

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING AND PUBLIC HEARING
SEPTEMBER 26, 2006
7:00 P.M.

PRESENT:

Mayor Darryl D. Moss, Mayor Pro-tem Tim Karan, Commissioner Angela Mangum, Commissioner Otha Piper, Jr., Commissioner Kent Ray and Commissioner Larry Robinson. Also present was Robert A. Schaumleffel, Jr., City Manager, Sandra Harper, City Clerk and Attorney Tom Currin.

QUORUM:

Mayor Moss called the meeting to order at 7:00 p.m. in the Commissioner's Room at City Hall.

INVOCATION:

Mayor Moss

PLEDGE OF ALLEGIANCE:

Commissioner Mangum

PUBLIC HEARINGS:

Appearance Ordinance:

Mayor Moss opened the Public Hearing.

Mr. Dave Roesler, Planning Director addressed the Board and gave an overview of the Community Appearance Ordinance. He noted that several citizens, Planning Board and Board of Commissioner members had indicated that they desired to enhance the visual appearance of Creedmoor. Recently in Selma, North Carolina he had a similar experience with community appearance issues. Mr. Roesler said that the City of Creedmoor has unique residential and commercial properties and neighborhoods that define the character and heritage of Creedmoor. The City could recognize the importance of maintaining and preserving such properties in order to preserve and enhance the City's image and physical appearance by adopting reasonable standards of maintenance and property appearance.

Mr. Roesler advised that the Planning Board had considered community appearance standards that required a minimum level of maintenance of private property to protect the livability, appearance and social and economic stability of the City. Such standards would protect the public from health and safety hazards and the impairments of property

values that result from the neglect and deterioration of property. A committee of the Board was established to develop such standards. The materials used by the committee were Appearance Ordinances from Tempe, Arizona, Clearwater, Florida and Selma, North Carolina.

Mr. Roesler advised that the Planning Board met August 10, 2006 and by unanimous vote recommended approval of the proposed Community Appearance Ordinance.

Mr. Jimmy Minor, Planning Board Chairman addressed the Board and said that the Planning Board unanimously voted for this ordinance. He said that the Planning Board felt that the oldest section of the downtown area was deteriorating. He advised that 80% of the Downtown property was investment and owned by people that do not reside in Creedmoor. Mr. Minor said that the Planning Board felt that this ordinance was a good compromise and would be beneficial to not only the downtown area but also the other areas of the City. He said that this ordinance would also enhance safety of unsecured structures.

Mayor Moss thanked the Planning Board for their hard work on this ordinance.

Mayor Moss opened the Public Hearing.

Mr. Ron Greger of 1538 Ravenwood Drive addressed the Board and said that he was in favor of the proposed Community Appearance Ordinance. He said that Creedmoor had been his home for several years and he has watched the community grow. Mr. Greger emphasized that this ordinance was long overdue. He has rental properties and there have been problems because of adjacent property owners that do not take care of their property. Mr. Greger noted that property does not sell if the community looks bad. He said that if there is a policy in place the rules need to be enforced.

Mr. Greger noted that there is also an issue of people that do not have the money for the clean-up. He said that the community could come together and help with manpower and expressed that he would be happy to offer his time to help citizens that do not have the resources. He said that there are also landlords that do not take care of their investment properties. They have revenue coming in each month on these properties and that is all they care about. Mr. Greger said that landlords need to realize that cost of value goes up with the maintenance of these properties. He reiterated that if adopted, this ordinance needs to be enforced.

No one else wished to speak so Mayor Moss closed the Public Hearing.

REQUESTS TO ADDRESS THE BOARD:

Scottie Cornett Wilkins – Granville County Planning Department:

Ms. Scottie Cornett Wilkins, Granville County Planning addressed the Board and introduced Ms. Rupal Desai, NCDOT Transportation Department, Mr. Scott Walston, NCDOT Transportation Department and Mr. Ed Johnson, Director of CAMPO. Ms. Wilkins said that County staff and the NCDOT Planning Branch began a year ago to

update the County's previous Thoroughfare Plans. The new plan, now referred to as the Comprehensive Transportation Plan (CTP), is currently in the planning process.

