

Zebulon Board of Commissioners
Minutes
August 5, 2024

Present: Mayor Glenn York, Quentin Miles, Amber Davis, Jessica Harrison, Beverly Clark, Taiwo Jaiyeoba-Interim Town Manager, Lisa Markland-Human Resources Director, Chris Ray-Public Works, Jacqui Boykin-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Kaleb Harmon-Communications, Eric Vernon-Town Attorney

Absent: Shannon Baxter

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

Mayor York asked to add Polihire's report to the agenda.

Commissioner Miles asked to add a discussion for waiving field fees for two local football teams.

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

Mayor York stated there would be a moment of silence in honor of former commissioner Curtis Strickland.

Mayor York explained the family for the proclamation was running late and would be moved to later in the meeting.

PUBLIC COMMENT

Dallas Pearce spoke about an incident that occurred with Commissions Baxter and Miles after the June 11, 2024 Board of Commissioners work session. Mr. Pearce stated their behavior should not be condoned and they should resign from the Board. If they did not resign there should be a public hearing to see if they should be sanctioned and censored for their conduct.

Carnell Taylor spoke in support of Dallas Pearce and his character.

Miranda Todd Harrison spoke on behalf of her family to ask the Board not to approve the rezoning of 901 Mack Todd Road.

Dametria Falling expressed concerns about people walking through private properties early in the morning and security issues.

Ofelia McCoy, the new President at the Zebulon Lion's Club, spoke about the club and the possibility for a pocket park at the Chamblee House on Horton St.

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George Roa and Officer Mitchell updated the Board about the youth football team and thanked the Board for their support.

PROCLAMATION

Mayor York read the Proclamation recognizing Terry Wayne Hunter, Jr.

CONSENT

A. Minutes

Commissioner Miles made a motion, second by Commissioner Harrison to approve the March 28, 2024 work session minutes. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the April 8, 2024 joint public hearing minutes. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the April 18, 2024 work session minutes. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the May 6, 2024 regular meeting minutes. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the May 9, 2024 work session joint public hearing minutes. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the Wake County tax report for April 2024. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve Ordinance 2025-01, 2024 Budget Amendment Rollovers. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve Ordinance 2025-02 FY '24 Donation and Grants rollovers. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve Ordinance 2025-03 United Arts Council Grant. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Harrison to approve Ordinance 2024-04 and Ordinance 2024-05 - Fire Station 2 – Capital Project Fund. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Polihire Update on Town Manager Search

Taiwo Jaiyeoba introduced Kenyatta Uzzell with Polihire. Kenyatta Uzzell gave an update about the Town Manager search. There was a strong response from the posting and the applications would be available for the Board's review by the end of August.

Commissioner Harrison thanked Polihire for their work.

B. Community and Economic Development

i. Strategic Plan

Shannon Johnson spoke about the process to develop the Community and Economic Development Strategic Plan.

Commissioner Miles asked Shannon Johnson to read out the five focus areas of the strategic plan. Those included:

- Leverage regional assets
- Inclusive economy
- Key economic growth areas
- Support for businesses
- Economic readiness

Commissioner Harrison made a motion, second by Commissioner Davis to approve the Community and Economic Development Strategic Plan. There was no discussion and the motion passed unanimously.

C. Fire Department

i. Memorandum of Understanding

a. Wake County

Chris Perry explained that the Town of Zebulon had contracted with Wake County since 2000 to provide fire services to the unincorporated areas around the corporate limits of Zebulon. The contract included a provision of fire and medical first responder services.

The current agreement for fire protection services would expire on June 30, 2025. This amendment was initiated by County staff to outline three contract changes:

1. To modify the funding methodology which the County used to share costs of apparatus and vehicles, from a reimbursement format to an annual contribution format; and,
2. To pay off the existing debt owed by the County to the Town on existing vehicles; and,
3. To update language relative to the effect of future fire stations on cost share.

