

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING
JANUARY 26, 2010
7:00 P.M.

PRESENT:

Mayor Darryl D. Moss, Mayor Pro-tem Jimmy Minor, Commissioner Tim Karan, Commissioner Otha Piper, Jr., Commissioner John Stallings and Commissioner Herman Wilkerson. Also present was Mr. Tom Mercer, City Manager, Sandra Harper, City Clerk, and Attorney Tom Currin.

Mayor Moss called the meeting to order at 7:00 p.m. in the Commissioner's Room at City Hall and welcomed everyone.

INVOCATION:

Mayor Moss

PLEDGE OF ALLEGIANCE:

Commissioner Karan

MAYOR'S STATE OF THE CITY ADDRESS:

Mayor Moss read the following:

“To the Board of Commissioners and fellow citizens, I am pleased to present the 2010 State of the City Report. It continues to be an honor to serve as the Mayor of Creedmoor. The annual report gives us an opportunity to look at last year and more importantly to look forward to 2010 or in the new vernacular 2K10. Most folks that I talk to were happy to say goodbye to 2009. It was a tough year in almost every respect. From the national economic picture to a stagnant housing market to a depressed jobs market things were difficult last year. Still, our city was able to provide public services that our residents deserve and need. Public Safety, recreation, refuse collection, clean water and wastewater treatment are just a few examples of municipal services that we tended to day in and day out. The bottom line is that we worked to improve our community. We are working to have a small place known as Creedmoor, North Carolina make a meaningful difference in our region and the nation as a whole. In this current environment that is no small task.

As I state each year, I am proud to acknowledge the hard work and dedication of our Board of Commissioners, City staff, citizen advisory committee members, and the community organizations that contribute to our progress. Our ability to have the hard conversations and to work through divisive issues has strengthened our community.

The following is a brief overview of the City's achievements and challenges:

Finance and Administration: The number one challenge we faced last year was to fix our finance operation, resolve unpaid payroll taxes with the IRS and improve financial reporting. The end result was that we were able to address those issues and more. An extremely negative situation was turned into a strategic advantage for the City. City Manager Tom Mercer and Finance Director Ren Wiles are developing a financial plan that will allow the Board to budget and spend effectively and efficiently. This is vital as we try to deal with economic conditions that are beyond our control. A real-time example of this is the Beer & Wine Tax distribution expected to be withheld by the state this spring. On the positive side there are signs from the Granville County Tax Office that our tax base is holding during these hard economic times. Our share of sales tax money is improving, but this is variable and directly affected by the level of retail sales in Granville County and across the state. Staff is currently reviewing our investments to determine if we can find a better interest rate. Ren Wiles, Finance Director tells me the goal is to invest on the SLY...emphasizing deposits in order Safety of the City money, Liquidity for emergency needs, and the Yield or interest rate.

Administrative Services Manager Korena Weichel and her team are working to enhance the critical business and administrative services that support customer service and City government.

The Creedmoor Volunteer Fire Department (CVFD) provides an exceptional level of service to our community. The CVFD respond to emergency and non-emergency calls in our fire district and beyond.

Community and Economic Development: We continue to work to promote economic development; preserve and enhance neighborhoods; and promote a high quality of life. Specifically, I am speaking about our partnerships with BB&T and Ace Hardware. Additionally, we are working harder than ever working with local, state and federal government partners.

2009 saw three new businesses open their doors on Main Street – CVS, BP and Cardinal State Bank. It is worth noting this was accomplished during the worst economic conditions since the great depression.

City Planner Dave Roesler's disciplined approach to land use planning strategy is allowing us to order and regulate the use of land in an efficient and ethical way.

Our municipal inspections are provided by Steve Colenda for improved safety for the residents of Creedmoor. We are seeking closer coordination with other permits and providing quality service for property owners and developers.

Energy, Environment and Natural Resources: 2010, like 2009, is going to be dominated by working to find a solution to meeting the long-term water and wastewater treatment needs for

our community. It is also expected that the upcoming Falls Lake Rules to protect Falls Lake, the City of Raleigh's drinking water supply will have a significant effect on land use decisions.

