

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
FEBRUARY 22, 2005
7:30 P.M.

PRESENT:

Mayor Moss, Mayor Pro-tem Tim Karan, Commissioner Angela Mangum, Commissioner Otha Piper, Jr., Commissioner Kent Ray and Commissioner Herman Wilkerson. Also present was Robert A. Schaumleffel, 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:

Commissioner Piper

PLEDGE OF ALLEGIANCE:

Commissioner Karan

APPROVAL/ADDITIONS TO AGENDA:

Moved by Commissioner Piper and seconded by Commissioner Ray to approve the agenda with the addition of item 10-e – City Water Policy - leakage, addition of Persons to Address the Board - Ms. Mildred Goss and Closed Session for the Matters of Personnel. The motion received a unanimous vote.

STATE OF THE CITY ADDRESS BY MAYOR MOSS:

Mayor Moss read his 2005 State of the City Address as follows:

Good evening and welcome.

Tonight, I am presenting a course of action to keep Creedmoor moving forward...to restore our reputation of one of our state's most progressive cities...and to defend the pride that many of us have in our community.

This last year has been very difficult for us...so tonight I will directly address the very serious problems that have damaged the good name of Creedmoor and shaken the public's confidence in our stewardship.

The financial statement errors, audit delays and employee payroll accounting issues are intolerable lapses in governance. Our challenge – and my determination – is to restore the public trust.

Post 2003 election controversies have added additional dimensions to the tasks before us. But in times like these, our only option is action. Therefore, I cannot accede to an absence of leadership when leadership is needed most. As Mayor I have clear duties to serve our city to the best of my abilities – and even clearer duties to provide certainty and focus.

As individuals, we take different paths in meeting life's challenges. We can complain, or we can commit. We can confront, or we can cooperate. We can wring our hands, or we can join hands.

To my colleagues and to all our citizens: Tonight, I extend my hands to join together with yours. I pledge my determined commitment to lead a community of effort, and to do so in an open and transparent way. So, now, let's get to work.

City Finances

Our absolute priority for 2005 must be putting the City's financial affairs in order. The current fiscal state of our City is not what our citizens rightfully expect from our leaders. Over the years our citizens had become accustomed to hearing that Creedmoor was one of the best-managed cities in the state. Unfortunately, our inaccurate financial reporting has damaged that reputation. The reality is that the complexity and volume of financial activity has outpaced our current staffing capability. However, our Board and Finance Department are working together to restore the City's fiscal health and reputation.

The road to recovery continues tonight as we receive our audit report from Jim Winston. FAIR chairman Otha Piper, Interim City Manager Tom Ragland, Mrs. Fowler and Mrs. Thorpe worked diligently to provide the City's independent auditor the information they need to issue a final audit for 2004. The completion of this audit will start a positive chain reaction. We have positioned our Board and staff to have a much clearer picture of where we stand financially from a day-to-day perspective.

Growth

In 2005 growth and how we deal with it will be our top issue. As we have learned, residential development is extremely important to our local economy. We are also beginning to build momentum in the commercial sector. This is illustrated by there being few storefront vacancies on Main Street and new commercial centers are underway on Church Street and Hwy. 56.

However, this growth will continue to put pressure on water and sewer resources, roads, schools, and public safety resources.

Commissioner Ray is taking the lead in Creedmoor finding a solution to the water and sewer resource issue. As we try to maintain positive momentum this one issue may prove to be the hardest challenge.

As you know, the Butner Wastewater Treatment Plant expansion application is on hold pending further study. In Saturday's Herald-Sun it was reported that the Oxford's Wastewater Plant expansion is also being challenged over environmental concerns by our neighbors on the coast.

Simply stated, we lost a window of opportunity by not pursuing a partnership with the City of Durham and the Town of Butner to provide Creedmoor additional water and sewer resources.

It was a solid deal. It was affordable and more importantly positioned Creedmoor to better able define its own destiny.

Commissioner Ray, I hope that you will not allow our future to be hijacked by the County and SGWASA.

