

Minutes of
City of Creedmoor
BOARD OF COMMISSIONERS
Work Session
June 9, 2014
5:30 p.m.

PRESENT

Mayor Darryl D. Moss, Mayor Pro-Tem Jimmy Minor, Commissioner Del Mims, Commissioner Herman Wilkerson, Commissioner Thomas Jackson and Commissioner Larry Robinson. Also present were Tom Mercer, City Manager; Korena Weichel, Assistant City Manager; Robin Reif, City Clerk; and Tom Currin, City Attorney.

CALL TO ORDER AND INVOCATION

Mayor Moss called the meeting to order and offered the invocation. Mayor Pro Tem Minor led the Pledge of Allegiance.

ADOPTION OF AGENDA

Moved by Mayor Pro Tem Minor to adopt the meeting agenda as presented; seconded by Commissioner Wilkerson.

Under discussion, Commissioner Mims asked regarding a hard stop for the meeting. Commissioner Mims issued a substitute motion to suspend the policy regarding a 7:00 p.m. hard stop rule for the meeting which was seconded by Commissioner Jackson.

Commissioner Robinson explained that the hard stop was instituted with the addition of the Work Sessions in order to shorten the addition of another lengthy day for staff.

Commissioner Jackson asked Commissioner Mims if she would be amenable to setting a time limit for the meeting. Commissioner Mims stated she would agree to anything that would allow for an exception of the hard stop policy for the meeting.

Substitute Motion to suspend the hard stop policy for the meeting received the following vote:

Ayes: Mims, Jackson

Noes: Minor, Wilkerson, Robinson

Substitute motion failed 3-2.

Under further discussion, Commissioner Mims asked Finance Committee Chair Commissioner Robinson if he would agree to make a motion to move agenda item #8.a.i. Resolution 2014R7: *Employment Agreement of the City Manager* from under the Finance, Administration and Natural Resources Committee report to fall under agenda item 4. FY15 Budget as she deemed it necessary to consider the resolution under the budget adoption.

Attorney Tom Currin reported that the Resolution for Employment Agreement of the City Manager has no budgetary impact.

Commissioner Robinson declined.

The motion by Mayor Pro Tem Minor and second by Commissioner Wilkerson to adopt the agenda as presented met with the following vote:

Ayes: Minor, Wilkerson, Jackson, Minor

Noes: Mims

Motion carried 4-1

FY15 BUDGET

City Manager Tom Mercer provided an overview of the FY15 proposed budget documentation.

- Fee and Rate Schedule

The temporary building fee reduction is to be continued under the revised fee and rate schedule and an amendment was made regarding privilege license fees in response to recent legislation. Recreation rates for Lake Rogers were also revised for senior citizens.

Commissioner Jackson asked if the words "*Creedmoor resident*" could be changed to "*Granville County resident*" on page 15 of the Fee and Rate Schedule as it pertains to the fees for boat launch and rental.

Programs Director Scottie Cornett reported that it is customary for a municipality to designate its recreation recipients as in-town or out-of-town.

Mayor Pro Tem Minor pointed out that Creedmoor residents pay twice in city and county taxes.

No motion to revise the schedule was made.

No additional questions were received on the Fee and Rate Schedule.

- Travel Policy

Finance Director Ren Wiles provided highlights of the policy. Commissioner Mims asked if the limitations were fixed and if a Commissioner decided to hold a national office, would there be additional funding. Mr. Wiles pointed out that that issue is addressed in the policy under consideration.

Commissioner Mims asked if there is a process for making a request if someone has not used their budget allocation and what recourse is available for denial of a request. City Manager Tom Mercer interjected that staff has presented a draft policy therefore it is the Commissioner's budget which must be decided upon by the board.

Citing the statutory mandate that the City has a balanced budget, Mayor Pro Tem Minor asked Commissioner Mims for a prediction of her expected travel expenses. Commissioner Mims stated it would depend on voting processes and organizations. Commissioner Mims asked that travel expenditures be looked at on a case-by-case basis.

City Manager Tom Mercer reiterated that the policy is in draft form and has been given to the board as such.

Commissioner Jackson questioned item #5 asking that City Commissioners receive expense reimbursements for travel around the City like that of Granville County Commissioners. Finance Director Ren Wiles pointed out that the stipend each commissioner currently receives includes over 9,000 miles a year in travel.