Projects underway include: Upgrading our primary pump station at Joe Peed Road, install a boost pump at Lake Rogers to improve water; the delivery system and a grant/loan package with the US Department of Agriculture to do major upgrades to our aged water and sewer lines. An infiltration and inflow study was conducted on the sewer system. Reducing rainwater and groundwater infiltration into the sewer system will save hundreds of thousands of dollars.

Transportation Infrastructure: The City continues to design a transportation infrastructure based on a safe and multi-modal approach. A street improvement program is underway to improve street surfaces. Business Development and Transportation Planner Scottie Wilkins is leading the way with the NC Department of Transportation and the Capitol Area Metropolitan Planning Organization to obtain and implement a "Safe Routes to School" sidewalk grant, Highway 50 corridor study, stoplight at Highway 56/Crescent Drive/Hawley School Road and the greenway plan.

Conclusion: There is not a newspaper that you can read, television you can watch or a radio you can listen to without knowing the state of our nation and City. We are in a state of severe challenge; we are facing an economic crisis, housing crisis, banking crisis. Unemployment is rising, GDP is declining and hard working families and governments are facing the hardest of choices. Creedmoor is not immune to this national and global reality. 2010 will be a hard time for our City. However; in the face of this difficult time, Creedmoor will not lie down. We will not hesitate in the aggressive pursuit of our City's agenda. Understand this, we have a great destiny calling us and we will fulfill it! For too long our City has been underestimated, however; has always persevered. We in Creedmoor know who we are even in the darkest of moments when others prayed for our failure we found ways to shine our light, our truth and our strength. In this difficult time, Creedmoor is coming together across communities, across race, across religion, across generations to show what is possible. We are creative innovative models of success and making everyday democracy a habit in our community. Simply put, I am proud of my City. This is the story of Creedmoor in 2010."

Mayor Moss received a round of applause.

PUBLIC HEARING:

Stormwater Management Ordinance:

Mr. Dave Roesler, Planning Director addressed the Board and asked that the staff report and Stormwater Management Ordinance be entered into the record. He expressed that staff has been using this ordinance for approximately two years along with the Stormwater Design Manual. Mr. Roesler advised that this ordinance was developed in concert with the Wooten

Company and the State Department of Water Quality. There have been several major projects that has used this Stormwater Management Ordinance; Yorkshire development, Fontaine development, CVS and Cardinal Bank. He said that there are ongoing efforts by the state for Falls Lake Rules dealing with water quality. These rules have not yet been completed or adopted by the state. Mr. Roesler said that in his opinion this ordinance will exceed the expectations of the state. There may be a few changes to the design manual; however, it is an administrative document. Mr. Roesler said that he feels that this ordinance will be a good leader position with the watershed of Falls Lake. He said that Creedmoor has been designated as a Phase II community under the Falls Lake stormwater management and water quality issues. The Planning Board has reviewed the ordinance and recommends approval.

Mayor Moss opened the Public Hearing. No one wished to speak so Mayor Moss closed the Public Hearing. He noted that this is to be placed as item 12-b on the agenda.

REQUESTS TO ADDRESS THE BOARD:

No one was scheduled to address the Board this evening.

MINUTES:

Moved by Commissioner Karan and seconded by Commissioner Minor to adopt the minutes of November 24, 2009, December 15, 2009 Organizational Meeting and the January 11, 2010 Work Session. The motion received a unanimous vote.

APPROVAL/ADDITIONS TO AGENDA:

Moved by Commissioner Karan and seconded by Commissioner Piper to adopt the agenda with the addition of Item 12-b; Stormwater Management Ordinance. The motion received a unanimous vote.

PUBLIC COMMENTS:

Ms. Mildred Goss, 322 Aiken Avenue addressed the Board and requests to reserve Lake Rogers July 3rd for the Annual Chamber of Commerce Fourth of July event and December 3rd for the Annual Christmas Tree Lighting. She said that she has also requested that the Fire Department have the fire truck on site to light up the area. Ms. Goss also requests the use of Main Street on December 4, 2010 for the Annual Christmas Parade scheduled for 11:00 a.m.

Commissioner Karan inquired about the date of the fireworks and Commissioner Wilkerson replied July 2, 2010.

Mr. John Greene, 204 Lyon Street spoke of concerns of problems with the drainage ditches in his neighborhood.

