

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING AND PUBLIC HEARINGS
DECEMBER 19, 2006
7:00 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 7:00 p.m. in the Commissioner's Room at City Hall.

INVOCATION:

Mayor Moss

PLEDGE OF ALLEGIANCE:

Commissioner Piper

PUBLIC HEARINGS:

Petition for Voluntary Annexation – 211 Acres on Brassfield Road:

Mayor Moss opened the Public Hearing.

Attorney Currin said that anyone wishing to speak should be sworn in.

Mr. Dave Roesler, Planning Director addressed the Board and was sworn in by Mayor Moss. He advised that the City received a petition requesting voluntary contiguous annexation for 211.87 acres of land located on the north and south side of Brassfield Road. The applicant is Mr. Alan Pytcher of Summit Consulting Engineers on behalf of the property owners. At the last meeting the City Clerk certified the Certificate of Sufficiency and the Commissioners scheduled the Public Hearing for this evening. Mr. Roesler said that there was a map available for viewing of the property and he would be glad to answer any questions.

Mr. Bob Anderson, 7000 Six Forks Road, Raleigh addressed the Board and said that he would be glad to answer any questions that the Board may have.

Mr. L.A. Veasy, 209 E. Church Street, Creedmoor addressed the Board and was sworn in by Mayor Moss. He spoke of his concern of the traffic on Brassfield Road and asked about the design for traffic flow.

Mr. Dave Roesler, Planning Director said that he was asking a valid question, however, the development proposal itself was going through a separate process and is now being considered by the Planning Board. He noted that the applicant has made revisions to the original plans and the Planning Board will reconsider the plans possibly in January. Mr. Roesler said that the plans were public record and if Mr. Veasy would like to come by his office during regular business hours he would be glad to view the proposed plans with him and answer any questions he may have.

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

Voluntary Annexation of 7.2238 acres of City owned property (Lake Road):

Mayor Moss opened the Public Hearing.

Attorney Currin addressed the Board and was sworn in by Mayor Moss. Attorney Currin advised that the City is the Petitioner and showed on the map the property in question to be annexed into the City. He noted that the property shown was not located in the Butner Police/Fire District.

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

REQUESTS TO ADDRESS THE BOARD:

Mayor Moss announced that no one requested to address the Board this evening.

MINUTES:

Moved by Commissioner Karan and seconded by Commissioner Piper to approve the minutes of November 28, 2006. The motion received a unanimous vote.

APPROVAL/ADDITIONS TO AGENDA:

Moved by Commissioner Karan and seconded by Commissioner Piper to delete Item 11-a under Old Business Consideration to reconsider motion of approval of rezoning request from Rockland Parkway Partners from Residential-2 (R-2) to Special Use District Business-2 (SUD-2), add Item 11-c as Petition for Voluntary Annexation of 211 acres on Brassfield Road and add Item 11-d Voluntary Annexation of 7.2238 acres of City owned property (Lake Road). 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:

Mr. John Greene, 204 Lyon Street, Creedmoor addressed the Board and expressed his concerns of water runoff on North Street that is washing away his property.

Mayor Moss advised that the City is in the process of developing a plan for stormwater control.

Commissioner Karan asked about the work the City did for a resident on North Street. He also inquired about the cost share on this project.

Mr. Robert A. Schaumleffel, Jr., City Manager said that the City did help a resident that had problems with a newer home on North Street.

Mr. Bob Jones, Public Service Director referenced the catch basins that DOT put in along Church Street. He noted that the outfalls go between the houses, go along Church Street and fall back into North Street/Lyon Street area. Mr. Jones said that he went out to look at the area in question and the pipes are exposed and falling apart. He advised that the DOT catch basins are private property and the City is not responsible unless the Board authorizes the project. Mr. Jones noted that the City has the capability to fix the problem but it is labor intensive.

Commissioner Karan said that Mr. Greene is looking for guidance from the City. He requested that City staff communicate with Mr. Greene and look at his property to see what needs to be done to correct the problem.

Mr. Robert Schaumleffel, Jr., City Manager said that this would be part of the process. He advised that as the City eliminates these problems as part of the storm sewer assessment district that the City needs to acquire utility storm water easements.

Commissioner Ray said that he had a citizen call him this afternoon in reference to a problem in that same area. He advised him that the City previously would clean and dredge out the ditches and that it had been a number of years since this had been done. The citizen has requested that the City re-dredge those ditches and rebuild the shoulder of the road.

Mr. Robert Schaumleffel, Jr., City Manager said that these issues are addressed in his monthly report to the Board.

Mr. Bob Jones, Public Service Director added that the citizen Commissioner Ray is referring to has turned his yard into a parking lot and is creating part of the problem.

Mayor Moss said that the City will be focusing on the stormwater needs of the City in the near future.

MANAGER'S REPORT:

Mr. Robert Schaumleffel, Jr., City Manager gave the Board a handout of his monthly report. He advised that the Finance Department remodeling started Friday, December 15, 2006. Mr. Schaumleffel added that the on-site trailer for office space is in place, the electrical work is being completed, DPS crew is building a desk and ADA ramp. He noted that two PODS have been rented for storage of material and excess furniture for the Finance Department. The new office furniture is to arrive within four to five weeks. The completion date is anticipated to be the end of January, 2007.

Mr. Schaumleffel, City Manager asked that the Board go into Closed Session in reference to Property Acquisition and also Personnel issues.