Commissioner Karan is working to improve our transportation infrastructure. We expect to see significant activity on Hwy. 50 and Hwy. 56. However, there is also much road improvement work that must be done on our inner city streets.

Commissioner Wilkerson vowed to bring a new grocery store to Creedmoor and he did. Community and Economic Development is an integral component to the long-term health of our community.

Commissioner Mangum continues to work for improvements for the Creedmoor Police Department and the Creedmoor Volunteer Fire Department. As we grow our public safety resources will continue to be challenged.

Recreation

Improving recreational opportunities for our community is a very hot topic. The City's recreation task force is working to expand partnerships with anyone and everyone seeking to help.

I am pleased to announce this evening that Tamisha Jacobs, an intern from North Carolina Central University's School of Public Administration is assisting me with creating a business plan for Creedmoor's Recreation Department.

Commissioner Karan I will be presenting this proposal to your recreational task force in April.

Conclusion

As I look at our challenges, and even our failures, it would be easy for some to conclude that we should be ashamed of Creedmoor. Not so. Without a doubt Creedmoor is one of the best places in America to live.

I speak to people everyday that are proud to call Creedmoor home.

We have dedicated employees that work hard on behalf of our citizens. The vast majority of our citizens appreciate the extraordinary work they do serving the people of our community.

Now it gives me great joy to welcome our newest neighbor to the community, Bob Schaumleffel. Bob began his duties as City Manager on February 14, 2005.

Bob brings tremendous local government experience to Creedmoor. Our Board decided very early in the search process that experience would be a key factor in their hiring decision.

I congratulate this Board, under Commissioner Mangum and Commissioner Wilkerson's leadership, for bringing Bob to Creedmoor.

Earlier, I referred to the alternate paths we can take. One of them is defeatist and timid. The other lays out a destination of hope. On the path of hope, challenges are seen as opportunities. I would be proud to have you join me on that promising path. Working together, we will make Creedmoor worthy of our affection – but even more important, worthy of our pride.

Thank you.

Mayor Moss received a round of applause.

OPEN FORUM:

Ms. Mildred Goss, Centennial Chairman addressed the Board and announced that she and Mayor Moss presented a Resolution honoring the 100th anniversary of Creedmoor to the Legislature last week that was passed in the House and Senate with no negative votes. She noted that Elaine Marshall, Secretary of State on February 15, 2005, signed the Resolution into law. Ms. Goss read the Resolution and said that this Resolution would officially be given to the Mayor and Commissioners on March 19th, 2005 at the Centennial Ceremony.

Mr. Jim Winston, Winston, Williams & Creech, LLP addressed the Board and gave an overview of the audit. He advised that the Board received an unqualified report on the June 30th financial statement. He commented that this year GASB 34 was implemented, which revolutionizes Governmental accounting. Mr. Winston gave a slide presentation of the following:

- Governmental Revenue
- Governmental Expenditures
- General Fund Budget to Actual
- Appropriated Fund Balance vs. Actual
- Proprietary Funds
- Proprietary Expenditures
- Enterprise Funds
- Change in Net Assets
- Cash Balances at June 30th
- Net Levy and Collections

Mr. Winston said that the City of Creedmoor had a good year but needed to focus on raising the Fund Balance available as a percentage of expenditures.

Mayor Moss inquired about the Excess Expenditures over Appropriations. Mr. Winston encouraged the Board to look hard between now and the end of the year to see the areas where money is spent, make budget amendments if needed and make sure that the money has been appropriated.

Mayor Moss noted action items to be addressed and referred all financial transactions to the City Manager and the Finance Committee.

Commissioner Karan inquired about the date of finalization for this year's audit. Mr. Winston said that the plan last year was to begin in August and finalized by October 31, 2004 to send to the LLC. He advised that Ms. Fowler asked that they not come in August because they were not ready and were trying to sort out some of the problems. Mr. Winston said that one problem led to another problem. Mr. Winston said that his goal is to be here by August 31, 2005.