Mayor Moss said that he understands Mr. Greene's concerns as he also lives in that community. The City is working on stormwater issues and results will be seen in the near future. Mayor Moss expressed that Mr. Green can contact City Hall and talk with staff about his concern.

MANAGER'S REPORT:

Mr. Tom Mercer, City Manager expressed that the off-site Annual Retreat was held January 9, 2010. He said that this meeting was held to establish priorities for 2010 to begin preparing for the upcoming budget. Information from this meeting was sent out today for review and he is awaiting feedback.

Mr. Tom Mercer, City Manager advised that the last information received from the USDA in reference to the Stimulus Package indicated that it will be the end of January before we hear results. Mr. Mercer said that he will be meeting with the USDA February 2, 2009 and will keep the Board updated.

Mr. Tom Mercer, City Manager advised that the LGC has approved our application for a loan from Construction Grants & Loans for the Joe Peed Booster Extension. He is awaiting information as to the start of construction.

Mr. Tom Mercer, City Manager expressed that there was a meeting held in reference to road repairs and they are reviewing cost estimates.

Mr. Tom Mercer, City Manager expressed that staff is reviewing an automated records retrieval system. He will have an update forthcoming.

Commissioner Karan inquired about #7 on the Manager's Report, SGWASA, chlorine levels.

Mr. Tom Mercer, City Manager said that Mr. Dan Boone of the Wooten Company was working on this and he was awaiting further information.

Commissioner Wilkerson said that the peddle boats at Lake Rogers need to be repaired. He requests that this be added to the list of things that need to be done.

OLD BUSINESS:

Department Head Reports:

Provided in the Board packets were the monthly reports from the various departments.

Commissioner Stallings said that previously Chief Benware had concerns of parking of students at Crescent Heights. He said that he was notified that there are approximately eight cars that park at this location and citizens are unable to get out of their driveways. Commissioner Stallings requests that no parking signs be placed.

Commissioner Wilkerson advised that he plans to address this issue under his Transportation Infrastructure Committee report.

NEW BUSINESS:

Resolution – Endorsing The Reality Check Guiding Principles For Quality Growth:

Commissioner Minor expressed that he attended the Upper Neuse River Basin meeting and they have asked for support in the passing of a Resolution Endorsing The Reality Check Guiding Principles For Quality Growth.

Moved by Commissioner Minor and seconded by Commissioner Karan to adopt A Resolution Endorsing The Reality Check Guiding Principles For Quality Growth. The motion received a unanimous vote.

Stormwater Management Ordinance:

Moved by Commissioner Piper and seconded by Commissioner Minor to adopt the Stormwater Management Ordinance. The motion received a unanimous vote.

MAYOR’S REPORT:

Mayor Moss announced that he attended the MPO meeting and there is not much happening at this time for Creedmoor; however there was a handout of a spreadsheet that references the Highway 56 Corridor. Ms. Scottie Wilkins, Business Development & Transportation Project Manager is on the Core Management Committee. He advised that Senator Crawford expressed that he would also like to participate. Mayor Moss said that this is a \$400,000 project and is being funded by local funds, CAMPO funds and the stimulus package. \$200,000 was awarded for this project from the stimulus package.

Mayor Moss said that as the Planning Director advised earlier in the meeting, Creedmoor has been designated as a Phase II community by the Environmental Management Commission. Notification is forthcoming.

Mayor Moss expressed that he and Tom Mercer, City Manager attended the Strategic Planning Session at Vance Granville Community College.

Mayor Moss said that the Annual Board Retreat January 9, 2010 was a great success in helping to look at the strategic priorities for 2010.

Mayor Moss said that the Town Hall Meeting is scheduled for Thursday, February 18, 2010 at 7:00 p.m. The purpose of this meeting is to engage The Creedmoor Collaborative Committee to help with the Strategic Plan.

COMMISSIONER REPORTS:

Commissioner Karan said that previously there was a discussion at open session in reference to retirement benefits. He said that as of July 1, 2004 the NCLM adopted that if Boards do not have an adopted policy they have to go by the NC State Retirement Policy. According to that policy a decision must be made within a 30 day period of separation.