Mr. Schaumleffel said that the hiring in the Finance Department has been completed. One individual is already working and another individual has been hired to begin the first week of January, 2007.

Mr. Schaumleffel discussed with the Board the present and future needs of the Public Service Department. He emphasized the additional need for a backup to the Building Official and Code Enforcement program.

Mr. Schaumleffel, City Manager said that there was an issue that needs to be addressed about the cut-off penalty. He said that there was chaos last week because previous employees were giving certain people in this community privileges when their water had been disconnected and not others. Mr. Schaumleffel said that the employees would have the water turned back on for these individuals and waive the fees. These citizens were expecting the same last week. He noted that the Board adopted a cutoff policy, which is a \$10.00 late fee if not paid by the 20th of each month and a \$75.00 reconnect fee on cutoffs for non-payment. Mr. Schaumleffel indicated that he enforced the adopted policy last week and certain individuals got upset. He said that he made the decision to follow the adopted policy and be consistent and fair on all customer accounts. He said that a certain customer called the Mayor to intervene. Mr. Schaumleffel said that the Mayor called and asked that he turn back on the water for this customer. Mr. Schaumleffel said that the customer was to leave the payment in the drop box. He said unfortunately, he had to call the Mayor back the next morning to let him know that the customer did not follow through on paying the full amount of the bill. Mr. Schaumleffel emphasized that customers were rude to staff last week during cutoffs and he said that he was not going to let this continue.

Mayor Moss said that he asked the City Manager to use this example. He said that when the woman called him in reference to her water being cutoff he heard babies crying in the background. He said Mr. Schaumleffel felt he had to say no because he had talked with other customers and told them that it was after 4:00 p.m. and someone would be out to turn the water back on the next morning. Mayor Moss said that he told Mr. Schaumleffel that the water was to be turned back on because there were babies in that house. Mayor

Moss said that the customer did not pay the full amount and also post dated the check for Friday. Mayor Moss said that she did not do what she told him she would do.

Commissioner Ray said that his heart goes out to people that are having financial difficulties but it is not fair to our staff to have to deal with the same people each month on the same issue.

Mayor Moss said that Finance just wants to know that they have the Board's support on this issue.

Commissioner Ray said that they definitely have his support.

Commissioner Karan inquired about the use of the telephone automated system to give a 24 hour notice for cutoffs.

Ms. Lenessa Hawkins, Finance Director addressed the Board and said that she spoke with the support system of the automated phone system and all that is needed is to put in the numbers to be called for notification of past due bills. Ms. Hawkins said that the actual cutoff date is the first of each month. She noted that she plans to do a test-run on the automated phone system December 29, 2006.

Commissioner Karan said that he believes that if the phone system is utilized properly this will eliminate a lot of problems for the Maintenance Department that is currently having to go out to disconnect and reconnect water.

Mr. Robert Schaumleffel, Jr., City Manager said that there are senior citizens on fixed incomes that sometimes use their last dollars to pay their water bills, whereas, there are citizens that live in expensive housing in newly developed communities that do not pay their water bills on time.

Commissioner Robinson said that he has been a property manager for apartment complexes for many years. He said that he has the strict policy of the rent being due on a certain date and if it is not paid on that date they follow the collection procedures. He emphasized that they get the same "song and dance" each month from the same parties. He found that the worse thing to do is to not follow the policy. Commissioner Robinson emphasized that the City needs to enforce the policy.

Commissioner Piper said that staff does not deserve the harsh criticism that they have been getting lately. He said that staff does not make the policies. Commissioner Piper emphasized that the City needs to be uniform and not vary the policy. He said that he felt the courtesy call from the automated phone system is a good idea and will eliminate some of the excuses.

Mr. Robert A. Schaumleffel, Jr., City Manager discussed with the Board the present and future needs of the Public Service Department. He emphasized the need for backup personnel to the City Building Inspector and an active code enforcement program. Mr.

Schaumleffel gave the Board a handout of the minimum required course hours for standard code courses. He advised that he would like for the Board to consider two options. The first option is to have someone take courses to acquire a level two certification. Mr. Schaumleffel suggested that Bob Jones, Public Service Director be the backup to the inspector. He said that if this happens the City will need a qualified Public Works Superintendent for backup. The second option is to hire a full time Code Enforcement Officer to also be a part time backup person to the Building Inspector. Mr. Schaumleffel said that the City is currently using the County as backup but the County is extremely busy.

Commissioner Karan asked if he had considered a probationary certificate instead of a standard certificate.

Mr. Schaumleffel said that the employee would have to take classes and it requires about three months for completion. He noted that if a regular employee takes the classes they will be taking time away from regular working hours.

Commissioner Piper advised that the previous City Planner said that as the City grows he would need help with the code enforcement.

Mayor Moss referred this issue to the Finance Committee.

Mr. Robert Schaumleffel, Jr., City Manager gave the Board a handout of the fire hydrant flow and pressure testing. Listed on the handout is a list of the areas that have been tested to this point. There are approximately 290 hydrants on our distribution system. The water plant began testing December 4, 06 and in a two week period have tested 193 hydrants. He explained that they concentrated on the major housing developments and schools. The hydrants on water systems shall have a minimum of 20 pounds per square inch during periods of peak demand (fire flow). He advised that of the hydrants tested we are within this parameter. He noted that the flows for the hydrants tested have been 400 to 500 gpm and the static pressure being 78 to 85 psi and the flowing pressure being 35 50 40 psi at 200 to 300 gpm. Within the next several weeks, the testing should be complete.