Mr. Lynn Stancil, Wireless Site Acquisition Consultant addressed the Board and referred to his letter dated January 31, 2005 regarding ALLTEL's proposal asking to lease space on the water tank. Mr. Stancil advised that ALLTEL needs space for six panel antennas and a 12 x 16 equipment building on the ground. He said that there would need to be a structural analysis but he spoke with Southern Corrosion and they do not foresee a problem.

Attorney Currin inquired about the comments from Southern Corrosion in reference to the mounts for NEXTEL and ALLTEL both fitting on the tower. Attorney Currin said that this would be the City's third commercial group on the tower. He said that the corral that is on the tower is only designed for two carriers. Attorney Currin advised that there would need to be additional structure to carry a third. Attorney Currin said that the City is still in negotiations with NEXTEL. Attorney Currin advised that if NEXTEL is not forthcoming quickly, they could move forward and discuss ALLTEL as the second carrier. Attorney Currin noted that if there is additional structure needed that ALLTELL would entail the cost in their contract.

Mr. Stancil advised that he brought with him this evening an Entry and Testing Agreement for the City. Attorney Currin reviewed the agreement and gave an overview.

Mr. Lynwood Hicks, Water Plant Superintendent said that he spoke with Mr. Jim Skilton, Southern Corrosion and if NEXTEL takes up all the space on the existing corral, they might be able to do a double corral or hang off the bottom of the catwalk.

Moved by Commissioner Wilkerson and seconded by Commissioner Karan to approve the Entry and Test Agreement. The motion received a unanimous vote.

Mr. James Parker, Jr., PE, PLS and Mr. Brian Kethem, Civil Engineering of Summit Consulting Engineers addressed the Board representing Mr. Bill Wynn, Wynn Construction and Sandra and Hiram Webb, JMD Graphics. Mr. Parker presented the general concept of what the project would be and gave the Board a handout of the proposed Holly Creek Site Data. He said that the property is located at the corner of Main and Cemetery Street. Mr. Parker said the front part of the property at this time has an existing deteriorating house to be removed. He advised that the front part of the property would be approximately a 10,000 to 12,000 square foot building and JMD Graphics would relocate to this location. Mr. Parker said that the back portion of the property on Cemetery Street; which is a wooded lot that backs up to the City cemetery would be developed into approximately 50 to 56 townhouses. Mr. Parker said that the Webb's would like to abandon a portion of Cemetery Street and utilize this as part of the development. He said that they would like to position the landscape to make this project aesthetically pleasing to potential buyers. He said that the cemetery would still have two access points. Mr. Parker said that the proposed Holly Creek Plaza would house JMD Graphics in the front one-half of the building and house retail in the back portion. He advised that the Villas At Holly Creek would be four unit one-story townhouses.

Mr. Hiram Webb addressed the Board and said that he and his wife Sandra have been very pleased to have a business here in Creedmoor for the past ten years. He said that it was a struggle at first but they hung in there and most of their business has been from Raleigh and Durham. He said that business is improving in Southern Granville County and they are happy to be a part of the City of Creedmoor. He said that there are additional services that they would like to offer Southern Granville County but do not have the space to do so at this time. He said that when they purchased the property they had only planned to build a print shop but they feel this project could be something really nice. Mr. Webb said that they are very excited about the project and are planning nice landscaping.

Mr. Bill Wynn addressed the Board and said that the Webb's had done his printing for the past two years and he was honored when they approached him about helping with the development of this project. He said that the Webb's discussed with him what they would like for the front portion of the project and wanted something for the back portion to compliment what they planned for the front. He said that this would be a new venture for him because he had only built single-family homes but he felt that there was a need for townhouses in the City. He said they envision something aesthetically pleasing and not

just a box look. He said that they would like to have something that looks like a large house unit from the center to end with 4-6 units per building. He commented that there would be a Home Owners' Association to take care of the grounds and a recreation area for the children to play. He emphasized that they are looking for a market to appeal to first time homebuyers. These townhouses would be in the affordable home category priced around \$95,000 to \$125,000. He said that on a positive note, they felt that the townhouses would attract people that do not want to maintain a yard. He said that the townhouse development would complement the commercial site up front. Mr. Wynn said that the townhouses would be from 1,000 sq. ft. to 1,300 sq. ft.