Ms. Wilkins said that the presentation this evening would be an update on the process made thus far with Granville County's Comprehensive Transportation Plan (CTP). Specific attention would be given to the roadways selected for analysis and their projected volume of daily traffic in future years. The next steps in the planning process would also be reviewed.

Ms. Wilkins advised that the purpose for the update was to get each of the stakeholders involved, i.e., County Commissioners and each of the municipalities involved to review and support the projected Growth ADT (Average Daily Traffic) Projections. The CTP committee would also keep stakeholders updated throughout the planning process.

Ms. Rupal Desai, NCDOT Transportation Department and Mr. Scott Walston, NCDOT Transportation Department addressed the Board and gave an overview of the Transportation Planning Update for Granville County. Ms. Desai said that in 2005 NCDOT began working with Creedmoor, Butner, Oxford, Stem, Stovall, Kerr-Tar RPO and CAMPO to develop a Granville County Comprehensive Transportation Plan. All the municipalities and Counties are working together to develop one plan. She explained that the previous Thoroughfare Plan is now known as the Comprehensive Transportation Plan.

Ms. Desai and Mr. Walston of NCDOT presented the following:

Previous Thoroughfare plans:

Granville County, 1997
Oxford, 1997
Creedmoor, 2004
Butner, 1987

Comprehensive Transportation Plan:

Multimodal

- Highway
- Public Transportation and Rail
- Bicycle
- Pedestrian (future)

Recommendations

- Existing, Needs Improvement, Recommended

The CTP's final products:

Adoption Sheet

Maps

- Highway Map

- Bicycle Map
- Rail and Public Transportation Map

Technical Report

Transportation Planning Process

- Collect Data
- Endorse Data
- Project Data
- Endorse Projections - (current planning stage)
- Analyze Deficiencies
- Develop Alternatives
- Recommend Plan
- Adopt Plan
- Technical Report
- Corridor Protection
- Programming

What Has Been Done So Far?

Committee has been formed

- Includes Municipalities, County, CAMPO, Kerr-Tar RPO, NCDOT and other officials have been meeting regularly

Public Involvement Survey

Data Collection

- Roadway conditions
- Land Use Plans
- Bicycle Plans
- Planned developments
- Crash Data

The Next Steps

- Get consensus on Future Growth Rate Map from all municipalities
- Develop Capacity Deficiencies & Multimodal plan elements
- Analyze alternatives for Comprehensive Transportation Plan
- Complete Draft Highway Map
- Complete Draft Bike and Rail and Public Transportation Maps
- Public Involvement
 - Drop-in Session(s)
 - Public Hearing(s)
- Adoption/Endorsement
 - Local adoption by County and Municipalities
 - Regional Endorsement by RPO
 - State Adoption by Board of Transportation

Timeline for Finishing the CTP:

- Summer 2007 at the earliest
- Conflict and Controversy would delay completion

Mr. Scott Walston presented a map of the future year growth percentage rate and a map of the future year average daily traffic in 2035 for Granville County.

For more information and questions:

Rupal Desai, Triangle Group

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Scott Walston, Triangle Group Supervisor

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e-mail: swalston@dot.state.nc.us

Scottie Wilkins, Planner

Granville County Development Services

(919) 603-1332

Mr. Ed Johnson, CAMPO addressed the Board and gave an overview of the advantages of the Comprehensive Transportation Plans for all of Granville County. He noted that they have been planning a vision of how Granville County should look 30 to 40 years from now. He said that the long range plan is based upon how much money will be available and how it should be spent. Mr. Johnson expressed that trying to get more resources to the needed areas has become a great concern to all counties. He made reference to the chance of a Gate II Road interchange as well as a Hester Road northern by-pass. Mr. Jonson said that because they are looking at the long range plans this is a great opportunity to think about some ideas and adjustments that can be made accordingly.

