

**Zebulon Board of Commissioners**  
**Minutes**  
**June 5, 2017**

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

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

Mayor Matheny stated that he would like to move approval of the agenda to the first item and to add "B" under IV Proclamations for the North Carolina League of Municipalities.

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

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was let by Vicente Estrada-Nunez from Wakelon Elementary School.

**SCHOOL RECOGNITION**

Mayor Matheny recognized student Vicente Estrada-Nunez and teacher Deborah Farmer both from Wakelon Elementary School.

**PROCLAMATIONS**

Mayor Matheny read a proclamation to recognize July as Park & Recreation month.

Commissioner Strickland made a motion, second by Commissioner Clark to adopt the Proclamation for Parks & Recreation month. There was no discussion and the motion passed unanimously.

Mayor Matheny read a resolution from the North Carolina League of Municipalities recognizing the Town of Zebulon Fire Department for the support provided during the fire that occurred in Raleigh that damaged the NCLM office buildings.

**PUBLIC HEARING**

Joe Moore presented an overview of the budget that was given during the May Board meeting which included a PowerPoint presentation. Some of the basics were that there was no proposed tax increase, a new position of HR Director/Town Clerk, transportation, fire service, and economic and community development were the focus.

Mayor Matheny declared the public hearing open and asked for those wishing to speak to be specific and direct with comments.

Frank Timberlake came forward that represented a group called "It's a Dam Shame" that was requesting that the Board fund the restoration of the Little River Dam that was damaged during

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Hurricane Matthew. Mr. Timberlake stated that the dam was built in 1814. He explained by restoring the dam it would be aesthetically pleasing, the historical significance would be recognized, provide recreation opportunities for canoeing upstream, and finally provide a whole visitor experience that was worth driving to see. There were many in the audience that raised their hands wanting the dam restored.

Linda Johnson of W. Sycamore Street Zebulon stated that they would like to see the dam restored since it had great significance to the Town. The first ice plant was located along the river and said that it was a beautiful park. Ms. Johnson made reference to the Town Hall building that was renovated from a school building and that it provided great memories as did the dam. The request was to get FEMA funding and to put additional funding in the budget to restore the dam.

Mike Weeks of N. Wakefield Street Zebulon stated that he too would like to see the Town acquire FEMA funding since the Little River Dam was a landmark in the Town and at a gateway into the Town.

Lee Tippett of W. Glenn Street Zebulon said that the Little River Dam was important to him and thought that the inscriptions, dates and names on the stones of the dam were of value as were all the memories.

Roger Mitchell of Parkside Place Zebulon stated that there were two things that the Town needed to consider with the budget. He wanted to the restoration of the Little River Dam and a new fire station built.

John Middlesworth of E. Sycamore Street Zebulon said that he was in the middle of what needed to be done as far as the dam was concerned. He explained that he had cleaned up the area around the dam on a regular basis and said that it could not be built back but it did need to be kept up. He said that the dam could not be built back as it was previously but the Town could take the FEMA funds and work on it so that the historical importance would not be lost.

Taylor Morgan of N. Manor Drive Zebulon said that he thought it was not very pleasing to look at currently and asked that the Board repair the dam.

Lewis Liles who lived outside of Zebulon said that in the 1860's the area there was a post office at the Moore Creek Mill, was an electric company for a few years and had been a part of Zebulon for years. Mr. Liles stated that the Town Hall building was a great example of how history was preserved in the Town.

Donald Horton of Stratford Drive Zebulon said that the 2017 budget was a good foundation to move the Town forward and the 2018 proposed budget was thoughtfully prepared and was a sound budget. Mr. Horton asked that the Board vote for the budget as presented and not get side tracked.

There were no other comments and the public hearing was closed.

## **PUBLIC COMMENT PERIOD**

Tracy Alford stated that she wanted to let the Board and the Town know that the Miss Zebulon Pageant and the Miss Zebulon Outstanding Teen were going to be rejuvenated and would lead to being a preliminary part of the Miss North Carolina and Miss North Carolina Outstanding Teen Pageants. It would debut in the fall of 2017 and would be open to ages 13-24 and encouraged all to participate. There would be an interest meeting on June 25, 2017 at the Zebulon Woman's Club from 2-4pm. The pageant would be held at Zebulon Middle School and asked for the Board's support.