Commissioner Miles asked what was done with old vehicles when a new one was purchased. Chris Perry explained if the County paid for a portion of the vehicle they would receive a portion of the proceeds of the sale.

Commissioner Davis made a motion, second by Commissioner Miles to approve the Memorandum of Understanding with Wake County. There was no discussion and the motion passed unanimously.

b. Johnston County

Chris Perry explained since April 2014, the Town of Zebulon had contracted with Johnston County to provide fire services to a small portion of their county. The current agreement for fire protection services covered a period through June 30, 2024. Near the end of June, Johnston County provided a new agreement for an additional year, expiring June 30, 2025. Primarily, changes within the contract related to Johnston County's change from individual tax districts to a single, county-wide tax. This arrangement allowed Johnston County to distribute funding as needed across the county.

Commissioner Davis made a motion, second by Commissioner Miles to approve the Memorandum of Understanding with Johnston County. There was no discussion and the motion passed unanimously.

ii. Fire Engine Replacement Appropriation – Ordinance 2025-06

Chris Perry explained that fire engines were currently replaced based upon a twenty-year life cycle. Due to the substantial increase in incidents in recent years, staff discussed with the Board the need to move to a more frequent replacement of fire engines. Fire engine production time can exceed 36 months in today's market. The Fire Department's oldest fire engine was built in 2007 and is nearing its replacement date. Delaying the order would increase the purchase price by 1-2% per quarter. The anticipated cost of the replacement fire engine was \$1,000,000.

Commissioner Clark made a motion, second by Commissioner Miles to approve Ordinance 2025-06 – Fire Engine Replacement Appropriation. There was no discussion and the motion passed unanimously.

iii. Fire/EMS Station Design Professional Services Agreement

Chris Perry stated the Town of Zebulon had been working jointly with Wake County on a project to construct a Fire/EMS station behind the municipal complex. In April, 2024, the Board approved an amendment to the Memorandum of Understanding, which included several next steps in the design process. That MOU included a budget for services, which included the design services to develop construction drawings. This professional services agreement was consistent with the MOU approved in April, 2024 and required Board approval due to the contract amount. ADW Architects, PA was selected by Wake County as their public safety designer through a qualifications-based selection process in 2023. The agreement had been reviewed by the Town attorney, the Wake County attorney, and the United States Department of Agriculture (USDA).

Commissioner Harrison made a motion, second by Commissioner Miles to approve the Fire/EMS Station Design Professional Services Agreement. There was no discussion and the motion passed unanimously.

D. Parks and Recreation

i. Sustainability Board

Sheila Long explained that the Board of Commissioners funded expanding the sustainability efforts related to joining Bee City USA with adoption of the FY '24 Budget Ordinance. A Sustainability Board, advising the Board of Commissioners regarding environmental sustainability issues such as environmental protection and urban forestry, recycling, and energy use, can support obligations of the Bee City USA and Tree City USA programs.

At the May 15, 2024 work session, the Board of Commissioners provided direction to staff to bring forward Ordinance changes that create the Sustainability Board and possibly assign duties to the Parks and Recreation Advisory Board. The Board also requested to hear from the Parks and Recreation Advisory Board about serving as the Sustainability Board. The Parks and Recreation Advisory Board met on May 20, 2024. The Advisory Board by unanimous vote provided the below feedback to the Board of Commissioners:

The Parks & Recreation Advisory Board believes that bees and trees are critical to the environment. There is a concern that there might be a lack of knowledge and interest on the Advisory Board in order to see it through to make a lasting impact. While they feel that there may be some connection to the Parks & Recreation Advisory Board, they feel there may be some in the community with more interest and expertise that would be a better fit. If it is assigned to the Parks & Recreation Advisory Board, they want to make sure they have access to the resources and consultants needed to see it through.

At the June 3, 2024 regular meeting, the Board of Commissioners adopted Ordinance 2024-49 to establish the Sustainability Board and Resolution 2024-26 to become a Bee City USA affiliate community. The Board did not make appointments to the Sustainability Board at their June meeting.