Commissioner Robinson asked if the tested hydrants passed the requirements.

Mr. Mike Duke, Water Treatment Superintendent advised the Board that the hydrants that were tested passed inspection and is over the minimum requirements. He said that the Wooten Company sent the water plant a book with the hydrant locations and tag numbers. Mr. Duke said that there are approximately 100 more hydrants to be tested. He advised that the testing should be complete by mid January and at that time he will have a more in-depth report for the Board.

Mr. Robert Schaumleffel, Jr., City Manager gave the Board a handout of the monthly water report and said that because of the State's strict requirements and the City's growing population it is hard to meet standards within a twelve hour period. He said that

he and Bob Jones, Public Service Director talked today about the need for expansion of the operational hours at the water plant.

Mayor Moss said that the City needs to send the test results in a report to the Creedmoor Voluntary Fire Department.

Mr. Bob Jones, Public Service Director advised that they have been working on the report and want to send a complete report to the Fire Department after all hydrants have been tested.

Mayor Moss advised that they have received several phone calls from citizens about brown water during the testing.

Commissioner Mangum suggested that the Water Plant send a notice to citizens in the paper that they are testing hydrants so that they will know why they may have brown water.

Mr. Robert A. Schaumleffel, Jr., City Manager gave the Board a handout of the Public Service Director's priority work list; which consists of thirty items. He said that these items are issues the Public Service Department needs to accomplish on a daily basis. Mr. Schaumleffel said that he wants to bring before the Board for consideration next month the use of electronic meter reading. He said this list does not include the upcoming stormwater assessment.

Mr. Bob Jones, Public Service Director said that he feels that the level of service to our citizens is declining and feels bad when he has to explain our deficiencies as to why things are not getting done in a timely manner. He said that brush pickup may be important to a citizen and it is hard to explain to them that it has to be moved down on the priority list. He emphasized that Joe Peed and Park Avenue are at capacity and if the City does not do something about this situation in the very near future, there will be more fines. He emphasized that it is his priority and responsibility with his license to the State and to the City to prevent these things from happening. He stressed that they can find the problem but can't accomplish this task without the time and manpower.

Mr. Robert Schaumleffel, Jr., City Manager gave handouts from the Division of Environmental Health and asked that they read the notice of violation and administrative order at their leisure.

Mr. Robert Schaumleffel, Jr., City Manager said that he and Bob Jones, Public Service Director would like to make an application to NCDOT for a permit to construct a street and driveway access into the seven acres owned by the City on HWY. 56 West. He said that they plan to connect the seven acres to Lake Rogers for useful recreation. Mr. Schaumleffel said that they would like to put a bridge across, have a hard surface bike path and picnic areas. He said that the City will continue to use inmates to help with labor at Lake Rogers.

Mayor Moss asked the City Manager to coordinate with the Transportation Committee on this issue.

Mr. Robert Schaumleffel, Jr., City Manager reported that this week another Police Officer was attacked in the line of duty. The City has three officers on limited duty status.

Mr. Robert Schaumleffel, Jr., City Manager said that Mr. Dan Boone is in attendance this evening to give a presentation pertaining to the City's upcoming interim financing for water/sewer. Mr. Schaumleffel said that he will give an update of the ongoing discussion with the City of Oxford on long range water/sewer connections.

Mr. Robert Schaumleffel, Jr., City Manager said that there is ongoing discussion on two downtown developments. As plans move further along, he and the Planning Director will provide the Board with an update on both projects. He said that if these developments happen there will be a major impact on downtown and parking.

Mr. Robert Schaumleffel, Jr., City Manager reported that the street repairs are almost 100% complete. He advised that there was a break on Peach Street and the contractor is going to repave the area.

Mr. Robert A. Schaumleffel, Jr., City Manager expressed that he would like to offer his many years of experience on structuring the upcoming Board Retreat. He said that he has been associated with many successful retreats that included the following components: 1) The Mayor and Board of Commissioners develop a Mission Statement. This is a document that may evolve over time, 2) an outside and independent facilitator to run the meeting, 3) have the retreat take place away from Creedmoor so that there are no disruptions from within the City. Have a Friday night social hour with the Mayor, Board, Manager and Department Heads, followed by a Saturday full day retreat, 4) an outcome that develops five to ten goals for the coming fiscal year. This is done to make sure the elected officials prioritized objectives are met for the upcoming fiscal year so that the Mayor and Board can determine whether the Manager and his/her staff have been successful. He expressed that the right process takes a total commitment from both elected and appointed City Officials.

Mr. Robert Schaumleffel, Jr., City Manager said that he appreciated Commissioner Karan bringing into City Hall an example of materials that could be used for buoys to be placed at Lake Rogers. He advised that Bob Jones, Public Service Director has suggested a product that will be long lasting and can also be used for multi-use. Mr. Schaumleffel said that he plans to approve the purchase.

Mr. Robert Schaumleffel, Jr., City Manager said that he has received a letter from the Corp of Engineers on the Lake Rogers project. He noted that he authorized the second and final payment.

Mr. Robert Schaumleffel, Jr., City Manager advised that he submitted a grant application to Granville County for children's recreational equipment at Lake Rogers. He noted that this will replace existing equipment that is not OSHA certified recreational equipment. Mr. Schaumleffel advised that this is a 50/50 grant.