Moved by Commissioner Mims that the board adopt items 1-4 of the travel policy and that item 5 be considered at a later date after language review; seconded by Commissioner Jackson.

Commissioner Wilkerson stated that the travel policy should all be voted on at one time as it affects the proposed budget being considered.

Commissioner Wilkerson made a substitute motion to vote on the travel policy in its entirety and as presented; seconded by Mayor Pro Tem Minor.

Motion to consider Commissioner Wilkerson's motion as the main motion received the following vote:

Ayes: Minor, Wilkerson, Robinson

Noes: Mims, Jackson

Motion carried 3-2.

Vote to adopt the travel policy as presented received a unanimous vote.

- **Creedmoor Volunteer Fire Department Contract**

Commissioner Robinson asked if the hydrant maintenance responsibility has been worked out with SGWASA in preparation of the merger. City Attorney Tom Currin stated the City is still working on negotiations as to the extent of their responsibility.

Commissioner Jackson asked if it wouldn't be better to have a separate contract that ends November 1, 2014 or December 1, 2014 given the timeframe of the merger with SGWASA. Commissioner Jackson asked if SGWASA is going to give the CVFD the water free of charge. City Attorney Tom Currin stated that SGWASA is to adopt a policy that is yet to be worked out and it is expected that metering will occur only at the fire station. Either way, the fire department has been provided for in the contract.

Commissioner Mims asked if the contract can be looked at only within the period of time the City has control and prior to Creedmoor and SGWASA being formally merged. City Attorney Tom Currin explained that of major importance is that the contract is mandatory for needed fire protection and that the contract should not be shortened from one year.

Commissioner Mims questioned the sum and why it is the same as last year's budgeted amount of \$80,180.00 and not more as well as why it is not paid in a lump sum distribution? It was explained that the amount and schedule is as requested by the Creedmoor Volunteer Fire Department board, that the City maintains funds in its capital reserve and that the fire department has never been turned down during a time of need.

Motion by Commissioner Wilkerson to adopt the Creedmoor Volunteer Fire Department contract as it is presented; seconded by Commissioner Robinson.

Motion received a unanimous vote.

• **Public Hearing: FY15 Budget**

City Manager Tom Mercer provided a summary of the proposed FY15 Budget and Finance Director Ren Wiles provided an overview of Ordinance 2014O04: *Proposed FY15 Budget*. It was noted that the policy is to adopt the budget ordinance at the departmental level of control and is in the format required by the Government Budget Fiscal Control Act.

Mayor Moss opened the Public Hearing on the FY15 proposed budget at 6:32 p.m.

Ed Gleason 1973 Bowles Avenue Creedmoor, NC.

Mr. Gleason spoke regarding his concern that the City is holding a public hearing on a budget that he would have to come in to the City Clerk's office to see and pay per page for a copy of. Also of concern is the number of salaries paid by the water and sewer fund and that making up over 300K for these salaries becomes necessary due to the South Granville Water and Sewer Authority Asset Purchase Agreement. Mr. Gleason stated his opinion that, if this money had been spent in the water system, then it should not be a lost fund due to the APA.

Ed Mims, 2204 Regent Court, Creedmoor

County Commissioner Mims spoke as a resident that got a copy of the proposed budget and asked for clarification if the County goes forward on an Economic Development partnership, has the City of Creedmoor earmarked or identified funds for this partnership? Commissioner Mims stressed that if development is to be promoted, funds will be required.

Commissioner Mims reported that the Granville County Recreation Advisory Committee will be meeting on Thursday. After reviewing the City of Creedmoor budgetary pie charts for recreation revenue and expenditures, Commissioner Mims asked if funds from Granville County for recreation were accounted for and asked how the City could maintain a balanced budget if these funds had not been included.

Anthony F. Santangelo, 307 S Main Street Creedmoor

Speaking on the Travel Policy drafted for the budget, Mr. Santangelo remarked that the Commissioners seemed to feel travel expense reimbursements were the City's money when it is actually the tax payers' money. Mr. Santangelo asked that any travel not related to City business not be granted and that all travel expenses be kept to a minimum.

Mayor Moss closed the Public Hearing at 6:43 p.m.

