

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 27, 2009
7:00 P.M.

PRESENT:

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

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 Minor

REQUESTS TO ADDRESS THE BOARD:

Mr. Bill Andrews and Mr. Curtis Williams of Andrews Ford, 601 N. Durham Avenue addressed the Board and gave the Board a handout and requested connection of their wash bay drain to the City's sewage system. Mr. Andrews also requested that the original permit remain valid and all other charges be waived. He further noted that they installed an oil interceptor and the drain line has been extended by a licensed plumber within a few feet of the City's system. Mr. Andrews said that the car dealership has been in Creedmoor since 1971. He advised that the City Inspector gave two options 1) hook up to City sewer at a cost of \$7,158 for a new tap and connection fee; or 2) hook up to Andrew Ford's existing sewer line, put in pipe that goes to the City sewer and pay a capacity fee of \$4,000.

Commissioner Minor asked why the City would charge Mr. Andrews a capacity fee because he still has the same water line, same capacity and he is hooking onto his own sewer line. Mr. Andrews has been paying for the water to be treated whether it was going into the sewer or the drain.

Mr. Steve Colenda advised that a standard mop sink would use approximately 5 gpd, wash basin calculations for a single bay car wash would be approximately 500 gpd and a single family residence would be approximately 300 gpd.

Moved by Commissioner Minor and seconded by Commissioner Wilkerson to waive all the fees associated with sewer hook up for Andrews Ford other than the permit fee that has already been paid. The motion passed by a 3-1 vote.

Aye Votes: Commissioner Minor, Commissioner Piper and Commissioner Wilkerson

No Votes: Commissioner Karan

Mr. Joel Cross, 701 Forest Lane addressed the Board to request waiver of sewer allocation fees. He said that he has been in business for 46 years and has worked with the City in the past when asked twice to turn the water off at his car wash so that citizens could have water and hopes that the City will work with him. Mr. Cross said that he can not afford the \$12,000 fee and noted that he is barely hanging on.

Commissioner Minor asked if the car wash was hooked up to sewer.

Mr. Cross replied no; however, he is willing to hook up to sewer if the City will waive the \$12,000 fee. He said that he can afford the \$4,000 fee; not the \$12,000.

Mr. Steve Colenda, City Inspector advised that he must put in an oil separator, pay a \$69.00 permit fee, \$12,000 capacity fee, a \$2,733.50 connection fee and a \$425.00 tap fee; totaling \$15, 458.50.

Mayor Moss said that his understanding is that Mr. Cross had received a notice of violation from NCDENR.

Mr. Cross said that he did receive a notice and he called NCDENR.

Mayor Moss asked if hookup to sewer would satisfy DENR.

Mr. Cross said that he has to call NCDENR to let them know the result of this meeting.

Commissioner Minor had concerns of storm water.

Commissioner Karan acknowledged that this area is commercial and the City has no capacity fee in the B-1 District. He asked if they could extend the no capacity fee to the B-2 District. He said that capacity fees are to be treated equally and he feels that this is not being done.

Attorney Currin noted that the Food Lion Shopping Center is B-2 District.

Commissioner Minor inquired about the area being recognized as a distressed area.

Commissioner Karan noted that the USBA recognizes the B-2 as a small business area.

Commissioner Wilkerson said that he personally would like for the City to help Mr. Cross.

Mayor Moss noted that there are rules and they must be applied fairly. He said that he agrees with Commissioner Karan to extend the B-1 rule to the B-2 District.

Attorney Currin suggested that the Board give this matter some thought and not make a determination this evening.

Mayor Moss referred this to the Energy, Environment and Natural Resources Committee, City Manager and City Attorney to make a recommendation to present at the November 9, 2009 Work Session. He advised Mr. Cross that the City Inspector would notify Mr. Cheng Zang at NCDENR to let him know that a recommendation will be presented at the Work Session.