Denise Nowell spoke to update the Board on Zebulon Next which would be held on Thursday, June 8, 2017 at the ERC from 8-10am. It would promote recruitment and retention of new businesses.

## **CONSENT**

### **A. Minutes**

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the minutes of the April 19, 2017 worksession. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the minutes of May 1, 2017. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the minutes of the May 9, 2017 budget worksession. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the minutes of the May 18, 2017 budget worksession. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the minutes of the May 23, 2017 budget worksession. There was no discussion and the motion passed unanimously.

### **B. Finance**

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the tax report for March 2017. There was no discussion and the motion passed unanimously.

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

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-19. There was no discussion and the motion passed unanimously.

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Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-20. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-21. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-22. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-23. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-24. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-25. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Ordinance 2017-26. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve Resolution 2017-15. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the renewal of the contract with Johnston County for the Zebulon Fire Department to provide fire services. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the Amendment to the Fire Contract with Wake County for reimbursement to the Town of Zebulon. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve the quarterly reports. There was no discussion and the motion passed unanimously.

**OLD BUSINESS**

A. Planning

*\$7 Vehicle Registration Tax Interlocal Agreement*

Mackenzie Day, with the Planning Department, presented the specifics of the Interlocal agreement that was included in the previous presentation on the Wake County Master Participation Agreement. It was a requirement in the Master Participation Agreement and had been implemented. What the agreement did was allow the Town to have the right to obtain a portion of the funds, if the Town became a transit provider.

Commissioner Bumgarner made a motion, second by Commissioner York to approve the \$7 vehicle registration tax.

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Commissioner Strickland asked for some further explanation. Mackenzie stated that it was part of the Wake County Transit Plan which was passed in 2016. The tax was in place and would be distributed via that plan to those that operate a transit service. Currently, the Town did not provide a transit serve but when it did, the Town would receive a portion of the funds collected.

There was no further discussion and the motion passed unanimously.

#### B. Administration

##### *Little River Dam*

Joe Moore presented that the FEMA funds could be used for a variety of uses such as the repair of the dam, improvement of the dam, an alternate design, or offsite improvement. FEMA stressed that clarifying who owned the dam was necessary. The deed showed Zebulon owned the dam, but the merger agreement showed that the City of Raleigh owned it and the surrounding property. The City of Raleigh did not want to repair the dam.

Resolution 2017-16 was to clarify with the City of Raleigh the Town of Zebulon's intent and interest to claim the dam and surrounding property.

Commissioner Strickland asked what the turnaround time would be with the City of Raleigh. Joe Moore stated he did not know the answer to that question. Joe said that he would like to have it back by the Town's next meeting but did not know what it would be since he was not aware of the process for the City of Raleigh meetings. Mayor Matheny said that they understood they did not need all that was granted to them in the merger agreement and wanted the plant and an easement to the river.

Commissioner Beck made a motion, second by Commissioner York to approve Resolution 2017-16. There was no discussion and the motion passed unanimously.

Mayor Matheny said since there had been several people come and speak on the dam he stated that he thought it would be good to hear the Board's thoughts on the Little River Dam. Mayor Matheny asked Commissioner York to begin.

Commissioner York said that he understood the historical nature of the Little River Dam and would like to do something to bring it back.

Commissioner Clark said that she would take everything said under consideration when decisions were being made.

Commissioner Strickland said that he thought the Little River Dam needed to be cleaned up. He continued by saying that he did not have confidence in the FEMA funding and wondered why FEMA would want to give funds for something that did not serve a purpose. Commissioner Strickland wanted to wait and see what kind of plan could be developed and the Master Plan was a good starting point.

Mayor Matheny said that he wanted to see the dam rebuilt and if FEMA gave money then he did not understand why they would not repair it. He wanted to see the dam restored.

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Commissioner Bumgarner stated that he would like to see it fixed and thought that the Town would be remiss in not taking the FEMA funding.

Commissioner Beck said that he appreciated history having been a history teacher and he appreciated the history of the dam. He continued by stating that history could be preserved without building the dam back. The Master Plan was an important part of understanding what the options could be and it was obvious that the park was still being enjoyed in its current state. Commissioner Beck thought that it was important to look at all options which would include a greenway, park, and open space. The Town Hall building mentioned by many who commented earlier showed that the building was renovated and looked very different on the inside but looked the same on the outside. There were many questions that needed to be answered and he appreciated all the opinions shared earlier and all would be taken into consideration.

