

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
WORKSESSION
FEBRUARY 11, 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.

QUORUM:

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:

Commissioner Piper

SPECIFIC ACTION ITEMS:

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

Mayor Moss expressed that this item had been considered for over one year and we have not been able to find a day to accommodate everyone's schedule. Mayor Moss asked that the Board consider the second Monday of each month.

Upon discussion, moved by Commissioner Wilkerson and seconded by Commissioner Piper to change the Work Session meeting date to the second Monday of each month at 5:30 p.m. effective March, 2009. The motion received a unanimous vote.

COMMITTEES:

Finance Administration:

Mayor Moss expressed that he received a call from the IRS and the City's request for abatement of \$482,913 was denied. He advised that he received a voicemail from Ms. Carol Long of the IRS today saying that they reversed their decision and that the City would only

have to pay in the \$100,000 range for late filing and the City would also need to sign a closing agreement. Mayor Moss played the voicemail he received from the IRS stating this decision for the audience to hear. He said that as soon as he receives the final amount that the City will have to pay he will notify the Board and community.

Mr. Tom Mercer, City Manager/Finance Officer said that he returned Ms. Long's call and agreed verbally to accept the offer.

Moved by Commissioner Robinson and seconded by Commissioner Karan to accept the IRS offer to enter into a closing agreement and continue to comply with the requests of the IRS regarding future filings and record keeping. The motion received a unanimous vote.

Mayor Moss thanked Mr. Tom Mercer, City Manager/Finance Officer and staff for their hard work on this issue. He noted that Mr. Bill Tatum was making extreme progress on the reconciliation. Mayor Moss also thanked the Board for supporting staff.

Mr. Tom Mercer, City Manager/Finance Officer expressed that Mr. Bill Tatum had completed the first six months of the 2007/2008 fiscal year. He noted that Mr. Tatum had made a template and an easier format for the auditors. Mr. Mercer said that the auditors would not be able to do the audit until the week of April 20, 2009, which is after tax season. He advised that Mr. Tatum planned to complete the 2007/2008 by mid March and make the needed entries. Mr. Mercer expressed that he anticipated that everything would be caught up by May, 2009. He noted that he called the LGC to review the City's procedures and to help with any changes that need to be made.

Commissioner Robinson said that he was aware of what had been going on with the finances; however Mr. Tom Mercer, City Manager/Finance Officer deserved the credit.

Commissioner Wilkerson said that at the Retreat Mr. Mercer announced March, 2009 as the timeframe to have everything caught up and now it is being changed to May.

Mr. Tom Mercer, City Manager/Finance Officer said that at the Retreat he was speaking of the 2007/2008 fiscal year. He expressed that according to the LGC this will be the first time that Creedmoor has ever been on time for an audit for the upcoming year.

Commissioner Wilkerson said that he asked about the timeframe because budget time is forthcoming and he had concerns of having accurate numbers.

Mr. Mercer said that he understood Commissioner Wilkerson's concern and expressed that the May timeframe would give two months to have everything up to date verses the past procedure. He said that he wanted to make sure that he has good numbers to supply the Board so that they can make good decisions during budget.

Transportation Infrastructure:

Commissioner Wilkerson said that he still needed the information on the five (5) top priorities for streets of Creedmoor and County roads. He noted that Commissioner Karan had e-mailed him the three streets he felt should be a top priority.

Mayor Moss said that an action item for the Board would be to e-mail Commissioner Wilkerson with their five priorities for streets. He asked that Commissioner Wilkerson compile a list to send to Scottie Wilkins, Granville County Planning.

Commissioner Wilkerson said that he and Commissioner Minor had been preparing to make a recommendation for the connector map presented by Scottie Wilkins. He expressed that they have received new information and would like to defer their decision.

Commissioner Wilkerson inquired about the sidewalk repairs. He gave the Board a handout of the brick sidewalks in Youngsville and also spoke of the brick sidewalks in Clarksville.

Mr. Tom Mercer, City Manager/Finance Officer gave the Board a handout of a proposal from T.R. Vernal Paving for sidewalk replacement. The cost for standard was \$11,413 and the cost for stamped was \$24,622.65. He noted that this proposal included ripping up the sidewalk and disposal. The inspections are to be handled by the City. Mr. Mercer said that he did not have pricing for brick sidewalks.

Commissioner Minor inquired about sidewalks in front of the post office, which is a high traffic area and desperately needs repair.

Mr. Tom Mercer said that the proposal did not include in front of the post office. He expressed that it begins at the end of the driveway at the bank to Southern States. Mr. Mercer advised that he could calculate the pricing for the post office area by multiplying the square footage.

Commissioner Wilkerson said that the contractor building the bank was willing to fix the curb, which is broken and take out the driveway that is already there and place new curbing. He expressed that the contractor only asked that they receive funding to pour the cement.

