



MINUTES OF
CITY OF CREEDMOOR
BOARD OF COMMISSIONERS MEETING
APRIL 5, 2022
6 P.M.

Present in Person at City Hall Boardroom

Mayor Bobby Wheeler, Commissioner Georgana Kicinski, Commissioner Robert Way, Commissioner Emma Albright, and Commissioner Ed Mims. Also present were City Manager Gerald Smith, Assistant City Manager/Director of Community Development Director Michael Frangos, City Attorney T.C. Morphis, Recreation Director Christopher Horrigan, Finance Director Sonal Mehta, Police Chief Keith King, and City Clerk Barbara Rouse.

Absent

Mayor Pro Tem Kechia Brustmeyer-Brown

Call to Order

Mayor Wheeler called the meeting to order at 6:02 p.m.

Invocation and Pledge of Allegiance | Commissioner Emma Albright offered the invocation, and Commissioner Ed Mims led the Pledge of Allegiance.

Roll Call

Roll call by the City Clerk determined a quorum was present. A motion was made by Commissioner Way to excuse Mayor Pro Tem Kechia Brustmeyer-Brown from the meeting. The motion was approved by a vote of 4-0.

Agenda Approval

Commissioner Kicinski motioned to pull the Consent Agenda because the BOC Meeting Minutes were absent from the Agenda Packet. She asked that the Minutes be presented at the next BOC meeting.

Commissioner Mims requested to add an update on the recent road closures in the city of Creedmoor that had happened due to broken water pipes. The Mayor added the item as 10a on the agenda. Commissioner Mims also requested to discuss climate change. The Mayor suggested that the climate change discussion be deferred to the next BOC Work Session. Commissioner Mims also requested that the Closed Session be moved to Item 6e on the agenda.

Commissioner Way requested that Agenda Item 9b, *Audio Visual Updates for City Hall Boardroom*, be moved to the next BOC Work Session.

Commissioner Albright requested the addition of a Discussion Item regarding the Board of Commissioner's Regular Meeting and Work Session Calendars. The Mayor added the item to the agenda as 10b. Commissioner Albright also questioned the Fourth of July Fireworks Expenses, Item 9c on the agenda, and the Mayor asked that the item remain stating that Recreation Director Chris Horrigan would be able to give the contract amount to the Board.

Commissioner Kicinski requested to move Closed Session to later on the agenda because the gallery was full and she did not want to make people wait to speak. The Mayor asked Commissioner Mims if the Closed

Session could be moved after Old Business on the agenda. Commissioner Mims did not agree to move it again and wanted it to remain as item 6e on the agenda.

Commissioner Ed Mims moved to approve the agenda so stated with changes. The motion was approved by a vote of 3-1.

Consent Agenda |

Request to Address the Board | Presentation from Auditor

Auditor Jay Sharpe was not allowed to attend this evening's meeting virtually. The Board reiterated its position that a motion had passed at a previous meeting stating that no person would be allowed to attend or participate in any City of Creedmoor Board or Committee meeting virtually. Commissioner Kicinski argued that there was plenty of notice to citizens and staff and that if the citizens of Creedmoor had to attend in person then everyone should have to. The Mayor suggested that for this meeting an exception should be made as the presenters were already on Zoom. Commissioner Mims stated that this Board had voted on this issue and that everyone needed to be at the meeting in person. The Mayor asked the Board for clarification on whether the motion was exclusive to City Board Committee members and staff or if it extended to vendors also. The Board decided that the motion applied to everyone including vendors. Commissioner Mims questioned why the City would adopt a policy that in essence penalizes the citizens by limiting participation to in-person only.

Request to Address the Board | DEI Advisory Board Update

Dennis Daniel, Interim Chair of the DEI Advisory Board updated the Board on the various activities that were being planned. He spoke about the vacancies on the DEI Board as both the Chair and Vice-Chair positions are vacant as well as an open spot for a high school student liaison. He also updated the Board on the progress and challenges of the DEI's Women-Owned Businesses Recognition Event for Women's History Month. He went on to elaborate on the important role that the DEI Advisory Board has within the City and the use of social media to expand their message.