Mayor Moss referred this item to the Community and Economic Development Committee.

Mr. Robert Schaumleffel, Jr., City Manager gave the Board a handout of a letter from Time Warner Cable that includes a new rate schedule and listing of channel lineup for the upcoming year. He noted that unfortunately, they are again going up on the rates.

Mr. Robert Schaumleffel, Jr. City Manager requested that the Board move forward on updating the City of Creedmoor City Charter. He said that he would be glad to provide examples from other cities.

Mr. Robert Schaumleffel, Jr., City Manager said that he was going to take some time off starting Friday, December 22, 2006 through January 1, 2007. He thanked the Mayor and Board for their support this past year and wished them a Merry Christmas and a Happy New Year.

Mr. Robert Schaumleffel, Jr., City Manager gave an update about the prospects of water/sewer from Oxford. He said that he spoke with Mr. Tommy Marrow, City Manager of Oxford yesterday and he advised that sewer is not a problem but water is an issue because of the structural difficulties of Henderson. Mr. Schaumleffel said that Mr. Marrow is meeting with the authorities in Henderson on January 31, 2007 and he seems very optimistic. Mr. Schaumleffel said that he is looking at two other options. The first option is to acquire a portion of the water needs and also use existing water sources and the second would be to go to another community for water. Mr. Schaumleffel announced that Hillsborough has joined with the City of Durham for water.

Commissioner Karan referred to Senate Bill 981, which precludes inner basin water transfers from occurring.

Mr. Schaumleffel, Jr., City Manager said that he would like to see the water/sewer stay together.

Mr. Dan Boone of the Wooten Company addressed the Board to give a presentation on the City of Creedmoor Water and Sewer options. He said that he would like to address Commissioner Karan's concern of inner basin transfer at next months meeting after receiving all the facts and figures of what is available from Oxford. Mr. Boone announced that Mr. Larry Thomas from the City of Oxford Public Utilities is in attendance this evening. He said that the City of Creedmoor has a lot to consider. Mr. Boone noted that Creedmoor has used up the capacity that has been readily available and is now having to look for new sources for water and wastewater needs. He said that Oxford has been willing to talk with us about providing water/sewer. Mr. Boone said he

originally planned to present the Oxford alternative this evening. However, Oxford was held up from making a commitment to Creedmoor because of issues with the City of Henderson and the availability of water. He said that it is best to delay that entire report until it is known whether we are dealing with water/sewer or just sewer.

Mr. Dan Boone said that this evening he would be presenting project financing. He noted that in the past he has spoken to the City on several occasions about technical solutions that are available to resolve some of the problems of water/sewer infrastructure within the City's distribution center. He made reference to the statement that Mr. Bob Jones, Public Utilities made earlier in reference to the capacity at Park Avenue and Joe Peed Road. He noted that the City has under design an intermediate lift station at Joe Peed Road that will increase capacity by approximately 30-40% and serve until the year 2013. He said that there will need to be another alternative by that timeframe. Mr. Boone said that the City has obtained funding at 2.2% low interest 20 year loan for pre construction.

Mr. Dan Boone gave a handout of the City of Creedmoor Water & Sewer Phase Timeline that shows current cost for Phase 1 and Phase 2. Phase 1 for Water System Improvements will be \$4,175,000 and Sewer System Improvements will be \$4,188,000, which totals \$8,363,000. He said that the long range totals for Phase 2 Water System Improvements is \$4,140,000 and Sewer System Improvements is \$11,391,000. The total Water and Sewer Project Cost is \$27,894,000. The long range totals for Phase 2 will change when considering Oxford. Mr. Boone said that Phase 1 will get the City to 2013 for the sewer disposal.

Mr. Boone said that this will be a lot of Capital Outlay and there are two sources to be considered for funding. He said that there is the USDA (Department of Agriculture), which guarantees to purchase bonds at 4.12% and spreads payments over 40 years.

Mr. Robert Schaumleffel, Jr., City Manager made reference to General Obligation Bonds (GO Bonds) where the City would have to pay debt service.

Mr. Boone said that the Local Government Commission will allow funding through Revenue Bonds. This means that the City would place the revenues of the Enterprise Fund to pay for the bonds as opposed the taxes of the City. Mr. Boone said that generally the cost of borrowing money is a little higher than a GO Bond. He explained that a GO Bond can be issued through the City and not the USDA. He said that this would be for a 20-year Bond.

Mr. Dan Boone gave the Board a handout of the publication for general instructions for filing application for approval of issuance of General Obligation Bonds from the Department Of The Treasurer Local Government Commission. He advised the Board that the last two pages of this publication summarize the activities that must take place during the process, which takes approximately 90 to 120 days.

Mr. Boone advised that the time line for USDA for commitment on a bond usually takes six months. He said that the average income within Creedmoor is too high to receive a grant but is eligible for a loan.

Commissioner Karan made reference to special language placed in a Senate Bill that eliminates the income eligibility through 2010.

Mayor Moss said that he would e-mail the Senate Bill to Dan Boone for clarification.

Attorney Currin said that the City wants to structure the referendum to be a Bond issued for a term where the Department of Agriculture will give a lower annual payment by a longer payment period.

Mr. Boone said that he would provide another schedule based upon USDA and a decision can be made in late spring. He said he inquired about the 20-year and 40-year loans and the comparison is about the same at a rate of 4% and 4.5%.