MINUTES:

Moved by Commissioner Karan and seconded by Commissioner Minor to approve the minutes of September 22, 2009 and October 12, 2009. The motion received a unanimous vote.

APPROVAL/ADDITIONS TO AGENDA:

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

PUBLIC COMMENTS:

Mayor Moss opened the Public Comments section.

Ms. Dora Bullock, 102 Margaret Drive addressed the Board and spoke of her concerns of high water/sewer rates. Ms. Bullock noted that the water bills exceed the cost of electric bills.

Ms. Karen Crawford and Mr. James Crawford, 111 Margaret Drive addressed the Board to speak of their concerns of the high cost of their water bills. Ms. Crawford said that her total bill was \$243.39 which includes a penalty.

Commissioner Minor asked if they had a pressure test of their system to make sure that there is no leak in the ground.

Ms. Crawford replied that she had a plumber come out to check and he said that there were no leaks found. She noted that her toilets have also been upgraded.

Commissioner Minor advised that the City will go out and do a test for a fee of \$15.00.

Ms. Crawford also spoke of concerns of the penalty fee and asked for an explanation.

Mayor Moss referred this to Ms. Korena Weichel, Administrative Services Manager.

Ms. Korena Weichel, Administrative Services Manager gave an overview of the data listed for the penalty fee on the back of each bill.

Mayor Moss expressed that water bills are the number one complaint the Board faces on a day-to-day basis. Mayor Moss said that the reasons for the current water situation relates to the relationship the City has with SGWASA, infrastructure and the cost of providing water to the community. Mayor Moss said that the Board is doing everything possible to keep the rates under control. He expressed that Creedmoor only has residential tax payers and no industry to offset the costs as compared to the larger cities such as

Raleigh and Durham. Mayor Moss noted that previously there was Georgia Pacific and Kayser Roth, which subsidized water/sewer.

Ms. Mildred Goss, 322 Aiken Avenue addressed the Board to announce the Creedmoor Chamber of Commerce Holiday events. The Christmas Tree Lighting is scheduled for Friday, December 4, 2009 at 7:00 p.m. at Lake Rogers and the Mustang Melodies from Mt. Energy School will be singing Christmas music. Ms. Goss noted that St. Nicholas will be appearing at the Christmas Tree Lighting. The Creedmoor Christmas Parade is scheduled for Saturday, December 5, 2009 at 11:00 a.m. Ms. Goss expressed that they have received over 40 entries for the Christmas Parade.

Ms. Mildred Goss announced that the United Daughters of Confederacy will be honoring fourteen Veterans for their military service on November 11, 2009 at 7:00 p.m. The location for this event is the Granville County Administration Building located at 1546 South Campus Drive.

MANAGER'S REPORT:

Mayor Moss advised that in the Manager's Report it was indicated that Mr. Dan Boone would be giving an update this evening on the stimulus package and other projects; however, there is a great amount of information to present and he has been rescheduled for the November 9, 2009 Work Session.

Mr. Tom Mercer, City Manager/Finance Officer advised that he received an e-mail from the USDA expressing that they expect to have funds obligated to the City by December 31, 2009.

Mr. Tom Mercer, City Manager/Finance Officer expressed that the 2008 audit is going well. The auditors are scheduled to give a presentation at the November 24, 2009 Board of Commissioner's meeting. Mr. Tom Mercer, City Manager/Finance Officer expressed that the auditors have recommended that the City consider looking at a Finance Officer. He said that he is in agreement because of the requirements of the USDA and he can not continue to wear the hat of both City Manager and Finance Officer. Mr. Tom Mercer, City Manager/Finance Officer said that he is reviewing ways to reorganize and stay within the budget.

Mr. Tom Mercer, City Manager/Finance Officer advised that NCDOT has been contacted and they are willing to pay the City's contractor the state rate to mow their road within our ETJ. There will be no cost to the City of Creedmoor.

