

**Zebulon Board of Commissioners**  
**Minutes**  
**April 3, 2023**

Present: Glenn York, Quentin Miles, Larry Loucks, Jessica Harrison, Shannon Baxter, Beverly Clark, 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, Teresa Piner-Planning, Adam Culpepper-Planning, Edwin Killelte-Police, Eric Vernon-Town Attorney

Mayor York called the meeting to order at 6:00pm.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Harrison.

**APPROVAL OF AGENDA**

Commissioner Miles asked to move Ordinance 2023-33 – recognition of sponsorships for special events, Ordinance 2023-34 – CIP reallocation and Resolution 2023-24 – Shepard Park infrastructure acceptance from consent.

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

**SCHOOL RECOGNITION**

Mayor York recognized student Harper McKoy and teacher Mandy Bailey both from Zebulon Elementary School.

**PUBLIC COMMENT**

Susan Pearce, from ZDAC, gave an update including the St. Patrick's Day event, youth art in the alleyway, grants the non-profit applied for and encouraged all to attend their monthly meetings.

Jenny Privette, from Friends of Wakelon, handed out minutes from the November 11, 2007 Board of Commissioners meeting about establishing the plaza space in front of Town Hall. Ms. Privette wanted to get approval to place a bench on the plaza in honor of Peggy Wilder.

Kaitlyn Gooch spoke about her non-profit's Saddle Up and Read Fun day on April 15 from 11:00am to 4:00pm.

**CONSENT**

*A. Minutes*

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the minutes of the March 6, 2023 regular meeting. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the minutes of the March 13, 2023 joint public hearing. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the minutes of the March 16, 2023 work session. There was no discussion and the motion passed unanimously.

*B. Finance*

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

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the Wake County tax report – January 2023. There was no discussion and the motion passed unanimously.

**OLD BUSINESS**

*A. Planning*

i. Clifton Grove Annexation

a. Ordinance 2023-30

Joe Moore presented the annexation petition for five parcels located at 921, 1015 Pearces Road and 0, 9102, 9136 Pippin Road. The applicant was DR-Horton and the current zoning was R2 Residential. The properties were adjacent to contiguous and satellite corporate boundaries.

Staff explained water and sewer were available. The sewer ran along the west boundary, and it was stated if annexation was denied the City of Raleigh could still allow connection into the system at a higher rate.

The annexation standards under 2.2.2.G included:

- Owner approval
- Services can be provided
- Cost/return
- Public health, safety and welfare

It was explained the developer was responsible for any right-of-way, utility and infrastructure improvements. Staff recommended approval of Ordinance 2023-30.

Commissioner Miles asked how the City of Raleigh was able to supersede the Town and allow connection to the water and sewer system. Eric Vernon spoke about the Merger Agreement with the City of Raleigh and their rights to provide services outside of Town limits.

Commissioner Baxter asked if the Utility Allocation Policy was in place for the development. Joe Moore stated the development was submitted before the policy was adopted.

Commissioner Loucks wanted an updated Traffic Impact Analysis (“TIA”) to be performed. Staff explained the applicant could provide more information.

Ashley Honeycutt Terrazas, from Parker Poe, presented the project and spoke about some issues that were brought up at the joint public hearing and the focus on the site plan. Ms. Honeycutt Terrazas gave details of the conservation subdivision stating it conserved 52% of land as open space and would increase vehicular connectivity.

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The TIA was approved by staff and NCDOT and Ms. Honeycutt Terrazas gave details of the study. Under North Carolina law traffic impact on the properties was not pertinent to the annexation and could not be considered for the approval of the annexation. A map of Zebulon's planning jurisdiction was shown and details of the Residential 2 (R2) zoning district were given. The legal requirements of annexation petitions were detailed as well as information about connections to public utilities. The annexation policies in the Town's comprehensive plan were shown. Ms. Honeycutt Terrazas spoke about the benefits of annexing the property.