Commissioner Ray inquired about the entrances to the townhouses. Mr. Parker said that there would be one main entrance and exit onto Cemetery Street. Mr. Parker also advised that they are aware of the need for sewer extension. He said that there is a manhole behind the JMD Graphics on Hwy. 56.

Commissioner Wilkerson commented that there have been widowed women that have moved from Creedmoor because there was nowhere for them to live here. He also mentioned that there have been requests in the past to close off Cemetery Street and he does not foresee a problem with this request.

Mr. Parker said that to close this access off would keep this development a little safer. He said that the cemetery has two ways in and they are using the way out that turns at the bottom corner of the property to go out to Hwy. 56.

Mr. Robert Schaumleffel, City Manager asked about the materials for the development. Mr. Wynn replied that the townhouses would be stick built with brick fronts, vinyl siding and stone veneer.

Mr. Schaumleffel had concerns of the need for a second access for safety issues. He felt that the Fire Department would have concern of one way in and one way out. Mr. Parker said that there was a creek that they were trying to protect. Mr. Parker said that he would be glad to meet with Mr. Schaumleffel for discussion of this issue. Mr. Parker suggested a second driveway for emergency vehicles. Ms. Dorothy Currin, Acculine Surveying said that a consideration would be to design a roadway for use to emergency vehicles only and the damage to the creek would not be as extensive as a public right-of-way.

Mayor Moss referred this development site to the Economic Development and Street Committees.

OPEN FORUM:

No one wished to speak.

MINUTES:

Commissioner Wilkerson advised that Mr. Ragland noted at the previous Board meeting that the hydrant was located at Hwy. 50 and Hwy. 56 but the actual location was Lake Road and Hwy. 50.

Moved by Commissioner Karan and seconded by Commissioner Mangum to approve the January 28, 2005 minutes with the revision of the location of the hydrant to read Lake Road and Hwy. 50. The motion received a unanimous vote.

Commissioner Wilkerson noted that the Maintenance Department would be putting cement curb around the hydrant.

OLD BUSINESS:

Department Head Reports:

Provided in the Board packets were monthly reports for Lake Rogers, Police Department and Code Enforcement/Zoning.

Code of Ordinance:

Mr. Patrick Maloney, Planner/Zoning requested that this item be deferred and no action be taken on this item at this time.

Voting Delegate Representative for Wake Electric Membership Corporation and Resolution:

Mr. David Williams addressed the Board and said that the Resolution serves the purpose of allowing Wake Electric to continue to serve territory that was assigned by the Utilities Commissioner back in 1965. He noted that the City's primary power supplier is Duke Power.

Moved by Commissioner Piper and seconded by Commissioner Karan to approve A Resolution Granting Consent To Wake Electric Membership Corporation To Continue Serving As The Exclusive Provider Of Electric Service To Certain Annexed Areas Previously Assigned. The motion received a unanimous vote.

Moved by Commissioner Karan and seconded by Commissioner Wilkerson to designate Commissioner Otha Piper, Jr. as the authorized voting delegate at the Wake Electric Membership Corporation Annual Meeting of Members to be held Friday, March 18, 2005 at 7:30 p.m. The motion received a unanimous vote.

NEW BUSINESS:

The Center for Living – Requests the use of the Creedmoor Gym for Summer Day Camp:

Moved by Commissioner Wilkerson and seconded by Commissioner Piper approval of The Center for Living usage of the City gym for Summer Day Camp starting Tuesday, July 5th to Friday, July 23rd, 2005, Monday through Friday 12:30 p.m. until 4:30 p.m. The motion received a unanimous vote.

Commissioner Karan said that the Board allows The Center for Living the use of the gym for zero dollars and noted that this is almost \$4,000 usage. He also said that he felt that the City is getting a much-needed service provided.