Mr. Tom Mercer, City Manager/Finance Officer gave an update on the sidewalks downtown. He advised that there was a test conducted September 18, 2009 by Precision Safe Sidewalks, Inc. to cut & grind sidewalks and curbs that have moved more than 1/4" from flush for ADA compliance. Staff has reviewed the proposal for \$12,198 for all of Main Street and found it to be acceptable. He noted that conventional repair methods would cost in excess of \$32,000.

Mr. Tom Mercer, City Manager/Finance Officer advised that the LGC has approved the City's application for a loan from Construction Grants & Loans for the Joe Peed Booster Extension. This is a zero interest loan in the amount of \$768,750.00. The agreement is ready for the Mayor's signature.

Mr. Tom Mercer, City Manager/Finance Officer said that the City has contracted with Carolina Sweeper, LLC to sweep Main Street once a month and all curbed streets connected. The cost for this service is \$250 per month.

Mr. Tom Mercer, City Manager/Finance Officer advised that the City is not eligible for the Rural Center grant. He said to qualify the municipality must have attended a meeting in the prior year to receive funding. Mr. Tom Mercer, City Manager/Finance Officer said that the City is looking at other options to fund the \$501,000 for the sewer rehabilitation. Mr. Tom Mercer, City Manager/Finance Officer expressed that Commissioner Minor attended a meeting in Henderson organized by Representative Crawford; nevertheless, it was not acknowledged as a credited Rural Center event.

Mayor Moss advised that Representative Crawford lobbied on the City's behalf to receive credit and Mr. Billy Guillet of the Rural Center gave the ruling. Mayor Moss said that moving forward the City needs to make sure that Creedmoor elected officials attend future work shops.

Commissioner Wilkerson inquired about the time of month that the street sweeping would take place.

Mr. Tom Mercer, City Manager/Finance Officer replied that it would be at the beginning of each month.

Commissioner Wilkerson asked if they would be available after Main Street events.

Mr. Tom Mercer, City Manager/Finance Officer said that this could be requested; however it may depend on their monthly schedule.

OLD BUSINESS:

Department Head Reports:

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

Commissioner Minor asked about the status of the Alamo building condemnation.

Mr. Dave Roesler, Planning Director said that they have been trying to cleanup the property.

Commissioner Minor said that he had concerns of the structural condition of the building.

Attorney Currin said that there needs to be a written report of the condition of the building to pursue condemnation.

NEW BUSINESS:

Creedmoor Strategic Plan:

Mr. Dave Roesler, Planning Director expressed that the Planning Board has been working on the proposed Strategic Plan for many months and has recommended that the Board of Commissioners call a public hearing to solicit comments. This strategic plan will identify key growth strategies that would enable the City to provide quality services to meet the long term needs of the community.

Moved by Commissioner Piper and seconded by Commissioner Karan to schedule the Public Hearing for the proposed Creedmoor Strategic Plan for November 24, 2009 at 7:00 p.m. The motion received a unanimous vote.

City Wide Mowing:

Mayor Moss advised that this was taken care of during the Manager's Report.

Street Improvements:

Mr. Tom Mercer, City Manager/Finance Officer expressed that before the City starts spending the Powell Bill money, he, Ms. Scottie Wilkins, Business Development & Transportation Project Manager and Mr. Dave Roesler, Planning Director looked at the criteria to be considered for roadways.

Ms. Scottie Wilkins, Business Development & Transportation Project Manager expressed that this is a collaborative effort and a work in progress. She noted that as we look at developing something that is a data driven process and as we get to the point where funds are limited and our needs increase we need to be fair at the approach in addressing the issues. Ms. Wilkins gave the Board a handout of the draft proposal of the Powell Funded Street Improvements Rankings for the City of Creedmoor. She said that she has talked with Commissioner Minor and Commissioner Wilkerson as they are the representatives of the Transportation Infrastructure Committee. Ms. Wilkins gave an overview of each heading on the draft proposal and expressed that the emergency services routes are a priority. She advised that Commissioner Wilkerson has recommended looking at the ditch issues. She said that after the initial prioritizing and scoring we will take the top priorities and determine another set of data collection based upon volume and the number of people being served.