Ms. Scottie Wilkins said that possibly January or February of next year CAMPO plans to host a meeting in Creedmoor. She said that they are in the process of making a video that describes the plans for Hwy. 50. She said that this video would show the advantages and also focus on concerns that anyone may have. This video should be available to show at the meeting to be scheduled in Creedmoor.

Ron Greger:

Mr. Ron Greger of 1538 Ravenwood Drive addressed the Board and said that he was in the process of purchasing the local development on Wilson Way. He said that originally doublewide trailers were to be placed in the subdivision and instead he will build stick built homes. He said that there has been road failure due to crossings that were made by utility companies. Mr. Greger said that the previous owner was under the impression that the City had already taken possession of this road. He noted that there were also manhole issues to be addressed. Mr. Greger said that they have the capability to do some of the

repairs themselves and for doing so he was hoping the City could work with him regarding permits. Mr. Greger said that he was going to do landscaping and make visual improvements to this property to benefit the community. He presented the Board with pictures of surrounding properties that need to be cleaned up and also asked the Board for help on this issue.

Mr. Robert A. Schaumleffel, Jr., City Manager advised that this was not the only subdivision that needed road improvements. He said that unfortunately, previous developments passed inspection with improper infrastructure. Mr. Schaumleffel noted that this year money was only budgeted for the patching of roads. Mr. Schaumleffel said that Mr. Greger had gone above and beyond to improve the appearance of this subdivision and his proposed plans would be a benefit to the City.

Mr. Ron Greger added that there was bad soil in this area and proper materials must be used to avoid sinking of the road once you bore across. He said that in this situation the placement of sewer and water was properly installed but after the placement of power, the developer filled it up with dirt and paved over it causing the road to sink. Mr. Greger asked for the City's assistance and said that he planned to move forward to make the property presentable.

Mayor Moss said that Mr. Greger had brought before the Board two issues; 1) appearance and 2) street repair. Mayor Moss expressed that at adoption of the Appearance Ordinance enforcement would be upheld. He said that the City did not budget for street repair on this project this year.

Commissioner Karan asked about the Road bond expiration date for this development.

Mr. Schaumleffel said that he thought it expired in 2004 but would check on this and report back to him.

Mr. Greger thanked the Board and said that he would appreciate any assistance the City could give.

John Mayo – Recreation Project:

Mr. John C. Mayo of 3147 Brogden Road, Stem addressed the Board to present a proposed recreational facility for the community. He quoted "When you believe in a dream...It becomes an idea that can be implemented." Mr. Mayo said that he and his partners are co-founders of Youth and Senior Development Center; which is a non-profit organization formed with the goal of providing a community and recreation facility in Granville County. He said that they had recently purchased the Old Shirt Factory located at 308 Hillsboro Street and renovations had begun. Mr. Mayo said that they desire to convert the 32,000 square foot building into a recreation and community center to serve local residents and surrounding areas. He advised that they were seeking partnership with the City to expedite the project, thus allowing the people to begin enjoying the facility. Mr. Mayo said that what is needed from the City is an open mind/heart commitment and cooperation. He expressed that the Citizens of Creedmoor would be grateful, hopeful and proud to have a nice facility to enjoy. Mr. Mayo said that

he contacted Representative Jim Crawford and he referred him to Mr. Dallas Tucker of NC Parks and Trust Recreation Fund. Mr. Tucker informed him that the City of Creedmoor was eligible for a \$500,000.00 grant for this project and encouraged the City to partner with them on this project. He said that this was a revolving grant and would not require much cost to the City.

Mr. Juan Riollano of Oxford addressed the Board and said that he was a partner in this project. He advised that they want to help educate children by giving them a place to go that offers a safe environment and also offer after school tutoring.

