

MINUTES OF  
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS  
REGULAR MEETING  
FEBRUARY 24, 2009  
7:00 P.M.

**PRESENT:**

Mayor Darryl D. Moss, Mayor Pro-tem Tim Karan, Commissioner Jimmy Minor, Commissioner Otha Piper, Jr., Commissioner Larry Robinson 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.

**INVOCATION:**

Mayor Moss

**PLEDGE OF ALLEGIANCE:**

Ms. Erickson’s First Grade Class from Mt. Energy School led the Pledge of Allegiance.

Mayor Moss announced that Monday, March 2, 2009 was Read Across America Day and he would be attending this event at Mt. Energy Elementary School. Mayor Moss thanked Ms. Erickson and her class for attending and saying the Pledge of Allegiance. Ms. Erickson’s First Grade Class received a round of applause.

Moved by Commissioner Karan and seconded by Commissioner Piper to adopt the “Read Across America Proclamation”. The motion received a unanimous vote.

**APPROVAL/ADDITIONS TO AGENDA:**

Moved by Commissioner Karan and seconded by Commissioner Piper to adopt the agenda as written. The motion received a unanimous vote.

**REQUESTS TO ADDRESS THE BOARD:**

No one was scheduled to address the Board.

**MINUTES:**

Moved by Commissioner Wilkerson and seconded by Commissioner Piper to approve the minutes of January 27, 2009 and February 11, 2009. The motion received a unanimous vote.

**APPROVAL/ADDITIONS TO AGENDA:**

Moved by Commissioner Karan and seconded by Commissioner Robinson to adopt the agenda. The motion received a unanimous vote.

**PUBLIC COMMENTS:**

No one wished to speak so Mayor Moss closed the Public Comments section.

**CITY MANAGER'S REPORT:**

Mr. Tom Mercer, City Manager/Finance Officer gave an overview of the report that was in the Board's packet in reference to important events, water, sewer, refuse collection, roads and miscellaneous.

Mr. Tom Mercer, City Manager/Finance Officer said that the reconciliation for 2007/2008 was on schedule and should be ready for the auditors by March 15, 2009. He said that the auditor's would be in the week of April 20, 2009 after tax season. Mr. Mercer said that Mr. Jim Winston anticipated completion of the audit by the first week of May.

Mr. Tom Mercer, City Manager/Finance Officer gave an update of the AMR system. He noted that the first shipment of meters had arrived and installation would begin early March. Mr. Mercer advised that he was uncertain of the area of installation; however, it would probably be the Golden Pond area. The plan was to install approximately 200 meters per week. Mr. Tom Mercer, City Manager/Finance Officer announced that depending upon the time of month a meter is changed, the billing cycle may be shorter or longer. Mr. Mercer said that a message would be placed on the bills and a note would also be placed on a door hanger of each location.

Commissioner Minor suggested that a reading be taken at the time of removal of the meters and add the reading to the end of the month reading for billing accuracy.

Mr. Tom Mercer, City Manager/Finance Officer said that he would review the process and update the Board.

Mr. Tom Mercer, City Manager/Finance Officer said that at the Board's request, Mr. Dan Boone, The Wooten Company was present to give an update of the projects they are working on for the City.

Mr. Dan Boone addressed the Board and presented a power point outline of projects as follows:

Lake Rogers Dredging:

- Mechanical Dredge Launched
- Mechanical Dredge Launched
- Dewater Site Access Road (Wellons property – road maintained by contractor)

- Dewater Impoundment/Dike
- Dewater Impoundment Discharge
- Dewater Impoundment Clarifying
- Contract Construction Drawing
- January 12, 2009 Construction Progress Schedule

Mr. Dan Boone expressed that the contractor would be late completing the project. The original scheduled completion date was the first week of February; therefore the contract was in arrears and subject to liquidated damages. He said that there would be a meeting scheduled with the contractor within the next couple of weeks to finalize the schedule.

