

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING AND PUBLIC HEARING
JUNE 25, 2006
7:30 P.M.

PRESENT:

Mayor Darryl D. Moss, Mayor Pro-tem Tim Karan, Commissioner Angela Mangum, Commissioner Otha Piper, Jr., Commissioner Kent Ray and Commissioner Larry Robinson. Also present was Robert A. Schaumleffel, Jr., City Manager, Sandra Harper, City Clerk and Attorney Tom Currin.

QUORUM:

Mayor Moss called the meeting to order at 7:30 p.m. in the Commissioner's Room at City Hall.

INVOCATION:

Mayor Moss

PLEDGE OF ALLEGIANCE:

Mayor Pro-tem Tim Karan

Mayor Moss announced that he would like for the Board to adopt a Resolution titled Partnership for Working Toward Inclusive Communities. He said that he hoped that this resolution moving forward would serve as a foundation to foster and reshape public discussion and the policy debate about the challenges that the City faces as a community. He expressed that the City can and must reconnect with our County and fellow municipal leaders and State Officials. Mayor Moss voiced that obviously, the City's annexation action has cast a dark shadow over our entire community. However, he felt that it was vital that the City communicate a policy position that we are concerned, interested and committed to Creedmoor being an asset to Granville County. In addition to the adoption of this resolution he asked the Commissioner's approval to present this resolution to any and everyone that would listen; Local Government, Service Organizations, Chambers of Commerce and School Boards. Secondly, he asked approval to pursue the initiatives of Commissioner Karan and Commissioner Ray to aggressively engage citizens and other officials to have a frank and open dialogue about the vision that they see for Creedmoor and Granville County. He said that he wants to position the City to take the high road. He said that making real progress in our community requires leaders that are willing to take a risk and to take a stand. He noted that this Board had done both. He said that he hoped that this Board could turn up the heat not only here in Creedmoor to be inclusive

of our community but to also position Creedmoor to be more included in what is going on in our county and our state.

Ms. Sandra Harper, City Clerk read the resolution to the Board and citizens in the audience as follows:

Partnership for Working Toward Inclusive Communities
Resolution

WHEREAS, the City of Creedmoor is committed to inclusion as a fundamental aspect of our community; and

WHEREAS, cities and towns are the best place to make inclusiveness an everyday priority; and

WHEREAS, local elected officials can and should lead the way forward in making inclusiveness a priority in America's cities and towns; and

WHEREAS, the National League of Cities has designed the Partnership for Working Toward Inclusive Communities to support cities and towns in their commitment to inclusion; and

WHEREAS, the National League of Cities and its members believe an inclusive community promotes equal opportunity and fairness; and

WHEREAS, the National League of Cities and its members believe an inclusive community promotes citizen participation and engagement; and

WHEREAS, National League of Cities President Jim Hunt, councilmember, Clarksburg, West Virginia, has invited local officials to join the Partnership for Working Toward Inclusive Communities and to make a commitment to building more inclusive communities in their own cities and towns.

NOW, THEREFORE, BE IT RESOLVED that the City of Creedmoor hereby reaffirms our commitment to inclusion as a fundamental aspect of our community, pledges active efforts to seek to achieve that goal, and urges all citizens of Creedmoor to join together to support this effort.

BE IT FURTHER RESOLVED that Creedmoor joins the Partnership for Working Toward Inclusive Communities.

Mayor Moss noted that in many ways this represents a new beginning for the Creedmoor community. He said that the Board would be adopting the budget for the next fiscal year and he made his personal pledge to the community and to the Board that there would be no more reference to past issues. Mayor Moss said that moving forward, if someone

disagrees with policy decisions made by this Board, his approach would be to refrain the question and ask what they would do to address the City's issue if they were this Board.

Moved by Commissioner Karan and seconded by Commissioner Piper to adopt the Partnership for Working Toward Inclusive Communities Resolution. The motion received a unanimous vote.

ADOPTION OF THE 2006-2007 BUDGET:

Mayor Moss announced that there was some miscommunication about the Public Hearing so he called a meeting last night to give all citizens the opportunity to comment on the budget. He noted that no citizens attended that meeting. Mayor Moss said that anyone that had questions or comments to please come forward and do so. No one wished to speak.

Mr. Robert A. Schaumleffel, Jr. gave an overview of the Budget. He gave the following projected budget:

- General Fund Revenue \$2,864,717.00
- Water Fund \$ 785,785.00
- Sewer Fund \$ 708,898.00
- Powell Bill Fund \$ 192,300.00

Mr. Schaumleffel said that other than one additional position in Law Enforcement the City had not added any new personnel. He noted that there had been shifting of titles of personnel in Law Enforcement and Finance.

Mr. Schaumleffel said that the Public Service Department had been working diligently to repair water and sewer facilities. He said that as previously discussed there are major Capital Improvement projects that will begin this new fiscal year.