Mr. William Boseman addressed the Board and said that he was also a partner in this project and noted that as Creedmoor grows there will be more families and no place for the children to go other than standing on street corners. He noted that the drop-out rate was increasing every day and made reference to Durham's high crime rate. Mr. Boseman emphasized that Creedmoor needs to give the children in this community a good quality of life and not wait until statistics show it is too late.

Mr. McClancy of McClancy Engineers, 1051 Pemberton Hill Road, Suite 102, Apex, NC addressed the Board and presented the existing structure and an illustration of the proposed facility and its various uses. He said that he realized there may be City code issues and they would comply.

Mayor Moss thanked Mr. Mayo and referred this item to Commissioner Mangum, Chair for the Community and Economic Development Committee.

Commissioner Mangum said that she was excited about this project and thanked Mr. Mayo for the vision of wanting to help the children in the community.

Commissioner Piper said that he appreciated Mr. Mayo and his partners for caring about the children's recreational needs and education of this community.

MINUTES:

Moved by Commissioner Karan and seconded by Commissioner Robinson approval of the August 22, 2006 minutes. The motion received a unanimous vote.

APPROVAL/ADDITIONS TO AGENDA:

Moved by Commissioner Piper and seconded by Commissioner Karan approval of the agenda with the additions of Item 10-d Duck Hunting under Old Business and Item 11-f Appearance Ordinance under New Business. The motion received a unanimous vote.

PUBLIC COMMENTS:

Mr. Guy Smith, 2570 Jasmine Court addressed the Board and said that as a citizen he was in support of Mr. Ron Greger's request for assistance in the project on Wilson Way. He also reiterated encouragement for the Board's consideration of the voluntary annexation for the recently rezoned 29.38 acres on Hwy. 56 West. Mr. Smith said that the City

would be servicing this area and he felt that it would be beneficial for the 29.38 acres to become part of the City limits.

Mr. John Wilkerson of 308 S. Main Street addressed the Board and inquired about the proposed pedestrian sidewalks for Hwy. 50 South.

Mr. Dave Roesler, Planning Director said that the State office had forwarded the request to the Federal Highway Administration and he had not received any further information.

Mr. John Wilkerson also commented that he had a concern of the taste and odor of the City water.

Mr. Victor Venable of 1656 Hwy. 56 West addressed the Board and advised that he was an adjoining property owner of the proposed voluntary annexation of the 29.38 acres located on Hwy. 56 West. Mr. Venable said for the record that he was in favor of the annexation.

MANAGER'S REPORT:

The City Manager addressed the following:

Mr. Robert A. Schaumleffel, Jr., City Manager said that the City has been offered a small parcel of property, approximately .200 of one-acre along State Route 50. The location of this property is in front of the American Legion Hall. Mr. Schaumleffel noted that enclosed in the Board packet was a map and other pertinent information in reference to this property. He said that there would be further discussion of this issue during Closed Session.

Moved by Commissioner Piper and seconded by Commissioner Ray authorizing the City Manager to negotiate the details of the transfer of this property along State Route 50 to the City. The motion received a unanimous vote.

Mr. Robert A. Schaumleffel, City Manager noted that there was a personnel employment issue that he would be discussing with the Board during Closed Session.

Mr. Schaumleffel said that there was an enclosed copy of correspondence from the South Granville Water and Sewer Authority pertaining to an outstanding bill for the City of Creedmoor in the amount of \$2,496.77. The City's Finance Director did not pay this bill and he supports her decision in this matter. He said that as of July 1, 2006 the rates were raised 13% and included in the bill was 13% for May and June, 2006. He said that he felt it was unethical for the City to have to pay that excess amount.

Commissioner Karan said that this matter was taken into consideration in Closed Session at the last SGWASA meeting and he could not go into detail in open session. He did say that his understanding was it may not have been invoiced correctly but the SGWASA Attorney said that it was not illegal. He suggested that this issue be discussed in Closed Session by this Board.

