT

Do you live in the Zebulon Corporate Limits ETJ Years in Zebulon 2 yr 6 months

Do you currently, or have you previously, served on any Town of Zebulon, or other municipal board, commission or committee? Yes No If you answered yes, please list them below (use the back if necessary).

Board/Commission/Committee	From	To
<u>N/A</u>		

Have you taken the opportunity to attend any previous board meetings prior to the notice of this vacancy? Yes No

Describe extent and meetings attended HAVE ATTENDED A NUMBER OF COMMISSIONER MTGS ! SPOKEN AT RE-ZONING MEETING FOR PROPERTY BEHIND WARELON TOWN HOMES .

Why do you want to serve on this board or commission? I STRONGLY BELIEVE ZEBULON HAS GREAT UNREALIZED POTENTIAL ! WOULD LOVE TO HAVE A SMALL PART IN SEEING THAT COME TO FRUITION .

Why would you be an asset to this board or commission? I AM A BIG PICTURE , LONG-TERM THINKER WHO ALSO UNDERSTANDS THAT SMALL DAILY DECISIONS LEAD TO THE DESIRED VISION ! PLAN EXECUTION .

What are your qualifications? NO FORMAL TRAINING , BUT 17 YEARS EXPERIENCE IN REAL ESTATE SALES .


What areas of concern would you like to see the Board or Commission address? TRAFFIC IMPACT OF GROWTH . TYPES OF BUSINESSES COMING TO THE TOWN . PARKS , REC ! TOWN AMENITIES .

I certify that the above information is correct. I understand that this is an application to be considered for appointment to a Town of Zebulon board, commission or committee and that final appointment is made by the Zebulon Board of Commissioners. I also understand that any service, if appointed, would be without compensation. This application will remain on file for a period of 6-months from the date of application.

Date 7/23/21 Signature DW Schilling

Please fill out the form completely and return it to Stacie Paratore at Town Hall. If you have any question call 919-823-1802.

Topic: Bond Work Session

Speaker: Joseph M. Moore II, PE, Town Manager
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board will consider when to hold a Work Session to discuss the terms and amounts of a Bond Referendum.

Background:

Municipalities have essentially four methods for raising the money necessary to finance capital projects: 1) Current Revenue, 2) Savings, 3) Gifts/Grants, or 4) Borrowing. General Obligation Bonds, so named because they *obligate* the municipality to pledge whatever amount of property tax is necessary to pay the debt, are a means of borrowing money to finance large, multi-year capital projects such as fire stations, parks, and roads. Staff has provided an overview of the General Obligation Bonds process over a series of Work Sessions.

If the Board is interested in taking the next step and placing a Bond Referendum on the ballot for November 2, 2022 (Election Day), they must adopt a Notice of Intent no later than their Regular Meeting on May 2, 2022. The Notice of Intent serves as the Town's *intent* to apply to the Local Government Commission to issue bonds (the LGC is a board appointed by the Governor, President Pro Tem of Senate, and Speaker of House and charged with the statutory responsibility of overseeing the debt management of local governments). The Notice of Intent is required to state: 1) the Board's intent to file an application with the LGC for approval of a bond issue, 2) the brief and general terms of the bond's purpose, 3) the maximum amount of the bonds to be issued, and 4) the provision for any citizen or taxpayer within the municipality to file objections to the bond issuance within seven-days after publication.

The Board has not determined the terms or amount of a bond issuance (requirements 2 and 3 of the Notice of Intent).

Discussion:

Board dialogue centers around whether to place a Bond Referendum on the ballot for November 2, 2022. If yes, the Board must vote to schedule a meeting to determine the terms and amount of a bond issuance before May's Regular Meeting. If no, no further action is required.

Policy Analysis: N/A

Financial Analysis: N/A


Staff Recommendation:

If the Board wants to place a Bond Referendum on the ballot for November 2, 2022, Staff recommends scheduling a Work Session to discuss the terms and amount of a bond issuance no later than Monday, April 25, 2022 (1 week before the Regular Meeting on May 2, 2022).

If the Board wants more time to consider a more robust set of projects with more refined cost estimates (e.g., the construction cost estimate of a fire station can't be completed until the design is completed, and the design can't start until a Memorandum of Understanding with Wake County is executed), Staff recommends considering a Bond Referendum for Election Day 2023 and utilizing a series of Mini-Retreats this fall to develop the terms and amounts of a bond issuance.

Attachment(s): None

STAFF REPORT
ELECTION OF MAYOR PRO TEM
APRIL 4, 2022

Topic: ELECTION OF MAYOR PRO TEM
Speaker: Joe Moore, Town Manager
From: Joe Moore, Town Manager
Prepared by: Lisa Markland, Human Resources Director/Town Clerk
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will go through the process of electing a Mayor Pro Tem who will act in the absence of the Mayor.

Background:

The Town Charter states “the Board of Commissioners shall choose one of its members to act as Mayor Pro Tem... the appointment of the Mayor Pro Tem shall be done at the organizational meeting of the board.” The state statute §160A-70 also states that the Board shall elect from its members a mayor pro tem.

The responsibilities of this position are to act in the absence or incapacitation of the Mayor.

This process would normally be done at the organizational meeting after an election. Now that the Board has all positions filled a Mayor Pro Tem must be elected from among its members.

Policy Analysis:

On February 25, 2022 the Board of Commissioners voted to have Jessica Harrison fill the vacant seat of Commissioner York when he was elected Mayor. Commissioner York was the Mayor Pro Tem prior to the election. Therefore, the position of Mayor Pro Tem became vacant when Commissioner York was elected Mayor.

Commissioner Harrison has taken her oath and filled the vacant seat of Commissioner, it is time for the Board of Commissioners to elect the Mayor Pro Tem.

Fiscal Analysis:

NA

Discussion:

The discussion before the Board is who to nominate and elect as Mayor Pro Tem.

Staff Recommendation:

Staff does not make recommendations on this appointment

Attachments:

NA