Mr. Dan Boone said that the Army Core of Engineers was going to schedule a meeting with the City. He said that the City was participating in a \$230,000 study with the Core of Engineers, which started approximately 2½ years ago. Mr. Boone expressed that the meeting would consist of a discussion of Phase II of the dredging and long term strategies to maintain water quality.

Highway 56 Booster Pumps:

- Site Selected
- Project Moving Forward
- Estimated Cost
  - \$500,000
  - Local or USDA

Mr. Dan Boone gave the Board a handout of the completion schedule.

Joe Peed Booster Pump Station: (Sewage – Lyon Station Rd./Joe Peed Rd.)

- GLC
  - Low Interest Loan
- Per Revised and Approved
- Easements Underway
  - Minor Property o.k.
  - NC State – COS Approval
- P & S Under Review
  - 3rd Week of March Receive Comments
- Project Complete – One year after ATC

Mr. Boone advised that this sewage booster pumping station was funded through Construction Grants Loans, which offers up to \$750,000 at an interest rate of 2.2% for 20 years. He expressed that with this type of loan everything must be approved by Construction Grants Loans.

Attorney Currin expressed that he submitted to the State the necessary paperwork to obtain an easement across State property. He said that the State wants to give formal approval of the granted easement through the Council of State. Attorney Currin said that he would forward a copy to the Wooten Company after the signing on Friday.

Mr. Dan Boone gave an update of the dam repairs and the proposal for the installation of a gate.

Cotton Street/Fleming Street:

- Field Work Completed
- Permitting in Progress
- Project Schedule
  - Rehab

Water and Sewer:

- Project Scope
  - Water
  - Sewer
- Budget
  - \$7,000,000
- Additional Consideration
  - Rehab
  - Joe Peed Booster
  - Hwy. 56 Booster

The USDA said that they would consider this part of the Stimulus Package through funding of a Revenue Bond and a grant. They are looking at up to 30% of the project cost as being part of the grant. The Wooten Company recommended that the City proceed. Mr. Dan Boone gave an overview of things that would need to be done to proceed. Mr. Boone said to be considered for the program a revised Preliminary Engineering Report and Environmental Assessment for the USDA must be submitted by the third week of March. He expressed that the successful applicants would be notified by April 19, 2009. Mr. Boone advised that the additional consideration was the sewer rehab and infiltration inflow problems that could be considered in this funding. Additionally, the Joe Peed Booster Pumping Station and the Highway 56 Booster Pumps could be included under this package. Mr. Boone recommended that the grant loan application be presented to the Board at the next meeting for adoption. Mr. Boone said that the two other funding opportunities were Public Water Supply and Construction Grants and Loans. The Public Water Supply funding was a low interest loan. Construction Grants and Loans was also a low interest loan for waste water. Mr. Dan Boone expressed that the USDA was the most reasonable and currently the highest funding opportunity. Mr. Boone said that the City had applied for Construction Grants and Loan and would be able to meet the March 24, 2009 deadline. He noted that they also applied for sewer system rehabilitation in the amount of \$750,000.

Commissioner Minor inquired about grants for brick and mortar for Public Safety Buildings.

Mr. Dan Boone replied that the USDA offers grant programs for Public Safety. Mr. Chuck Sadler of the USDA office in Henderson would be the contact person.

Mr. Dan Boone expressed that he and Tom Mercer, City Manager/Finance Officer talk three to four times per week in reference to violation notices and water/sewer issues. He noted that the Wooten Company continually provides general guidance.

Mr. Tom Mercer, City Manager/Finance Officer commented that he had a couple of discussions with the USDA and the outlook seemed to be positive for Creedmoor. He also expressed that the conversations with other agencies have also been optimistic.

Commissioner Karan inquired about the recalibration of the City's rate for sewage based upon per household.

Mr. Dan Boone advised that they have been working on this and have gone as far as they can go. He expressed that he had requested additional information from Mr. Tom Mercer, City Manager/Finance Officer. Mr. Boone said that the State had a water consumption rate of 120 gallons per day per bedroom. He said that the City had previously used the real time data method and the outcome was 255 to 260 gallons per household per day.