Commissioner Minor suggested that they get an estimate for brick. He also suggested that they take a drawing of the street and sit down with the bank and discuss who is going to do what and come up with a cost.

Mayor Moss asked the City Manager to contact the contractor of the bank and coordinate the results with the Transportation Committee.

Commissioner Piper said that whatever decision this Board makes on sidewalks the design needs to stay consistent in the future.

Mayor Moss expressed that the City did not budget for the work and would have to decide where the money would come from.

Community and Economic Development:

Commissioner Piper expressed that he was proud of the progress of the new CVS and the Cardinal State Bank.

Mr. Dave Roesler, Planning Director gave an update on the proposed BP station on Main Street. He said that they have resubmitted plans. Mr. Roesler said that they had issues with the County ABC Board with the proximity to the Church and also issues with the retaining wall. To meet the ABC regulations they have made a diagonal cut on the side of the building that faces the Church. Mr. Roesler said that the building will be all brick to match the downtown character of Creedmoor. Mr. Roesler advised that they would also provide nice landscaping. He advised that he had submitted to the Wooten Company the storm water management plans.

Mr. Dave Roesler expressed that there had been interest in putting antique stores in the old Southern States building.

Mayor Moss referred to Senate Bill 68 to prohibit the location of new ABC license establishments within 1,000 feet of a public school, or non public school as defined in Article 39; however they are rewriting it to say Church, public school, or non public school. Mayor Moss said that he e-mailed back and asked if that would include convenience stores with ABC permits and it does.

Mr. Dave Roesler, Planning Director said that current regulations are 50'.

Mayor Moss advised that the City submitted the North Carolina Parks and Recreation Trust Fund (PARTF) grant for \$500,000 on February 5, 2009.

Public Safety:

Commissioner Minor inquired about the Fire Department contract.

Attorney Currin expressed that the recommendation was made that the existing contract with the Voluntary Fire Department be amended to increase the amount that was going to be paid within this fiscal year ending June 30, 2009 by \$1,620 to allow them to make distributions to assist the retired Fire Fighters for utilities. He noted that the auditors reviewing the City's books commented that the method that the City was using to assist these people was not something that should be continued. Attorney Currin said that if the Board wanted to make that one change it would be done by contract amendment and the Board could vote on it tonight for approval and amend the amount listed in paragraph six requiring the City to pay the additional amount of \$1,620 for total compensation paid under the contract.

Moved by Commissioner Minor and seconded by Commissioner Wilkerson to adopt the Fire Protection Rescue Services Amended Contract. The motion received a unanimous vote.

Commissioner Minor asked Chief Benware about the Traffic Schedule.

Chief Benware said that he would e-mail the Traffic Schedule information to the Traffic Committee.

Commissioner Minor gave an update on the Public Safety Building. He advised that there was a conceptual drawing showing the square footage. Commissioner Minor expressed that they need to get a survey and find out about the topography.

Mr. Tom Mercer, City Manager/Finance Officer said that he was not prepared this evening in reference to the Public Safety Building. He said that the funds had to be appropriated and he would have this information available by the next meeting.

Commissioner Minor inquired about the time schedule in reference to the pump stations.

Mr. Tom Mercer, City Manager/Finance Officer said that he had asked the Wooten Company to provide him with a time schedule. He said that the City had permits for the Wooten Company to review in regards to the engineering. Mr. Mercer said that the problem was that it had taken longer to review the stimulus package than to have an engineer design the whole package.

Commissioner Minor expressed that approximately twelve months ago the City told them that they wanted to turn the key on the pump station within a year. He said that it is costing the City every day when water is pumped from the plant. Commissioner Minor suggested that the Wooten Company do a presentation before this Board.

Mr. Tom Mercer, City Manager/Finance Officer said that he would invite representatives from the Wooten Company to the next meeting to give a presentation.

Commissioner Minor said that he had asked the Wooten Company about changing the 4½” steamer outlets on Hester Road to 5” storz for the hydrants.

Moved by Commissioner Minor and seconded by Commissioner Piper to place 5” storz on all new hydrants. The motion received a unanimous vote.

Commissioner Minor asked about the American Legion property for a Farmers Market.

Upon discussion, moved by Commissioner Minor and seconded by Commissioner Piper to inaugurate a City initiated Zoning Change to Special Use District B-2 for the American Legion property. The motion received a unanimous vote.

Commissioner Minor inquired about the dredging of Lake Rogers.

Mr. Tom Mercer, City Manager/Finance Officer gave the Board an update on the dredging of Lake Rogers. He expressed that he received the report back and they are approximately to 47%. He advised that he had scheduled a meeting for the first week of March to discuss a completion date. Mr. Mercer said that he had given them a date of May 15th to get off of the water and take out the fencing. They have brought in the second dredge and a backhoe. They are using the second dredge to rip out the stumps.

Commissioner Wilkerson asked what they are doing with the stumps that they are taking out.

Mr. Tom Mercer, City Manager/Finance Officer said that he was not sure; however he would find out and let him know.