Commissioner Karan expressed that First Lady Michelle Obama recently made a speech and asked Mayors across the country to help eliminate childhood obesity. In that speech she mentioned KaBoom and Playful City USA. Commissioner Karan said that he is proud that Creedmoor is part of Playful City USA. He said that he is also proud that this Board has allowed him to be an active member of the Robert Johnson Foundation, which was also mentioned in First Lady Michelle Obama's speech.

Commissioner Wilkerson said that he received a phone call Friday night in reference to the parking on Crescent Heights. He said that he wants no parking signs placed on Crescent Heights because the cars parked there are tearing up the shoulder of the road during wet weather and throwing trash on the road.

Upon discussion, moved by Commissioner Wilkerson and seconded by Commissioner Minor to prohibit parking on Crescent Heights Monday through Friday from 7:00 a.m. until 4:00 p.m. The motion received a unanimous vote.

Mayor Moss asked that the City Manager coordinate with Chief Benware to give an update of the concerns of parking at the next Board Work Session. Mayor Moss expressed that the no parking signs should be up before the next Board meeting.

Commissioner Stallings gave an overview of the street lights he observed. He said that the area of 823 Crescent Drive seems to be dark and the pine tree underneath the power lines is blocking a lot of the light. Another street light that needs attention is at the intersection of Pine Valley and Crescent Drive. Commissioner Stallings requests that there be a light placed at 208 "B" South Main Street. He also turned in a list of twelve lights to the Police Department that seem to be burning from 1:00 p.m. until 3:00 p.m.

Commissioner Minor inquired if Duke Power provides an audit of what they charge the City.

Mr. Steve Colenda, City Inspector advised that he has requested an inventory list and a map.

Mayor Moss expressed that at the last meeting Duke Energy gave a presentation and they are to provide a report to the City.

Mr. Tom Mercer, City Manager said that he and Scottie Wilkins, Business Development & Transportation Project Manager have spoken with Mr. Ken Kernodle, Duke Energy; however they have not received a response. They will keep the Board updated.

Commissioner Minor expressed that snow is expected for the week-end and asked if there was an updated policy showing essential personnel.

Mr. Tom Mercer, City Manager advised that the policy has been updated.

Commissioner Minor expressed that the Emergency Management Manual has a chain of command and with the changeover of personnel it should be updated.

Commissioner Minor inquired about the road bonds.

Mr. Dave Roesler advised that there were active road bonds for Paddington, Pine Valley Phase II and Davenport Subdivision.

Commissioner Minor advised that he has received phone calls from citizens every Saturday in reference to duck hunting. He expressed that he is representing the citizens and feels that as populated as the City has become duck hunting should be prohibited. Commissioner Minor expressed that there have been no duck hunting permits purchased. He said that he asked the City Manager to provide a resolution to prohibit duck hunting on Lake Rogers.

Commissioner Stallings expressed that firing a fire arm within the City limits is a violation to the City's ordinance.

Attorney Currin advised that the City has a provision that allows the purchase of a permit. Attorney Currin presented the Board with a draft resolution prohibiting hunting within the City limits. Attorney Currin said that for a number of years the City allowed certain hunting activities to take place on Lake Rogers. This is a circumstance that has been occurring for many years under different regulations. There have been times when duck hunting was prohibited and Board's have reconsidered and reinstated with a fee schedule. Each hunter was required to make an individual application for each day of hunting and pay a fee. The parties that do the duck hunting have purchased land along the lake for that purpose and take it very seriously. Each time duck hunting has been prohibited the parties have requested to be placed on the agenda and lobbied for reinstatement of hunting.

Commissioner Karan inquired about the enforcement of hunting.

Commissioner Wilkerson expressed that the Wildlife Commission will help provide enforcement.

Moved by Commissioner Minor and seconded by Commissioner Stallings to adopt the resolution prohibiting hunting activities and that the ordinance become effective February 1, 2010. The motion passed by a 4-1 vote.

Aye Votes: Commissioner Minor, Commissioner Piper, Commissioner Stallings and Commissioner Wilkerson

No Votes: Commissioner Karan

Commissioner Stallings referred to a previous discussion about retirement benefits and presented a letter that was sent to the NCLM in reference to retirement.

Attorney Currin advised that this should be discussed during Closed Session.

Commissioner Stallings expressed that things may have changed since his tenure as Mayor; however he has concerns of the safeguards of the minute books and signature. He said that he has spoken with the City Manager in reference to secure cabinets, which has been a budgeted item.

