

Minutes of
City of Creedmoor
BOARD OF COMMISSIONERS
Regular Meeting
October 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 were Mr. Tom Mercer, City Manager, Korena Weichel, Deputy City Clerk, and Attorney Tom Currin.

INVOCATION and PLEDGE OF ALLEGIANCE

Mayor Moss called the meeting to order and offered the invocation. Commissioner Wilkerson led the Pledge of Allegiance.

Mayor Moss noted that over 1400 folks have voted thus far at Creedmoor's early voting location here at City Hall.

ADOPTION OF AGENDA

The Mayor called for the approval of the agenda. Moved by Commissioner Stallings to adopt the agenda; Seconded by Commissioner Minor. The motion received a unanimous vote.

ADOPTION OF MINUTES

Moved by Commissioner Stallings to approve the minutes of the September 28, 2010 Regular Meeting and October 11, 2010 Work Session; seconded by Commissioner Piper. The motion received a unanimous vote.

PUBLIC COMMENTS

- Ms. Rhonda Wioskowski, 2156 Sam Moss Hayes Road. Ms. Wioskowski stated that she lives outside city limits and is a water customer only. She stated that she was recently informed she owed \$523.83 for her water bill due to only paying base fees for the past year. She informed the Board that she did not feel this was accurate and petitioned the Board to have these charges removed from her account. Mayor Moss called for clarification on two issues: (1) How we missed reading this meter for one year; and (2) How we arrived at current meter reading.

Manager Mercer answered by saying that, when meter was initially installed, a zero reading was coming out of the system and the meter appeared as "no response" on the exception report – unfortunately it was on the back page of the report and was unnoticed until this past month's billing cycle. The electronic reading device was not transmitting but the actual meter was reading and recording usage. As a result, he explained, minimum billing occurred. Maintenance staff manually read the meter at the house to determine current read.

Commissioner Minor interjected that he thought that the water was used because it passed through the meter, but that the City has 50% culpability in this because we missed reading the meter for an entire year. He stated that the City should forgive one half of the bill.

Moved by Commissioner Stallings to have the City forgive one half of Ms. Wioskowski's water bill as requested; seconded by Commissioner Piper. Discussion ensued.

Commissioner Wilkerson inquired as to whether the meter installation company could be held responsible for failure to install the meter properly. Manager Mercer commented that several meters on Sam Moss

Hayes Road were vandalized recently and the Sheriff's office is investigating, which could be related to this issue as well. Manager Mercer voiced concern that, by forgiving half of the bill, the City would be setting a precedent for future disputed utility bills. He also raised questions regarding the legal implications of forgiving utility bills even if the City was at fault for under billing.

Attorney Currin stated the board has the ability to determine if an error occurred and the ability to compromise.

Commission Karan spoke to the issue of setting precedence by asking if the City has had any similar instances of under billing errors and if those persons would now have the right to ask for forgiveness?

Attorney Currin adamantly stated that this would not be an option for those who had past issues. Staff has the ability to arrange payment terms, but only the Board can approve debt forgiveness. He instructed the Board that they could decide either on a case-by-case basis or adopt a policy regarding how they wish to handle these requests.

Mayor Moss returned to the motion on the floor, to have the City forgive one half of Ms. Wioskowski's water bill as requested, the motion received a unanimous vote.

- Mr. Anthony Santangelo, 307 S Main Street. He informed the Board that he had attended a recent Planning Board meeting and, because there was no public comment on the agenda, he was unable to speak to get his questions resolved regarding the Hazardous Industry Ordinance. He conveyed his reason for approaching the Board was to learn, of those Commissioners who voted "No", why they did so and what they found objectionable.

Mayor Moss responded that when in public comment portion of the meeting, the Board members may choose to respond but are not under any obligation to do so. Mr. Santangelo asked for the format in which they would respond. Mayor Moss stated either speaking one-on-one or by making a formal request to address the board and have his name placed on the meeting agenda. Mr. Santangelo declared that he would follow the proper channels to receive a response to his questions.

- Mr. Ed Gleason, 1973 Bowles Avenue. Recapping his concerns from his appearance at the April Board of Commissioner's meeting, he asked what the status was on the abandoned building on Hwy-56. He said in April, he had been informed this was a County issue, and after approaching the County, was told by them that the building is in Creedmoor's ETJ and jurisdiction. Mr. Gleason praised the improvements that have been made to the downtown area but reiterated that this building "looks horrific" and he was here to complain and wants something to happen before someone gets hurt.

Manager Mercer responded that there were some ownership issues with this building and that the City has also recently engaged the services of John Ganus to assist with code enforcement. He updated the Board and Mr. Gleason that his staff are currently looking at several buildings, not just the one in question, and are reviewing the City's ordinances for alignment with current legislation before proceeding with any actions. He felt confident that this process would result in some action shortly.