Commissioner Minor suggested looking at the roads where development has slowed down and to review the bonds.

Mr. Tom Mercer, City Manager/Finance Officer expressed that he is in the process of gathering the bond data for review.

Ms. Scottie Wilkins said that once the data is collected they will have a better idea of what direction the City will need to go. In the long run the City will be able to better identify where the funds can go fairly and adequately.

Mr. Tom Mercer, City Manager/Finance Officer expressed that as the City is working with USDA funding they may be able to work with the contractor and have a separate bid to fix other projects in the vicinity.

Ms. Scottie Wilkins advised that November 16, 2009 is the tentative start date for the paving of North Main Street.

MAYOR'S REPORT:

Mayor Moss asked Ms. Scottie Wilkins to give an update of the CAMPO meeting. He said that she did great work on behalf of the City. Mayor Moss said that the City was successful in keeping the Creedmoor Connector in the top twenty-five projects. He expressed that there were also three bike transits in the top twenty-five projects and also projects through the CMAQ.

Ms. Scottie Wilkins expressed that the City submits projects to CAMPO when trying to receive NCDOT funding. CAMPO gets designated Federal funding and if you get on their top twenty-five list the likelihood of getting funding is greater. Ms. Wilkins gave an overview of the 2011-2017 TIP Funding Recommendations from CAMPO TAC dated October 21, 2009 for Roadway Projects. These projects will be recommended projects to NCDOT for prioritization to determine a final 2011-2017 funded list. She expressed that the City is very pleased to have the number one project on the Bike/Ped Priority List recommended by CAMPO TAC. Ms. Wilkins noted that the Creedmoor NC 56 West and Creedmoor NC 56 East bike ped were submitted and we made the final ranking of CAMPO. This project will still need to receive approval from Federal for funding. Ms. Wilkins said that this is a really good step for Creedmoor; however there are no guarantees.

Commissioner Minor inquired about the Cross City Trail and Ms. Wilkins replied that the City would see this project within the next year.

Ms. Scottie Wilkins expressed that the City is competing with Cary, Wake Forest, Holly Springs and Raleigh and the data shows that our requests are justifiable.

Mayor Moss advised that the City received notification from NCDENR that Creedmoor will most likely be a NPDES Phase II Storm water community. This may be another charge that the City has to pass on to the citizens of Creedmoor. Mayor Moss noted that Butner, Stem and Granville County are also listed in the notification letter.

Mayor Moss expressed that Representative Crawford has provided the City with a schedule of the 2010 Short Session and welcomes noncontroversial concerns from citizens to present.

Mayor Moss said that he attended the Granville County Board meeting and has e-mailed the Commissioners the details of the meeting. Mayor Moss said that the County is considering an increase in raw land values.

Mayor Moss expressed that the election is scheduled for November 3, 2009 and One-Stop Voting is being held here at City Hall. He advised that this morning the count was 173 citizens that had voted for Creedmoor/Butner/Stem and 5 citizens that had voted for all precincts north of Creedmoor. Mayor Moss wished all candidates good luck.

COMMISSIONER REPORTS:

Commissioner Minor expressed that with the new Falls Lake Rules that SGWASA would be increasing the water/sewer rates. He said that Commissioner Karan would be presenting this issue this evening.

Commissioner Wilkerson reminded citizens that there will be a grease collection on Saturday, November 28, 2009 in the Creedmoor gym parking lot from 10:00 a.m. until 12:00 p.m. He asked Mr. Harry

Coleman of the Butner-Creedmoor News to advertise this event in the paper. Commissioner Wilkerson also requested that the grease collection be placed on the City's website.

