



Minutes of
City of Creedmoor
BOARD OF COMMISSIONERS
Work Session
November 8, 2010
5:30 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, Ren Wiles, Finance Officer/City Clerk, 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 Piper led the Pledge of Allegiance.

SPECIAL GUESTS RECOGNIZED

Mayor Moss expressed his formal congratulations to Commissioner Karan in his successful bid for County Commissioner. Commissioner Karan responded that he was excited and promised to do his best in the new position.

ADOPTION OF AGENDA

Moved by Commissioner Stallings to adopt the meeting agenda; Seconded by Commissioner Piper. The motion received a unanimous vote.

Mayor Moss recognized several special guests present at tonight's meeting: former Commissioners Larry Robinson and Kent Ray, Jeff McCauley, CFO Greenville Utilities Commission, Tim Romocki, LGC Director of Debt Management, and Jim Winston and Carleen Evans, from the City's auditing firm, Winston, Williams, Creech, Evans, & Co.

GOVERNMENT FINANCE OFFICERS ASSOCIATION PRESENTATION:

Certificate of Achievement for Excellence in Financial Reporting

• **Mayor's Comments**

Mayor Moss began by stating that the award being presented tonight was a "really big deal" due to the past history of the City and the serious deficiencies that were found in the finance department in particular. City leaders had made a conscious decision to take on the task of repairing the problems and recognized our present City Manager, Tom Mercer, as the one who stepped up, put a plan and team together, and followed through in implementation of that plan. The Mayor expressed appreciation and gratitude to Mr. Mercer for his efforts on behalf of the City of Creedmoor and said that he felt there was no way the City could have pulled this off without his leadership. He also commented on what he felt was a disheartening aspect: that there were those who wanted to see us fail and were pretty much writing us off. Despite those obstacles, the Mayor noted, we were able to do good work with the help of Korena Weichel and Bill Tatum, an accountant from Creedmoor, and later, Ren Wiles. He reiterated that it was truly a team effort, including the assistance of those from the Local Government Commission, Dean Cunningham and Ken Weese, who came to help us identify issues and put together a plan to get us where we are tonight. Tonight is a tribute to the entire team.

• **Manager Mercer's Comments**

Manager Mercer also expressed the teamwork of both inside and outside resources, including the auditors and LGC, who are often viewed by municipal governments as "the enemy". We were able to

reach out to these safety nets and receive assistance in implementing our plan. He related how, with the utilization of Bill Tatum, a local CPA, and Korena Weichel, things were put together to the point that the Commissioners and Mayor then gave their approval to hire a new Finance Officer. Ren Wiles came on board as the City's Finance Officer in December of 2009 and during his first couple of months, he concentrated solely on putting together the City's first CAFR (Comprehensive Annual Financial Report), while the team continued running the day-to-day financial operations of the City. Mr. Mercer concluded by thanking the entire team and expressed his appreciation for the support of the Mayor and City Commissioners to get the City positioned where it is today.

- **Jim Winston's Comments**

Mr. Winston, from the City's auditing firm, spoke regarding how far the City has come from when the problems first surfaced. He commended Mr. Mercer's approach and commitment to fixing the problems and reiterated appreciation for the LGC's support while acknowledging the major role they played throughout this process.

- **Finance Officer Wiles' Comments**

Mr. Wiles echoed the earlier sentiments that this was definitely a team effort and said that, if pieces were not ready when he got here, the award being presented tonight would not have happened. To put tonight's award in perspective, he cited the list of cities in North Carolina who had done this step, over-and-above the basic audit that is required, 74 cities in NC have received this certificate, slightly below 15% with only four having smaller populations than Creedmoor. He explained the value of a CAFR in that it answers more in-depth questions than a standard audit and thus assists City officials in making more informed decisions. He also expressed his thanks to staff for giving him the first few months as the new Finance Officer to work on nothing but the CAFR.

- **Tim Romocki's Comments**

Mr. Romocki, the Director of the LGC's Debt Management Section, reflected on the fact that, in the past, the Commissioners did not have good current information on what was going on with the City in terms of its finances. He stated that now the City not only has current financial information but that it is also being presented in a form that is understandable to the Commissioners as well as to other residents of the City. He underscored the importance of this by saying that, without information in a timely fashion, a Governing Body cannot make decisions - that is the biggest achievement this award reflects.

- **Jeff McCauley's Comments and Award Presentation**

Jeff McCauley, a representative of the Government Finance Officers' Association, stated that the purpose of the Certificate of Achievement program is to encourage and assist governments in preparing financial reports of the highest quality and it is the premier indicator for excellence in governmental accounting and financial reporting. In order to receive this award, the City had to substantially conform to the program's many criteria which go well beyond requirements of GAAP. The achievement of this certificate reflects the professionalism, commitment, and vision of the City Manager, Mr. Thomas H. Mercer, the Finance Officer, Mr. Ren E. Wiles, the finance department staff, and numerous other individuals mentioned earlier as well as many long hours of hard work. It also reflects the dedication and leadership on the part of the City of Creedmoor's Board of Commissioners. He then presented the GFOA award to Mayor Moss.