Mayor Matheny asked if the FEMA money would have to be moved on sooner than later. Joe Moore said the Town would have to move on FEMA money now. Mayor Matheny asked if the Board could allocate \$350,000 in the budget and show revenue from FEMA and it be a wash. Joe Moore said from an accounting standpoint that could be done. The direction recommended by staff with the Master Plan would be keeping all options open and not waiting needlessly or putting the FEMA money at risk. The Town would be doing good due diligence. Joe explained that by dedicating \$350,000 the Board would be saying that they would be repairing the dam. Mayor Matheny said that he thought differently since the FEMA money could be used for rebuilding, modification, or elsewhere and if it was included in the budget it would acknowledge that the Town was going to pursue the FEMA funds no matter how it would be used.

Joe Moore said that the Board would be taking the action in advance of knowing what they wanted to do and the \$350,000 was assuming a scope. The Master Planning process would provide a better scope of what the project would be and then come back to the Board and dedicate even more money. Dedicating the money now was not necessary because a budget adjustment could be done mid-year. Mayor Matheny stated he understood that but it could be done as a wash in the budget. Joe Moore said from an accounting stand point the Mayor was correct. Joe asked if the Board took that action that they provide clear direction on what the \$350,000 would be spent on; fixing the dam or just a marker and options would be kept open for discussion.

Mayor Matheny asked the Board what they would like to see, and stated he saw it as keeping options open but with the intent to ask FEMA for the money. Commissioner Clark said she did not want to allocate the money, Commissioner York wanted more study.

Mayor Matheny said that he would like to have a stakeholders group to work with the \$50,000 plan and each Board member could appoint a person to the group and they would decide on whether to hire a consultant. The Mayor wanted to see the public involved which would create diversity and it could be done at the work session. Joe Moore explained that the Master Plan process was geared to obtain a great deal of input and all who spoke would be included in the process. The process would also include people interviewing those using the park to find out why they were using it. A stakeholder group would slow the process because it would be subject to the public meeting law with everything being publicized and it was necessary to move forward without being hindered. If the process was done properly a stakeholders group would not be

necessary. Input was very important and hindering that input in anyway would be avoided on all avenues. Joe asked that the information presented be taken into account when deciding if a stakeholders group was necessary.

Mayor Matheny said that he thought that citizen involvement was important and did not want to slow down the process. Joe Moore said that staff would manage the Master Plan and Greg Johnson would lead that process. Mayor Matheny asked what the \$50,000 was for in the budget. Joe Moore stated that was for assessing the structural stability of the dam, property transfer and for a consultant to facilitate the conversation. A structural assessment would let the Town know what to ask for from FEMA. Mayor Matheny asked what the time frame would be. Joe said that the intent was to put work in front of FEMA that would be reimbursed. The master planning work would take time and wanted to allow for people to participate and honor the history and the new uses that were available. Goal would be to push the things that were reimbursable and not push the things that were not. Joe explained that FEMA said that they would be more inclined to grant an extension if due diligence was done than if it were not done.

Commissioner Strickland asked if the dam was listed on anything historical in Wake County. Mayor Matheny said that if it were repaired he wanted to see it established as a landmark. Commissioner Strickland asked if repairing the dam was part of the master plan. Joe Moore explained that the master plan process would be to consider repair, reinforcement, touching it up as it currently was and FEMA indicated all of those options would be reimbursable. Commissioner Strickland said that he did not know of anyone who wanted to see it torn down. Joe stated that rushing in to repair could lead to it becoming something that they had to keep throwing money at and in the end might not be repairable.

Mayor Matheny asked if there were any other comments or questions. Commissioner Beck said that he thought they should go with staff recommendations to evaluate the dam.

## **NEW BUSINESS**

### **A. Planning**

#### *Weaver's Pond Preliminary Plat Approval Phase 2D-3 & 4*

Julie Spriggs presented that Weaver's Pond was requesting approval of the preliminary plat for Phases 2D-3 and 2D-4. It was approximately 52 lots along Cattail Pond Drive and Tulip Spring Drive. There were a couple of minor comments from staff and the Planning Board.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the preliminary plat for Weaver's Pond Phase 2D-3 and 2D-4 as amended by staff.