Mr. Schaumleffel advised that new recreational activities are to begin at the Lake to generate additional revenue to make improvements and add other activities.

Commissioner Piper said that he appreciated the time and hard work of staff to prepare the budget.

Commissioner Mangum said that she wanted the citizens to know that the Board would no longer be receiving a discount on water.

Mayor Moss echoed what Commissioner Piper said and thanked everyone for their hard work on the budget. He said that counting this meeting there was a total of eight budget meetings. He said that there was not a lot of citizen input and aggressively encouraged participation for next year. Mayor Moss noted that the budget tax rate would be 70 cents, which is a one cent increase. He noted that during the budget the City Manager discussed issues that the City would be focusing on this year ranging from economic development,

recreation and infrastructure. He said that the City would be preparing for the unexpected, which Commissioner Robinson would speak about later. Mayor Moss said that the City would continue to focus on paying for essential services, working to keep a strong economy and also to make sure that Creedmoor stays a great place to live.

Moved by Commissioner Piper and seconded by Commissioner Mangum to adopt the budget at the 70 cent tax rate. The motion received a unanimous vote.

Mayor Moss announced that he learned today from the League that due to new Legislation the local franchise taxes will change. He noted that after January 1, 2007 Time Warner Cable can withdraw if a phone service decides that they would like to offer some type of video service in Creedmoor. Mayor Moss said that the League also said that it is possible that the City may do better because we will receive revenue to replace that local cable franchise tax from three different locations; the telephone utilities, the cable franchise and sales tax for revenue for direct broadcasting.

PUBLIC HEARINGS:

Petition for Voluntary Annexation – 29.38 acres on W. Hwy. 56:

Mr. Dave Roesler, Planning Director addressed the Board and said that the City received a petition requesting voluntary contiguous annexation for 29.38 acres of land located on the southwest side of Highway 56. He advised that the applicant was Mr. Cliff Credle of Credle Engineering Company, Durham, North Carolina. The property owners are Rockland Parkway Partners, LLC Property. Mr. Roesler explained that under North Carolina General Statute 160A-31, Annexation by Petition, the City of Creedmoor may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area. The petition shall be signed by each owner of real property in the area and shall contain the address of each such owner.

Mr. Roesler said that at the last meeting, the City Clerk certified the Petition for Sufficiency of the property owner's signatures and the Board of Commissioners scheduled a public hearing on the question of annexation for this evening and notice of the public hearing was published two times in the local newspaper.

Mayor Moss opened the Public Hearing.

Mr. Tim Kelley of Rockland Parkway Partners, LLC address of 1534 Ravenwood Drive, Creedmoor addressed the Board and said that this would be a beneficial project for the City. He noted that he felt this was a great location for commercial and would also be a good tax base for Creedmoor.

Commissioner Mangum inquired about a traffic plan.

Mr. Kelley advised that he did not have the plan with him and commented that it was hard to do a traffic plan study until knowing exactly what will be going into this location.

Mr. Guy Smith of 2570 Jasmine Court addressed the Board said that he would like to encourage the Board to seriously consider this annexation in a positive way. He said that if the City doesn't annex this property and bring it under the control of the newly adopted PUD Ordinance that this project would be developed regardless under the county's jurisdiction and the City would have no influence as to how the project develops.

No one else wished to speak so Mayor Moss closed the Public Hearing.

Proposed Municipal Code Text Changes:

Enforcement:

Mr. Dave Roesler, Planning Director addressed the Board and advised that during his review of the City of Creedmoor's Code of Ordinances he discovered that the section on code enforcement does not contain language to adequately enforce the provisions of the zoning code. Several years ago, the North Carolina General Assembly revised the municipal enabling legislation to allow municipalities to levy a civil penalty up to \$500.00 per day per violation. The proposed text change would provide the City with the means to better address violations of the zoning ordinance. Mr. Roesler noted that the proposed text change Section 154.168 Enforcement would provide the City with the means to better address violations of the zoning ordinance.

Mr. Roesler advised that on June 8, 2006 the Planning Board met and voted 7-0 to recommend to the Board of Commissioners that Section 158-168 replace the current Section 158-164.

Abandoned or Junked Vehicles:

Mr. Dave Roesler, Planning Director addressed the Board and advised that during his review of the City of Creedmoor's Code of Ordinances, he discovered that the section on junked vehicles does not contain language to adequately address the problem of junked vehicles located on private property. Currently the ordinance addresses abandoned junked motor vehicle in Sections 90.01 through Sections 90.10. This section primarily deals with abandoned vehicles on public lands and/or right-of-ways. The only reference to junked vehicles on private property is in Section 90.01(4), which states that a junked vehicle can be left on private property with the consent of the owner, occupant or lessee. In practice, this provision does not allow the City to require removal of junked vehicles from private property,

Mr. Roesler explained that during the short time that he has been employed by the City he has received numerous complaints from residents regarding junked cars on neighboring properties or within the community. The proposed text change would provide the City with the means to better address violations related to junked vehicles.