Commissioner Minor announced that the dedication of the new fire truck was held last night at the Fire Station. He advised that the new fire truck is a 2,100 gallon pumper tanker. He expressed that they have already used it at a couple of house fires.

Energy, Environment & Natural Resources:

Commissioner Karan expressed that at last night's SGWASA meeting there was a motion made by Dave Currin and seconded by Jack Day giving the City a formal invitation to address the SGWASA Board in reference to the Mayor's comments at the Granville County January Retreat and to prepare an agenda and give it to them 20 days prior to the agreed upon meeting date, time and location. He advised that the Mayor went to the County meeting and asked the County Commissioners to please instruct their SGWASA representatives to carry out their wishes in regards to how they are represented on an Independent Board. Mayor Moss also asked for insight as to what was going on in reference to issues such as ETJ. Commissioner Karan said that the County representatives let it known that their feelings were that the Independent Board was responsible for more than what I see their scope of mission should be. He said that he felt that there are two of seven County Commissioners on a Board doing what they want as they represent the entire County. Commissioner Karan said that he does not go to a SGWASA meeting to vote on his feelings he votes as directed by this Board. He expressed that at the City's Retreat the County Commissioners from District Five and District Six were in attendance and were asked whether they had input as to how the County manages their SGWASA representatives and they replied that they have no input as to how the organization is managed. Commissioner Karan said that he felt the root of the problem is that you have County representation on the Board without any guidance. Commissioner Karan made reference to SGWASA taking over the responsibility of paying \$133,000 per year to the City of Creedmoor for water being dumped onto the ground. They are also looking at one million dollars to fix that problem and anyone that receives water out of their tap from SGWASA has to pay. Commissioner Karan said that SGWASA is not the problem and expressed that if the County would instruct their representatives to make a motion and second the motion to give Creedmoor back their voting rights there would only be one other vote needed.

Mayor Moss said that the example he used about the current working relationship with SGWASA was that it is like being invited out to dinner and not being allowed to eat. He said that his specific request to the Granville County Board of Commissioners was 1) for the County Board to act on the ETJ expansion and 2) for them to provide leadership for a Regional Water/Sewer System. Mayor Moss expressed that it was after the meeting that Dave Currin approached him and said lets get the Boards together. He expressed that the City is looking for a situation that will not impede or bar the residential growth in the City of Creedmoor by its expansion policies. Mayor Moss said that the City needs a system that will allow us to define our own future. He advised that last Thursday he, Tom Mercer, Commissioner Karan and Commissioner Minor met with Jimmy Crawford and expressed that we are seeking guidance. Mayor Moss said that he received an e-mail from Senator Berger and he is interested in providing assistance.

Upon discussion, Mayor Moss deferred this item for further thought. He asked the City Clerk to prepare a list of the meeting dates for the other entities for the next meeting.

Commissioner Karan said that he had two phone calls in reference to last month's utility billing being 38 days.

Commissioner Minor expressed that the billing cycle he was speaking of was for the people that are on the new meters. He noted that his bill was for 38 days and his neighbor's bill was for 28 days.

Commissioner Wilkerson gave the Board a package on Greenway Projects. He said that Butner had applied for a \$500,000 grant to be awarded through the NCDOT. Commissioner Wilkerson voiced concern that Creedmoor had not applied for a grant.

Commissioner Karan referenced the Congestion Mitigation Air Quality Grant and expressed that the County blocked the City from applying for grants so that they could get more money for the greenway projects. He added that when the City received the sidewalk funding the City agreed not to apply for the grants. Commissioner Karan said that the people currently involved with the Greenway Project need to be told that the City did the County a favor five years ago.

Commissioner Wilkerson emphasized that the County, Butner and the City of Oxford had applied for the grants. He said that the City should pursue applying for grants because everything is going to Butner.

Mr. Dave Roesler, Planning Director said that he had talked with the City Manager and one of the reasons that the City does not qualify for a grant is because we need to adopt a Greenways/ Pedestrian Plan. He expressed that a draft Greenways/Pedestrian System Master Plan for Creedmoor would be presented at the next meeting. He added that once this plan is adopted the City can apply for grants. Mr. Roesler advised that the City was going to apply for a CMAQ grant for sidewalks. He said that the City was working with CAMPO on the

CMAQ grant and also a revision of the grant from last year because we were not eligible at that time.

Mayor Moss expressed that the Board had not adopted the County's Greenway Plan and we need to do so.

Mr. Dave Roesler, Planning Director noted that he had spoken with the Kerr-Tar Council of Government about helping the City find other available grants.

Commissioner Wilkerson inquired about the fireworks contract.

Attorney Currin said that he reviewed the contract and he had several questions and would contact him to discuss this item.

Moved by Commissioner Piper and seconded by Commissioner Robinson to adjourn. The motion received a unanimous vote.

Mayor

Clerk