Mayor Moss asked Mr. Robert Schaumleffel, City Manager to write a letter to Reverend Bernard Holliday, Chairman of The Center for Living letting him know that the Board approved the use of the gym.

Delinquent Tax Advertisement List:

Ms. Terry Bullock, Tax Collector addressed the Board and asked that the Board set the date for posting and advertising the delinquent tax list. Ms. Bullock suggested April 21, 2005. Ms. Bullock also presented the Report On Tax Collections as of February 18, 2005.

Commissioner Mangum inquired about the usage of the phone system for collections. Ms. Bullock said that she prefers to send letters by mail.

Moved by Commissioner Karan and seconded by Commissioner Wilkerson to authorize the advertising of the delinquent tax list. The motion received a unanimous vote.

Mr. J.D. Goldston requests annexation of property located at Hwy. 15. North. Report from the City Attorney on this matter and no action to be taken:

Attorney Currin said that Mr. Goldston was informed that if this item was to be considered this evening that he would have to deliver certain items for review. He advised the Board that Mr. Goldston did send a package to my office yesterday but it was deficient in a couple of regards and we informed his attorney. Attorney Currin said that four family members signed the petition but neither Mr. Goldston nor the family members own the property. He advised that the property is in a Trust. Attorney Currin said that they have nothing stating who is authorized on behalf of the Trust to sign the petition. He said that he informed Mr. Goldston's attorney that he needed a letter outlining the provisions of the trust agreement, which gives the authority or a copy of an actual trust agreement and we received neither. Attorney Currin advised that this item should be deferred.

There was no action taken at this time.

In-House Request Flow Chart for Planning Program:

Mr. Patrick Maloney, City Planner addressed the Board and gave an overview of the flow charts that provide directions that an applicant can follow during different stages of development, which can be added into the City's Ordinance as an appendix section. Mr. Maloney noted that the Planning Board, by unanimous vote, has recommended to the Board of Commissioners approval of the Flow Chart.

Attorney Currin advised that this would be part of the City Ordinances and does require a public hearing for citizen comments.

Moved by Commissioner Piper and seconded by Commissioner Ray to schedule the Public Hearing for the In-House Request Flow Chart for Planning Programs for March 22, 2005 at 7:30 p.m. The motion received a unanimous vote.

City Water Policy – leakage:

Commissioner Karan noted that there was a major water leak at the American Legion January 24th. He said that he hoped to change the City's policy on water leaks for non-profit civic organizations. Commissioner Karan said that he would like the policy to be that the organization could elect to have the water/sewer bill forgiven one time and one time only should a leak be detected and corrected.

Attorney Currin said that Commissioner Karan's request was a policy change and not an ordinance. He said that the Board could upon a motion amend a policy. He said this is a change of policy and not a force of law and would go back before the Board to take action to allow the one time waiver for an individual non-profit organization.

Upon discussion, there was concern of the definition of a non-profit organization and the amount of the bill due to water/sewer leakage. Mayor Moss referred this item to the Finance Committee. Commissioner Wilkerson requested the name of the civic organizations that would be entitled to the waiver.

Manager's Report:

Mr. Robert Schaumleffel, City Manager met with the County Manager and the Wooten Company to talk about water/sewer issues to be presented at the next SGWASA meeting.

Mr. Robert Schaumleffel spoke of his first staff meeting this week. He said there was discussion of teamwork, deadlines and staff getting ready for budget.

Mr. Robert Schaumleffel, City Manager advised that there were some future grant opportunities to bring major dollars to the community for recreation.

Mr. Robert Schaumleffel, City Manager said that he had been attending civic organization activities in the community.

MAYOR'S REPORT:

Mayor Moss announced that Sunday, March 6th, 2005 was the day that Creedmoor would be 100 years old and there would be an event at the Post Office. He said that the Post Master was going to open the Post Office from 2 :00 p.m. until 3:00 p.m. to postmark letters.

Mayor Moss announced that the Centennial Celebration would be March 19, 2005. He said that the 100-mile walk completion and time capsule ceremony would be at City Hall at 12:30 p.m. He noted that the big event would be held at South Granville High School starting at 2:30 p.m.

