

MINUTES OF
CITY OF CREEDMOOR
BOARD OF COMMISSIONERS
REGULAR MEETING
SEPTEMBER 7, 2021
6 P.M.

Present in Person at City Hall Boardroom

Mayor Bobby Wheeler, Mayor Pro Tem Neena Nowell, Commissioner Kechia Brustmeyer-Brown and Commissioner Georgana Kicinski. Also present were City Manager Gerald Smith, City Clerk/PIO James Hicks, City Attorney TC Morphis, Community Development Director Michael Frangos, City Planner Kevin Murphy, Police Chief Keith King and Finance Director Sonal Mehta.

Present via Zoom Video-Conference

Commissioner Del Mims, Commissioner Ed Mims, Administrative Services Director Genesis Wallace and Recreation Director Christopher Horrigan.

Absent

None

Call to Order

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

Roll Call

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

Approval of Agenda

Mayor Wheeler announced that item 6(c) Introduction of Diversity, Equity and Inclusion Applicants would be removed from the agenda and that a closed session for personnel and attorney-client privilege would be added.

Mayor Pro Tem Nowell moved to approve the agenda. The motion was approved by roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes

Commissioner Brustmeyer-Brown: Yes

Commissioner Kicinski: Yes

Commissioner Del Mims: Yes

Commissioner Ed Mims: Yes

Consent Agenda

Commissioner Kicinski asked to remove item 5(e) – Budget Amendment #4 from the consent agenda. Mayor Wheeler inquired with City Attorney Morphis about procedure.

Mayor Wheeler moved the item to new business under item 9(f) – Budget Amendment #4. Commissioner Ed Mims asked City Attorney Morphis for an explanation on the rule.

Commissioner Ed Mims moved to approve consent agenda items A-D. The motion was approved by roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes

Commissioner Brustmeyer-Brown: Yes

Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Request to Address the Board | Proclamation – Childhood Cancer Awareness

Mayor Wheeler read Proclamation 2021-P-09 and presented a copy to Amanda Stafford.

Request to Address the Board | COVID-19 Pandemic Update

Mayor Wheeler introduced Lisa Harrison, Health Director at Granville Vance Public Health, to give an update.

Request to Address the Board | Granville County Human Relations Commission

Mayor Wheeler introduced John Gooch, chair of the Granville County Human Relations Commission, to give an update.

Request to Address the Board | Raftelis Presentation on Creedmoor Organization Assessment

Mayor Wheeler introduced Mark Olson, Senior Manager at Raftelis presented the findings of the organizational assessment.

Presenter had technical difficulties at 6:56 p.m. which led to his inability to control his presentation. After numerous participants began flooding the Zoom meeting and unmuting causing a disruption to the meeting, the Zoom meeting was ended.

At 7:04 p.m., Mayor Wheeler announced that the board would take a short recess while the City Clerk continued to rebuild the virtual meeting component.

At 7:20 p.m., Mayor Wheeler ended the recess and Mark Olson (joining by phone) continued his presentation.

Public Comment

Michael Magnanti, 4291 Belltown Road, spoke to the board in support of Commissioner Kicinski regarding a letter to the editor in the Butner-Creedmoor News and Commissioner Kicinski's access to City Hall. His remarks were provided for the recorded and are attached in Attachment A.

Old Business

Agenda Management Vendor RFP Vendor Selection

City Clerk/PIO James Hicks presented on the selection of Granicus to be the vendor for agenda management services for the city. Byron Gillin from Granicus presented on the service as well as the added bundled services of website redesign and an intranet.

Commissioner Kicinski moved to approve that the city can move forward executing an agreement for services of website upgrade, intranet and the agenda management software for \$18,000. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Resolution 2021-R-17: Accepting offer to purchase property at 122 Pecan Street

City Attorney Morphis gave a short history of the property.

Commissioner Del Mims moved to approve a resolution accepting an offer to purchase the property located at 122 Pecan Street in Creedmoor for \$1,000. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

New Business

ZMA-2021-01 City of Creedmoor Initial Scheduling Resolution 2021-R-18

City Planner Kevin Murphy presented on the resolution.

Commissioner Del Mims moved to approve the Initial Scheduling Resolution 2021-R-18 regarding ZMA-2021-01. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Stewart Professional Service Agreement for Comprehensive Plan Update

Community Development Director Michael Frangos introduced Jay McLeod from Stewart Municipal Planning Group to present the comprehensive plan process.

Commissioner Del Mims moved to approve the professional services contract with Stewart for the comprehensive plan update. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Telecom Law Firm PC: Attorney-City Fee Agreement

Community Development Director Michael Frangos explained the agreement. City Attorney Morphis also provided a history of the need for telecom expertise related to the monopoly.