Request to Address the Board | Comprehensive Plan Update Presentation by Stewart Inc.

Jay McCloud presented the general process and project overview of the Creedmoor Comprehensive Plan: City Plan 2040. He explained that the vision of the plan is to ensure that Creedmoor's development policies are conducive to the long-term vision for the future, provide and/or maximize infrastructure investments, and adequately control the location and appearance of future development, while at the same time fostering redevelopment and revitalization efforts downtown by creating a pedestrian-friendly environment with shopping and recreational opportunities. The city would continue to add healthy and active recreational and cultural facilities, programs, and events that accommodate multiple users, are accessible, and appeal to both City residents and recreational tourism while at the same time preserving and protecting areas of historical and environmental significance, specifically including areas for stormwater or environmental water quality. McCloud spoke about making the city an accessible and safe transportation network that connects people to jobs, recreation, and each other, through roads, transit, and pedestrian/bicycle networks. In the end ensuring that City Plan 2040 addresses community concerns about infrastructure quality and condition (especially water, sewer, and broadband) through partnerships and targeted action.

Commissioner Mims moved to enter Closed Session pursuant to NCGS 143-318.11(a)(6) Personnel at 7:11 p.m. The motion was approved by a vote of 3-1.

Commissioner Mims left the meeting at 8:03 p.m. and he returned at 8:05 p.m.

Commissioner Kicinski moved to end Closed Session at 8:25 p.m. The motion was approved by a vote of 4-0.

Public Comment

*Jonelle Marable, 2215 Regent Court
Reverend Gerald Latta, Creedmoor
Reverend John Davis, Stovall
Fran McCoy, PO Box 24832, Oxford
Ed Gleason, 1973 Bowles Ave., Creedmoor*

Old Business | ZTA-2022-01: Zoning Text Amendment to Articles 7, 3, and 2 of the Creedmoor Development Ordinance

Kevin Murphy presented the ZTA-2022-01, ZTA-2022-01 which proposes to amend the following articles of the Creedmoor Development Ordinance and various sections within each: ARTICLE 7: Permits and Procedures ARTICLE 3: Definitions ARTICLE 2: General ZTA-2022-01: Zoning Text Amendment to Articles 7, 3, and 2 of the Creedmoor Development Ordinance provisions.

Public Hearing | Public Comment - ZTA-2022-01: Zoning Text Amendment to Articles 7, 3, and 2 of the Creedmoor Development Ordinance

As there were no Public Comments, the Mayor closed the Public Comment Section: ZTA-2022-01 Ordinance. Commissioner Mims made the motion to adopt the ZTA-2022-01: Zoning Text Amendment to Articles 7, 3, and 2 of the Creedmoor Development Ordinance as written and to adopt the Statement of Consistency in Reference to the same. Motion passed with a vote of 4-0.

Public Comment | Stormwater Management Plan

David Sofco, Creedmoor

Old Business | Stormwater Management Plan (SWMP)

As there were no more public comments, the Mayor closed the Public Comment Section: Stormwater Management Plan. Commissioner Kicinski made a motion to adopt the Stormwater Management Plan 2022-R-02. The motion passed with a vote of 4-0.

Old Business | VOIP Summary Update

City Manager Gerald Smith told the Board that the City had received proposals from both Telware and VC3. VC3's proposal came in at \$5337.50 with a monthly cost of \$498.00 and Telware's proposal came in at \$6230.97 with a monthly cost of \$501.70. There was some discussion between the Board and City Manager Smith about the two proposals. Commissioner Kicinski said that they should honor the original vote by the previous Board and award the contract to Telware for the City's VOIP Telephone system and have Telware forward the contracts to the City Manager so he can forward it to the Board for review and approval at that time. Commissioner Mims questioned the Board as to whether any Board member contacted Telware directly, not through the City Manager. Commissioner Kicinski stated that Telware reached out to her because they wanted to find out the date of the next BOC meeting. Kicinski added that she was told by Telware that they had, on numerous occasions, reached out to City staff and they couldn't get any responses. Commissioner Mims said that based on the current policy the Board should go with the vendor proposal with the best price. Commissioner Kicinski made a motion to honor the original vote by the previous Board and award the contract to Telware for the City's VOIP Telephone system. The motion ended in a tie of 2 – 2. The Mayor then cast a no vote to break the tie. Motion denied 2-3.