Commissioner Wilkerson asked Attorney Currin to give the status of the paperwork for the Mack Street drainage project.

Attorney Currin advised that there was one gentleman that has not indicated whether he is willing to cooperate. Attorney Currin said that he will go to the gentleman's office to discuss this matter further. He will also be meeting with Pete's Bodyshop tomorrow. He said that other parties have agreed to give the City a permanent easement.

Commissioner Wilkerson asked about the procedure for the resignation of a Board member and how the seat would be filled.

Mayor Moss said that the Board member should submit a letter of resignation and the Board of Commissioners would appoint another member to fill the remainder of that term.

Commissioner Karan expressed that as Commissioner Minor mentioned earlier the last SGWASA meeting was an eye opening experience. He emphasized that within the next five years SGWASA has to spend 14 million to 17 million dollars to become compliant to the new Falls Lake Rules for the current capacity. This only allows continuation to treat sewage at the current flow rates to comply with the new standard. To increase the sewage capacity to 8 million gpd is between 25 million and 27 million dollars. Commissioner Karan noted to double the sewer capacity would be 34 to 35 million dollars. For this area to grow SGWASA is looking at approximately 100 million dollars to become compliant. Commissioner Karan advised that the citizens that were here earlier this evening complaining about the \$240.00 water bill would be surprised to hear that this is probably going to be the average rate in five years. He said that his heart goes out to everyone that has to pay these rates. Commissioner Karan said that he reacts with caution and reputation in allowing people to waive capacity fees. He said that as the City gives away \$4,000 he thinks of the \$4.00 or \$5.00 it will cost the citizens. Commissioner Karan advised that CVM is the engineer that did the study. He noted that citizens are already on a sliding scale for the next four years to cover CPI costs and this will be an increase in addition to that. Commissioner Karan said that he is glad that the City is looking at other options.

Commissioner Karan expressed that HB1452 requires that elected officials take a two hour ethics course. The Board has the option to utilize a webinar instead of the two hour training; however, this webinar must be approved by the governing board and established that this is sufficient training rather than the two-hour course offered throughout the state. This will also be offered through the newly elected official's class.

Mayor Moss announced that he attended the class during the Greenville conference.

Commissioner Karan expressed that this Board adopted an Ethics Policy and it needs to be clarified that this is compliant to the new legislation.

Commissioner Minor noted that it was mandated that he take a two-hour class before he could run for office.

Mayor Moss said that he has volunteered the City to host an NCLM reception at City Hall that will be scheduled for December 3rd or December 10, 2009. Once the date is finalized he will let everyone know. The League of Municipalities will be paying for the reception. This event will be a Legislative update and a meet and greet for elected officials.

Commissioner Piper thanked Commissioner Wilkerson for pursuing the Mack Street project. He said that it is very critical to get this resolved before bad weather.

Commissioner Piper reminded everyone about the Trick-Or-Treat on Main Street Friday, October 30, 2009 from 5:30 p.m. until 8:00 p.m. He thanked all the businesses on Main Street that will be participating and said that this year should be an even bigger event. He announced that the Police Department would be having a haunted house at the City gym.

Mayor Moss expressed that last November the Creedmoor Collaborative and the Business Advisory Council was formed. He said that he would be merging the two groups into one as the City enters into Phase I of the Strategic Plan for actual implementation.

Commissioner Minor gave an update of the increase of Creedmoor's infiltration and also SGWASA's infiltration.

Mayor Moss expressed that the City receives notice of violations and asked if SGWASA also receives violations and Commissioner Minor replied yes.

Moved by Commissioner Piper and seconded by Commissioner Karan to go into Closed Session on the matter of Personnel and Property Acquisition in accordance with NCGS 143-318.11. The motion received a unanimous vote.

Upon return from Closed Session moved by Commissioner Minor and seconded by Commissioner Robinson to adjourn. The motion received a unanimous vote.

Mayor

City Clerk