

Minutes of  
City of Creedmoor  
BOARD OF COMMISSIONERS  
**Regular Meeting**  
November 17, 2014  
7:00 p.m.

**PRESENT**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Moss called the meeting to order and offered the invocation. Commissioner Robinson led the Pledge of Allegiance.

**ADOPTION OF AGENDA**

Moved by Mayor Pro Tem Minor to adopt the meeting agenda; seconded by Commissioner Robinson. Motion to adopt the agenda received a unanimous vote.

**APPROVAL OF MINUTES**

Mayor Moss called for adoption of the minutes for the October 20, 2014 Regular Meeting, October 28, 2014 Special Meeting and November 3, 2014 Work Session.

Under call for discussion Commissioner Jackson, referring to the November 3<sup>rd</sup> Work Session minutes stated his desire they be sent back for revision of page two paragraph five concerning a motion by Commissioner Mims. Commissioner Mims concurred that she offered a friendly amendment in lieu of a formal motion.

Motion that the November 3, 2014 be returned for revision to state on page two, paragraph five that there was no motion by Commissioner Mims that received or failed to receive a second, it was superseded by the request by Commissioner Mims of Commissioner Jackson for a friendly amendment to his motion to fire the City Manager that was not later entertained by Commissioner Jackson; seconded by Commissioner Mims.

Under further discussion, Commissioner Mims asked if there were any other submissions for revisions on the minutes. Commissioner Mims was advised that there were none excepting a grammatical revision which was previously emailed to the board by the Clerk prior to the meeting.

Motion to return the minutes received the following roll call vote:

Robinson:	Aye
Jackson:	Aye
Wilkerson:	No
Minor:	No
Mims:	Aye

Motion passed 3-2.

November 3, 2014 minutes to be returned to the board after revision.

Adoption of the October 20, 2014 Regular Meeting Minutes and October 28, 2014 Special Meeting Minutes:

Moved by Commissioner Robinson to adopt the minutes of October 20, 2014 Regular Meeting and October 28, 2014 Special Meeting; seconded by Mayor Pro Tem Minor. Motion received a unanimous vote.

### **REQUESTS TO ADDRESS THE BOARD**

*Amor Agdeppa 815 N. Main Street, Creedmoor, NC*

Mr. Agdeppa spoke regarding the following three topics:

1. October 20, 2014 Board of Commissioner's Regular Meeting subject regarding Applewood Phase II. Mr. Agdeppa has concerns that Butner is being favored by the legislature and wants to know that Creedmoor is not going to be run around again and fail to grow.
2. Board meeting dates were changed due to disagreement with the District 5 County Commissioner.
3. City Manager Mercer, during the last meeting, had a heated exchange with Commissioner Jackson. Mr. Agdeppa feels that the City Manager does not have the right to talk to elected officials in that manner. It is the voters and the citizens who have the authority to do so.

### **PUBLIC COMMENTS**

*John Wilkerson, 308 S. Main Street, Creedmoor, NC*

Mr. Wilkerson spoke regarding the actions of Commissioners Mims and Jackson, reminding them that they were elected to serve and stated they are only serving themselves. Mr. Wilkerson remarked that the two Commissioners waste time during public meetings making unfounded accusations of tampering with the minutes, slandering and publically berating staff, making motions to fire one of the best City Manager's Creedmoor has ever had as well as on minute things that mean nothing to the citizens of Creedmoor. Mr. Wilkerson closed by saying the citizens of Creedmoor have had enough and asked Commissioner Jackson to do the honorable thing and resign.

*Eddie Smith, 2213 Bayswater Drive, Creedmoor, NC*

Paddington HOA President Eddie Smith came asking that four (4) community watch signs be mounted on the speed limit signs currently in the Paddington subdivision. Mr. Smith also reported that the road on Bayswater Court in front of 2213 and 2215 is holding water, falling apart and uneven. Mr. Smith stated that he was told the issue is on the city staff's radar and he wants it looked in to.

### **CITY MANAGER'S REPORT**

*Assistant City Manager Korena Weichel updated Council on the following:*

- CMAQ Update
  - CMAQ I final audit was conducted by NC DOT and the city and its partners AMT and Centurion were commended for their excellent execution of guidelines, engineering and construction, documentation and project administration.
- SGWASA APA Update & 2<sup>nd</sup> Amendment
  - Software companies are continuing to refine their data stages. Report upload is pending.
  - City Attorney Tom Currin reviewed the 2<sup>nd</sup> Amendment to the Asset Purchase Agreement approved by the SGWASA board during its November 12, 2014 meeting as forwarded to the City of Creedmoor governing board members in their November 17, 2014 Regular Meeting board packet.

Motion by Mayor Pro Tem Minor to authorize the Mayor and Finance Director to sign the Asset Purchase Agreement second amendment already signed by SGWASA Chairman Tom Lane and SGWASA Finance Director Richard Balmer, which changes the close of business date; seconded by Commissioner Wilkerson.

Under further discussion Mayor Pro Tem Minor stated that there is a possibility everything could be ready sooner. Commissioner Wilkerson stated that everything is going well and there should not be a hold up for the funding.

Motion to authorize the Mayor and Finance Director to sign the Asset Purchase Agreement second amendment, already signed by SGWASA Chairman Tom Lane and SGWASA Finance Director Richard Balmer received a unanimous vote.