Commissioner Harrison understood the importance of the annexation but had concerns of the quality of public services and the new homes affecting the water pressure and quality of water.

Ashley Honeycutt Terrazas stated the developer was required to provide the same level of service.

Jonathan Cooper stated the water quality and pressure issues in Weaver's Pond was a case-by-case scenario and how the City of Raleigh tests to ensure proper level of services. The developer was responsible for any required upgrade. Mr. Cooper spoke about why a conversation subdivision was chosen and the benefits of that type of development.

Mr. Cooper stated there was a build out date incorporated into the TIA and spoke about how the future development numbers were factored into the analysis.

Joe Moore explained how water pressure worked.

Commissioner Miles asked about affordable housing. Ms. Honeycutt Terrazas explained there could not be conditions placed upon an annexation and staff worked with applicants to make sure the project was above and beyond what was required in the UDO.

Commissioner Harrison made a motion to approve Ordinance 2023-30 with a delayed annexation date of two years.

Eric Vernon stated the delay needed to be by fiscal year.

Commissioner Harrison withdrew her motion to continue discussion.

Commissioner Baxter inquired about the anticipated time of build out. Mr. Cooper stated it was typically 18 to 30 months and gave details of completion items and timeline.

Commissioner Loucks asked what work could not be done if the annexation was delayed until June 30, 2024. Joe Moore stated the service was already there and there would not be a delay. The City of Raleigh could allow the utility connection.

Mr. Cooper explained there was utility access. Any new resident would pay double water rates until the effective date of the annexation and would not pay Town taxes until that time.

Eric Vernon disagreed and stated the development needed to be annexed in order to obtain building permits under the UDO.

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Commissioner Baxter made a motion, second by Commissioner Miles to table Ordinance 2023-30 until the May 2023 meeting.

Commissioner Baxter explained she wanted more guidance from the Town Attorney and the Planning Department.

Commissioner Loucks stated if the annexation was delayed until June 30, 2024, he wanted to know what the Town had to do and what the developer was able to do during that timeframe.

There was no further discussion and the motion passed with a vote 4 to 1 with Commissioners Loucks, Harrison, Miles and Baxter voting in favor and Commissioner Clark voting in opposition.

*B. General*

*i. Bee City USA Designation*

Joe Moore stated staff performed a cursory policy and financial analysis and spoke about the financial impacts based on the guidelines from Bee City. Staff recommended incorporating the discussion into the FY 2024 budget.

Commissioner Baxter stated staff had not researched a pest management plan and wanted the project to move forward. Staff was looking into the details of the programs offered in other municipalities.

Commissioner Harrison was excited about the opportunity for the Town and wanted to make sure she had all budget information before moving forward with a decision.

Joe Moore stated staff would bring the recommended budget forward in May and would include the designation with associated costs.

Commissioner Miles made a motion, second by Commissioner Harrison to table the Bee City Designation to the May 1, 2023 meeting. There was no further discussion and the motion passed 4 to 1 with Commissioners Loucks, Harrison, Clark and Miles voting in favor and Commissioner Baxter voting in opposition.

*ii. Bond Referendum – Determination to Proceed*

Joe Moore stated if the Board wanted to move forward with the bond referendum on the November ballot a notice of intent must be adopted by the May 1, 2023 meeting. Staff recommended delaying a notice of intent for fire, facility and parks bond and to analyze a notice of intent for a transportation bond.

There was a discussion about the N. Arendell widening project being included in the transportation bond. Staff stated including the widening project was a consideration and would also investigate CAMPO funding and earmark funding through congress for the project.

A bond attorney would be brought in when the notice of intent was adopted. Eric Vernon gave details on how bond counsel was chosen.

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Commissioner Loucks made a motion, second by Commissioner Miles to direct staff to analyze a notice of intent for the transportation bond. There was no further discussion and the motion passed unanimously.

Mayor York stated there would be a 10-minute recess.

The meeting resumed at 7:50pm.

