

**Zebulon Board of Commissioners**  
**Minutes**  
**June 1, 2020**

Present: Robert S. Matheny, Beverly Clark, Annie Moore, Larry Loucks, Shannon Baxter, Glenn York, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Tim Hayworth-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Eric Vernon-Town Attorney

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

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Clark.

**APPROVAL OF AGENDA**

Commissioner Baxter asked to move Ordinance 2020-44 – Police and Fire Off-Duty Employment Reimbursement from the Consent Agenda to New Business.

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

**PUBLIC COMMENT PERIOD**

No one signed up to speak.

**CONSENT**

*A. Minutes*

Commissioner Baxter made a motion, second by Commissioner Clark to approve the minutes of the May 11, 2020 work session. There was no discussion and the motion passed unanimously.

*B. Finance*

Commissioner Baxter made a motion, second by Commissioner Clark to approve the financial report as of May 18, 2020. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Clark to approve Ordinance 2020-45 – Stormwater Projects – Capital Project Fund. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Clark to approve Ordinance 2020-46 – Placing Unspent Capital Expenditures into Reserves. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Clark to approve Resolution 2020-10 – FY 2021 Appointment of Tax Collector. There was no discussion and the motion passed unanimously.

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

Commissioner Baxter made a motion, second by Commissioner Clark to approve Resolution 2020-11 – Glenn Lewis Insurance Agency Roadway and Sidewalk Infrastructure Acceptance. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Clark to approve the extension of Fire Contract with Wake County. There was no discussion and the motion passed unanimously.

## **OLD BUSINESS**

### *A. Planning*

#### 1. Unified Development Ordinance Amendments

Michael Clark explained the following were text amendments heard at the February 10, 2020 Joint Public Hearing.

##### a. Ordinance 2020-47 – Board of Adjustment / Planning Board

This was a proposal to amend Section 10.2.2 and Section 10.4.1 of the Unified Development Ordinance. The amendment granted the Planning Board the ability to act as the Board of Adjustment for appeals and variances. The Planning Board recommended approval.

Commissioner Loucks stated the Board of Adjustment and Planning Board should remain as two separate boards.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2020-47 to adopt the proposed text amendments to 10.2.2 and 10.4.1.B of the UDO finding that the proposed request are consistent with the Comprehensive Master Plan and the goal statements of the 2030 Strategic Plan as adopted by the Town of Zebulon.

The motion failed with a vote 3 to 2 with Commissioners Clark and Moore voting in favor and Commissioners Baxter, Loucks, and York voting against.

##### b. Ordinance 2020-48 – Window Signage Regulations

Michael Clark explained the amendment was to Table 5.11.9 of the UDO to allow signage to be allocated differently if specific conditions were present and created greater leniency to work with business owners. The Planning Board recommended approval.

Commissioner Baxter made a motion, second by Commissioner Clark to approve Ordinance 2020-48 to adopt the proposed text amendments to Table 5.11.9 of the UDO, finding that the proposed request are consistent with the Comprehensive Master Plan and the goal statements of the 2030 Strategic Plan as adopted by the Town of Zebulon. There was no discussion and the motion passed unanimously.

c. Ordinance 2020-49 – Accessory Structures

Michael Clark explained the proposed amendment created section 4.4.7.H of the UDO and allowed detached accessory structures to be 35% of the finished floor area, and to increase in size depending on the size of the parcel.

It was explained the allowable size determinations was based on the footprint and was not measured by the square footage of the building. This allowed detached accessory structures to be up to 35% of the usable square footage of the dwelling. Commissioner Loucks asked if attached accessory structures were considered part of the home. Michael Clark confirmed as long as the accessory structure was attached to the home it would be considered part of the home and not an accessory structure. The Planning Board recommended approval.

There was discussion about scenarios of the allowable sizes of accessory structures. Michael Clark explained the 35% was the total usable floor space and could not exceed the height of the house.

Commissioner York made a motion, second by Commissioner Clark to approve Ordinance 2020-49 to adopt the proposed text amendments to 4.4.7.H of the UDO as presented finding that the proposed request are consistent with the Comprehensive Master Plan and the goal statements of the 2030 Strategic Plan as adopted by the Town of Zebulon.

