



MINUTES OF
CITY OF CREEDMOOR
BOARD OF COMMISSIONERS MEETING
NOVEMBER 4, 2019
6 P.M.

Present

Mayor Bobby Wheeler, Mayor Pro Tem Ernie Anderson, Commissioner Del Mims, Commissioner Neena Nowell, Commissioner Herman Wilkerson, and Commissioner Archer Wilkins. Also present were City Manager Korena Weichel, City Clerk Terry Hobgood, City Attorney T.C. Morphis, Jr., Community Development Director Michael Frangos, and Planning Technician Michael Malecek.

Absent

None

Call to Order

Mayor Wheeler called the meeting to order at 6:00 p.m. Commissioner Wilkerson offered the invocation, and Commissioner Wilkins led the Pledge of Allegiance.

Roll Call

Roll call by the City Clerk determined a quorum was present.

Approval of Agenda

Commissioner Mims requested that the agenda be amended to add a closed session discussion pursuant to NC GS 143-318.11 (a)(5) for property acquisition. Mayor Pro Tem Anderson moved to approve the agenda as amended; seconded by Commissioner Nowell. Motion approved 5-0.

Consent Agenda

Mayor Pro Tem Anderson moved to approve the consent agenda: October 1, 2019 Meeting Minutes, and Resolution 2019-R-07: Involuntary Commitment Transportation Plan; seconded by Commissioner Wilkins. Motion approved 5-0.

Request to Address the Board // Jacob Hughes, Eagle Scout Project

Jacob Hughes from Boy Scout Troop 401 presented his Eagle Scout project to the Board. He is requesting that the city allow him to place a flag retirement box at City Hall to allow citizens to properly dispose of United States flags. Hughes is making the same request to the Town of Butner and the Town of Stem.

Mayor Pro Tem Anderson moved to accept the flag retirement box, and direct staff to work with Jacob Hughes to find a suitable location; seconded by Commissioner Wilkins. Motion approved 5-0.

Mayor Wheeler requested that Hughes present the completed flag retirement box at a future Board of Commissioners meeting.

Public Comment

Ed Gleason, 1973 Bowles Avenue

Gleason spoke about the SGWASA Board appointment on the agenda for approval at this meeting. Gleason stated that he believes the Board of Commissioners should wait to make their appointment until after the election, which would still allow Creedmoor to have seated representatives before the SGWASA Organizational meeting in February 2020.

Inter-Local Agreement Between the City of Creedmoor and Granville County for Recreation

City Manager Weichel presented the inter-local agreement with Granville County to provide recreation opportunities at property owned by the City of Creedmoor on Cannady Mill Road. This proposal was approved as a preliminary concept in August, and the Board received a draft recommendation from the Parks and Recreation Committee in October. Weichel stated that this agreement has not yet been reviewed by the Granville County Commissioners, but they had favorably received an initial presentation from County Commissioner Tim Karan.

City Attorney Morphis explained the difference between an inter-local agreement and a lease. This agreement would be effective for twenty years, and automatically renew unless notice is sent by either party twelve months prior to the term ending. All design and cost responsibilities fall to Granville County, and the county can terminate the agreement if they determine the land is not suitable for recreation. The county and the city could also mutually agree to end the agreement at any time.

City Manager Weichel further elaborated on the claw-back provision included in this agreement, which would terminate if Granville County does not present a plan for the property within three years. The county would have an additional seven years to begin construction and/or improvements once the initial design was completed.

Commissioner Nowell and Mayor Pro Tem Anderson discussed details of the agreement with City Attorney Morphis and City Manager Weichel. Morphis explained what recourse the city could take if the Board believed that the county was not properly honoring the agreement. Morphis' legal recommendation was that the board and staff could send notice to the county if they believed the property was not being maintained to the standards of the agreement.

Commissioner Mims and City Attorney Morphis discussed the value of the property, and the differences between a lease and an inter-local agreement. Mims also expressed concern that the agreement allowed the county more leeway than what was provided to the city to end the agreement. Morphis stated that the contract had taken the form of an inter-local agreement, because the city and county mutually desired to use the property for recreation and a long-term lease would have to be open to bidding from third parties. Additionally, Morphis stated that due to the city's desire to have this property used for recreation and/or education, any lease with the county would have only been for a nominal monetary amount and not produce any significant revenue. The simplest solution to achieve the desired outcome for both sides was to utilize an inter-local agreement instead of a lease.