Mr. Tom Mercer, City Manager/Finance Officer said that he had seen preliminary numbers and asked staff to go back and look at it again.

Commissioner Karan said that he would like to invite Mr. William Gilmore, Director of Eco System Enhancement Program from NCDENR to speak at a future meeting in reference to stream restoration.

Mayor Moss thanked Mr. Dan Boone of the Wooten Company for his presentation.

## **OLD BUSINESS:**

### **Tax Resolution Update:**

Mayor Moss reiterated what was written in the City Manager's Report that the City received abatement of the \$42,000 on the IRS 941 forms and was also successful in getting the IRS W2 forms reclassified from Failure to Pay to Late Filing, which was a substantial reduction from \$482,913 to \$100,000. The 2007/2008 and 2009 reconciliation was underway and the auditors are expected to be here in the April/May time frame.

### **Department Head Reports:**

Commissioner Karan inquired about the Paddington recreation easement next to the open space. He said that there were two houses there; lots 60 and 61 that do not seem to have 60' between them.

Commissioner Minor said that the road should be an all weather road.

Mr. Dave Roesler, Planning Director will review this issue.

Commissioner Minor inquired about the playground equipment issue and Mr. Dave Roesler, Planning Director replied that the City Attorney had this under review.

Attorney Currin expressed that until Paddington Subdivision is in compliance their project is at a halt.

Commissioner Minor inquired about the playground equipment for Pine Valley.

Mr. Dave Roesler, Planning Director said that they are to place playground equipment in Pine Valley. There were three conditions that they were to meet before signature of the final plat and they have not met two of those conditions. He said that he was planning to initiate a third condition for a re-inspection of the public improvements due to no activity in the last six months.

Commissioner Minor commented about the terrible condition of the Hunters Ridge property. He said that the grass was too tall and made reference to the condition of a light pole.

Commissioner Karan said that there was an unfinished house on Ascott Drive that is an eyesore and the Planning Director replied that they have been notified; however they filed for bankruptcy.

#### **Scheduled Dates for All Board's Regular Meetings for 2009:**

Mayor Moss referred to the schedule presented in the Board's packet and reminded everyone that the Work Session meetings had been changed to the second Monday of each month at 5:30 p.m. Also included in that schedule were the meeting dates for the Planning Board and Board of Adjustment.

#### **NEW BUSINESS:**

##### **Granville County Greenway Plan:**

Commissioner Wilkerson provided the Board with a Granville Greenways request to add the Butner Planner to the Greenway Technical Coordinating Committee (GTCC).

Moved by Commissioner Wilkerson and seconded by Commissioner Piper to endorse the Butner Planner to the GTCC Committee. The motion received a unanimous vote.

##### **City of Creedmoor Greenway/Pedestrian Plan:**

Ms. Scottie Wilkins and Mr. Michael McFadden addressed the Board and requested that Creedmoor formally adopt the County Greenway Master Plan. Ms. Wilkins added that the Master Plan was adopted by the County and Municipalities in 2006. She expressed that at that time the City of Creedmoor planned to create a local Greenway Pedestrian Plan and wanted to get that underway before the formal adoption. Ms. Wilkins said that Creedmoor was not included yet; however, with the adoption by Creedmoor of the County Greenway

Master Plan and the adoption of the City's local plan the next step would be to take it through the Greenway groups. Once approved County wide CAMPO would be notified that the City drafted a Greenway Master Plan for us and we would integrate the City's part into the plan and create new maps. Ms. Wilkins commented that she was pleased with the consistency of the City's Greenway Plan.

Commissioner Wilkerson asked Ms. Wilkins to speak about grant funding.

Ms. Scottie Wilkins expressed that there were funding opportunities through CMAQ, which is Federal money through NCDOT. She noted that the application due date was May 1<sup>st</sup>, 2009 and it would be an 80/20% match. Ms. Wilkins said that the idea of this grant was to promote sidewalks/greenways and reduce short vehicle miles. She noted that it would also include turn lanes and signal funding. Ms. Wilkins encouraged the City to seek funding and submit projects that stay within the guidelines.