Mayor Moss said that he would like for the City Manager to inquire about bulk water sales occurring from the Wilton water tank and the school receiving the bills.

By consensus of the Board, the City Manager is to investigate bulk water sales from the Wilton water tank.

Mr. Schaumleffel said that at last month's meeting the Board discussed a G.O. Bond for needed water/sewer improvements. He said that Mr. Dan Boone of the Wooten Company and himself met with the Local Government Commission on both the City's short term and long range capital needs for water and sewer. Mr. Schaumleffel said that although the Administration felt that the City can handle the debt service on the short term need (\$7 million dollars) using capital funds the Commission advises a G.O. issue be placed before the public with the knowledge that no additional taxation is needed to service the bond. The Local Government Commission will need the appropriate paper work by January, 2007 to make the May Ballot. Mr. Schaumleffel said that this would not include money needed for connection to the City of Oxford; which would require additional approvals, tax revenue and other additional monies from water/sewer rates.

Mr. Schaumleffel said that the Public Service Department had taken down the old lift station and cleaned the site located at the entrance to Whitehall Subdivision on Elm Street. He said that after discussion with Dan Boone of the Wooten Company and Bob Jones, Public Service Director he recommends declaring the lot surplus property so that it may be sold. Mr. Schaumleffel advised that the adjacent property owner was interested in purchasing the site.

Moved by Commissioner Ray and seconded by Commissioner Piper to declare as surplus property the site where the old Whitehall lift station was located. The motion received a unanimous vote.

Mr. Schaumleffel said that he received information from the NC Parks and Recreation Trust Fund (PARTF). He advised that this would be a 50% match for a maximum grant of up to \$500,000.00 and noted that appraised value of land to be donated to the applicant can be used as part of that match. Mr. Schaumleffel advised that the City of Creedmoor had never applied for this type of grant and therefore, would be a top candidate. The purpose of this PARTF grant is for recipients to acquire land and/or to develop parks and recreational projects that serve the general public. Enclosed in the Board packet was the information regarding the recreation grant for the Board's review.

Mr. Schaumleffel said that enclosed for the Board's review were pictures of the right-of-way for the Joe Peed lift station. Also shown were pictures of the manholes that are under water after rain.

Mr. Schaumleffel advised the Board that there was a major water break at the older section of Pine Valley Subdivision today. He said that they plan to replace and relocate the hydrant.

Mr. Schaumleffel advised that he was continuing to have conversations with representatives of the City of Oxford in reference to connection of water/sewer and would keep the Board updated.

Mr. Schaumleffel advised that the City recently received a bill in the amount of \$1,800.00 from Mr. C.W. Currin from the year 2002 for placing debris on his land after the ice storm. He said that he could not recommend paying this bill because there was no documentation.

Mayor Moss said that the City was contacted by Mr. Currin's daughter and recommended that Mr. Schaumleffel speak directly with Mr. C.W. Currin on this issue.

OLD BUSINESS:

Department Head Reports:

Provided in the Board packets were monthly reports from the Water Treatment Plant, Public Service Department and Police Department.

Petition for Voluntary Annexation – 29.38 acres located on West Hwy. 56:

Attorney Currin addressed the Board and said that the Board had recently acted upon the rezoning of the property and the only change in annexation would be that the property owner will pay taxes. He said that if the Board elects to approve the annexation he suggested that the effective date be October 1, 2006 for prorated tax purposes.

Mayor Moss said that he would like it known for the record that there was previously an inquiry via letter about an improper notification process for the 29.38 acres and it was determined by staff that the City was in compliance.

Commissioner Piper said that he had an opportunity to look at some of the other projects built by the developer and he was pleased with what he saw. He said that he met with the developer and they promise that this project will be beyond County specifications.

Commissioner Mangum said that she had major concerns that the plan presented would interfere with the Thoroughfare Plan.