Mr. Boone noted that from an economical standpoint the annexation that is being considered this evening should be included in providing sewer service.

Mr. Robert Schaumleffel, Jr., City Manager recommends to the Board that no other annexations be considered other than the ones on the agenda this evening until the water/sewer improvements are complete.

Mr. Robert Schaumleffel, Jr., City Manager advised the Board that if they are to make the May Ballot that the LGC will need to receive the paperwork by the end of January, 2007.

Mayor Moss said that he is not sure that the Board is ready to rush into a decision at this time to meet the January deadline.

Mr. Dan Boone said that he would like to put information together in a comprehensive report that includes any new information that occurs in Oxford and also include the new annexations to present to this Board in January or February.

OLD BUSINESS:

C.W. Currin Bill:

Mayor Moss explained that this \$1,800.00 bill was received from C.W. Currin for debris that was placed on his property from the 2002 ice storm. He said that he spoke with Mr. Currin's daughter and expressed that there is no record to be found where the City was to pay. Mayor Moss said that in good conscious he can not ask the City Manager to authorize the Finance Director to pay this bill without documentation.

Commissioner Karan inquired about documentation in the paperwork that was sent to FEMA for reimbursement.

Ms. Eleanor Fowler, Finance Director said that there was nothing documented.

Commissioner Ray said that it was a bill dated 2003.

Mayor Moss said that two bills were received, one dated 2003 and the other dated 2006.

Ms. Fowler, Finance Director said that she has the folder available in her office for view.

Mayor Moss referred this issue to the Finance Committee for recommendation at the January 23, 07 Board meeting.

Department Head Reports:

Mayor Moss referred to the issue of the 71 re-reads this month out of 1,825 accounts. He said that Finance and the Maintenance Department are working hard to get the re-read numbers down.

Mr. Bob Jones, Public Service Director said that a Meter Reading Exception Report is generated to give readings of abnormal high or low usage. This is not necessarily an error of wrong readings from the Maintenance Department. Mr. Jones indicated that it could be that a family was on vacation to lower the usage or someone could have a water leak to show a higher reading.

Mayor Moss said that he has received telephone calls about the tax collection postings. He advised that the Tax Collector has recently been out sick and is now close to completion of all postings. Mayor Moss asked the Board to refer all tax collection calls to the Tax Collector.

Grease Ordinance:

Mr. Robert Schaumleffel, Jr., City Manager advised that he provided the City Attorney with two examples and asked that he draft a Grease Ordinance. Mr. Schaumleffel handed out the examples from Cary and Oxford along with the recently adopted Grease Ordinance from SGWASA. He advised that Bob Jones, Public Service Director looked at the Ordinance drafted by the City Manager and suggests a few modifications.

Attorney Currin said that SGWASA added two sections that states that all new food establishments will comply immediately and another section that states that all existing facilities will have a time line to comply. Mr. Currin said that the ordinance drafted by his office says that there is no grandfathering and all facilities will comply immediately. Whereas, SGWASA's Oil and Grease Ordinance states that existing Food Service Establishment's grease-handing facilities will be notified in writing of the deficiencies, required improvements, and given a compliance deadline not to exceed six (6) months to conform.

Mr. Robert Schaumleffel, Jr., City Manager said that it makes sense for the City of Creedmoor's ordinance to mirror SGWASA's ordinance as closely as possible. He said that the Ordinance drafted by the City Attorney said that cleaning needs to take place every four (4) months and Bob Jones would like that changed to every six (6) months.

Mr. Bob Jones, Public Service Director said that it will be a burden to have to clean every four months. He said that there is a caveat that states it can be increased if we deem it necessary to pump more often.

Mr. Schaumleffel, City Manager said that Mr. Bob Jones suggested that the ordinance should state that there shall be on-site maintenance records maintained for a period of 36 months to be uniform with SGWASA's ordinance.

Mr. Bob Jones, Public Service Director said that he would like the enforcement penalty to match the language in SGWASA's ordinance. He noted that DENR's position is that if the City does not enforce compliance from our businesses we will be fined. He emphasized that the City needs to make everyone comply or exempt them and receive a fine from DENR.

Commissioner Ray said that the Grease and Oil Ordinance recently adopted by SGWASA was drafted partially from the ordinances of Raleigh and Roxboro. The City of Creedmoor can adopt a more stringent ordinance but not less. He said that because this is mandated by the State he was going to suggest that the State Representatives be approached to mandate that the State do the enforcement.

Mr. Bob Jones, Public Service Director said that it is the responsibility of the owner that has the permit as to what he puts into his system but it is my responsibility to monitor what goes into the lines. He emphasized that the City spends thousands of dollars to clean the system.

Commissioner Karan noted that SGWASA's trap size allows for under the counter units, which is typically less than 100 gallons. They also may be of the outdoor or underground type normally of a 1,000 gallon capacity or more. Commissioner Karan expressed that there are businesses in town that have single use/no dishwasher establishments and an under the counter unit would be more than adequate if properly installed. He said that as a Level II Probationary Inspector he can clarify that the grease trap calculation is the same for Oxford. He researched today and the Plumbing Code is the same as the City of Oxford. He said that when our downstream end user does not require a minimum size he feels that we should mirror the same.

Attorney Currin made reference to the City of Cary and other ordinances that use the EPA standards which require calculations. He said that this would be an extra expense because the City is not staffed for calculations and would need to hire some to do so.