There was further discussion between City Manager Weichel, Mayor Wheeler, Commissioner Nowell, and Commissioner Wilkerson pertaining to any stipulations for design and usage of the property. Weichel stated that the agreement gives oversight of design and construction to the county, and that County Manager Michael Felts had stated that due to other ongoing projects being overseen by county staff, three years was the minimum timeline he could recommend to present a design to the County Commissioners.

Commissioner Mims and City Attorney Morphis discussed sections of the agreement pertaining to authority being given to the City Manager related to maintenance and negotiations with the county. Morphis stated that operational authority was given to the City Manager, but decisions based on maintaining the agreement as well as final authorization would rest with the Board of Commissioners.

Commissioner Mims moved to postpone action on the inter-local agreement between the City of Creedmoor and Granville County until the January 2020 meeting; seconded by Commissioner Nowell. Motion denied 2-3. Commissioner Mims and Commissioner Nowell vote yes. Mayor Pro Tem Anderson, Commissioner Wilkerson, and Commissioner Wilkins vote no.

Mayor Pro Tem Anderson moved to approve the Inter-Local Agreement between the City of Creedmoor and Granville County for recreation collaboration on the city-owned property at 3215 Cannady Mill Road; seconded by Commissioner Wilkins. Motion approved 3-2. Mayor Pro Tem Anderson, Commissioner Wilkerson, and Commissioner Wilkins vote yes. Commissioner Mims and Commissioner Nowell vote no.

Commissioner Mims and City Attorney Morphis discussed what the process would be for the board to reconsider this agreement. Morphis stated that this would come back to the Board if the County Commissioners wished to amend the agreement in any way, if a motion to reconsider was made by the prevailing side at tonight's meeting, or if any member makes a motion to rescind the action at a future meeting providing that action is not prohibited by law.

Resolution 2019-R-08 // Requesting that NC DOT Lower Speed Limit on NC Highway 56

Community Development Director Frangos presented a formal request to NC DOT to reduce the speed limit on NC Highway 56 from 45 mph to 35 mph from the Creedmoor Commons shopping center to the intersection with Hayes Road on the eastern edge of the city limits. NC DOT has full authority over this section of roadway, so this only a request pending final approval by the NC Board of Transportation. Frangos has been in contact with DOT, and believes this request will be favorably received by their staff and Board.

Mayor Pro Tem Anderson and Community Development Director Frangos discussed the section of NC Highway 56 under construction on the west side of Creedmoor, and if this would be 35 mph like the rest of the roadway. Frangos stated that this would most likely be the case, but DOT will have to make the final determination.

Mayor Pro Tem Anderson moved to amend Resolution 2019-R-08 to request that NC DOT make the entirety of NC Highway 56 within the Creedmoor city limits 35 mph. Motion failed due to lack of a second.

City Manager Weichel requested that the Board approve Resolution 2019-R-08 as presented to avoid potential complications of making a different request than what had previously been discussed with DOT officials. If necessary, the Board could make additional requests for speed limit adjustments to DOT at a future date. Commissioner Wilkins and Community Development Director Frangos discussed if the requested speed limit reduction would extend eastward to Mount Energy Elementary School. Frangos stated that this was not in the resolution, but that he had asked DOT to evaluate further reductions to the speed limit beyond the Creedmoor city limits.

Moved by Commissioner Nowell to adopt Resolution 2019-R-08: A Resolution Requesting that the NC Department of Transportation Reduce the Posted Speed Limit on NC Highway 56 in the City of Creedmoor; seconded by Commissioner Wilkins. Motion approved 5-0.

National Flood Insurance Program Amendment

Planning Technician Michael Malecek presented the updated amendments to the Creedmoor Development Ordinance to align with new requirements from the National Flood Insurance Program. These amendments are required for Creedmoor residents to remain eligible for funding from the NFIP. Malecek explained the changes being required by FEMA, and stated that the Planning Board approved the Statement of Consistency at their October meeting and recommended approval by the Board of Commissioners.

Public Hearing

Mayor Wheeler opened the public hearing for the National Flood Insurance Program Amendment at 7:11 p.m. With no coming forward to speak, Mayor Wheeler closed the public hearing.

Resolution 2019-R-09 // Statement of Consistency

Mayor Pro Tem Anderson moved to adopt Resolution 2019-R-09: Statement of Consistency for ZTA-2019-02, as proposed by staff; seconded by Commissioner Wilkins. Motion approved 5-0.

Ordinance 2019-O-09 // Text Amendment CDO Article 3 and Article 18

Commissioner Wilkins moved to adopt Ordinance 2019-O-09 amending Article 18 – Flood Damage Prevention Ordinance and Article 3 – Definitions; seconded by Mayor Pro Tem Anderson. Motion approved 5-0.