He also noted that in past enforcement experiences he had found several organizations that remove junked vehicles at the owner's request. Usually, these organizations provide this service at no cost to the owner. Mr. Roesler noted that two such agencies he has worked with previously are the North Carolina Kidney Foundation, the Songs of love and Junk My Car. He advised that with charitable organizations such as these, the owner can take a tax deduction.

Mr. Dave Roesler, Planning Director advised that on June 8, 2006 the Planning Board met and voted 7-0 to recommend to the Board of Commissioners that Section 90.01 (4) be deleted and Section 151.114 be added to the zoning code.

Proposed Municipal Code Text Change – Planning Board Established:

Mr. Dave Roesler, Planning Director addressed the Board and advised that it was an apparent oversight that the current Municipal Code of Ordinances does not contain wording that establishes the Creedmoor Planning Board. The Planning Board recommends that the proposed text be added to the Code of Ordinances, Section 154-189 Zoning.

Mr. Roesler advised that on June 8, 2006 the Planning Board met and voted 7-0 to recommend to the Board of Commissioners approval of the Municipal Code Text Change for Planning Board Established.

Mayor Moss opened the Public Hearings for the three proposed Municipal Code Text Changes for Enforcement, Abandoned or Junk Vehicles and Planning Board Established.

Mayor Moss said that the previous City Planner sent out approximately 50 to 60 letters in reference to junk vehicle violations and asked if the City could move forward with these violations.

Mr. Roesler said that would be appropriate. He noted that he would use the provided map as a guide to follow-up on field inspection.

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

REQUESTS TO ADDRESS THE BOARD:

Mayor Moss advised that there were no requests to address the Board this evening.

MINUTES:

Moved by Commissioner Karan and seconded by Commissioner Mangum to approve the minutes of May 23, 2006. The motion received a unanimous vote.

APPROVAL/ADDITIONS TO AGENDA:

Moved by Commissioner Karan and seconded by Commissioner Robinson to add under New Business items 12-e Petition for Voluntary Annexation, 12-f Enforcement, 12-g Abandoned or Junked Vehicles, 12-h Planning Board Established. The motion failed by a 3-2 vote.

Aye Votes: Commissioner Karan and Commissioner Robinson

No Votes: Commissioner Mangum, Commissioner Piper and Commissioner Ray

Moved by Commissioner Mangum and seconded by Commissioner Ray to add under New Business items 12-e Enforcement, 12-f Abandoned or Junked Vehicles and 12-g Planning Board Established. The motion received a unanimous vote.

Commissioner Ray said that he would also like to remove item 12-b Rezoning Application for Special Use District Business-2 of 29.38 acres from the agenda.

Attorney Currin said that under New Business item 12-b Re-Zoning Application the applicants have a right to a Public Hearing within a reasonable amount of time.

Upon further discussion, moved by Commissioner Karan and seconded by Commissioner Robinson to add item 12-h as Petition for Voluntary Annexation. The motion received a 4-1 vote.

Aye Votes: Commissioner Karan, Commissioner Mangum, Commissioner Piper and Commissioner Robinson

No Vote: Commissioner Ray

Attorney Currin advised that the Fire Department Contract was ready and that it would be appropriate to move forward with this item this evening.

Moved by Commissioner Mangum and seconded by Commissioner Piper to add to the agenda under Old Business items 11-c Budget Amendments and 11-d Fire Department Contract. The motion received a unanimous vote.

Mayor Moss said that Mr. Billy Williams of Waste Industries was present and requested to be on the agenda this evening.

Moved by Commissioner Karan and seconded by Commissioner Ray to add item 11-e Waste Industries. The motion received a unanimous vote.

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

PUBLIC COMMENTS:

Ms. Donna Wayne of 2569 Jasmine Court, Southerbys Subdivision addressed the Board and said that she had lived there over two years and she had a recent break-in at her home. She was first very upset and then became very angry and wanted to send a letter to everyone in the neighborhood and after talking with Chief Pollard he convinced her to start a community watch program. She said she later discovered that there were two other break-ins in the small subdivision of 44 homes.

Ms. Wayne said that she also talked with Bob Jones, Public Service Director about the City putting in a culvert because of the standing water in Southerbys Subdivision. She said that during their conversation he mentioned that there was an opening on the Planning Board and she would very much like to be considered for the position. Ms. Wayne said that instead of fussing about certain issues she would like to be involved in the planning aspect of the City. She advised that she had filled out an application yesterday for the Planning Board in the City Clerk's office.