#### iii. Board Compensation

Joe Moore presented the compensation chart for Mayors and Commissioners based upon location and population.

Commissioner Loucks pointed out the health insurance cost to the Town was \$6,996 per Board member and the opt out pay was \$4,748. He stated he felt those who opted out were being penalized. Lisa Markland explained most other communities do not give the option to opt out and to receive a stipend.

Commissioner Baxter stated more funds could be budgeted to cover health insurance costs and did not agree with those getting penalized for opting out of the Town's insurance.

There was a question about the Board's 5% raise. Joe Moore stated the merit increase was based on performance percentage allocated to Town employees, however Board members received the full percentage increase which was up to 5% in FY 2023.

There was consensus among the Board to discuss a Board pay increase at the April work session.

Commissioner Baxter made a motion, second by Harrison to table Board compensation to the April work session. There was no further discussion and the motion passed unanimously.

#### iv. Main Street Advisory Board Appointments

Teresa Piner spoke about the 10 applicants for the North Carolina Main Street Advisory Board and stated Damon Damphie withdrew his application. Staff recommended approval of a minimum of five members but the Board could appoint up to seven members.

There was discussion about a person serving on multiple appointed boards. There was consensus among the Board to allow those to serve on multiple appointed boards.

The applicants were:

- Michael Croitour
- Crystal Flowers
- Michael Germano
- Narcisa Johnson
- Rachel Lock
- Anthony Pirrello
- Cyrus Stacey

- Latonya McCabe
- Kristine Ross
- Quinton Crosson-Taylor

The Board voted by ballots. Lisa Markland read the results and the following applicants were appointed to the Main Street Board.

- Crystal Flowers
- Narcisa Johnson
- Rachel Lock
- Cyrus Stacey
- Quinton Crosson-Taylor
- Latonya McCabe
- Kristine Ross

**NEW BUSINESS**

*A. Public Works*

- i. Green Pace/Arendell Signal Project
  - a. Ordinance 2023-35
  - b. Bid Decision

Chris Ray gave an overview of the project. Mr. Ray spoke about the bidding process and stated the lowest responsible bidder was Fred Smith.

Commissioner Miles inquired about the location of the contractors for Fred Smith and how it could include local businesses to be a part of the project. Mr. Ray explained that process and that the Town could not require the contractor to use certain vendors.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve Ordinance 2023-35.

Commissioner Miles asked how local vendors could be involved in the Town's projects. Staff encouraged bidders to go to NCDOT's website to be added to their system and to become eligible to work on their projects.

Commissioner Harrison recommended holding a class or training to walk local contractors through the bidding process for municipalities.

Commissioner Miles stated he was working on scheduling a round table for local businesses.

There was no further discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Harrison to award the bid to Fred Smith.

Commissioner Miles asked how potential citizens are able to see the bids. Chris Ray explained the bidding process and that it was public information.

There was no further discussion and the motion passed unanimously.

*B. Parks and Recreation*

*i. Ordinance 2023-33 – Recognition of Sponsorships for Special Events*

Commissioner Miles asked staff to explain the sponsorship process. Sheila Long provided details of the process.

There was discussion about the compensation process and recognition levels.

Commissioner Baxter wanted to see additional details on the tiers for sponsorships.

There was a concern about an unsavory organization advertising for an event. Ms. Long stated staff was working on a policy and standards to investigate best practices.

Commissioner Loucks applauded staff for getting sponsorships and would like to know who the sponsorship was from when a budget revision was requested.

Commissioner Miles had concerns that someone could use a sponsorship to promote a political campaign. Eric Vernon gave clarification of what was allowable for political campaigning.

Commissioner Loucks made a motion, second by Commissioner Miles to approve Ordinance 2023-33.

Commissioner Baxter asked to see how donors were broken up in the future.

There was no further discussion and the motion passed unanimously.