The Parks and Recreation Advisory Board met on July 15, 2024 and reviewed the Sustainability Board Appointment and Action Plan Proposal. The Advisory Board unanimously voted to recommend approval of the Sustainability Board Appointment and Action Plan Proposal as presented by staff. Discussion by the Advisory Board indicated the proposal balanced the desires of the Board of Commissioners and the Advisory Board while offering a manageable approach to starting a new board. The Sustainability Board Action Plan was shown.

The Board was asked for their consideration to appoint the duties of the Sustainability Board to the Parks & Recreation Advisory Board until members of the Sustainability Board could be appointed.

Commissioner Miles stated he wanted to hear Commissioner Baxter's feedback regarding moving forward with the Sustainability Board.

Commissioner Harrison made a motion, second by Commissioner Clark to appoint the duties of the Sustainability Board to the Parks & Recreation Advisory Board until members of the

Sustainability Board could be appointed. There was no discussion and the motion passed unanimously.

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

The meeting reconvened at 7:19pm.

OLD BUSINESS

A. Planning

i. 901 Mack Todd Road – Conditional Zoning – Ordinance 2025-07

Cate Farrell showed the standards for Section 2.2.25.J

1. Health, Safety and Welfare
2. Appropriate for Location
3. Reasonable in the Public Interest
4. Other Relevant Factors

The applicant for 901 Mack Todd Road was TMTLA and the current zoning was R4-C with a proposed zoning of Planned Development. The property was approved for a bungalow court in 2021 and the conditions were shown. The future land use map, timeline of activity, and concept plan were shown. There would be 13 townhomes and three open space areas. The urban open space area included a pocket park, outdoor grill, two picnic tables, pollinator garden, community garden and a dog park. The road improvements were discussed including a two-lane median divided road with the developer being responsible for the curb and gutter and sidewalk on their side of the property and a lane widening to accommodate the future median. The architectural design was shown. The developer met the required 60 points of the Utility Allocation Policy.

The Planning Board recommended approval of PD 2024-02 for 901 Mack Todd Road finding that the standards of Section 2.2.25.J and Section 3.5.5 had been met and the request was consistent with the Comprehensive Land Use Plan. Since the June Public Hearing the developer removed the language that prohibited mass grading.

Pam Porter with TMTLA Associates gave a site overview, showing the concept plan and architectural standards. The zoning conditions were shown and it was explained the mass grading condition was removed. In 2023 there was a neighborhood meeting held with no one in attendance.

Commissioner Miles asked about having a meeting with the family that spoke in opposition to the planned development. Ms. Porter stated they were open to holding another meeting with neighbors to clear up any misconceptions of the development.

Commissioner Harrison spoke about the gravesite near the property and stated it was challenging to overlook a petition with 176 names. The applicant was encouraged to have a conversation with the citizens.

Commissioner Harrison made a motion, second by Commissioner Miles to table 901 Mack Todd Road – Conditional Zoning – Ordinance 2025-07 to the October 7, 2024 meeting.

Commissioner Harrison asked to hear back from the family and TMTLA Associates after the meeting.

There was no further discussion and the motion passed unanimously.

B. Parks and Recreation

i. Gill Street Park – DEQ

Sheila Long explained the Town has been considering the construction of various improvements at Gill Street Park. The NC Department of Environmental Quality (“DEQ”) has classified the Park as a Pre-Regulatory Landfill site, subject to regulation under DEQ’s Pre-Regulatory Landfill Program (“Program”). Given the Park’s historic use as a landfill, staff thought it was necessary to have a subsurface soil assessment done in the areas most likely to be disturbed during construction.