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

MANAGER'S REPORT:

Mr. Robert A. Schaumleffel, Jr., City Manager gave the Board a handout of pictures of the recent activities at Lake Rogers by the Public Works Department. He said that the Public Service Director and his crew should be recognized for their hard work on the landscaping, reinforcement of the pier, and the construction of a floating dock for the new peddle boats. Mr. Schaumleffel said that he and Bob Jones, Public Service Director went to Lake Johnson to look at the activity area and concession building. He said that they were impressed with what they saw.

Mr. Schaumleffel gave an update of the street repair on Pine Street and North Main Street. He also made reference to the poor condition in the City lines and noted that there had been back-up at a couple of local businesses, which have promised to make repairs to be in compliance.

Mr. Schaumleffel referred to the pictures of grease accumulation at the lift stations, stormwater runoff in subdivisions and old tap meters.

Mr. Schaumleffel said that he started the interview process for seasonal help at Lake Rogers.

Mr. Schaumleffel said that he met with Bob Jones, Public Service Director and Dan Boone of the Wooten Company today to discuss capital improvement projects.

Mr. Schaumleffel gave the Board a copy of the Memo from the Police Chief acknowledging that his Police Officers are to look for visual trash that needs to be picked up and street lights that are in need of repair.

OLD BUSINESS:

Department Head Reports:

Provided in the Board packets were monthly reports from the Water Plant, Public Service Director and Police Department.

Mayor Moss announced that there were several certificates received this month. He said that he along with the Fire Department and Police Chief received a certificate for Civil Service Award from Bible Baptist Church for Elected Officials Night.

Mayor Moss announced that Police Chief Pollard also received a Children's Safe Award and a grant award.

Police Chief Pollard addressed the Board and said that the Mobil Data Grant award was for a mobile data terminal for a Police car in the amount of \$9,000 and this would be received in July, 2006. Police Chief Pollard also announced that he and Commissioner Karan were presented with an 800 trucking system radio at the Granville County meeting.

Mayor Moss announced that the Creedmoor Volunteer Fire Department was presented with a check in the amount of \$12,838.00 from BB&T and Asura Insurance Services, Inc. and Fireman's Fund Insurance Company to purchase a thermal imaging camera.

Commissioner Robinson said that the Public Safety Committee met with Mayor Moss, Police Chief, Fire Chief and Assistant Fire Chief to discuss the Emergency Management Plan and hurricane awareness. He said that the Emergency Management Plan is a 28 page document and he thanked everyone for the time and effort that was put into this document. Commissioner Robinson said that he felt that they produced a good plan. He announced that there were copies available in the City Clerk's Office.

Mayor Moss advised that during an emergency the City of Creedmoor would be under the Granville County Emergency Management Plan.

Commissioner Robinson said that for the first 48 hours the City would be on its own.

Mayor Moss thanked Ms. Sandra Harper, City Clerk for retyping the entire document.

NEW BUSINESS:

Budget Amendments:

Mr. Robert Schaumleffel, Jr. addressed the Board and said that the Finance Director had provided the Board with a copy of the Budget Amendments as follows:

Amendment #1

BUDGET AMENDMENT 2005 -2006

POWELL BILL FUND:

REVENUE:

Decrease Capital Out Lay Truck	\$2,000.00
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EXPENSE:

Increase Equipment Purchases	\$1,800.00
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Increase NC Sales Tax Paid	150.00
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Increase Local Sales Tax	<u>50.00</u>
	\$2,000.00

NET CHANGE IN BUDGET -0-

Adopted this the 27th day of June, 2006.

Amendment #2

SEWER FUND:

REVENUE:

Decrease New Equipment	\$7,900.00
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EXPENSE:

Increase Lights and Power	\$1,400.00
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Increase Telephone and Pump Station	2,300.00
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Increase Sales Tax	2,800.00
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Increase Local Sales Tax	<u>1,400.00</u>
	\$7,900.00

NET CHANGE IN BUDGET -0-

Adopted this the 27th day of June, 2006.

Amendment #3

BUDGET AMENDMENT 2005 - 2006

WATER FUND:

REVENUE:

Decrease Water Purchased/County \$11,000.00

EXPENSE:

Increase Repairs/Building & Equipment \$ 1,500.00

Increase Office Expense and Supplies 2,500.00

Increase Sales Tax 2,420.00

Increase Local Sales Tax 1,500.00

Increase Computer-Equip. Maint. 200.00

Increase Pumping Sludge 2,880.00
\$11,000.00

NET CHANGE IN BUDGET -0-

Adopted this the 27th day of June, 2006.

Amendment #4

Budget amendment 2005 - 2006

WATER FUND:

REVENUE:

Water Charges \$39,100.00

EXPENSE:

Chemicals \$10,000.00

Lab Supplies 2,500.00

Meter Refunds 16,300.00

Fees 5,500.00

Education & Training	1,800.00
Repairs to Water Tank	<u>3,000.00</u>
	\$39,100.00

NET CHANGE IN BUDGET -0-

Adopted this the 27th day of June, 2006.