Mayor Wheeler: No

Mayor Pro Tem Brustmeyer-Brown: Absent

Commissioner Kicinski: Yes

Commissioner Mims: No

Commissioner Albright: Abstain

Commissioner Way: No

Mayor Wheeler recessed the meeting at 9:23 p.m. The meeting reconvened at 9:29 p.m.

Old Business | Police In-Car and Body-Worn Camera Transition

Chief Keith King presented the Board with Axon's 5-year agreements (2) for 7 In-car cameras, 7 body-worn cameras, and Master Services and Purchasing Agreement (MPSA). The In-Car 5-year agreement totaled \$10,294.20 per year and the BWC 5-year agreement totaled \$4842.01 per year. Commissioner Kicinski made a motion to authorize the City Manager to execute a 5-year purchasing agreement with Axon to purchase 5 In-car cameras and 7 body-worn cameras not to exceed the total cost of \$75,681.06. The motion passed with a vote of 4-0.

Old Business | ARPA Expenditures and Funds Summary Explanation

Finance Director Sonal Mehta presented the ARPA expenditures and funds explanation to the Board. Mehta presented an Excel sheet which defined what the expenditures were and what accounts the funds were allocated from. The Board asked questions to clarify their understanding of the City's purchasing and expenditures. The City Attorney explained that the ARPA funds the City receives over the next 2 years or so will end up being spent on salaries and benefits. He continued to explain that all the things that had been originally funded by ARPA would now go into a separate project fund and the money that is already slated for salaries and benefits will go back into the General Fund.

Old Business | ARPA Ordinance

Finance Director Sonal Mehta explained ARPA Ordinance 2022-0-02 to the Board. Commissioner Way motioned to approve Ordinance 2022-0-02, amend Ordinance 2021-O-11, and amend Ordinance 2021-O-18. The motion passed with a vote of 4-0.

Old Business | ARPA Policy

Finance Director Sonal Mehta clarified the mandated ARPA Policies. The City Attorney told the Board that the Policies do not create any new obligations to the City. Commissioner Way motioned to approve the ARPA Policies as presented so that the ARPA funds can be used. The motion passed with a vote of 4-0.

Old Business | Budget Amendment #9

Finance Director Sonal Mehta presented the Budget Amendment to the Board which covered the Police Department and City Hall HVAC unit repairs and City Hall lighting upgrade project with Lime Energy and also provided funding for Telecommunicator's salaries and Fuels & Lubricants expenditure for the Police Department. Commissioner Albright motioned to approve Budget Amendment #9. The motion passed with a vote of 4-0.

Old Business | Veterans Affairs Organization

The Mayor stated that the Veteran's Organization had been approved by the Board but that the Board needed to discuss term limits, meeting dates, public announcements, and participation. The Mayor explained that he wanted the Board to decide the issues at large at this meeting. Commissioner Mims told the Board that the Organization already held 3 meetings and clarified that they meet every other month, on the second Wednesday, at 6:30 p.m. in the Community Center unless a special meeting was necessary. He added that the next meeting was to be held on Wednesday, May 11th at 6:30 p.m. in the classroom area at the Community Center. The Mayor asked about the Terms of the Organization members and Commissioner Mims said that they had not discussed the terms yet. The Mayor suggested terms should be 2 terms for 3 years and 3 terms for 2 years and will be open to the public and Commissioner Mims agreed. Commissioner Mims also stated that the Organization is in the process of writing a Mission Statement to clarify its mission. No action was taken.