PUBLIC COMMENT

- **Tony Santangelo, 307 S Main Street, Creedmoor**

Mr. Santangelo asked for the reasons from those Commissioners who had voted to send the Hazardous Industry Ordinance back to the Planning Board.

Commissioner Stallings stated that he was not in favor of the Planning Board being the oversight board for this ordinance. When asked by Mr. Santangelo if he would vote for the ordinance if it came back to the Board, he responded by saying that he does not want to scare industry away and feels that we have enough ordinances and rules in place to address this type of industry. He said he isn't convinced that Creedmoor needs a Hazardous Industry Special Use District.

Commissioner Minor stated that he felt the ordinance was redundant and cited two pages containing items already covered in the City's zoning ordinances. He also said he felt that staff could handle the compliance issues better than the Planning Board.

Commissioner Wilkerson agreed with the previous statements and added that he did not like the way it was worded, in particular making the Planning Board the oversight board.

Mr. Santangelo thanked the Mayor and Board for the opportunity to speak and have his concerns addressed tonight.

PADDINGTON UPDATE

Mr. Rick Flowe informed the Board that the Planning Board is taking another look at the Hazardous Industry Ordinance and is considering recommendations to greatly simplify it and make it more business friendly, while at the same time protecting the City and environment.

He reported that Timberstone has submitted a plan for a piece of property to deed over to HOA and staff are still working with them to finalize. The City also has a bond in its possession. The next step is to submit a specific site plan that includes joint application with the HOA as they will be taking over the property. The City has been holding three permits and now has everything needed to release the permits upon payment of fees. The next stage consists of a site plan permit approval for the playground and to have the playground finished before any Certificates of Occupancy will be issued.

Commissioner Minor asked about the City agreement to split the playground but what is being proposed for the back areas. Mr. Flowe clarified that Timberstone represents approximately 17 of the 34 undeveloped lots in Paddington. The proposed playground areas are the result of all the lots that are in the current phases of Paddington; thus, taking the 17 lots that Timberstone is responsible for, along with another 15-17 lots that are owned by banks, this represents only a portion of the responsibility for the play space. City staff are currently working on a solution, albeit piece-by-piece, which began with Timberstone stepping up to the plate and accepting the plan as presented in order that they may go move forward, put the playground in, and get building. Staff has presented a similar plan to the banks for additional play space in addition to going after the original developer to make sure that the money they have already received from previous home sales is used for the intended purpose. The timeline is moving slowly due to staff wanting to close this first piece, show some progress, close out with the banks to get money for the HOA to hold for additional equipment, and finally deal directly with the original developer.

Prompted by questions from Commissioner Minor, a brief discussion ensued regarding whether to opt-out of additional one-year extension for development approvals per HB683. Mr. Flowe recommended to the Board that the City not opt-out.

Commissioner Wilkerson then inquired as to what type of playground equipment is going to be installed in the first phase behind the pool. Mr. Flowe informed the board that the first piece is a large structure possibly filling half of the Commissioner's meeting room and is designed for younger and older children (2-12 years) with different types of sliding boards and climbing walls. They have also proposed a 4-swing swing set (2 toddler, 2 standard). He reinforced the fact that no additional homes will be occupied until the playground is finished.

WITHDRAW A PORTION OF MACK STREET – RESOLUTION OF INTENT

Manager Mercer advised that he and Mr. Flowe were out earlier to look at this portion of Mack Street and feel that there is a benefit to not closing the street. Mr. Flowe spoke to the technical aspects of the street, that it is not a publicly maintained street but a right-of-way and it is a mid-block location that extends between Lake Road and NC-56, crosses north of NC-56, and ties back out to Hwy-15, making it roughly 3-4 blocks long. No utilities are currently in easement. When look at planning for City's future growth, one of the things to consider is the substantial commercial value to the City itself. Rather than developing sporadically, there are some major commercial opportunities on NC-56 between Main Street and NC-15 on both sides of the road. If the right-of-way is abandoned, an access to that road would be needed and the City would have to start over from scratch. We currently have a public right-of-way access point that could be a great benefit to any redevelopment of the entire block in the future. Mr. Flowe revealed that they had shared these insights with the property owner who said they hadn't really thought about it this way. He emphasized that there needs to be careful consideration on how this proposed closing fits into the bigger picture for future development of the City.

Attorney Currin stipulated that there are only two landowners on either side of this particular section of street, the Bennetts and the Grays, and they have requested that it be withdrawn. This section, from a planning standpoint, has some good potential uses and also has the potential to create another mid-block intersection on Wilton, creating another corner lot. An issue which the property owners should consider is if the property is more valuable with an interior street. Attorney Currin stated that the request had been made by the property owners when approached by the City about utility easements; he further noted that those easements were not particularly valuable and directed the board to not base their decision on the easement acquisition.