SGWASA Board Appointment

Commissioner Nowell moved to appoint Mayor Pro Tem Anderson to the SGWASA Board of Directors for a term ending November 30, 2022; seconded by Commissioner Wilkins. Motion approved 5-0.

Commissioner Wilkins stated that he will attend the November SGWASA meeting, and Mayor Pro Tem Anderson would be sworn in at the December SGWASA meeting.

City Manager's Report

City Manager Weichel gave an update on the Cross City Trail project. The pedestrian bridge over Robertson Creek was delivered and installed on October 10. Weichel stated that staff will work to consistently disseminate PSAs related to the speed limit change and pedestrian crossings on NC Highway 56, to ensure pedestrian safety and that no motorists are caught off guard.

Weichel also gave an update on construction at Lake Rogers. The boardwalk and fishing platforms are complete, and a ribbon cutting is scheduled for November 14. The hiking trails are still under construction, and Public Works will open as much of the trails as possible by the ribbon cutting date. Staff from the Tar River Land Conservancy came out to map the hiking trails, and the Wooten Company will prepare maps for the trailhead kiosk, which is being donated by Altec. Additionally, the Parks and Recreation Committee is soliciting donations for benches and other needed equipment. The city has received the \$25,000 FY2 grant from the Granville County Tourism Development Authority, bringing the total grant funds for this project to \$100,000.

Weichel also updated the Board on the Community Center project. Construction is ahead of schedule, and the upper parking lot is scheduled to be paved in the coming weeks. The roof installation has been completed already. PARTF completed their initial grant review last week, and were impressed with the progress thus far. Also, the Parks and Recreation Committee has begun reviewing fees and policies for the Community Center, and a recommendation will be presented to the Board in February or March.

Additionally, Weichel reported that Duke Energy will complete their streetlight replacement project by the end of December. Precision Safe Sidewalks will complete their safety improvements on November 5.

SGWASA Report

Commissioner Wilkerson reported that Commissioner Wilkins served as chair for the October SGWASA Board meeting, and there was no other business to report.

Commissioner Mims discussed the SGWASA fund balance and the Joe Peed Road pump station with Commissioners Wilkerson and Wilkins.

Commissioner Reports

Commissioner Nowell reported on several recent events and meetings she attended including Walk to School Day, Chamber of Commerce business lunch, Crimestoppers annual banquet, and cyber-security training.

Commissioner Wilkerson requested park hours being posted at the new addition to Lake Rogers due to concerns about trespassing after dark. City Manager Weichel reported that staff are working on updating the park rules ordinance, and make sure other security measures were in place. Wilkerson also recognized Fire Chief Billy Fisher who was in attendance at the meeting.

Commissioner Wilkins reported on several recent meetings and events he attended including NC Chaplin training, and the Crimestoppers annual banquet. Wilkins also spoke about the election on November 5, and gave his thoughts on the campaign thus far.

Mayor Pro Tem Anderson reported on recent meetings he attended including the Kerr Tar Council of Governments board meeting, and a tour of the Veteran's Life Center being designed in Butner.

Commissioner Mims reported on several recent meetings and events she attended including the South Granville High School "pink" football game, Crimestoppers annual banquet, military history show at the Henderson-Oxford airport, and promoted the upcoming Granville County Veterans Day Parade on November 10 in Oxford.

Mayor's Report

Mayor Wheeler reported on recent events and meetings he attended including the Crimestoppers annual banquet, the South Granville High School "pink" football game, Masonic Home for Children Homecoming in Oxford, Fireman's Day Parade, Federal Communications Commission meeting, and the Granville County Opioid Advisory Committee meeting.

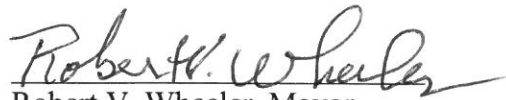
Closed Session // NC GS 143-318.11 (a) (3) (5) & (6) Attorney-Client Privilege, Property & Personnel

Commissioner Wilkins moved to enter closed session pursuant to NC GS 143-318.11 (a)(3)(5) & (6); seconded by Commissioner Nowell. Motion approved 5-0.

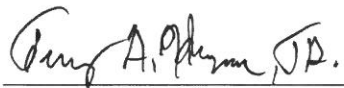
Mayor Pro Tem Anderson moved to leave closed session; seconded by Commissioner Wilkins. Motion approved 5-0.

Adjourn

Mayor Pro Tem Anderson moved to adjourn the meeting; seconded by Commissioner Wilkins. Motion approved 5-0.


Robert V. Wheeler, Mayor

ATTEST:



Terry A. Hobgood, Jr., City Clerk