New Business | Initial Scheduling Resolution for Comprehensive Plan Update: City Plan 2040 (ISR-2022-03)

Assistant City Manager/Director of Community Development Director Michael Frangos, requested the adoption of Planning's Initial Scheduling Resolution to slate the Comprehensive Plan: City Plan 2040 for next month's public hearing. He clarified that the Board must Recognize the Comprehensive Plan Update as a future action item, direct the Planning Board to make a recommendation inclusive of the Steering Committee's efforts, and open a review and comment period between April 5th, 2022, and May 3rd, 2022. They need to also set the date of the public hearing on the adoption of the Comprehensive Plan Update for Tuesday, May 3rd, 2022 at 6:00 PM in the Board of Commissioners Meeting Room at City Hall, 111 Masonic Street, Creedmoor, NC, and Authorize the Community Development Department to publish a legal public notice of the public hearing in the Butner-Creedmoor News on April 22nd and April 29th, 2022 editions, and Direct readers to send emails with comments to planning@cityofcreedmoor.org by 5:00 PM May 3rd, 2022. Commissioner Kicinski moved to approve Initial Scheduling Resolution as written and add the Comprehensive Plan Update to the May 3rd, 2022 Board of Commissioners agenda. The motion passed with a vote of 4-0.

New Business | Fourth of July Fireworks Expense

Recreation Director Chris Horrigan presented to the Board the amount of \$18,600 for the Fourth of July Fireworks to be contracted with Zambelli. He added that they would have additional expenses of \$650 for Porta John's, \$450 for a DJ, and \$250 for miscellaneous items related to the event. Horrigan explained that these expenses will be split down the line with Butner and they would like to go forward with securing the contract with Zambelli to move forward with fireworks on July 1, 2022. Mayor asked if Stem was involved with this and Horrigan said that they would be reaching out to them. As there was no contract presented to the Board, the Fourth of July Fireworks Expense will be added to the next meeting's agenda.

Discussion Items | Road Closures in Creedmoor

Commissioner Mims wanted information on the road closures presently happening in the City. Chief King updated the Board telling them that as of 6:30 p.m. that evening there was nothing new to report. The Chief also discussed SGWASA and DOT's role in the repairs and how the latter was working to secure a contractor(s) to complete all of the necessary pavement repairs. He added that there were a few small new leaks throughout the city and that everyone is working hard to remedy the situation.

Discussion Items | Board Calendar

Commissioner Albright asked for a discussion about what agenda items should be accomplished at the Budget Workshop meeting as opposed to what items should be reserved for the Regular Board meetings or Work Sessions. The Mayor stated that if the meeting is marked "Budget Workshop" on the calendar then that is the only business that will be discussed. Commissioner Kicinski suggested maybe adding a monthly meeting to accommodate the budget season. The Mayor added that he would like all presentations that did not need a vote to be done during the Work Session meeting for time considerations moving forward. The Mayor continued that although he would like to keep Work Sessions for items not needing a vote, there will have to be some flexibility to accommodate unforeseen or emergency issues that may potentially arise. The City Manager responded that he would look at the city's calendar and see if another Work Session could be added this month.

City Manager's Report

City Manager Gerald Smith stated he had nothing to report. Commissioner Kicinski asked to address a comment in the Manager's Report that talked about the morale of the Administrative staff and low pay. Kicinski said that the Board is not responsible for the morale of the staff nor do they control the salaries. She added that City staff have had 2% cola and merit pay every year since she has been on the Board. City Manager Smith answered that it was inappropriate to include those issues in the Manager's Report but they are dealing with a workforce now that is reacting to an environment of change. He continued that the region

itself is going through the same change and the issues will have to be addressed by the City. He also reminded the Board that the second half of the Piedmont Study will be presented at a future meeting to help clarify these specific issues.