Commissioner Del Mims moved to approve the Attorney-City Fee Agreement with the Telecom Law Firm P.C. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Commissioner Del Mims asked City Manager Smith if the water tower on Bowman Road is associated with economic development.

NLC Voting Delegate and Alternate Delegate

City Clerk/PIO Hicks explained to the board that the NLC will need to designate a voting and alternate delegate for the City Summit in November. Commissioner Del Mims provided more information.

Commissioner Kicinski moved to delegate Commissioner Ed Mims and Commissioner Brustmeyer-Brown as voting delegate and alternate for the NLC prior to the November conference.

Commissioner Ed Mims offered a motion to delegate Commissioner Del Mims as voting delegate and Commissioner Ed Mims as delegate. The amended motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Donation to the Granville County Historical Society

Mayor Pro Tem Nowell gave a brief history of the society's plans to locate a train caboose in Creedmoor. She asked the board to consider making a donation in the future.

Budget Amendment #4

Finance Director Mehta explained the budget amendment.

Commissioner Kicinski moved to change the amount for the city's comprehensive plan from \$70,000 to \$67,000.

Commissioner Ed Mims moved to approve the budget amendment with \$38,500 for payroll service contract with Paychex, \$2,500 for finance overtime payment to previous accounting technician, \$10,800 for new city clerk's training and traveling, \$67,000 for comprehensive plan and steering committee expenses and \$2,500 for RecDesk monthly transaction fees. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Discussion Items

Discussion of letter to the editor in BC newspaper by Commissioner Kicinski entitled "Creedmoor citizens must donate to fire department."

Commissioner Ed Mims discussed the letter to the editor. Commissioner Kicinski read an email she received from the editor of the newspaper.

Discussion of access to the building by Commissioner Kicinski per guidance approved by the BOC

Commissioner Ed Mims read a statement concerning this agenda item.

Commissioner Ed Mims moved that "in view of the information that Commissioner Kicinski divulged on August 17, 2021 concerning being at City Hall and not attending a public meeting nor meeting with the City Manager as specified in the Board of Commissioners directive, we take historic action and approve a second censure of Commissioner Kicinski for violating the agreed upon directive of the Creedmoor Board of Commissioners that she also approved on March 10, 2021 and for the second time suspend her access to the building."

Commissioner Kicinski read a prepared statement and made a motion to rescind the March 10, 2021 censure and restore her access to City Hall. Mayor Wheeler ruled that the first motion should be dealt with first.

Commissioner Ed Mims restated his motion. Mayor Pro Tem Nowell asked Commissioner Kicinski for the reason she was in the building.

Mayor Wheeler called for the roll call vote on the motion by Commissioner Ed Mims. The motion failed by a roll call vote of 2-3

Mayor Pro Tem Nowell: No
Commissioner Brustmeyer-Brown: No
Commissioner Kicinski: No
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Commissioner Kicinski moved to “retroactively rescind the illegal out of order motion made by Mayor Pro Tem Nowell on March 10, 2021.”

Commissioner Ed Mims moved to amend the motion that it be rescinded upon Commissioner Kicinski receiving diversity, equity and inclusion training.

City Attorney Morphis advised that he could provide a legal opinion during closed session if the board would wait to address the motion until after closed session. The board asked him to give the legal opinion during open session.

City Manager’s Report

City Manager Gerald Smith provided the manager’s report. He reported that the trail boardwalk had been temporarily repaired and trees along the boardwalk were identified that may need work done to ensure that the boardwalk remains safe. Chief King provided research that he had compiled on COVID-19 vaccination incentives and recent complications with finding PPE and tests.

Commissioner Kicinski moved to reinstate the hazard pay for first responders. Commissioner Del Mims moved to amend the motion to include public works employees. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

SGWASA Report

Commissioner Kicinski provided a report from SGWASA.

Commissioner Reports

Commissioner Brustmeyer-Brown reported that the Kerr-Tarr COG Awards Banquet has been postponed.

Commissioner Kicinski reported that she had a good time at the Labor Day fireworks event.

Commissioner Del Mims thanked the board for being appointed as voting delegate for the NLC City Summit.

Commissioner Ed Mims inquired about who planned the fireworks event.

Mayor Wheeler said the fireworks event was a collaboration between himself and the Mayor of Butner but Angie Perry of Creedmoor’s Recreation Department worked hard on putting it together and deserved the board’s thanks.

Mayor’s Report

Mayor Wheeler reported that everything he wanted to talk about has already been covered.

Closed Session | Personnel and Attorney-Client Privilege NCGS 143-318.11(A)(3) and (6)

Commissioner Brustmeyer-Brown moved to go into closed session at 11:27 p.m. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes

Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

Commissioner Brustmeyer-Brown moved to leave closed session and return to open session at 12:21 a.m. September 8, 2021. The motion was approved by a roll call vote of 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes

City Attorney Morphis reminded the board that a motion was still pending.