Amendment #5

BUDGET AMENDMENT 2005 - 2006

GENERAL FUND - POLICE

REVENUE:

Decrease Police Contracts & Maint.	\$ 4,000.00
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EXPENSE:

Increase Dues & Subscriptions	\$ 500.00
Increase Uniforms	<u>3,500.00</u>
	\$ 4,000.00

GENERAL FUND – MAINT:

REVENUE:

Decrease Seasonal Help	\$ 9,500.00
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EXPENSE:

Increase Shop Supplies	\$ 3,500.00
Increase Miscellaneous	2,500.00
Increase Garbage Service	3,000.00
Increase Vehicle Expense	<u>500.00</u>

\$ 9,500.00

NET CHANGE IN BUDGET -0-

Adopted this the 27th day of June, 2006.

Amendment #6

BUDGET AMENDMENT 2005 -2006

GENERAL FUND - RECREATION

REVENUE:

Decrease Trail Grant Match \$20,000.00

EXPENSE:

Increase Ball Field Expense 600.00

Increase Gym Utilities 2,500.00

Increase Recreational Program 16,900.00
\$20,000.00

GENERAL FUND –

REVENUE:

Decrease Facilities Expansion \$29,260.00

EXPENSE:

Increase Lease/Computer Software \$ 3,000.00

Increase Computer Service 3,000.00

Increase Dues & Subscriptions 5,000.00

Increase Local Sales Tax 1,300.00

Increase NC Sales Tax Paid 960.00

Attorney & Audit 15,000.00

Office Supplies 1,000.00

\$29,260.00

NET CHANGE IN BUDGET -0-

Adopted this the 27th day of June, 2006.

AMENDMENT #7

BUDGET AMENDMENT 2005 – 2006

GENERAL FUND:

REVENUE:

Fund Balance Approp.	\$43,000.00
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EXPENSE:

Annexation Study	\$43,000.00
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NET CHANGE IN BUDGET \$43,000.00

Adopted this the 27th day of June, 2006.

Moved by Commissioner Piper and seconded by Commissioner Mangum to adopt Budget Amendments #1 - #7 for Fiscal Year 2005 – 2006. The motion received a unanimous vote.

Creedmoor Volunteer Fire Department Contract:

Mayor Moss said that there was no change in the contract from last year other than the responsibilities of the pending annexation.

Moved by Commissioner Piper and seconded by Commissioner Mangum to approve the Creedmoor Volunteer Fire Department Contract. The motion received a unanimous vote.

Waste Industries:

Mr. Billy Williams of Waste Industries addressed the Board and requested another year of providing service and a one year contract extension. Mr. Williams said the contract would expire on June 30, 2007. He said that there would be an adjustment on the fuel base from \$1.40 per gallon to \$2.67 each month.

Mayor Moss said that the Board was not in a position to make a decision this evening and referred this issue to the Finance and Administration and Intergovernmental Committee.

No action was taken at this time.

NEW BUSINESS:

2006 Clean Water Bond Resolution:

Mr. Robert A. Schaumleffel, Jr., City Manager said that this Resolution was given to the City by the Kerr-Tar Board of Directors to support the adoption of the following clean water bond.

2006 Clean Water Bond Resolution

WHEREAS, North Carolina's continued prosperity depends on protecting the state's water resources for current use and future generations, and

WHEREAS, North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the state's water resources and local water providers, and

WHEREAS, North Carolina's businesses, traditional and emerging industries all depend on reliable supplies of clean water, reasonable utility costs and an attractive natural environment, and

WHEREAS, the 1998 Clean Water Bonds delivered significant benefits to North Carolina communities and citizens, supporting 1,103 projects in 97 counties, which

- Helped create or retain 42,000 jobs
- Corrected major regulatory violations in 97 communities
- Addressed failing septic systems and contaminated wells in 59 counties
- Resulted in 50 communities receiving sewer service for the first time,
- Encouraged regional efficiencies, sound planning and conservation practices,

WHEREAS, North Carolina's public water, sewer and stormwater utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five years;

NOW THEREFORE BE IT RESOLVED that the Kerr-Tar Board of Directors urges the North Carolina General Assembly to enact a \$1 billion bond bill in the 2006 session to fund construction and repair of urgently needed water, sewer and stormwater facilities.

BE IT FURTHER RESOLVED that the Kerr-Tar Board of Directors calls upon the Governor and the General Assembly activate the State Water Infrastructure Commission to address the state's long-term water infrastructure needs with a visionary plan for sustained funding of water, sewer and stormwater system improvements.

This the 27th day of June, 2006.

Moved by Commissioner Piper and seconded by Commissioner Robinson to adopt the 2006 Clean Water Bond Resolution. The motion received a unanimous vote.

