

Zebulon Board of Commissioners
Minutes
October 5, 2015

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

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

APPROVAL OF AGENDA

Mayor Matheny called for approval of the agenda.

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

PUBLIC COMMENT PERIOD

Cynthia Leizear of 1706 Almond Willow Way spoke on the greenway plan that was proposed to go through Weaver's Pond and around the pond. Ms. Leizear said that she is opposed to the greenway and asked that corridor 1 be taken out of the plan. That will keep the HOA fees from increasing and she felt unsafe and was totally unhappy with that option.

Kara McCraw of 3105 Ginger Lake Court asked that corridor 1 be removed from the greenway plan prior to it being adopted. Ms. McCraw said that a petition was presented showing that the residents were opposed and that 1/3 of the homes in the community were along the path. The area was community property and for use by the community for which HOA dues were paid. She said that she and other residents were unaware that it was to be part of the greenway and shocked that the plan would pretty much turn the pond area into a public park. There were concerns about safety and security. Again she asked that corridor 1 be removed or that they significantly revise it to lessen the impact to the community prior to final adoption of the plan. How the Board members voted would have an impact on how they planned to vote in November.

Eric Grindstaff of 3105 Ginger Lake Court provided a picture from the back deck of his home toward the pond where he drew in the property line. He stated that the greenway path would be destroying grass in the area. The value of their homes would decrease and that some would choose not to move to the area or sell their homes because of the greenway. The neighborhood was private and the pond area was to be for the residents of Weaver's Pond but there were already issues with people using it that did not live in the neighborhood. There would be problems with trespassers, increase in HOA dues or increased calls to the police department because of the greenway. Mr. Grindstaff stated that he knew that three of the Board members were up for election and asked that they consider that when making their decision on the greenway plan.

Herb McClure of 9300 N. Manor Drive off of Pearces Road stated that he was concerned with the traffic on Pearces Road at Proctor Street by the Friendly Mart. There were issues with turning left into the Waffle House off of Pearces as well as turning left off of Proctor on to Pearces. With the plan for N. Arendell Ave. it needed to be upgraded from the Sheetz past

Proctor Street and he noted that the traffic had increased significantly in the last three to five years.

Angela Evans of 3207 Whispernut Lane stated that she was also opposed to corridor 1 of the greenway because it disrupted a beautiful and quiet neighborhood. Currently, the neighborhood was safe and people felt free to walk the neighborhood and would not feel that way if the greenway was installed as proposed through the neighborhood. She asked that the Board consider removing corridor 1 from the plan.

Mayor Matheny thanked those that spoke and assured them that they would take their comments into consideration.

CONSENT

A. Minutes

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve the minutes of September 8, 2015. There was no discussion and the motion passed unanimously.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve the minutes of the September 23, 2015 work session. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve the tax report for July 2015. There was no discussion and the motion passed unanimously.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve ordinance 2016-12. There was no discussion and the motion passed unanimously.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve resolution 2016-05. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

Sheetz Bond Release

Mark Hetrick presented that the release being presented was to move their bond letter of credit for road improvements in the amount of \$21,580 to cash for future improvement and the Board would be accepting a check for that amount. The other bond letter of credit from Olde Heritage Builders for offsite improvements was not a part of what was being presented. Mark explained that acceptance of the release agreement would release Sheetz from their obligation for any onsite improvements and they would be deemed as completed in full and they would have no obligations.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the release agreement for Sheetz. There was no discussion and the motion passed unanimously.

B. Public Works

N. Arendell Avenue Access Plan

Chris Ray presented the proposed plan and answered some of the questions that had been presented at the September 23 worksession. There would be dual left turn lanes off of Pearces Road to ease congestion, it would complete Jones Street and Hendricks Drive and provides for an access road behind Parrish Realty. A traffic light would be installed at Hendricks Drive, installation of a four foot wide concrete median and installation of curb, gutter and sidewalks in that area.