- **Ordinance 2014O04: Proposed FY15 Budget**

Mayor Moss, responding to public comments, spoke regarding salaries that are paid out of the City's enterprise fund, and asked City Manager Tom Mercer to expand on the subject. Mr. Mercer explained that multiple positions spend half their time on water and sewer (City Manager, Finance, Public Works, etc.), and that two positions would be transferring to SGWASA. The balance of those positions will be splitting their time working on additional things such as stormwater, economic development, etc.

Mr. Mercer stated that money is currently in the budget for business development and economic marketing and how those funds are spent depends a lot on what the County is going to do. The City has been fortunate in the past to have Bill Edwards working with the City and County on Economic Development.

Programs Director Scottie Cornett reported that recreation funds are requested from the Granville County Recreation Advisory Committee each year. During budgetary preparation, the City does not know if it will be awarded funds. The City does not allocate or plan for that revenue but if received it will go toward a project to improve the boat dock at Lake Rogers Park. If funds were not received it would not affect the City in a negative way budget wise.

Mayor Moss added that he does not ask for reimbursement for in-state travel and that, had SGWASA negotiations gone better and stayed on track, Creedmoor would have experienced a tax decrease this year.

Motion by Commissioner Robinson to adopt the FY15 Budget including the submitted Fee and Rate Schedule; seconded by Mayor Pro Tem Minor.

Under further discussion, Commissioner Mims asked why the leap from 45,735K to 105,457K (on page 13 of 28) under inspections and permits. Finance Director Ren Wiles explained the two factors driving the increase. The addition of a Community Development Assistant to manage paper and office work to allow the Inspector to do more in his field and that the Inspector's salary has had a portion of his salary allocated back to water and sewer. The drop in what the City may allocate in to the water and sewer fund in the SGWASA merger scenario is what is causing the apparent increase. Page 15 of 28 (three salary allocations to water, sewer and Powell Bill as opposed to two for the department as a whole and that they are not considered as individual salaries.

As she was confused by the three salary portion allocation, City Manager Tom Mercer stated it should state salaries and fringes to water, sewer and Powell Bill instead of only salary as it is a percentage that is attributed to the department as a whole.

Motion to adopt the FY15 Budget received the following vote:

Ayes: Minor, Wilkerson, Mims, Robinson

Noes: Jackson

Motion carried 4-1.

Resolution 2014R06: *Alcoholic Beverage Control Commissioner Designee*

Moved by Mayor Pro Tem Minor to appoint Police Chief Keith King as the Alcoholic Beverage Control Commissioner Designee; seconded by Commissioner Wilkerson.

Under discussion, Commissioner Mims questioned to what extent the added responsibilities will interfere with the duties of the Chief.

Chief King explained that he has already been engaged in the activities associated with the responsibility and that they coincide with daily activities. The resolution under consideration is a formality to remove the previous Police Chief's name and install Chief King as the replacement.

Motion received a unanimous vote.

Parks and Recreation Master Plan

Programs Director Scottie Cornett reported that requests for edits on the Parks and Recreation Master Plan were received. The design for the Hawley School/Fontaine site was redesigned to allow for existing power transmission lines and to reflect the correct acreage. Revisions will allow for more flexibility if the City partners with the school board.

Moved by Commissioner Wilkerson to adopt the Creedmoor Parks and Recreation Master Plan; seconded by Mayor Pro Tem Minor

Under discussion, Commissioner Mims asked what the total cost of the plan will be. Ms. Cornett responded that the plan is broken down into short and long term and cost will depend on fast or slow the City wishes to proceed in implementation and grant funding. There is no dollar figure attached to the plan as the purpose of the plan is to see where the need is and if the community supports the vision of where the need is.

Motion received a unanimous vote.

CITY MANAGER'S REPORT

City Manager Tom Mercer reported on the following:

- CMAQ –Word received from NCDENR on surface water determination.
 - Expect core drilling to take place within the next week.
 - Meetings were held with property owners and more are scheduled.
 - NCDOT district office meeting on driveway impact plans.
- SGWASA Asset Purchase Agreement (APA) Update – Tom Mercer reported he has been in communication with Lindsay Mize, Executive Director of SGWASA in regards to the status of the merger. A list of duties and responsibilities is being finalized. Finalization of the merger is centered around three long-lead items: software, financing, and monopole (preliminary numbers are being reviewed).
 - Legal council, planning and public works departments are gathering information to share.