Mayor Moss said that we learned this evening that the R-24-42 is not on the TIP.

Commissioner Ray said that it is not on the TIP; however, this entire plan is being based on the TIP. He said that the numbers that were used included the thoroughfare and realistically the funding for the thoroughfare had been removed. Based upon the numbers given, if the thoroughfare is not funded, the presentation given to us by the State regarding these roads was not accurate. Commissioner Ray said that he would like to know what could be done to place R-24-42 back into the plan, which is a seven-year plan.

Commissioner Ray commented that based upon what the developer has built in the past he was not questioning the integrity of the project, however, he also understands the concerns of some of the neighbors as to the process of notification. He said because it is a Special Use Permit the neighboring property owners have a right to attend the Planning Board meetings and offer their comments. Commissioner Ray commented that he appreciated that the developer had worked closely with the City up to this point and hopes that they will continue to do so. He said he sees no further reason to hinder the collection of City taxes on this property.

Commissioner Mangum said that the purpose of this voluntary annexation was to develop the same land that is the location of the long range traffic plan. She said that she felt that this Board was sending some type of mixed messages as though we do not know what we want.

Mayor Moss said that it was his understanding that the Thoroughfare Plan only touches the back portion of the residential section and not the 29.38 acres in question.

Attorney Currin said that the Mayor was correct in stating that it touches only the residential section of this project. He expressed that whether this property is annexed or not the City has the immediate right to regulate a portion of this project; however, this annexation will give the City the ability to collect tax and assist the City in the extension of the limits further west.

Moved by Commissioner Karan and seconded by Commissioner Robinson to approve the adoption of the Ordinance for the Voluntary Annexation of the 29.38 acres on West Hwy. 56 to become effective October 1, 2006. The motion received a 4-1 vote.

Aye Votes: Commissioner Karan, Commissioner Piper, Commissioner Ray and Commissioner Robinson

No Votes: Commissioner Mangum

UNRBA Funding:

Moved by Commissioner Ray and seconded by Commissioner Karan to pay \$377.00 to the UNRBA Funding. The motion received a unanimous vote.

Duck Hunting:

Commissioner Karan said that Commissioner Mangum made valid points in reference to the duck hunting and he felt they should be reviewed. He said that the primary issue was access of the lake to the citizens and the other issue was safety. Commissioner Karan asked that the Board revisit the issue and proposed that citizens have access to a portion of the lake; however, place a buoy line across to indicate that if they cross they may be endangering themselves.

Commissioner Mangum said that parents asked what the Board was thinking when they allowed shooting on the lake. She noted that there are Girl Scouts that take care of the

flower bed at the lake. Commissioner Mangum said that the Board was in favor of collecting the fee from the duck hunters and had concerns of losing that money if they do not close the lake. She said that the City had already collected over \$4,000.00 from the recreation of the boat ramp and did not foresee the loss of any funds. Commissioner Mangum said that it made no sense to have people and boats on a lake with people shooting on the lake.

Commissioner Karan said that duck hunting is allowed at Beaver Dam, Jordan Lake and Falls Lake while the lake is open to the public.

Commissioner Ray said that the current stipulation of the peddle boat rentals is that they must stay within site distance of the dam. He also noted that according to what the Public Service Director said last month the water must be 100° or the peddle boats can't go out on the water.

Commissioner Mangum said accidents happen, just ask Dick Chaney. She noted that parents can not play with their child and hear gun fire for three months. Commissioner Mangum emphasized that she would not support this issue.

Attorney Currin read the motion passed at the last regular meeting regarding Duck Hunting and advised that it would require two separate actions to accomplish the suggested status of this issue.

Moved by Commissioner Karan and seconded by Commissioner Robinson that during the upcoming Waterfowl hunting season of November, December and January the lake shall be open any day except for the dredging of Lake Rogers. The motion received a 4-1 vote.