Commissioner Kicinski brought up the question of when the city is going to decide on a phone system, and what the city needs to do to accomplish this goal. The City Manager said the city does need to move forward with a plan, and he added that a lot has been learned since the issue was reintroduced in July (2021) and at present, he would recommend the city contracts with VC3 for telecommunications. He explained that he would rather have one vendor control all of the tech systems within the city for ease of use, a smooth transition during implementation, and simplicity of addressing any problems that may occur with the system moving forward. After a lengthy back and forth conversation, the Mayor suggested that the Board move on to the next report.

SGWASA Report

Commissioner Kicinski reported on SGWASA and the Hydraulics Model which is almost but not done at present. Commissioner Way reported that the issue of climate change, which Commissioner Mims questioned at the last meeting, is in SGWASA's Strategic Plan and that he has asked for a copy of the Plan from SGWASA and is waiting to receive it. Commissioner Kicinski told Commissioner Mims that as he was on the SGWASA Board, he has a copy of the Plan already. Commissioner Kicinski added that they will be discussing the budget at the next SGWASA meeting.

Commissioner Reports

Commissioner Kicinski asked a question about the IAIA Document that was sent to the Board. Director of Community Development Director Michael Frangos took the podium to explain to the Board that the IAIA is a new solution to offsetting the Phase 2 requirement and that our (the city's) expected donation is about \$16,000.00. Commissioner Kicinski shared that she attended the Chamber of Commerce dinner with the Mayor and that they also attended the David Ross and Deborah Price Luncheon.

Commissioner Albright reported on a new shop on Main Street in Creedmoor, *True Nutrition*, serving shakes and teas, etc. She also asked the City Manager about the dates she had proposed for Administrative Professional's Day. The City Manager told her that the staff was receptive to it and thanked her.

Commissioner Way said that he appreciated the city staff addressing the purple lights throughout the city and getting them switched out.

Commissioner Mims stated that even though the Board has attended *Roles and Responsibilities and Essentials in Government* class, he asked if the City Attorney could give the Board an update on Open Meetings Law. His concern was that he said he has observed sidebar conversations on the Dias during Board meetings and in his opinion, it invalidates the Open Meetings Law. He suggested for all City of Creedmoor citizens to look over past Board Meetings and come to their conclusion as to whether Open Meetings Laws have not been stretched. The Mayor told the Commissioner that the sidebar conversations are not about issues related to Board business. Commissioner Mims continued that from a professional vantage point, to have sidebar conversations when people are making public comments of any nature is disrespectful to them. He said that if somebody is going to get up to make comments, the Board should give them their undivided attention. Commissioner Mims then informed the Board that he has personal matters that will affect his ability to attend UNRBA (Upper Neuse River Basin Association) meetings moving forward and he would need to resign from the position. The Mayor then explained to the Board that he had spoken previously with the Commissioner about this matter and that the position is Board appointed it will be up to the Board to appoint a replacement. Commissioner Mims motioned to accept Commissioner Mims's resignation from UNRBA Board. The motion ends in a tie with a 2-2 vote. The Mayor cast the

deciding vote of yes breaking the tie in the affirmative. The motion passed with a 3-2 vote.

Mayor Wheeler: Yes

Mayor Pro Tem Brustmeyer-Brown: Absent

Commissioner Kicinski: No

Commissioner Mims: Yes

Commissioner Albright: No

Commissioner Way: Yes

Mayor's Report

Mayor Bobby Wheeler spoke about a meeting he attended with County Commissioners about the establishment of a Fire District he still has some questions that need to be answered and he explained that he wants the Creedmoor Fire Department to get the money they need but he doesn't want the citizens of Creedmoor to be double taxed so he isn't comfortable with Creedmoor opting in or opting out at this point. He then let everyone know that on May 19th the Granville County Crime Stoppers Golf Tournament will be held and that the money made at the event goes to Crime Stoppers which aids the Police and Sheriff's Departments to pay for information to solve crimes.

Adjourn

There being no further business to come before the Board, Commissioner Ed Mims moved to adjourn the meeting at 10:37 p.m. The motion was approved by a vote of 4-0.

Robert V. Wheeler

Robert V. Wheeler, Mayor

ATTEST:

Barbara Rouse
Barbara Rouse, City Clerk