Mayor Moss announced that there would be three vacancies on the Planning Board available in March. He said that there are two City Board member positions and one ETJ Board member position available. He noted that the current members were eligible for reappointment. Mayor Moss announced that the City Clerk would advertise in the local newspaper.

Mayor Moss announced that Ms. Liz Karan, Chairman of the Beautification Committee notified him that there would be an upcoming Beautification meeting but the date had not been confirmed.

COMMISSIONER'S REPORT:

Commissioner Ray thanked everyone for the acts of kindness during his Mother's illness and passing. He also said that he appreciated all the cards, letters and prayers he received during his recent surgery.

Commissioner Mangum thanked everyone for the thoughts and prayers during Grandma Mangum's passing and during her husband's surgery.

Commissioner Mangum said that when she ran for office she was hoping to bring integrity and professionalism to the City and she was very excited to have Mr. Robert Schaumleffel as City Manager.

Commissioner Mangum said that she attended the County meeting and they had scheduled a Retreat so they would not be having a Regular Board meeting again until March 21, 2005. She said that the County was having major issues with hunters shooting cows and that vehicles were also being shot. She said that the problem seemed to be that they are hunting where twenty years ago there were no homes.

Commissioner Mangum said that the Dickerson Family that lost their home by fire had everything that they need at this time. She said that the spaghetti dinner at Mt. Energy School raised \$5,000.00 and the family also received several donations. Commissioner Mangum said that the family appreciated all the support from the community.

Commissioner Mangum said that she hoped that someone from the State would be attending next month to speak about a Secondary Fire District.

Commissioner Karan said that the Recreational Task Force meeting was held Tuesday, February 1st. He noted that there was a clean up at the Battle Roberts ball field Saturday, January 29, 2005. He announced that the Recreational Task Force is awaiting a second bid for fencing at the field. Commissioner Karan said that the Beautification Committee had been informed that the Recreational Task Force would like to do a vegetative buffer along Hwy. 56 in conjunction with the fence project.

Commissioner Karan announced that there was a SGWASA meeting on February 8th and Commissioner Ray was appointed as Vice Chair to SGWASA and Sandra Harper, City Clerk was appointed as Clerk to the SGWASA Board.

Commissioner Karan announced that he went to an Economic Development dinner February 9th and sat beside Representative Stan Fox and spoke with him lengthly about SGWASA and the impact it would have on Southern Granville County.

Commissioner Karan said that he attended a CAMPO meeting on February 12th and the City of Creedmoor has officially been recognized as a new member.

Commissioner Wilkerson inquired about the paperwork he had distributed to each Commissioner about AMERICORPS, which would allow a part time person for \$2,000 per year or a full time person for \$4,000 per year. He said that the only information needed to submit was the job title, part or full time position and the contact person. Mayor Moss said that he had spoken with all Board members and they have a positive answer about moving forward with AMERICORPS. Commissioner Wilkerson referred this item to Mr. Robert Schaumleffel, City Manager.

Commissioner Piper said that February 14, 2005 was a special day for Creedmoor when Mr. Robert Schaumleffel came to work as City Manager. He said that he felt that Mr. Schaumleffel is a very knowledgeable person and his assets will be very much appreciated.

Commissioner Piper announced that Mr. Steven Colenda was hired as the new Building Inspector and his start date would be March 7, 2005. He thanked Commissioner Wilkerson for working very hard to find a full time inspector.

Commissioner Piper advised that the Finance Committee along with the City Manager would be working to complete the tasks that Mayor Moss had given them.

Mayor Moss advised that Commissioner Piper had requested a Retreat and that he needed to also schedule a Town Hall meeting. He said that he would schedule those dates within the next few days.

Moved by Commissioner Karan and seconded by Commissioner Wilkerson to go into Closed Session. The motion received a unanimous vote.

Upon return from Closed Session, moved by Commissioner Piper and seconded by Commissioner Ray to adjourn.

Mayor

City Clerk