Commissioner Strickland asked why they came before the Board. Julie Spriggs stated that the current Town ordinance stated that was required. Staff was working on a text amendment to change the ordinance which would allow it to be reviewed at staff level.

There was no further discussion and the motion passed unanimously.

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*Taryn Lake Preliminary Plat Approval Phase 2A*

Julie Spriggs stated that it was the next phase to the west of Taryn Meadows consisting of 58 lots off Rose Mellow Drive. There were a few minor comments from staff.

Commissioner Clark made a motion, second by Commissioner York to approve the preliminary plat for Taryn Lake Phase 2A as amended by staff. There was no discussion and the motion passed unanimously.

B. Public Works

*Streetscape Match Request for Downtown Beautification Project*

Chris Ray presented that the Woman's Club had made a request for a Streetscape Match in the amount of \$1775 to create mini gardens at 206 N. Arendell Avenue, 128 N. Arendell Avenue and 100 N. Arendell Avenue.

Commissioner Beck made a motion, second by Commissioner Strickland to approve the streetscape match request. There was no discussion and the motion passed unanimously.

*Waterline Replacement by the City of Raleigh at the Fire Station*

Chris Ray asked the Board to consider the replacement of a two inch galvanized waterline in the alley behind the Fire Station and in the E. Horton Alley. It would be added to the list of small main replacement with the City of Raleigh which was part of the merger agreement but was inadvertently left out due to being mislabeled in the GIS system. It would be less expensive if completed now and it would also be safer for the Fire staff and would lower the long term merger costs. It would add approximately one month to the proforma.

Mayor Matheny asked if the lines served from the rear as shown by the blue line on the attached map. Chris stated that it served the rear of the properties.

Commissioner Bumgarner made a motion, second by Commissioner York to approve adding the replacement of the waterline to the proforma. There was no discussion and the motion passed unanimously.

C. Administration

*Amendment to the Personnel Policy*

Chris Perry presented that the HR subcommittee was recommending an amendment to the policy for those that were required to work on holidays. Policies from other municipalities were reviewed and found that the majority of those municipalities did provide additional compensation to those required to work on that holiday. Staff was surveyed and they expressed the desire to have additional time off versus additional compensation.

The recommendation would be to provide the employee additional half time in compensatory time when working on the nine days listed in the policy. The fiscal impact would be in time off and could require the need to call a person in to work to fill the time the employee was off.

Mayor Matheny asked when the employee worked was it a 12 hour day for all. Chris Perry explained it would be based on the actual hours worked on the holiday. Chief Perry explained it could be 12 hours or six but it was based on the actual hours worked on the holiday. Mayor Matheny asked how much of that time would be considered overtime. Chris Perry said that



would depend on the work schedule of the employee and the actual hours worked during that pay cycle. Mayor Matheny asked if they would get overtime and half compensatory time. Chris Perry stated that was a possibility. Mayor Matheny asked if that calculation was part of the budgeting process. Chris Perry said that was taken into account.

Commissioner York asked about the time frame to use the compensatory time earned. Chris Perry stated that was managed by the departments and the policy did require that compensatory time was to be taken prior to vacation and sick time. Commissioner York asked if it was carried over. Chris said that compensatory time was carried over where.

Commissioner Clark made a motion, second by Commissioner York to approve the amendment to the personnel policy. There was no discussion and the motion passed unanimously.

#### *Board Appointments*

Lisa Markland presented that there were appointments for the Planning Board, Board of Adjustment and the Parks & Recreation Board. The terms ended the end of June and the new terms were for three years ending in 2020.

The positions open on the Planning Board were Larry Ray, an ETJ representative, who desired to be reappointed and Sam Hayes, an in town representative, who was not seeking reappointment. Shannon Baxter had submitted an application of interest, to serve as the in town representative.

The positions on the Parks & Recreation Board were Foy Waters and Michelle Glidewell who were currently serving and wished to continue serving.

The Board of Adjustment positions were Annie Moore as an in town alternate and she was also interested in continuing to serve.

Commissioner Clark made a motion, second by Commissioner York to accept the applications and appoint to the respective Boards. There was no discussion and the motion passed unanimously.