- *Planning Director Michael S. Frangos provided a report on the upcoming Business Luncheon*
  - The luncheon is an Economic Development initiative hosted by staff and the City Manager.
  - Staff has been working on it since the summer.
  - The City is reaching out to existing business owners in the 27522 zip code.
  - The City hopes to glean information to determine future strategies for proposed policies.
  - Additional information is to be presented to the governing board at a later date.

### **OLD BUSINESS**

*Planning Director Michael S. Frangos presented the following:*

Adoption of Findings of Facts and Conclusions of Law related to CUP-2014-01: *W. Lyon Street Monopole*

Mr. Frangos reviewed the background and actions taken in August 2014 on the Conditional Use Permit. The request is for final board approval to submit to the Clerk of Court.

Moved by Commissioner Minor to approve the findings of fact and conclusions of law related to CUP-2014-01: *W. Lyon Street Monopole* ; seconded by Commissioner Wilkerson.

Motion received a unanimous vote.

### **NEW BUSINESS**

Initial Scheduling Resolution: Resolution 2014R23: ZTA-2014-05: *Indoor Shooting Ranges // Discharge of Firearms in City Limits*

Moved by Commissioner Wilkerson to adopt the Resolution to set the date for a public hearing on ZTA-2014-05: *Indoor Shooting Ranges // Discharge of Firearms in City Limits* for January 20, 2015 at 7:00 p.m.; seconded by Commissioner Robinson.

Under call for further discussion it was asked what the motivation was to change the existing ordinance. The answer is that staff is attempting to be thorough and proactive. Also discussed was proposed zoning of a potential indoor shooting range, and using the results of the parks and recreation study.

Motion to adopt Resolution 2014R23: ZTA-2014-05: *Indoor Shooting Ranges // Discharge of Firearms in City Limits* to set the date for public hearing on for January 20, 2015 at 7:00 p.m. received the following vote:

Ayes: Robinson, Wilkerson, Minor

Noes: Mims, Jackson

Motion passed 3-2.

Resolution recorded herein by reference.

### **COMMISSIONERS' COMMENTS**

#### **PUBLIC SAFETY**

*Commissioner Jackson reported on the following:*

- JCPC meeting was a success. By-laws were amended to allow for a secretary and one was elected from the Granville County school system.
- Thanks were given to Chief King for attending the meeting.
- Responded with specific details of his prior accusations of alleged insubordination by the City Manager.
- Declared he has no confidence in the City Manager and Mayor

#### **TRANSPORTATION INFRASTRUCTURE**

*Commissioner Mims reported on the following:*

- Received briefing on lagoon project.
- Guardrail project on highway 56-E is near completion.
- Was approached about the pending business luncheon by citizens.
- Attended the Butner Veteran's Day ceremony.

#### **FINANCE, ADMINISTRATION AND INTERGOVERNMENTAL RELATIONS**

*Commissioner Robinson reported on the following:*

The annual audit will be ready for presentation by the auditors at the next board meeting.

#### **COMMUNITY AND ECONOMIC DEVELOPMENT**

*Commissioner Wilkerson reported on the following:*

No report was offered

#### **ENERGY, ENVIRONMENT AND NATURAL RESOURCES**

*Mayor Pro Tem Minor reported on the following:*

Moved by Mayor Pro Tem Minor for a vote of no confidence in Commissioner Jackson for his response to the Local Government Commission (LGC) which he signed as Commissioner Jackson and submitted in an attempt to derail the SGWASA merger; seconded by Commissioner Robinson.

Under further discussion Commissioner Wilkerson stated that the Commissioners should be for the City of Creedmoor, not other places, other towns, other people not in the city and not paying city taxes.

Commissioner Jackson clarified for the audience who the members of the LGC are and stated that he works for the citizens of Creedmoor.

Motion for vote of no confidence in Commissioner Jackson for his letter sent to the LGC opposing city policy received the following vote:

Ayes: Robinson, Wilkerson, Minor

Noes: Jackson, Mims

Motion passed 3-2.

As the Mining and Energy Commission recently adopted the fracking rules, Mayor Moss asked staff to look in to any immediate implications of this.

**MAYOR'S REPORT**


*Mayor Moss reported on the following:*

- The governing board's Organizational meeting is to be held Monday, December 15, 2014.
- Commissioner Wilkerson to be sworn in as 2015 Mayor Pro Tem during that meeting.
- Attorney Tom Currin reported that, in the case of Pollard vs. Creedmoor, Superior Court Judge James Harden ruled in favor of the City and no trial will be necessary.
- Granville County Search and Rescue sent a thank you letter in response to the City's donation.
- Congratulations to the Town of Butner on its recent Veteran's Day event.
- The Mayor expressed his support of the City Manager.

Commissioner Wilkerson asked the Mayor of Creedmoor to reconsider his decision to not run for re-election in 2015.

**ADJOURNMENT**

As there was no more business before the board, moved by Commissioner Wilkerson to adjourn; seconded by Commissioner Robinson. Motion to adjourn received a unanimous vote. Meeting adjourned at 8:24 p.m.

  
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Darryl B. Moss, Mayor

ATTEST:

  
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Robin E. Reif, City Clerk