Moved by Commissioner Minor to adopt the *Resolution of Intent to Withdraw a Portion of Mack Street* with a public hearing to be held at the Board of Commissioner's meeting on November 23, 2010 at 7:00 p.m.; Seconded by Commissioner Stallings. The motion received a unanimous vote.

CITY MANAGER'S COMMENTS

- **Code Amendments**

John Ganus, code enforcement officer, updated the Board on five key ordinances that need updated to make code enforcement program more effective: (1) General Penalties; (2) Abandoned Junk & Nuisance Vehicles; (3) Public Nuisance Ordinance; (4) Minimum Housing Standards; and (5) Non-Residential Code. Mr. Ganus summarized the recommended changes in order to update the City's enforcement techniques to harmonize with current legislation and to consolidate parts of the City's Code of Ordinances for uniformity and clarity.

Attorney Currin recommended that the proposed code amendments be reviewed by the Planning Board at their regularly scheduled meeting on December 9, 2010. After receiving comments from the Planning Board, the Board of Commissioners may then proceed to consider all five ordinances at one public hearing.

Moved by Commissioner Karan to schedule a public hearing for the 5 Code Amendments on December 14, 2010 at 7:00 p.m.; seconded by Commissioner Stallings. The motion received a unanimous vote.

In response to a question by Mayor Moss, Mr. Flowe explained his intent to explore the Board of Adjustment appointments to ensure that all terms are current and any vacancies are announced. He also recognized the need to schedule regular quarterly meetings and explore training opportunities for the Board.

The Board returned to the previous motion regarding the *Resolution of Intent to Withdraw a Portion of Mack Street* and determined that the public hearing date should be changed to a later date to enable enough time for review and to comply with publication requirements.

Moved by Commissioner Wilkerson to reschedule the public hearing on withdrawing a portion of Mack Street to December 14, 2010 at 7:00 p.m.; seconded by Commissioner Minor. The motion received a unanimous vote.

In response to questions by Commissioner Minor, Mr. Ganus reported on the current status of the Alamo building. Commissioner Minor declared that he felt the process has gone on too long and that he would like to see a timeline for completion. Attorney Currin was asked to review the file in light of the understanding that the City had already gone through all the proper channels but a question was raised in the meantime as to whether one step had been missed in the process. Attorney Currin agreed to review the file.

Mayor Moss acknowledged the presence of the City's former Police Chief, Mr. Ralph Seagroves, at tonight's meeting as he had missed mentioning him earlier. He also confirmed the joint meeting with Butner & Stem on Tuesday, November 16th at Bob's BBQ at 6:30 p.m. and that Mayor Lane is working on the logistics and agenda.

COMMITTEE REPORTS

1. **Finance, Administration, & Intergovernmental**

Commissioner Karan offered his congratulations to the City's finance team and recounted how far the City has come since 2003.

2. Energy, Environment, & Natural Resource

Commissioner Minor asked about the natural gas line having gotten started and whether the gas line was going to be run through town. Manager Mercer reported that the gas company had not responded to our inquiries as of yet.

Mayor Moss commented that he has begun looking at the City's complaint process and future tracking capabilities to handle issues that may arise as we move forward with the water/sewer infrastructure project.

3. Public Safety

Commissioner Piper had no report.

4. Transportation Infrastructure

Commissioner Wilkerson thanked Ms. Wilkins & Mr. Colenda for putting the signs up at the end of Church Street. He then highlighted an article that appeared recently in *Nation's Cities Weekly* regarding changes in federal guidelines for street signs that cities are required to have a replacement plan in place by 2012. He instructed Manager Mercer to order the Federal Highway Administration toolkit which consists of a disc and guidebook to assist agencies in establishing a maintenance program and setting a budget for updating their traffic signs.

5. Community & Economic Development


Commissioner Stallings inquired about whether the playground equipment that had been purchased by the City previously was still available. Commissioner Karan conveyed that it was still available and the City was now looking at placing it off of the greenway possibly in the back area near BC Roberts Field.

Commissioner Stallings requested an update on the School Board greenway discussions. Ms. Wilkins reported that staff had attended the Board of Education Meeting and presented the Greenways proposal; the School Board decided to approve the secondary proposal, which was the route along NC-56. Attorney Dutra has initiated communicating with them on the agreement. Ms. Wilkins also reported that the proposed cost difference is approximately \$33,000, although some of that cost will likely be absorbed by the change in activities that would have occurred with the original proposed route. Commissioner Minor expressed his appreciation for all the work that has gone into this process.

Moved by Commissioner Wilkerson to go into closed session (per G.S. 143-318.11) to discuss property acquisition; 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 at approximately 8:05 p.m.; seconded by Commissioner Stallings. The motion received a unanimous vote.



Darryl D. Moss, Mayor



Korena L. Welch, Deputy City Clerk