## **BUDGET**

### A. Administration

#### *Budget Ordinance*

Joe Moore reviewed that the budget ordinance options, which were to adopt as proposed, adopt a modified ordinance and last was to table the discussion until the June 13 worksession.

Commissioner Beck made a motion, second by Commissioner Strickland to adopt Ordinance 2017-27 with the modification to add an HR Analyst/Deputy Clerk position as a full-time position. The motion passed with a vote of 4-1 with Commissioners Beck, Clark, Strickland and Bumgarner voting in favor of the motion and Commissioner York voting against the motion.

## **BOARD COMMENTS**

Commissioner Beck thanked the public for coming to the public hearing and appreciated their thoughts and opinions.

Commissioner Bumgarner thanked staff for the work done on the budget and it was one of the easiest budgets to work with.

Commissioner Strickland thanked the public for coming out and staff for making sure that street lights were working.

Commissioner Clark thanked staff for a great budget process.

Commissioner York thanked staff involved in working with a homeless lady and getting her help and reunited with her family.

Mayor Matheny thanked everyone that came and spoke on the dam.

## **MANAGERS REPORT**

Joe Moore reminded that Friday was movie night at 7pm and Saturday was the Farm Fresh Market from 9-1.

Joe thanked staff for the months of work on the budget since December and produced a great document for the Board. He continued by thanking the Board for the work that they do and for the great questions asked that kept staff accountable.

Bobby Fitts reported the following budget transfers.

Governing Body:

Moved \$5,000 from Group Insurance to Professional Services

Finance:

Moved \$2,500 from Contract Services to Contracted Services (Taxes); Moved \$1,000 from Group Insurance to Printing & Copying

Administration:

Moved \$400 from Telephone Service to Travel & Training – HR; Moved \$1,200 from Newsletter to Printing & Copying

Planning:

Moved \$4,500 from Salaries - \$3,000 to Vehicle Maintenance and \$1,500 to Advertising;  
Moved \$3,500 from Group Insurance - \$1,000 to Printing & Copying and \$2,500 to Professional Services; Moved \$100 from Fuel to Miscellaneous; Moved \$1,500 from Retirement to Professional Services.

Buildings & Grounds:

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Moved \$400 from Fuel to Travel & Training; Moved \$200 from Fuel to Cell Phones; Moved \$1,000 from Vehicle Maintenance to Equipment Maintenance; Moved \$50 from Miscellaneous to Greenway Promotional Printing; Moved \$50 from Vehicle Maintenance to Postage; Moved \$300 from Materials & Supplies to Highway 64 Beautification.

Police:

Moved \$5,000 from Fuel Expense to Vehicle Maintenance; Moved \$1,500 from Fuel - \$1,000 to Equipment Maintenance and \$500 to Printing & Copying.

Fire:

Moved \$5,000 from Salaries to Part-time Salaries;  
Moved \$4,650 from Fuel - \$1,000 to Equipment Maintenance, \$2,000 to Materials & Supplies, \$1,000 to Contract Services, \$300 to Inspections and \$350 to Retention & Recruitment;  
Moved \$1,500 from Insurance & Bonds to Vehicle Maintenance

Streets:

Moved \$2,000 from Insurance & Bonds to Group Insurance; Moved \$200 from Materials & Supplies to Travel & Training; Moved \$1,000 from Contract Services to Computers

Sanitation:

Moved \$700 from Materials & Supplies to Computers; Moved \$900 from Materials & Supplies to Printing & Copying;

Parks & Recreation:

Moved \$1,000 from Fuel to Team Uniforms; Moved \$500 from Fuel to Vehicle Maintenance; Moved \$1,000 from Group Insurance to Printing & Copying;

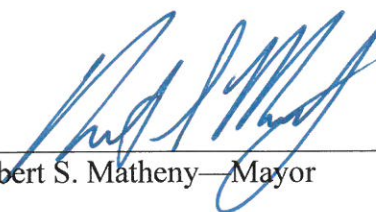
Special Appropriations/Community Development:

Moved \$100 from Triangle J to Wake County Dispatch

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

8/7/17

Date

  
Robert S. Matheny—Mayor



  
Lisa M. Markland, CMC—Town Clerk