Re-zoning Application – Special Use District Business-2 of 29.38 acres:

Moved by Commissioner Karan and seconded by Commissioner Robinson to schedule the Public Hearing for July 25, 2006 at 7:30 p.m. for the Re-zoning Application – Special Use District Business-2 of 29.38 acres on Hwy. 56 West. The motion failed by a 3-2 vote.

Aye Votes: Commissioner Karan and Commissioner Robinson

No Votes: Commissioner Mangum, Commissioner Piper and Commissioner Ray

Attorney Currin explained that the Board would have to schedule a Public Hearing and do so within a reasonable length of time.

Commissioner Karan said that the reason the Board schedules Public Hearings is to give the public an opportunity to be duly notified and come to our meeting and speak whether they are in favor of the project or against it. He said that he had not received any e-mails or phone calls about this project giving him a feeling of whether citizens are for or against this project. I really would like some public input which is why we have public hearings and if there is anyone against this project he asked that they please make it known to him. He noted that he would appreciate it if it was in a public session where he and everyone could hear citizen's opinions. He said that he could not fathom why this Board would not want to put this in the public domain and give the public an opportunity to express themselves as to whether they would like to have this road, whether they would like to have our roads redesigned and rebuilt or if they prefer that the City not do it. Commissioner Karan also said that he was discouraged by the lack of public input into some of the processes whereby the City has to make decisions.

Commissioner Ray said that he would like to address that there are a lot of issues surrounding the piece of property and he was not really sure that the Board was in a position to make a decision at this point as to how they would want it zoned. He noted that so far, according to the City Manager, the developer had not brought a plan to the City that would meet the needs of what the City is looking for to go on this piece of property. Commissioner Ray said that not all of the property had been purchased and it is not a single plat. He noted that it was currently subdivided and what has been given to this Board is an idea and nothing on paper to support it. He said that all of the land was

not owned and he did not think it was something that the City needed to discuss. Commissioner Ray said that he solicited and encouraged public comment on this project but felt that the City did not have all of the information surrounding the property to make a decision at this time.

Commissioner Karan said that the owners of the property had to sign off that they were willing to have a voluntary annexation and a rezoning.

Commissioner Ray said that just because they asked for it to be done does not mean that the City has to do so and voiced that there were other issues that must be addressed. He said that he had met with them, staff had met with them and Commissioner Mangum and Commissioner Piper met with them at one point about the Thoroughfare Plan and the developers have not addressed these issues. He added that he was tired of developers expecting the City to do everything they want. He emphasized that it was our City and it's our backyard they are playing in.

Commissioner Robinson agreed but added that the point of having a Public Hearing is to get it out in the open and let the public have their say.

Attorney Currin said that what the Board was in right now is the process that is provided by the City Ordinance. He said that the property was subject to the City's land use and planning regulations and if an individual wants to have an application for a zoning change considered the process requires that the Board schedule and first have a Public Hearing to then consider the application and take action. He noted that this would be an action that has been initiated by an ordinance and calls for this Board specifically to take a certain action to either approve or disapprove the application.

Commissioner Mangum said that many families would be taking vacation during July and suggested scheduling the Public Hearing for August.

Moved by Commissioner Robinson and seconded by Commissioner Karan to schedule a Public Hearing for August 22, 2006 at 7:30 p.m. for the Re-zoning Application – Special Use District Business-2 of 29.38 acres on Hwy. 56 West.

Deuard Bowden – Re-development:

Mr. Deuard Bowden addressed the Board and said that he had leased the building at 301 North Main Street to Southern States for a new sales center. He introduced Mr. Wayne Goss, Manager of the local Southern States store, Mr. Todd Flee, Vice President of Store Development of Richmond, Virginia and Chris Marman, Modular Planning for Southern States. Mr. Bowden said that Southern States was proposing a garden center on the opposite side of the parking area and a sales display area on the Masonic Street side of the property. He noted that the Board had been given a copy of the plan. He said that the arbors would be 6' high treated wood pickets with lattice decorative trim. Mr. Bowden said that there would be a retaining wall installed next to Masonic Street and also next to the existing berm. He said that they plan to repave the entire parking area and also pave

from the store's property line to Masonic Street. Mr. Bowden said that the property was currently zoned B-1 and there are conflicting line items that he had discussed with Mr. Roesler, Planning Director. He said that he was requesting the Board's support to keep Southern States in Creedmoor and allow them to move to a much improved location. He emphasized that Southern States had been in Creedmoor for over 50 years and the community needs their products. He noted that the conflicting area of zoning was #76, Storage.

Mr. Dave Roesler, Planning Director said that they had worked extensively and found that there are conflicting discrepancies in the Ordinance. He said that they were trying to work with appearance and he felt that the plan he was presenting was a very appealing solution. He said that they were trying at this point to work out fire code issues. Mr. Roesler said that there were conflicts in the ordinance and it was up to the Board as to how they vision the downtown area of the community.