The cost of the project was estimated at \$1.478 million including construction and engineering. There was discussion about the use of revenue bonds for the project and after reviewing they were removed for a more conservative approach. There would be revenues used from funds received from ABC, Bojangles and Waffle House and included TIF fees collected. The project was projected to begin in the summer of 2017 if the grant was received and Bobby Fitts projected a conservative number of TIF fees to be collected at \$30,000 which would be a total revenue of \$423,184. There would be a need for the use of fund balance in the amount of \$157,666 if the Town should receive a grant for the project. That would include the 20 percent matching grant.

There was a question about the use of transportation fees being used to reimburse a general fund, fund balance commitment. It was stated that it was not a recommendation from the Finance Director that be done. If fund balance were used for the project it would reduce it by two percent which would keep it above 70 percent which was well above the 50 percent that the Board set as the minimum when it adopted the policy.

Information on the median was presented which showed a rendering and a diagram of what it would look like.

Staff recommended that the ordinance and resolution be approved to move forward with the project and apply for a grant.

Commissioner Strickland asked if changes could be made if the Town received the grant. Chris Ray stated that they could make minor adjustments to the design which would be in the \$50,000 range.

Commissioner Beck asked about doing more down Pearces Road as stated at the meeting during public comments. Chris Ray said that ultimately that would be a goal and was in the transportation plan.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve ordinance 2016-14. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner York to approve resolution 2016-06. There was no discussion and the motion passed unanimously.

Greenway Master Plan

Brian Starkey presented the greenway master plan with a PowerPoint presentation just to recap the items being presented. He stated that there would be several opportunities to make adjustments and to gather additional input prior to corridors being implemented.

There would be a greenway tour on October 29 which would allow for the Board to observe some greenways around the county and some that were located in communities similar to Weaver's Pond. The goal was to also promote healthy living throughout Zebulon and to provide an alternate means of transportation.

Mayor Matheny thanked Brian Starkey for all their work on the project and stressed that the Board had heard the concerns of the citizens and they would be considered prior to any design and implementation. Mayor Matheny stressed that nothing being presented was set in stone and that changes could be made. Commissioner Beck stated that adoption of the plan would allow for the Town to apply for grant funding and it did not set the plan in stone on what and how it would be done.

Commissioner Clark asked if corridor 1 could be removed from the plan at that time. Mayor Matheny stated that it could be but there were other items in that corridor and thought that it needed to be discussed more and could be removed later.

Commissioner Bumgarner stated that he heard their concerns as did the other Board members and that there were no intentions of forcing anything on anyone. There was room for adjustment and discussion before anything was implemented. It was strictly a tool to allow the Town to move forward.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the greenway master plans as presented. There was no discussion and the motion passed with a vote of 4-1 with Commissioners Beck, Bumgarner, Strickland and York voting in favor and Commissioner Clark voting against.

NEW BUSINESS

A. Proclamation

Domestic Violence

Mayor Matheny said that the proclamation was to support the group against domestic violence. Mayor Matheny read the proclamation.

Commissioner Clark made a motion, second by Commissioner York to approve the proclamation against domestic violence. There was no discussion and the motion passed unanimously.

B. Public Works

HVAC Fire Department

Chris Ray presented that the HVAC system at the Fire Dept. failed and that it was well past its useful life. The cost to replace it was \$9200 from the capital reserve fund. Chris Perry was in

discussions with Wake County in hopes of getting 50 percent of costs but that would be about a three month process.

Commissioner Bumgarner made a motion, second by Commissioner Beck to adopt ordinance 2016-13. There was no discussion and the motion passed unanimously.

BOARD COMMENTS

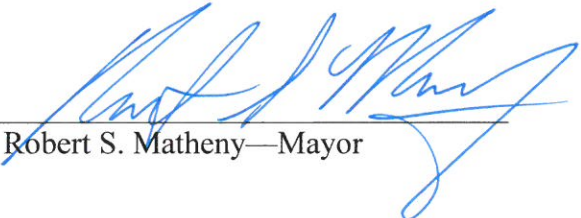
There were no comments.

MANAGERS REPORT

Joe Moore stated that movie night was Friday at the community center. He also stated that the Town was selected by Duke to be a part of their behavioral economics program which would help to get community engagement in the Citizen Academy. The Town was one of 13 chosen to be a part of the program.

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

11/2/15
Date


Robert S. Matheny—Mayor




Lisa M. Markland, CMC—Town Clerk