Mayor Moss said that there are minute books; however the City also has an electronic method of record keeping. He noted that the City Clerk's office is kept locked for safekeeping. Mayor Moss noted that he signs the minute books as presented.

Commissioner Stallings inquired as to why the City Clerk's parking sign had been relieved.

Mr. Tom Mercer, City Manager replied that the City Clerk does not need an assigned parking space. He noted that previously the Board directed him to have all the signs equal.

Commissioner Stallings noted that the City Manager and Finance Officer signs were still assigned.

Commissioner Wilkerson said that at a previous meeting he brought up the parking signs and his request was to place signs at the front three spots next to the blue car to provide more parking.

Commissioner Stallings attended the Granville County Commissioner's meeting and the Board approved a maximum of \$5,000 for the survey of the Hester Road water line for NCDOT right-of-ways.

Commissioner Karan said that he sent an e-mail to Commissioner Stallings in reference to continuing his tenure of recreational efforts.

Mayor Moss advised that Mr. Robert Holloway, Paddington Subdivision HOA President was scheduled to attend tonight and was unable to make it. He expressed that Mr. Holloway is scheduled to be on the agenda for the next meeting. Mr. Holloway is interested in a discussion of the placement of the City playground equipment at Paddington Subdivision. Mayor Moss expressed that Commissioner Karan was looking for guidance as to his continuance to this project as Commissioner Stallings is the new Community and Economic Development Chair.

Commissioner Stallings said that Commissioner Karan should continue his venue with the playground equipment.

Commissioner Piper expressed that he is on the Human Relations Committee and Mayor Moss was the guest speaker on Martin Luther King Day. He noted that Mayor Moss gave a great presentation on the accomplishments of Martin Luther King. There were approximately 400 attendees.

Commissioner Piper commended the Creedmoor Police Department for their efforts in traffic control at the schools. He also commended the Maintenance Department for their hard work on the water lines during the cold days we have had. Commissioner Piper also thanked City staff for their hard work in the day-to-day operations. He said that as a Board they need to work with the City Manager and let staff know we appreciate their hard work.

Mayor Moss expressed that there is an article in last week's Nation's Cities Weekly about cities with financial fiscal distress. Cities are in the red by millions of dollars and losing tons of positions. He said that the City of Creedmoor is no where as large as cities such as Baltimore, Boston or Los Angeles; however we have a significant budget for 3,283 citizens in this community.

Mr. Tom Mercer, City Manager said that the City is ahead of schedule in regards to the revenue and under budget on expenses. Mr. Tom Mercer, City Manager expressed that moving forward, the upcoming budget is looking solid. He noted that he is trying to maximize technology and accomplish things that are most viable to the City. He would like to have the committees meet with him ahead of time on issues such as street lights so that they can go out to view the areas and get an idea of what needs to be done. This would give him the opportunity to spend more time focusing on other areas such as the USDA Loans and water/sewer rates. Mr. Tom Mercer, City Manager presented the budget calendar for fiscal year 2010-2011.

Mayor Moss expressed that there has been three meetings since December and at each meeting there has been a conflict and voiced concerns of an internal communication issue.

Commissioner Minor expressed that as the committees begin to meet with the City Manager the communication issue will improve.

Mayor Moss referred to the new Legislative Laws that have been established that two Board members are considered a public body.

Attorney Currin said that as long as it is an open meeting and no action has been taken this complies with the law.

Mayor Moss said that the City of Durham publishes their committee meeting dates and time on their website and this is something the City of Creedmoor should consider.

Attorney Currin said that this is something that everyone in State Government is going to struggle with. There will be unintentional violations, which will be harmless. He suggests

that there be a process of when and where the committees will meet. Attorney Currin said that if there is information to be passed to other members the information is to be made public. He said that the Board needs to be advised that any e-mail conversation will be made available to the public.

Moved by Commissioner Wilkerson and seconded by Commissioner Stallings to go into Closed Session on the matter of Attorney/Client Privilege in accordance with NCGS 143-318.11. The motion received a unanimous vote.

Upon return to regular session, moved by Commissioner Karan and seconded by Commissioner Minor to adjourn. The motion received a unanimous vote.

Mayor

City Clerk