*ii. Ordinance 2023-34 – CIP Reallocation*

Commissioner Miles asked why funds were moved from the Gill Street Park project. Sheila Long stated the funds were allocated for the Gill Street Park picnic area and the project came in under budget. The funds were not being taken away from the park since the project was completed.

Commissioner Clark made a motion, second by Commissioner Miles to approve Ordinance 2023-24.

There was discussion about funding for the scrubber at the Community Center.

There was no further discussion and the motion passed unanimously.

*C. Public Works*

*i. Resolution 2023-24 – Shepard Park Infrastructure Acceptance*

Commissioner Miles asked about the alternatives for road ownership and maintenance. Chris Ray explained the Town must accept dedication and ownership of the roadway and storm drainage infrastructure since it was part of the special use permit.

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

## **BOARD OF COMMISSIONERS**

### **A. Branding Update**

Commissioner Miles asked for an update of the branding process. Joe Moore stated staff met with the branding consultant for an update on the feedback they received and were working on the tagline and logo revisions. The updates would go before the Board in late May or early June.

### **B. Personnel Policy**

Commissioner Miles inquired about an update on the personnel policy. Joe Moore provided an update and spoke about the process. A presentation would be made to the Board at their April work session.

## **BOARD COMMENTS**

Commissioner Loucks reminded everyone there were openings on the Board of Adjustment and spoke about Senate Bill 317 on workforce housing.

Commissioner Harrison thanked everyone who came to the meeting and recognized Michael Clark for his wealth of knowledge as the Town's Planning Director.

Commissioner Baxter congratulated Barnanne Creech for being Wake County's teacher of the year, Senior Police Officer Oliver completing instructor's school, and gave details on ways to support the Town's Special Olympics efforts. A firefighter was injured during a recent fire and Commissioner Baxter thanked him for protecting the community. There was information given about upcoming spring events.

Mayor York congratulated the Chamber of Commerce for their 75<sup>th</sup> year and thanked Commissioner Baxter for inviting Kimberly Moore to the EWLGA and the information she provided.

Commissioner Miles thanked those who were willing to serve on the Main Street Advisory Board, thanked staff for their hard work and recognized Captain Kilette in his recent completion of training in Quantico.

## **MANAGER'S REPORT**

Adam Culpepper gave a monthly development update.

Lisa Markland provided a Human Resources update.

Joe Moore gave an overview of topics for the upcoming work session on April 20.

Jacqui Boykin recognized Capital Kilette for the completion of the FBI National Academy class 285. Captain Kilette thanked Chief Boykin for her support and was honored to represent the Town of Zebulon.



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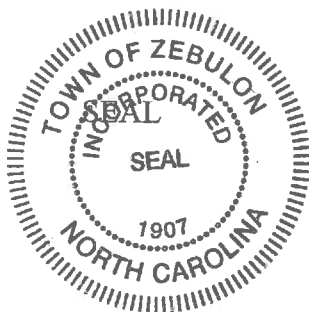
Mayor York stated the Board needed a motion to go into closed session to instruct staff concerning the position to be taken in negotiating the acquisition of real property per GS 143-381.11(a)(5).

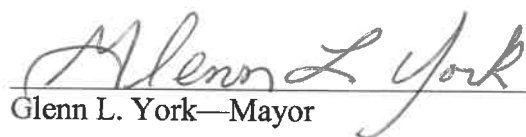
Commissioner Baxter made a motion, second by Commissioner Miles to go into closed session. There was no discussion and the motion passed unanimously.

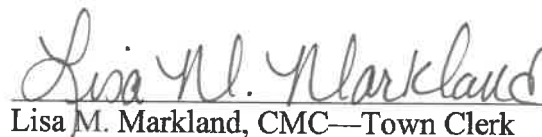
NOTE: In closed session, Commissioner Baxter made a motion, second by Commissioner Loucks to come out of closed session. There was no discussion and the motion passed unanimously.

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

Adopted this the 1<sup>st</sup> day of May 2023.



  
Glenn L. York—Mayor

  
Lisa M. Markland, CMC—Town Clerk