Mr. Dave Roesler, Planning Director expressed that the City had coordinated with Scottie Wilkins, Shelby Powel of Kerr-Tar Council of Government and Diane Wilson of CAMPO in reference to grants and it was communicated to him that there may be emphasis on Downtown areas, which could help the City receive funding for sidewalks.

Moved by Commissioner Wilkerson and seconded by Commissioner Minor to adopt the Granville County Greenway Master Plan. The motion received a unanimous vote.

Mr. Dave Roesler gave an overview of the Creedmoor Greenway Pedestrian Plan.

Moved by Commissioner Piper and seconded by Commissioner Robinson to adopt the City of Creedmoor Greenway/Pedestrian Plan. The motion received a unanimous vote.

Mayor Moss advised that there were several items on the Economic Stimulus Highway Submittals and Creedmoor had several items on the list; however, he was not sure if they made the cut.

Ms. Scottie Wilkins said that she heard rumors today that there was a list being generated of preliminary projects that were approved. She said that she had not seen the list because she had been out of the office for two days and as soon as she gets word she would notify him.

Mayor Moss said that the following was on the list:

Highway Submittals:

- US 15 to I-85 to Virginia State Line
- Creedmoor Loop
- New I-85 Interchange

Bicycle/Pedestrian:

- US 15 to Darden Drive
- Hwy. 56 Residential to Commercial

## Long Range Transportation Plan (LRTP) out to 2035

### 2025 Creedmoor Connector Loop Area

#### Highway 50:

- 540 to Highway 98

#### 2020 Plan:

- Light Rail Transit System (Not in our area)
- Bus Route from Raleigh to Creedmoor to Butner and back

Ms. Scottie Wilkins said that the NC 50 study through CAMPO had been delayed because of the US Core of Engineers impact study. She also gave an update of the Creedmoor Loop.

Mayor Moss said that there was a fifteen county Vision for Growth meeting today and the results would be shared on Friday from 8:30 until 11:00 a.m. in Raleigh.

Commissioner Wilkerson asked that the City request joint easements for greenways and Dave Roesler, Planning Director advised that this was in the Creedmoor Design Manual for public purpose.

Ms. Scottie Wilkins said that Mr. Dave Roesler, Planning Director invited her here last week to share some of the things that Creedmoor already had in place and she was impressed.

### **Scheduled Dates for All Council Meetings in Southern Granville County:**

Mayor Moss advised that for informational purposes a list was provided of scheduled dates for all Council meetings in Southern Granville County.

### **Proclamation – Multiple Sclerosis Awareness Week:**

Moved by Commissioner Karan and seconded by Commissioner Robinson to adopt the Multiple Sclerosis Awareness Week Proclamation. The motion received a unanimous vote.

### **Stimulus Package – COPS:**

Chief Benware addressed the Board and expressed that the application process for the grant was March, 2009. He expressed that the grant was a 100% match, which was rare for a personnel grant. Chief Benware said that this grant was for three years and the City must fund the position one year after the grant ends. Chief Benware recommended a minimum of two officers.

Upon discussion, motion made by Commissioner Minor and seconded by Commissioner Karan authorizing the City Manager and Police Chief to submit an application for up to two officers for the COPS Grant funding. The motion received a unanimous vote.



## **MAYOR'S REPORT:**

Mayor Moss expressed that he had e-mailed the Board the document analysis of the Stimulus Plan. He said that the budget shortfall for 2009-2010 was \$4.7 billion. North Carolina will receive \$1.4 million from the Federal Stimulus package. He said that everyone needed to pay attention to what is going on in Raleigh.