Commissioner Kicinski restated her motion to “retroactively rescind the illegal out of order motion made by Mayor Pro Tem Nowell on March 10, 2021.”

Commissioner Ed Mims amended the motion that Commissioner Kicinski complete diversity, equity and inclusion training and roles and responsibility training. The amended motion failed by a roll call vote of 0-4 with one abstention.

Mayor Pro Tem Nowell: No
Commissioner Brustmeyer-Brown: No
Commissioner Kicinski: Abstain
Commissioner Del Mims: No
Commissioner Ed Mims: No

Mayor Wheeler called for a roll call vote on Commissioner Kicinski’s original motion. The motion failed by a roll call vote of 1-4.

Mayor Pro Tem Nowell: No
Commissioner Brustmeyer-Brown: No
Commissioner Kicinski: Yes
Commissioner Del Mims: No
Commissioner Ed Mims: No

Adjourn

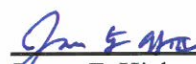
Commissioner Brustmeyer-Brown moved to adjourn the meeting at 12:30 a.m. on September 8, 2021. The motion was approved by roll call vote 5-0.

Mayor Pro Tem Nowell: Yes
Commissioner Brustmeyer-Brown: Yes
Commissioner Kicinski: Yes
Commissioner Del Mims: Yes
Commissioner Ed Mims: Yes




Robert V. Wheeler | Mayor

ATTEST:


James F. Hicks, III | City Clerk



Granville County GOP
PO Box 2235
Oxford, NC 27565
info@GranvilleGOP.org

September 7, 2021

The Granville County Republican Party Vice-Chairman's remarks at the City of Creedmoor Board of Commissioners' meeting.

Good evening, Mr. Mayor, Commissioners, Mr. City Manager, distinguished guests...

My name is Michael W. Magnanti, and in the interest of full disclosure, I am the Vice-Chairman of the Granville County Republican Party.

I come to you tonight to comment on agenda item 10. Discussion items "A" and "B" specifically.

In reference to item 10 a. Discussion of letter to the editor in BC newspaper by Commissioner Kicinski entitled "Creedmoor citizens must donate to fire department." (Commissioner Ed Mims), I have to believe that the Honorable Commissioner Ed Mims must be unaware that a correction has been issued. ((**CORRECTION (8-25-21):** The Butner-Creedmoor News included a misleading headline with a previous version of this letter. The letter writer did not say Creedmoor residents must donate to the fire department; she only encouraged residents to do so. The headline has been updated.)

In reference to item 10 b. Discussion of access to the building by Commissioner Kicinski per guidance approved by the BOC. (Commissioner Ed Mims)

I feel this specific issue is so vital that I must speak to you all tonight to express my feelings on it. I have taken the time to listen to the recording of the board meeting that took place on March 10th of this year. I must say that I was surprised at the way you all treated Commissioner Kicinski.

The way you all so easily admonished her even when you all knew that she was alone, with nobody here to help her or defend her.

Chairman - Chad McHenry
Secretary - Ridge Parker
Finance Chairwoman - Stephanie Burris

Vice-Chairman - Mike Magnanti
Treasurer - Tony Gooch



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September 7, 2021

It's important to me that you all understand how profoundly disappointed I am in the way you treated Commissioner Kicinski.

It is my hope that none of you ever have to face a hostile board with nobody defending you. I can assure you if I have any say, none of you will.

This brings me to what it is that you all actually did, besides berate a defenseless woman until she was broken down and unable to look out for her own best interest, which in not only my view, but also the view of others, was an illegal, out of order motion.

Mayor Pro-Temp, your motion was out of order and illegal. The fact is that nowhere in the city charter or in the General Statute is this board or the city manager granted the authority to limit the access to an elected official.

Nobody on this board is "first among equals" and none of you have the authority to limit access to another elected official. That authority is reserved to the citizens you represent, and when they determine it is time to "limit" your access they will do so through elections.

For that reason, the obvious remedy to this wrong is to rescind this illegal, out of order motion retroactively, and in its entirety including recission of the illegal censure retroactively to March 10, 2021. This will restore Commissioner Kicinski's, and the 1/5 of the citizens of Creedmoor that she represents, full and total access.

It is my hope that this gives all of you the opportunity to consider your actions and reminds you that the citizens of Creedmoor intend to hold you to a higher standard of conduct that includes all of you acting within the scope of your authority. Because if you don't, you can be sure we will point that out.

Thanks for hearing me out.

Chairman - Chad McHenry
Secretary - Ridge Parker
Finance Chairwoman - Stephanie Burris

Vice-Chairman - Mike Magnanti
Treasurer - Tony Gooch