Attorney Currin encouraged staff and Mr. Bowden to work out the details to present for approval. He said that the Board could make a recommendation to the Planning Agency to consider a provision of the existing language and report back to the Board.

Mr. Robert Schaumleffel, City Manager advised that the City does not have a defined right-of-way for Masonic Street.

Attorney Currin said that there were plats of this block from the 1920's, which shows the street widths. He said that he would be glad to take a look at this and see what type of agreement can be made. Attorney Currin said that there were very few right-of-ways dedicated within the City of Creedmoor. He said that the City could argue how far the right-of-way extends to the extent that a travel portion of the road and public parking has been maintained by the City for years.

Mr. Bowden said that the two conflicting issues were the Fire District and display.

Mr. Dave Roesler, Planning Director said that all issues could be resolved by the Planning Board other than the Fire District.

Commissioner Piper said that once the issues have been resolved he felt this move would be a great asset to the City of Creedmoor.

Mr. Todd Fleer, Vice President of Store Development for Southern States said that the display of merchandise for sale would be made very attractive.

Commissioner Mangum voiced concern of the use of the wood and picket fence. She said that she would like to see it beautified to look appealing on Main Street.

Mr. Fleer made reference to the Southern States in Louisburg. He said that store had been remodeled. Mr. Fleer said that if products are merchandised properly they will sell. He used the example of merchandising items from small to large and light color to dark

to make an appealing appearance. He recommended that the Board visit the Louisburg store and noted that the fencing at that location was around the back side.

Commissioner Ray had concerns in regards to the visual appearance from the back side of the street and would like for the storage to look appealing from all sides.

Mr. Fler said that what they would be building is a very nice garden center and he would e-mail pictures of the Southern States located in Louisburg, North Carolina, Kentucky and Richmond, Virginia for the Board to view.

Planning Board Appointment:

Mayor Moss announced that Ms. Tara Lightner had moved out of the area which created a vacancy on the Planning Agency. He said that he wanted it noted for the record that the City Clerk did make it known that there were applications on file. The three updated applications were as follows:

- Faye Ray
- Donna Wayne
- Patrick Robinson

Moved by Commissioner Piper and seconded by Commissioner Mangum to excuse Commissioner Ray from the vote due to conflict of interest. The motion received a unanimous vote.

Moved by Commissioner Piper and seconded by Commissioner Robinson to appoint Faye Ray to the Planning Board. The motion received a unanimous vote.

Commissioner Karan requested that all future vacancies be formally advertised in the local newspaper and all applications be added to the Board packets.

Proposed Municipal Code Text Changes:

Enforcement:

Moved by Commissioner Piper and seconded by Commissioner Mangum to approve the Municipal Code Text Change for Enforcement. The motion received a unanimous vote.

Abandoned or Junked Vehicles:

Moved by Commissioner Mangum and seconded by Commissioner Ray to approve the Municipal Code Text Change for Abandoned or Junked Vehicles. The motion received a unanimous vote.

Planning Board Established:

Moved by Commissioner Karan and seconded by Commissioner Piper to approve the Municipal Code Text Change for Planning Board Established. The motion received a unanimous vote.

Petition for Voluntary Annexation – 29.38 acres on W. Hwy. 56:

Moved by Commissioner Karan and seconded by Commissioner Ray to table the Public Hearing for the Petition for Voluntary Annexation of 29.38 acres on W. Hwy. 56 until August 22, 2006 at 7:30 p.m. following the Public Hearing on the Special Use Permit for Re-zoning to B-2 District of the property. The motion received a unanimous vote.

By consensus of the Board, Attorney Currin to develop a Voluntary Annexation Ordinance to present at the August Public Hearing of the 29.38 acres.

Attorney Currin also requested that the developer present the Board with an 8½ by 14 plat for recording purposes.

Mayor's Report:

Mayor Moss announced the Annual July 4th, 2006 Creedmoor Chamber Celebration at Lake Rogers.

Mayor Moss announced that Alive After Five would be held Thursday, August 24, 2006 in Creedmoor.

Mayor Moss announced that the Town Hall Meeting was scheduled for August 17, 2006 at 7:00 p.m. He said that this was an election year and he planned to have a Candidates Forum for that meeting.

Mayor Moss advised that the Mt. Energy Lift Station had a smell and must be fixed.

Mr. Schaumleffel said that he had talked with the County Manager and he notified me that Lindsay Mize, Executive Director of SGWASA now had authority over the maintenance of that lift station. Mr. Schaumleffel will follow up on this issue and make sure it is taken care of.

Mayor Moss asked the City Manager to follow through on the credit card utility billing. He referred him to Ms. Robin Rose, Chief Financial Officer of Raleigh because they already have this system.