Commissioner Baxter stated section 4.4.7.H.3 should state footprint and not square footage. Michael Clark stated that was an error and could be changed in the motion.

Commissioner York amended his motion with a second by Commissioner Clark to approve Ordinance 2020-49 with the change in section 4.4.7.H.3 from footage to footprint. There was no discussion and the motion passed unanimously.

**NEW BUSINESS**

*A. Administration*

1. Ordinance 2020-50 – Amend 30.23 – Conduct of Meetings; Times

Lisa Markland explained section 30.23 specified the Board meet on the first Monday of each month and if that was a holiday then they were to meet the next day at 7:00pm. The amendment allowed the Board to set the date and time of their choosing on when to meet. Staff recommended approval of Ordinance 2020-50.

Commissioner Loucks made a motion, second by Commissioner Moore to approve Ordinance 2020-50 to amend section 30.23. There was no discussion and the motion passed unanimously.

*B. Finance*

1. Ordinance 2020-44 – Police and Fire Off-Duty Employment Reimbursement

Bobby Fitts explained businesses formerly paid directly for off-duty Town of Zebulon police officers hired for security. It was requested that off-duty employment be paid through the Town and then reimbursed by the business requesting the services.

Staff explained businesses covered the FICA, retirement, and taxes that were applicable.

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Commissioner Loucks stated a vehicle expense should be included in the reimbursement.

Commissioner Baxter made a motion, second by Commissioner York to approve Ordinance 2020-44 - Police and Fire Off-Duty Employment Reimbursement. There was no discussion and the motion passed unanimously.

### **BOARD COMMENTS**

Commissioner Loucks thanked the Planning Board for their solution on the window signage regulations.

Commissioner Baxter thanked staff and citizens for what they were doing during the challenging times.

### **MANAGER'S REPORT**

Joe Moore stated Town Hall was closed and staff was making preparations for re-opening.

Bobby Fitts had the following budget transfers:

#### Governing Body:

Moved \$2,800 from Group Insurance - \$100 to FICA, \$1,900 to Materials & Supplies and \$800 to Elections

#### Finance:

Moved \$1,000 from Insurance & Bonds to Retiree Insurance;

#### Buildings & Grounds:

Moved \$5,000 from Contracted Services-Janitorial to Wakelon Utilities;

#### Police:

Moved \$5,000 from Group Insurance to Salaries (Overtime)

#### Fire:

Moved \$4,000 from Insurance & Bonds - \$2,000 to Uniforms and \$2,000 to Materials & Supplies

#### Streets:

Moved \$5,000 from Snow & Ice Materials to Electricity;

#### Parks & Recreation:

Moved \$2,400 from Part-time Salaries (Farmers Market) to Part-time Salaries (Admin);

Moved \$1,500 from Equipment Maintenance to Vehicle Maintenance;

Moved \$5,000 from Part-time Salaries (Parks Maintenance) - \$4,500 to Grounds Maintenance and \$500 to Contract Services;

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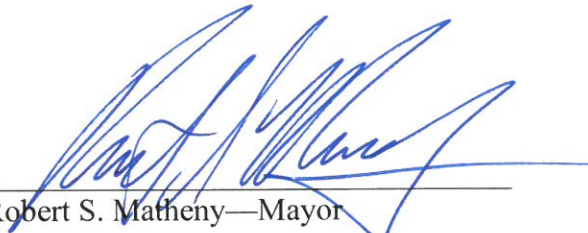
The budget work session was scheduled for June 10 at 7:00pm. The meeting would cover topics regarding walkability, property management, and community and economic development.


Anyone wishing to submit public comments should email all comments of 400 words or less to the Town Clerk, Lisa Markland by noon on June 10, 2020. The comments would be read into the record at the meeting.

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

Adopted this the 18<sup>th</sup> day of August 2020.



  
Robert S. Matheny—Mayor

  
Lisa M. Markland, CMC—Town Clerk