



Minutes of
City of Creedmoor
BOARD OF COMMISSIONERS
Regular Meeting
October 25, 2011
7:00 p.m.

PRESENT

Mayor Darryl D. Moss, Mayor Pro-Tem Herman Wilkerson, Commissioner Jimmy Minor, Commissioner Otha Piper, Jr, Commissioner John Stallings, and Commissioner Ralph Seagroves. Also present were Mr. Tom Mercer, City Manager; Robin Reif, Deputy City Clerk; and Attorney Tom Currin.

INVOCATION and PLEDGE OF ALLEGIANCE

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

ADOPTION OF AGENDA

The Mayor called for the approval of the agenda. Moved by Commissioner Stallings to adopt the agenda; seconded by Commissioner Piper. The motion received a unanimous vote.

PUBLIC HEARINGS

- I. City Planner Randy Cahoon provided opening comments as well as an example map of the land use plan for the City of Creedmoor. Mr. Cahoon directed the board to consider land use versus construction standards and how they related to the Fire District, if building design should be a factor in land use regulations and the effects of the board's decision on adopting Ordinance 2011-O-12: *Amendment to the City of Creedmoor's Zoning Ordinance: Chapter 154 Zoning* on the entirety of the B-1 and B-2 Business Districts.

Mayor Moss opened the Public Hearing on the following items:

- A. Removal of references in Sections §154.066 and §154.067 to excluding *automobile service stations* and *automobile repair garages* from the Primary Fire District section of the B-1 Business District.

AND

- B. Removal of limitations in Sections §154.066 and §154.067 on the number of service bays allowable in *automobile service stations* and *automobile repair garages* in the B-1 and B-2 Business Districts.
 1. Mr. Johnny Jeffreys, Jr., 4870 Mebane Rogers Road, Mebane, NC, thanked the board for its consideration of his family's petition and spoke of the historical use and value of the property under consideration, 417 S. Main Street. Mr. Jeffreys asked the board to also consider that the driveway behind the City's Post Office is part of the parcel owned by his family and included in the property under consideration.
 2. Mr. Charles Michael Satterfield, 3675 Genesis Lane, Wake Forest, reflected on how the City has allowed several like businesses to open without meeting the same criteria of ample parking requirements, handicap access, etc. that he adhered to when building at his new location. Mr. Satterfield stated that the City currently has eight automobile repair shops and questioned the need for another. As the previous tenant of the building under consideration, Mr. Satterfield reported that he is aware of outstanding repairs needed to the building and its City Fire District violations.

Receiving no resolution when addressing upgrades with Mr. Jeffreys prior, Mr. Satterfield alleges a double-standard will be used if the property is allowed to reopen in the same condition and for the same use without satisfying the criteria Mr. Satterfield's new location was held to.

3. Mr. Ed Gleason, 1973 Bowles Avenue, Creedmoor, NC, offered his thoughts on the amendment petition. Mr. Gleason suggested the board review proposed building use plans prior to voting on an issue that will affect two fairly large districts.

Mayor Moss closed the public hearing on Removal of references in Sections §154.066 and §154.067 to excluding *automobile service stations* and *automobile repair garages* from the Primary Fire District section of the B-1 Business District AND Removal of limitations in Sections §154.066 and §154.067 on the number of service bays allowable in *automobile service stations* and *automobile repair garages* in the B-1 and B-2 Business Districts.

- II. City Planner Randy Cahoon provided a comparison of the 2010 and 2011 versions of the Hazardous Industry Overlay District noting that in the 2010 version, a zoning special use was created and required a one-step approval process. The plan and the district were approved together and there was one public hearing. The 2011 version requires approval of placement of an overlay and approval of a conditional use permit. The new version allows more opportunity for public input, clarifies limitations and provides for closer review.

Mayor Moss opened the public hearing to add "Hazardous Industry Overlay District" to Section §154.045 as a separate overlay zone.

1. Anthony F. Santangelo 307 S. Main Street, Creedmoor, declared the HIO to be an important piece of legislation for the public's safety and that its passage would be a proactive measure. Addressing Mayor Pro Tem Wilkerson directly, Mr. Santangelo pointed to his favoring big business over environmental protection in the past and kindly asked that he vote in favor of the HIO.

Mayor Moss closed the public hearing.

PUBLIC COMMENTS

Mr. Ed Gleason, 1973 Bowles Ave, Creedmoor, NC, thanked the board for its efforts to clean up the community over the past year. Mr. Gleason addressed the burned out house in Golden Pond Subdivision that has been open for two months and poses a safety issue.