COMMITTEE REPORTS

Finance, Administration & Intergovernmental Relations

Resolution 2014R07: *Employment Agreement of the City Manager*

Moved by Commissioner Robinson to adopt Resolution 2014R07: *Employment Agreement of the City Manager*; seconded by Mayor Pro Tem Minor.

For the benefit of the community, Mayor Moss explained that City Manager Tom Mercer was going to announce his retirement on May 12, 2014. Upon hearing that, the Commissioners assigned to the Finance Committee asked Mr. Mercer what it would take to keep him throughout the SGWASA merger to preclude having to advertise for a new City Manager at such a critical juncture. Mr. Mercer presented a request for a sabbatical/extended vacation in order to take care of personal business after which he would return to remain as City Manager until this same time next year.

Mayor Pro Tem Minor added that the City stands to lose much more than 25 extra days of paid leave if Tom Mercer were to leave now and that it should be looked at as comp time he has already earned by the excess hours he has put in to the merger negotiations. The Mayor Pro Tem added that at no time did Mr. Mercer threaten leaving if not given the sabbatical.

Commissioner Mims read the contents of the resolution aloud and stated the resolution pertains to an automatic employment contract renewal of one year.

City Attorney Tom Currin corrected the Commissioner by stating that the extension had transpired already, the resolution contains no budgetary implications as the City Manager's salary was set previously by the governing board upon his most recent performance review. The resolution simply says Mr. Mercer will be allowed 25 additional sabbatical days.

Commissioner Mims noted the sabbatical or extended vacation covers two fiscal years to which Attorney Currin stated that Mr. Mercer's vested vacation he is already entitled to covers this fiscal year and, as a complete absence would be impractical during the sabbatical, Mr. Mercer will remain in a supervisory capacity on an as needed basis.

Commissioner Mims stated she has a problem with the agreement in the form of a resolution as opposed to a contract amendment.

City Attorney Tom Currin explained that the contract has not been modified in any way other than the addition of the 25 days, that the board is the only group that can award those days, and there is no change in the obligations of the manager that would require him to sign a contract or contract amendment.

Commissioner Mims expressed her concern that she was just learning of this critical piece of information regarding the City Manager's impending absence. It was reiterated that the negotiation was made between the City Manager and the Finance Committee to preclude advertising for a new manager during the SGWASA merger and was concluded prior to bringing before the board for consideration.

Mayor Moss called for a vote on Commissioner Robinson's motion to adopt Resolution 2014R07: *Employment Agreement of the City Manager*.

Motion received the following vote:

Ayes: Mims, Minor, Wilkerson, Robinson

Noes: Jackson

Motion carried 4-1.

Energy, Environment & Natural Resources

Mayor Pro Tem Minor had nothing to report. The Granville County Environmental Affairs Committee report was provided by Anthony Santangelo:

1. The Committee appointed a subcommittee to work on a Coal Ash Resolution.
2. The Town Hall and Creedmoor United Methodist Church meetings to be held on Fracking were discussed.
3. Mr. Santangelo distributed documents pertaining to recycling and proposed rules changes for the Clean Water Act.

Public Safety

Commissioner Jackson reported that he has been appointed to the Juvenile Crime Prevention Council by District 3 Granville County Commissioner Dave Currin.

Transportation Infrastructure

Commissioner Mims reported on her beneficial attendance at the Town Hall Day in Raleigh and her interaction with leaders from across the state.

The NC56 Corridor Study is to encompass Darden Street in Creedmoor to 33rd Street in Butner.


Community & Economic Development

Commissioner Wilkerson alluded to the City Manager's possible negotiations with a new business for Creedmoor.

MAYOR'S REPORT

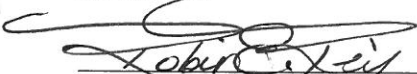
Mayor Moss re-announced the June 16, 2014 Town Hall meeting to be held on Fracking.

There being no more business before the board, moved by Commissioner Wilkerson to adjourn; seconded by Commissioner Jackson. Motion received a unanimous vote. Meeting adjourned.



Darryl D. Moss, Mayor

ATTEST:


Robin E. Reif, City Clerk