CITY MANAGER'S REPORT

- Manager Mercer recapped the operations at Lake Rogers for the year and recognized the two concession stand staff who worked through the season. He commended Korena Weichel and Scottie Wilkins for their work in giving the park a much needed face lift this year.
- Brian Wilson spoke on Zoning & Subdivision Administrator Flowe's behalf with an update on the Paddington Playground status.
 - The bond documents were all but finalized; Timberstone cannot finalize the bond until Mr. Flowe approves a site plan for the playground.

- Staff will need to approval a conveyance plat to the Paddington HOA for location of Play Area #1.
- Site plan for Play Area #1 will have either wood or composite borders for the break-fall material. The HOA will need to be a co-applicant for the submittal of the site plan.
- Three zoning/building permits have been reviewed and approved but are being held until Play Area #1 documentation and bonding are in place. Payment of \$34,000 has been received and is being held in the City vault.
- SunTrust and RBC Centura have been notified of the City's policy on withholding permits on the lots they own but neither has submitted payment toward additional play area improvements for these lots.
- It has been conveyed to each lot owner (Timberstone, SunTrust, RBC) that the original developer responsibility is still in effect and we will be working with them to resolve any additional shortcomings for the playgrounds that existing homeowners have paid for when they bought their homes.
- The ability for lot owners to be part of the solution is so they can go forward and not get tied down by the process to go back to the developer for the final solution. The final solution will be full compliance with the ordinance requirements which could result in additional play areas that include ball fields, etc.

OLD BUSINESS

No old business was before the Board.

NEW BUSINESS

No new business was before the Board.

MAYOR'S REPORT

The Mayor announced that he had been working on a joint meeting with Southern Granville County Municipalities and was currently looking for an alternate meeting location due to space limitations at Bob's BBQ, in the event the public wanted to attend. Commissioner Wilkerson informed the Board that there were 40 or more seats available at Bob's and felt the facilities would be adequate.

Mayor Moss informed the Board that the First Baptist Church was taking on a community service project to upgrade the South Granville Girl's Softball signs on October 30, 2010.

Mayor Moss thanked the staff and all involved in the pink football game Friday night.

Mayor Moss further apprised the Board of the new environmental challenge, Gas Fracking. This is an industry wide process where large volumes of chemicals, water, and sand are injected at extremely high pressure to extract natural gas from underground rock formations. Granville County is on the map of those areas that are affected by this practice. NC DENR is aware and has sent contact information for the municipalities.

Mayor Moss reviewed the City's Halloween schedule for the upcoming weekend, stating that Main Street businesses are holding their Halloween event on Friday night, October 29th, and the City has historically participated with the Main Street businesses.

COMMISSIONERS COMMENTS

- **Finance, Administration, & Intergovernmental**
Commissioner Karan reminded everyone that credit cards are being accepted for water bill payments and this seems to be taking off pretty well.
- **Transportation Infrastructure**
Commissioner Wilkerson commented that the pavement markings at Fleming Street look good. He indicated his frustration that the meeting with NCDOT regarding US-15 repaving/repairing appeared to have been promising but then received word three days later that NCDOT had changed and said that they cannot do anything. Acknowledging that it is time consuming, Mayor Moss emphasized the need to be involved in each and every meeting with CAMPO and NCDOT and noted that we are making strides at getting Creedmoor priorities on CAMPO.

- **Energy, Environment, & Natural Resources**
Commissioner Minor questioned Inspector Colenda on the status of the fire hydrants and received the answer that they are 2% into the flushing.
- **Community & Economic Development**
Commenting on the ordering of a noise ordinance sign, Commissioner Stallings suggested to only use one sign to cut down on the cluster of signs at the City limits entrance. Manager Mercer quoted the wording of “Noise Ordinance Strictly Enforced” had been decided upon. Seven signs to be ordered tomorrow.
- **Public Safety**
Commissioner Piper commended the Citizens Policy Academy program and asked about future plans and attendance limitations. Chief Benware recommended a limit of 25 participants at a time.

Manager Mercer reiterated his earlier comment that staff will be looking at all City ordinances to update and bring current with state legislation.


Mayor Moss announced January 8, 2011 as the date of the annual Board Retreat. Manager Mercer is working on acquiring a location and facilitator.

Moved by Commissioner Wilkerson to go into closed session for economic development/land acquisition and personnel, per G.S. 143-318.11; Seconded by Commissioner Stallings. The motion received a unanimous vote.

ADJOURNMENT

Upon returning from closed session, there being no further business before the board, Commissioner Wilkerson moved to adjourn the meeting; Seconded by Commissioner Piper. The motion received a unanimous vote.

ATTEST:



Darryl D. Moss, Mayor

Korena L. Weichel, Deputy City Clerk