Mayor Moss announced that the Police Chief sent a memo to his staff that he will be retiring June 1, 2007.

COMMISSIONER REPORTS:

Commissioner Ray thanked staff for their hard work during the budget process.

Commissioner Mangum said that she met with Mayor Moss, Commissioner Ray and Dave Roesler, Planning Director to discuss the September 16, 2006 Music Festival. She said that they had exciting ideas and there would be music by local talent, karaoke hour and a battle of the bands. She asked that anyone interested in participating in the music to please contact her. Commissioner Mangum encouraged everyone to mark their calendars and attend.

Commissioner Karan said that he attended the Granville County Board meetings for the month of June and Mr. Lindsay Mize, Executive Director was awarded a \$150,000 per year contract to take over the managerial operations of Cozart Sanitation District and Lyon Station. He noted that the County would also be loaning the equipment to the authority as well as the two staff members.

Commissioner Karan announced that NCDOT would be starting their secondary road pavement project from the year 2004-2005. He said that hopefully during the 2005-2006 funding they will restart the Elm Street project. Commissioner Karan said that it seems that NCDOT might get to the projects for this year in 2007.

Commissioner Karan said that the County also asked Barry Baker, Senior Planning Director to research putting into place a policy for ETJ expansions. He said that Mr. Baker informed the Granville County Board that there are only six counties in North Carolina that have such a policy.

Commissioner Karan announced that the City was awarded an 800 megahertz radio for each officer.

Commissioner Karan said that Dave Currin, Chairman of the Granville County Board has asked that the City present an official request form of the City's requests and suggested that the City present a one-mile ETJ expansion from the current extended City limits.

Commissioner Karan inquired about the status of the CMAQ grant for sidewalks and the survey.

Mr. Robert A. Schaumleffel, City Manager said that nothing had been done. He said that now that the budget and the Lake Rogers projects had been completed that he and Bob Jones, Public Service Director would begin this project next week.

Commissioner Karan inquired about the status of the one-way for Masonic Street.

Mr. Schaumleffel said that nothing had been done for this project and he would like to get this issue resolved. He said that he had changed the drop-box location because there is a traffic pattern problem around the City Hall building. He said that he and Bob Jones, Public Service Director would present this issue to the Planning Board at the next monthly meeting.

Commissioner Karan inquired about the status of large truck traffic on residential streets.

Mr. Dave Roesler, Planning Director said that he would place this on the July Planning Board agenda.

Commissioner Karan inquired about the fee schedule and asked if this would be adopted as part of the budget adoption.

Mr. Schaumleffel said that this would be prepared tomorrow and he would present it as part of the budget adoption.

Commissioner Robinson said that this was his first year on the Board during budget and thanked staff and all Department Heads for all the time they spent during budget preparation.

Commissioner Robinson also reiterated that he was grateful for staff and Department Heads for their contribution to the Emergency Management Plan. He emphasized that as long as he is Public Safety Chair the plan will be reviewed and updated each year.

Mayor Moss said that as mentioned earlier that the Chief Pollard sent out a memo that his Police Department staff will be identifying street lights that are non-functioning and also areas of the community that need to have street lighting. He noted that they are also to identify areas that have been dumped with litter. Mayor Moss also encouraged citizens to call City Hall when they see trash that has been dumped and needs to be picked up.

Mr. Schaumleffel said that there have been problems with the dumping of trash during construction of new subdivisions. He advised that there are a couple of subdivisions that have no street lighting and this is a safety issue.

Commissioner Piper said that the recycling center is being used to dump trash. He said that the community needs to work together and report such incidents.

Commissioner Piper thanked Commissioner Mangum for her contribution to the planning of the Music Festival this year because the citizens of this community look forward to this event. He said that the Mt. Energy Chorus did a great job last year. Commissioner Piper also thanked each Board member for their contribution of working with staff on issues in the community.

Commissioner Karan mentioned that Creedmoor Crossings had no street lights.

Mayor Moss said that the City Manager would coordinate with the Street Committee to locate areas that are in need of street lights.

Commissioner Mangum said that Commissioner Ray made the suggestion to place a trash container at the recycle center. She also said that she would like to see curb side recycling as an option.

Mr. Schaumleffel said that the present location is inappropriate for a recycle/trash area. He noted that the Senior Center and the Roberts ball field are at this location and litter ends up on the ball field and highway.

Mayor Moss announced that Commissioner Piper's Mother had surgery and was in the hospital.

Commissioner Piper said that he appreciated everyone's prayers for his Mother during her surgery and announced that she was doing very well.

Moved by Commissioner Piper and seconded by Commissioner Karan to go into Closed Session for Attorney/Client Privilege in accordance with NCGS 143-318.11. The motion received a unanimous vote.

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

Mayor

City Clerk