Commissioner Karan said that it would be more feasible for the restaurant owner to hire someone to do the calculations for them vs. the purchase of a 1,000 gallon tank to go into

the ground. He said that the 1,000 in ground tank grease interceptor at the location of what was previously Stevenson's grill cost \$15,000. He said that the required inspections, penalties and cleaning schedule noted within this ordinance shows accomplishment.

Commissioner Mangum asked if he was saying that he felt that the City should mirror the SGWASA ordinance or just this paragraph pertaining to Grease Inceptor/Grease Trap.

Commissioner Karan said that the only issue he has with the entire ordinance is the size of the grease trap.

Mayor Moss inquired about notification to all food service establishments.

Commissioner Ray said that Lindsay Mize, Executive Director of SGWASA said that if the City will provide a list they will do the mailing notifications. He noted that once Creedmoor has adopted a Grease Ordinance the City can send out another notification.

Commissioner Mangum said that she would like to hear from business owners.

Mr. Van Ellis, Co-owner of Eats & Sweets located on Masonic Street beside of City Hall addressed the Board and said that his business opened one year ago today. He said that there is a 35 gallon grease trap inside the building. Mr. Ellis advised that his business was landlocked and there would be nowhere to go except for the City Hall parking lot. He said that \$15,000 to \$20,000.00 would put him out of business. Mr. Ellis said that he has his pumped out twice a year. He noted that he talked with Peter Lambert and it is the owner's responsibility to make sure that they are in compliance. Mr. Ellis said that Mr. Lambert inspects his business quarterly and he would not mind having to do the grease inspections if the State agrees to take over. Mr. Ellis emphasized that he was trying to help revitalize the downtown area and if he had known about this issue one year ago, he would not have opened his business. He noted that he does not feel that this is fair to the small business owner.

Mr. Jon Zbonac, 2715 Joyce Court and owner of Jon's Main Street Grill addressed the Board and said that he has a grease trap in the building and pays a company to pump it out. He emphasized that he will not pay \$25,000.00 to have a grease trap. Mr. Zbonac expressed that he feels that the City first needs to see if there are ways to resolve this issue in a reasonable manner without hurting the environment. He noted that his grease trap comes into a City street and asked if the Board wants to see Main Street closed for digging for the placement of a grease trap. He asked that the Board take into consideration the cost to dig up Main Street. Mr. Zbonac said that he feels that the businesses that are already in Creedmoor should be grandfathered in.

Commissioner Piper asked Mr. Zbonac what size trap he has in his restaurant and how often he has it pumped.

Mr. Zbonac replied that he has a 35 gallon grease trap and it is pumped out two times per year. He said that he does not have a problem with his grease trap being inspected because if a problem occurs it needs to be fixed.

Mr. Bobby Wheeler, 108 North Main Street owner of Creedmoor Drugs addressed the Board to advise that all the cooking in his drug store is by microwave. He said that he could not see spending the money for a grease trap because his drug store has a soda fountain with only four booths. He stressed that they are not a restaurant and he has no grease trap because they do not cook with grease. Mr. Wheeler noted that they do not have a dishwasher at the drug store. He advised that his family has owned this business since 1962 and he considers himself a responsible member of this community. He said that they have no grease to dump. He said that for the grill they use disposable aluminum foil that gets thrown away. Mr. Wheeler said that he feels uncomfortable that somebody is mandating to him a civic responsibility that he takes very personal. He said that he has the property for installment but his argument is that the cost would be a problem and he would be putting in something he couldn't /wouldn't use and does not need. Mr. Wheeler asked the Board to please consider us as business owners and the necessity for a situation like this.

Commissioner Mangum said that when she read the ordinance she had concern for small businesses, Churches, grills and concessions such as SGAA that only use a microwave. She inquired about the price of the small 35 gallon grease traps.

Commissioner Karan said that he thought that the cost was approximately \$250.00 for a 35 gallon grease trap. He also made reference to the Senior Center and asked if it would be feasible for the City to spend the money for a 1,000 gallon grease trap at this facility.

Commissioner Ray said that when the Oil and Grease Ordinance was under discussion at the SGWASA meeting that Lindsay Mize, Executive Director assured him that this ordinance would not put an already established business out of business. He said that he feels that it may be best to place a grandfather clause in the ordinance for existing businesses. He noted that if there becomes a problem with an established business owner under this clause the City should have the authority to make that business put in a 1,000 gallon grease trap.

Mr. Robert Schaumleffel, Jr., City Manager said that this is a tough issue because there are three responsible business people in attendance this evening but there are also non-responsible business owners as well. He made reference to an incident last year with a local business owner dumping grease. Mr. Schaumleffel stressed that the State has placed the responsibility on the City or otherwise be fined.

Commissioner Ray said that through enforcement the City should be able to shut down the problem business owners. He said that the businesses must keep a maintenance record.

Mr. Schaumleffel said that the City needs to stay consistent.

Commissioner Ray said that he can not vote for an ordinance that will shut down three good businesses in town.

Attorney Currin said that the State and now SGWASA operate a wastewater treatment pursuant to a permit. That permit is issued on condition that they comply with the minimum requirements. It is now state law that these things be in place for all sewer users. He said the Sewer Use Ordinance was originally adopted by the State and is now being enforced by SGWASA. He said this ordinance says that all individuals just starting to use this system whether they are original customers of Butner or secondary customers through a primary customer like the City will meet these requirements.