Staff worked with Wyrick Robbins to contract with Mid-Atlantic Associates, Inc. (“Mid-Atlantic”), to conduct the needed subsurface soil sampling. Subsurface and surface samples showed lead contamination at levels in excess of the DEQ’s standards. Interim measures were taken by staff to limit access to areas with elevated lead levels. Mid-Atlantic summarized its subsurface and surface sampling results in a May 29, 2024 report. The Board of Commissioners was provided the report in May and Mid-Atlantic’s report was submitted to DEQ. DEQ responded offering to complete an additional, more thorough investigation at the Park. More detailed information regarding the Program, the Program’s offer and the likely timelines associated with the Program’s proposed work was handed out to the Board.

Grady Shields of Wyrick Robbins spoke about the State’s Program for additional sampling at their expense. Once the Town had those results, there would be a better understanding of the timeframe and cleanup expenses. There were discussions about the timeline of the Program and staff spoke about the due diligence process with DEQ.

The Board asked staff to continue giving updates on the process.

Commissioner Harrison made a motion, second by Commissioner Miles to authorize staff to engage in the DEQ Program and agreement. There was no discussion and the motion passed unanimously.

C. General

i. Reimbursement of Expenses for Interim Town Manager

Bobby Fitts reviewed the Interim Town Manager’s lodging and travel reimbursement of expenses.

Commissioner Miles stated he thought \$255 per night was reasonable for local accommodations. Commissioner Harison suggested making the reimbursement up to \$255 per night.

Commissioner Miles made a motion, second by Commissioner Harrison to approve the maximum reimbursement of hotel accommodations for the Interim Town Manager as \$255 per night. There was no discussion and the motion passed unanimously.

Commissioner Miles made a motion, second by Commissioner Davis to approve reimbursement of the Interim Town Manager's lodging and travel expenses from June 10, 2024 to July 9, 2024 and future expenses through the end of the contract. There was no discussion and the motion passed unanimously.

D. Football Fee Waiver

Commissioner Miles stated he wanted to discuss helping the Bearcats and Aggies Football teams by waiving fees for both teams. Sheila Long stated she provided an analysis to the Board at a May work session. The Board did have \$25,000 in strategic plan grants.

George Roa spoke on behalf of the Bearcats explaining they received their 501(c)(3) and were asking for a fee waiver for the field use for practices and games. There would be further discussion at the work session.

BOARD COMMENTS

Commissioner Davis thanked the Board for their work and dedication.

Commissioner Clark stated she wanted a procedure for the Board to appoint people to appointed boards.

Commissioner Harrison expressed concerns about the state of Wedgewood Shopping Center and spoke about The Black Elected Municipal Officials Conference she attended. Shannon Johnson was asked to meet with members to discuss property rights and gentrification.

Mayor York spoke about Curtis Stickland's legacy and continuing his work for the betterment of the Town.

MANAGER'S REPORT

Adam Culpepper gave a monthly development update.

Chris Ray gave updates on the Christmas parade and the transportation bond education campaign.

Taiwo Jaiyeoba stated the Government Financial Officers Association awarded the Town a Certificate of Achievement for Excellence in Financial Reporting which was the Town's 31st consecutive year receiving the award.

Lisa Markland gave an HR update.

Mayor York stated the Board would go into Closed Session as allowed by GS § 143-318.11 (a)(6)

1. Acquisition of Property located at 2900 Zebulon Road, owned by Stephen Mitchell and Connie Brayboy for the purpose of possible conservation.
2. Town of Zebulon v. Mayo et al. / Case #21-CVS-015054-910 , Wake County
3. Deacon Development Group, LLC v. Town of Zebulon / Case #24-CVS-020692-910
4. Personnel Discussions

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Commissioner Miles 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 Davis made a motion, second by Commissioner Harrison to come out of closed session. There was no discussion and the motion passed unanimously. Commissioner Clark made a motion, second by Commissioner Harrison to adjourn. There was no discussion and the motion passed unanimously.

Adopted this the 2nd day of December 2024.




Glenn L. York—Mayor


Lisa M. Markland, CMC—Town Clerk