Mayor Moss attended an all day meeting last Friday held by the Falls Lake Stakeholders Group that was lead by the Triangle J Council of Governments. The morning session focused on a review of the Jordan Lake nutrient system. He said that this was important to us because the Falls Lake State Holders Group was going to develop their nutrient system. The afternoon session was a brainstorming session to talk about the stakeholder process. Mayor Moss said that he had spent a lot of time at meetings representing the City and expressed the importance of attending these meetings because if Creedmoor does not have a voice at the table we will be left out. He noted that the County, Butner and Oxford have representation at these meetings. Mayor Moss said that he and Tom Mercer, City Manager/Finance Officer planned to attend the meeting in Raleigh on Friday.

## **COMMISSIONER'S REPORTS:**

### **Community & Economic Development:**

Commissioner Piper advised that Reverend Holliday requested the use of the City Gym for Summer Day Camp on June 22, 2009 through July 3, 2009 from 12:30 pm. until 4:30 p.m.

Moved by Commissioner Piper and seconded by Commissioner Robinson to authorize the Center For Living to use the City Gym for Summer Day Camp on June 22, 2009 through July 3, 2009. The motion received a unanimous vote.

Commissioner Piper asked about assisting the Car Show scheduled for May with funding of \$500.

Attorney Currin expressed concerns of using public funds for individual shows.

Commissioner Karan suggested that the Business Advisory Council use funding from budgeted money directly related to the Downtown Development Fund.

Mayor Moss deferred this issue for further review.

### **Finance, Administration & Intergovernmental:**

Commissioner Robinson said he had nothing further to report.

### **Energy, Environment & Natural Resources:**

Commissioner Karan said that the City was going to reapply for Playful City USA and everyone could join us for a live broadcast at KaBoom.org.

Commissioner Karan apologized to the Board for saying previously that the City would be moving forward with or without the County's assistance when applying for County grant funding. He expressed that the County denied the grant funding for our new play space.

### **Transportation Infrastructure:**

Commissioner Wilkerson asked Mr. Tom Mercer, City Manager/Finance Officer about the progress of the sidewalk on Main Street.

Mr. Tom Mercer, City Manager/Finance Officer said that he talked with Trout and Riggs and the budget cost to replace the existing curb and gutter would be \$6, 300. He also expressed that the budget cost to replace the existing concrete sidewalk from the Post office property line to the Southern States property line would be \$8,921.

Mr. Dave Roesler, Planning Director advised that part of the permit was that they do curb and gutter where the driveway connection is to be closed and replace the sidewalk. They have to replace or repair the section of the damaged sidewalk due to construction activity next to the Post Office. Mr. Dave Roesler, Planning Director said that the President of the bank spoke with him about extending the sidewalk to the courtyard and a special sidewalk treatment. He said that he advised him that the City would be amenable to that request at their cost. Mr. Roesler said that when they submitted a site plan the extended sidewalk was not included.

Mayor Moss said that this discussion became active because Mr. Deuard Bowden, Chairman of the Business Advisory Council expressed that the City was trying to upgrade downtown.

Commissioner Wilkerson said that he would like to have a meeting scheduled with the City Manager, Transportation Committee and the Cardinal State Bank to discuss this issue as soon as possible and to report the results to the Board at the next meeting.

Mr. Tom Mercer, City Manager/Finance Officer said that he would schedule a meeting and notify the Transportation Committee of the date and time.

Commissioner Wilkerson said that at the last meeting Commissioner Karan asked that the City Manager check on available funding for the fireworks display.

Mr. Tom Mercer, City Manager/Finance Officer said that this was not budgeted; however there was money available from the Commissioner's Fund and the Recreation Fund.

Commissioner Wilkerson said that the money was available; therefore, if the contract had been drafted to the Attorney's satisfaction he would like to make a motion for approval to send the requested deposit.

Mr. Tom Mercer, City Manager asked about the determined amount needed.

Attorney Currin asked the amount of contributions from the other entities.

Mayor Moss asked if the City had written approval from the Town of Butner and the State.