Mr. Schaumleffel, Jr., City Manager asked if this means that Bob Jones, Public Service Director will have to start inspecting under the umbrella of SGWASA.

Attorney Currin said that when the City signed the agreement with the State for the processing of our effluent we agreed that we would comply with their Sewer Use Ordinance. He said that SGWASA passed a rule that is applicable to their primary users that they supply water/sewer. Attorney Currin said that as long as the City adopts a regulation that will comply with the terms of their permit to operate a waste treatment facility SGWASA will be happy. He said that the City could elect to adopt SGWASA's standards but not anything less stringent. Attorney Currin said that the City is not mandated to pass this particular ordinance but are mandated to pass an ordinance that will prevent fats, oils and grease from going into that facility.

Mayor Moss said that he feels that it is important that the City pass an ordinance that allows a case-by-case basis.

Attorney Currin said that is what SGWASA has done. He said that all new construction will meet these requirements and as to existing facilities they have to meet the basic discharge requirements but not a specific requirement for what method they are using to comply. Attorney Currin said that it gives a great deal of lead way for the administrator that has to go on a case-by-case basis. He advised that the ordinance that was drafted by his office is much more stringent and specifies that everyone must comply.

Mayor Moss read page nine of the SGWASA Ordinance as follows:

Exceptions "Under certain circumstances, the interceptor size and location may need special exceptions to this policy. If an exception to this policy is requested, the User must demonstrate that the size and location will not cause the facility any problems in meeting the discharge requirements of the Control Authority. Any variance to the requirements herein shall be granted at the discretion of the Public Service Director."

Mayor Moss said that the above paragraph allows the City flexibility to take each situation on a case-by-case basis. This overall policy gives the proper staff the authority and enforcement capability to do what is necessary to bring businesses into compliance if

there is a problem. He said that there are three responsible business owners that spoke this evening with different situations that do not have a problem at this time.

Attorney Currin said that there are three types of applicants: 1) New Construction, 2) Existing Businesses and 3) Applicants that place a business in an existing building. He said that the Board needs to make the decision of whether the same exceptions policy will apply to all three users.

Moved by Commissioner Karan and seconded by Commissioner Piper to adopt the same Grease Ordinance as the South Granville Water and Sewer Authority Ordinance changing the name of the agency to the City of Creedmoor. The motion received a unanimous vote.

Schedule Retreat:

Mayor Moss suggested that the Board schedule the retreat for Friday, January 13th and Saturday, January 14th or Friday, January 26th and Saturday, January 27th, 2007. If there is a conflict the Board can move it into February.

Mayor Moss said that he would send an e-mail to the Board with the proposed dates for the retreat.

Resolution of Intent to Expand the City's ETJ:

Attorney Currin provided the Board with a copy of the proposed Resolution of Intent to Expand the City's ETJ and gave an overview of the ordinance.

Mayor Moss said that the County has planned a meeting for January 18, 2007 at 3:00 p.m. on their ETJ policy.

Mr. Dave Roesler, Planning Director said that NCDOT and CAMPO also has a meeting scheduled for January 18, 2007 at 10:00 a.m.

Commissioner Karan asked the Planning Director if the boundaries of the map shown are within that one-mile ETJ.

Mr. Dave Roesler, Planning Director gave a presentation of the proposed ETJ maps showing the boundaries of Creedmoor: 1) 1-mile expansion radius drafted by the Wooten Company, 2) 1-mile expanded using property lines and 3) Final map that uses water/sewer boundaries, CAMPO transportation boundaries and other physical features. Mr. Roesler said that from Creedmoor to I-85, Old Weaver Trail and Hester Road are the City's future growth. The City should consider the proposed ETJ areas for expansion as these are areas that will greatly influence the future growth of Creedmoor.

Attorney Currin said that the City may want to contemplate a two-step process: 1) Immediately re-expand the ETJ to the 1-mile based on property lines as preferred, 2) Move immediately to go beyond based on growth.

Mr. Robert A. Schaumleffel, Jr. stressed that if we enter into an agreement with Oxford in the near future the City should have the boundaries expanded for future growth.

Attorney Currin said that he could delete the statement that this is within the one-mile distance from the existing limits. He noted that he would also make a language change to the County Resolution accordingly.

Moved by Commissioner Karan and seconded by Commissioner Piper to adopt A Resolution Of The City of Creedmoor City Board of Commissioners Requesting Extension of the City's Extraterritorial Jurisdiction with the deletion of the statement "*WHEREAS, the area designated for ETJ extension is within one-mile of Creedmoor's Corporate Limits.*" The motion received a unanimous vote.

Mr. Dave Roesler, Planning Director said that he will prepare a mini report.

Attorney Currin said that the Chair of the Adhoc Committee, which has been formed to make a recommendation back to the County about any additional criteria that they move to consider has requested that if the City has any proposals for language to provide them within the next couple of weeks so they can be distributed before the January 18, 2007 meeting. Basically the criteria set out in the statutes are sufficient and when someone meets that criteria the County should look favorably on the extension. Attorney Currin said that he will produce this in a letter for distribution before the meeting. He said that he will be sending over the Resolution along with a letter from the Mayor. Attorney Currin said that he will make the single change and e-mail a corrected copy back to the Clerk.