REQUESTS TO ADDRESS THE BOARD

- Mr. Milton Wheeler, 14833 Creedmoor Rd., Wake Forest, addressed the board on the issue of his water bill for his rental property located at 412 S. Elm Street, Creedmoor. Mr. Wheeler described the water leak experienced at the property which caused an issue on two separate water bills. Mr. Wheeler acknowledged that he was given an adjustment on the sewer portion of his bill by the City. Mr. Wheeler has lost the tenants he had renting the property and thinks, due to the economy, the bill should be adjusted back to an average bill. Mr. Wheeler stated that he was not looking for anything to be done other than requesting that the City take a look at revising its policy. After hearing that the City would be looking more closely at the property's data logger in order to make further consideration, Mr. Wheeler stated that he did not have an updated meter.

In follow up, the City conducted a data logger summary of Mr. Wheeler's account and confirmed the property is served by an updated meter. Data on the summary indicated a leak which occurred across two billing cycles. Records showed that Mr. Wheeler was given an adjustment on his bill on September 13th in the amount of \$365.17 and another on September 29, 2011 in the amount of \$575.60 to offset the impact of the leak discovered on the property.

- Mr. Charles Michael Satterfield, 3675 Genesis Lane, Wake Forest, addressed the issue of sidewalk regulations in Creedmoor and how it relates to buildings reopening versus new construction regulations. Mr. Satterfield questioned future planning and communication with property owners.

Transportation Plan and Bicycle Transportation Plan

Resolution 2011-R-20: *Resolution to Adopt Pedestrian Transportation Plan* and Resolution 2011-R-21: *Resolution to Adopt Bicycle Transportation Plan* were brought before the board as information items only.

Economic and Transportation Projects Manager Scottie Wilkins gave a brief introduction and process history of these items following the receipt of NCDOT grant funding.

Jason Reyes of Alta Planning gave a presentation of the ten-month study conducted in preparation of these resolutions as well as proposed plans for the community.

Both of these resolutions will be presented for adoption at the November 14, 2011 Work Session.

ADOPTION OF MINUTES

Moved by Commissioner Minor to approve the Board Minutes of September 27, 2011; seconded by Commissioner Seagroves. Motion received a unanimous vote.

STATUS UPDATES

Code Enforcement Officer John Ganus reported on the following:

Alamo

October 31, 2011 deadline on this property. Contractor is assisting with reaching this deadline.

4-Way Quick Stop

Owner has been working on the property. Ordinance to Demolish is in effect for December 1, 2011 pending work performed.

305 Lyon Street

Ordinance to close on this property. Bank took possession and sent work crew out to board up the property.

Moved by Commissioner Minor to rescind Ordinance 2011-O-11: *An Ordinance directing the Housing Inspector to close the property herein described as unfit for human habitation and directing that a notice be placed thereon that the same may not be occupied File No. HC-10-05*; seconded by Commissioner Wilkerson. Motion received a unanimous vote.

502 Watson Street

Housing inspection performed; no evidence of water leaks; no violations. Water was on and the case was closed.

Highway-56 Property

The owner was contacted and a meeting was suggested between the owner and contractor for cleanup of property.

CITY MANAGER'S REPORT

City Manager Mercer reported that the financial audit is on schedule and provided an update on the USDA Water and Sewer Infrastructure Project, renovation of the City gymnasium and closing of Lake Rogers for the season.

OLD BUSINESS

Ordinance 2011-O-12: *Amendment to the City of Creedmoor's Zoning Ordinance: Chapter 154 Zoning*.

Moved by Commissioner Minor to adopt changes outlined in Ordinance 2011-O-12: *Amendment to the City of Creedmoor's Zoning Ordinance: Chapter 154 Zoning* as presented; seconded by Commissioner Wilkerson. The motion received a unanimous vote.

Ordinance 2011-O-09: *154.045 Hazardous Industry Overlay District*.

Moved by Commissioner Seagroves to table Ordinance 2011-O-09: *154.045 Hazardous Industry Overlay District* until the November 14, 2011 Work Session; seconded by Commissioner Wilkerson. Motion received a unanimous vote.

MAYOR'S REPORT

None.

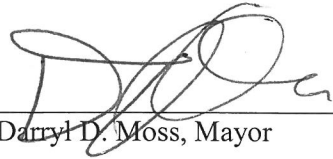
COMMISSIONERS COMMENTS

The Commissioners had no additional comments.

Commissioner Wilkerson moved to go into closed session for economic development and land acquisition, per G.S. 143-318.11 (a)(5); seconded by Commissioner Stallings. The motion received a unanimous vote.

ADJOURNMENT

Upon returning from closed session, there being no further business before the board, Commissioner Piper moved to adjourn at approximately 9:55 pm.; seconded by Commissioner Stallings. The motion received a unanimous vote.


Darryl D. Moss, Mayor

ATTEST:


Robin E. Reif, Deputy City Clerk