Commissioner Wilkerson said that Butner approved the event; however it was not in writing and he would get that before the next meeting. At the SGWASA meeting they requested that the Town of Butner and SGWASA be on the contract. He advised that Butner would give up to \$5,000; however SGWASA said that they want their name on the contract because they have interest in the property. The contract read that a certain amount was to be sent with the signed contract and the balance was to be paid the day of the event. The Town of Oxford said that they would make a decision at their March 10, 2009 meeting. Commissioner Wilkerson suggested that there be a weather clause placed in the contract for a makeup day.

Commissioner Robinson said that he was in favor of the event; however, he cautioned that they had not received an amount that each entity would be donating.

Attorney Currin said that there was a nonrefundable deposit and the risk of cancellation. He expressed that the City would prefer that the other entities participate in the upfront money. Attorney Currin said that the money was available and a budget amendment was needed.

Commissioner Wilkerson said that he would ask Butner to put their contribution in writing.

Commissioner Wilkerson asked about the sewer tap refund for Bobby Wheeler.

Mr. Tom Mercer, City Manager/Finance Officer said that this would be taken care of before the next Work Session meeting.

Commissioner Wilkerson asked that the Maintenance Department clean the road straw by the hydrants at the Champion Saw Mill.

**Public Safety:**

Commissioner Minor inquired about the time frame for the Hester Road line and Mr. Dan Boone replied that the bids would probably go out in April.

Commissioner Minor suggested that the City Manager consider using govdeals.com for the next surplus property sale.

Commissioner Minor said that with the forthcoming lake activities he would like for the City Manager to move forward with the advertisement for bids for the lease of the concession.

Mr. Tom Mercer, City Manager/Finance Officer said that the lake should be open by Memorial Day and he would proceed with the bids.

Commissioner Minor referred to the adoption of the flower bed at Lake Rogers by the Girl Scouts and Mayor Moss said that he would send a formal letter of appreciation.

Commissioner Wilkerson recommended that there be a sign placed recognizing the Girl Scouts and the troop number.

Commissioner Minor inquired about the comprehensive zoning on Highway 56.

Mr. Dave Roesler, Planning Board Director advised that the Planning Board was reviewing a Mixed Use District. Mr. Roesler said that they wanted notification letters sent to all the property owners to invite them to the next meeting. He advised that the American Legion Application for a rezoning would also be presented at the next Planning Board meeting.

Commissioner Minor inquired about the Alltel/Verizon merge and the cell tower funds.

Attorney Currin advised that they have a five year lease and probably would not renew one of the contracts.

Commissioner Minor asked about the survey for the Public Service Building property located on Highway 15.

Moved by Commissioner Minor and seconded by Commissioner Wilkerson to authorize the City Manager to find the funding for the survey of the proposed Public Safety Building and to use Kapherr Surveying Company. The motion received a unanimous vote.

Attorney Currin said that there would need to be a pre-audit of funds by the Finance Officer.

Commissioner Minor said that the City had begun installing the meters up to 1". He expressed that the meter at the Fire Station was 2" and he would like it changed to a larger size.

Mr. Tom Mercer, City Manager/Finance Officer expressed that the City had budgeted \$350,000, which included the larger meters.

Commissioner Minor inquired about a sign-in/sign-out board at City Hall. He said that it is frustrating when the front desk does not have knowledge of when personnel are not available.

Mr. Tom Mercer, City Manager/Finance Officer said that they use voice mail whenever possible. He said that Steve Colenda, City Inspector has a cell phone and that it may be that the Planning Director should have one.

Commissioner Wilkerson used the example of a citizens going to the front desk and asking for John Doe and staff not knowing if they are at a meeting in Raleigh or if they have gone home for the day.

Mayor Moss said that he did not think the phone system was the problem because the calls go to voice mail. He said that the frustration was not having immediate access to staff. He said that he felt the weak link to the problem was that Dave's calls are not getting rolled to him.

Moved by Commissioner Karan and seconded by Commissioner Wilkerson to go into Closed Session on the Matter of Personnel in accordance with GS 143-318.11. The motion received a unanimous vote.

Upon return to Regular Session, moved by Commissioner Piper and seconded by Commissioner Karan to adjourn. The motion received a unanimous vote.

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Mayor

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City Clerk