NEW BUSINESS:

Scheduled Dates for All Board's Regular Meetings for 2007:

Moved by Commissioner Piper and seconded by Commissioner Karan to adopt the Scheduled Dates for All Board's Regular Meetings for 2007. The motion received a unanimous vote.

Petition for Voluntary Annexation – 211 acres on Brassfield Road:

Moved by Commissioner Ray and seconded by Commissioner Karan to adopt the Resolution to adopt the Ordinance to Extend the Corporate Limits of the City of Creedmoor of the 211 acres located on Brassfield Road. The motion received a unanimous vote.

Voluntary Annexation of 7.223 acres of City owned property (Lake Road):

Moved by Commissioner Piper and seconded by Commissioner Karan to adopt the Ordinance to Extend The Corporate Limits of the City of Creedmoor for the City owned property located on Lake Road. The motion received a unanimous vote.

MAYOR'S REPORT:

Mayor Moss announced that the City staff Christmas luncheon was scheduled for Thursday, December 21st at 11:30 a.m.

Mayor Moss said that Ms. Judy Struther has requested the growth numbers for the City on a monthly basis and asked the Planning Director to contact her as she is working on the comprehensive planning for Granville County.

Mayor Moss announced the he and Commissioner Karan attended the National League of Cities Conference in Reno, Nevada. He said that he attended a session called Local Governments Guide to Successful Local Government Collaboration in America's Region and he found it very informative.

Mayor Moss wished everyone a Merry Christmas and a Happy New Year.

Commissioner Piper thanked staff for their cooperation during the renovations. Commissioner Piper also wished everyone a Merry Christmas and a Happy New Year.

Commissioner Robinson asked was the Lake was open.

Mr. Robert Schaumleffel, Jr., City Manager said that they had not put the buoys out as of yet. He said that they plan to place the buoys on the lake this Friday.

Commissioner Karan inquired about the cost of the buoys.

Mr. Robert Schaumleffel, Jr., City Manager said that the cost was \$1,200.00. He said that there are eight (8) buoys, 4' high and they can be used for multi-purpose. Mr. Schaumleffel said that announcements can be placed on them for special events.

Commissioner Robinson thanked staff for all of their hard work. He wished everyone a Merry Christmas and a Happy New Year.

Commissioner Karan inquired about the sidewalk extension survey.

Mr. Dave Roesler, Planning Director said that staff will be meeting with the surveyor tomorrow and also announced that Bob Jones, Public Service Director has found a contractor. Mr. Roesler said that they found the west side of the street to be the best alternative.

Commissioner Karan inquired about the street light to be placed at Food Lion on Hwy. 56 East.

Mr. Bob Jones, Public Service Director said that he has received a work order number and he will meet with the engineer next week.

Commissioner Karan noted that there is no street light at Christina Crossings and this is something that the City needs to consider. He said that a light should be placed midway in the subdivision.

Mr. Robert Schaumleffel, Jr., City Manager said that there is also a need for lighting at Wilson Way. He said that he would also like to see curb and gutter in this subdivision.

Commissioner Karan inquired about the progress of the code enforcement of the Appearance Ordinance.

Mr. Dave Roesler, Planning Director said that he is working on a comprehensive plan.

Commissioner Karan said that he enjoyed his conference in Reno and found it to be very informative. He attended several seminars on CDBG Federal grant funding and revitalization of urban areas and affordable housing. He noted that to attract teachers and encourage them to stay within the local school system, Greenville, South Carolina offers a five year sliding tax scale.

Commissioner Karan gave an update of the YMCA and announced that there was to be a chicken cooking fund raiser coming up in the near future.

Commissioner Karan wished everyone a Merry Christmas and a Happy New Year.

Commissioner Mangum thanked all staff including the Police Department for their dedication. She said that she believes that this year has been a year of hard work. Commissioner Mangum commented that looking at the state of the City today in comparison to one-year ago she believes that the City is becoming a better place to be. Commissioner Mangum also thanked the Board members for their hard work this year.

Commissioner Mangum encouraged the Planning Director to seek any grants or funding available for sidewalks and recreation.

Mr. Robert Schaumleffel, Jr., City Manager said that the City is looking at using the right-of-ways to develop a trail system.

Commissioner Mangum said that she would like to see this accomplished before the end of next year.

Mr. Dave Roesler, Planning Director said that he is looking at the County's Comprehensive Greenways. He said that he applied for a grant through NCDOT for a Comprehensive Pedestrian Study Plan.

Commissioner Mangum said that she appreciates anything the Planning Department can do to continue helping the City create a community for people to meet and greet and recreation for our children.

Commissioner Mangum inquired about the sewage smell at the High School.

Mr. Bob Jones, Public Service Director said that the force main runs from Golden Pond, Mt. Energy and Food Lion. He noted that there is not enough usage flow on the Mt. Energy lift station. Mr. Jones said that he has had extensive discussions with the County and they have not dedicated the Mt. Energy station to the City and have not resolved the problem. He said that he has also talked with Mr. Lindsay Mize, Executive Director of SGWSA about the problem. Mr. Jones advised that it was not designed properly and there is 6 inches of sludge that sits on the bottom that will never pump out.

Commissioner Ray thanked City employees and all Board members for their hard work this year. He expressed that this has been a good year. Commissioner Ray wished everyone a Merry Christmas and a Happy New Year.

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

Upon return from Closed Session, moved by Commissioner Piper and seconded by Commissioner Ray to adjourn. The motion received a unanimous vote.

Mayor

City Clerk