Aye Votes: Commissioner Karan, Commissioner Piper, Commissioner Ray and Commissioner Robinson

No Votes: Commissioner Mangum

Attorney Currin said that the action taken would also require the adoption of an addition to the City Code about a provision of the dividing line as follows:

§92-31

During the waterfowl season on hunting days established by the state, hunting shall be restricted to the area north of the buoy line running east to west from shore to shore approximately 1,000 feet north of the dam. Said line shall be plainly marked with floating buoys or other devices.

Other patrons using the lake for boating, fishing, or swimming shall be advised with signs posted at the recreation area that the area north of the buoy line is being used for waterfowl hunting and that they should enter that area at their own risk.

Moved by Commissioner Karan and seconded by Commissioner Robinson to adopt the addition to the City Code, §92-31 as presented by the City Attorney. The motion received a 4-1 vote.

Aye Votes: Commissioner Karan, Commissioner Piper, Commissioner Ray and Commissioner Robinson

No Votes: Commissioner Mangum

Mayor Moss said for the record that he agreed with Commissioner Mangum on this issue. He said that he felt that duck hunting on Lake Rogers would be short term.

Moved by Commissioner Mangum and seconded by Commissioner Ray to place a large sign for all citizens to view as to the actual days established during the waterfowl hunting season. The motion received a unanimous vote.

Moved by Commissioner Mangum and seconded by Commissioner Karan to add back to the fee schedule a fee in the amount of \$300.00 for a permit for duck hunting. The motion received a 4-1 vote.

Aye Votes: Commissioner Karan, Commissioner Mangum, Commissioner Piper and Commissioner Ray

No Vote: Commissioner Robinson

NEW BUSINESS:

Petition to Change Zoning from R-5 to SUD-B-2 – American Dream Realty:

Mr. Dave Roesler, Planning Director addressed the Board and said that the City received a petition to rezone 0.28 acres from Residential-5 to Special Use District – Business 2. The property is located at 106 North Durham Avenue; southeast side of North Durham Avenue (U.S. Hwy. 15) and the applicants are Diane Walsh and Jayme Currin representing American Dream Homes. The character of the adjoining neighborhood to the north and south is small, older single family residents. The area immediately across from the subject property is zoned Business-2 and commercial development is scattered along North Durham Avenue in this area. He noted that it is likely that commercial development will eventually expand along the south side of the U.S. Highway 15 corridor.

Mr. Roesler said that the property is a recently constructed home on U.S. Hwy. 15, which is designated as an arterial roadway in the City's road classification network. Access to and from southern portions of the county provides not only a critical transportation route but is important as a visual entry into Creedmoor. The type of uses, their location and visual appearance should be carefully designed to provide a pleasing experience for citizens and visitors alike.

Mr. Roesler said that a Special Use zoning district process would provide the means to review and evaluate special uses that because of their nature, extent, and external effects, require special care in the control of their location, design and methods of operation in order to ensure protection of the public. Once a Special Use Permit is approved no use within the district can be established until a Special Use Permit is approved and issued. He noted that an application had been received for the real estate office to be located in the existing residential structure on this property.

Mr. Roesler advised that on September 14, 2006 the Planning Board met and voted unanimously to recommend to the Board of Commissioners to approve the petition to rezone the 0.28 acres from R-5 to SUD-B-2.

Application for Special Use Permit – Real Estate Office:

Mr. Dave Roesler, Planning Director advised that the City received an application requesting a Special Use Permit for a real estate office for the property located at 106 North Durham Avenue. The applicants are Diane Walsh and Jayme Currin representing American Dream Homes. He noted that the applicant proposes to use the existing residential structure for a real estate office with no exterior changes to the structure. The applicant proposed to extend the concrete driveway to the existing edge of pavement of NC Hwy. 15. There is a large concrete pad at the rear of the house that should accommodate required parking spaces. He added that minor changes may be necessary to accommodate handicapped parking requirements. The applicant proposes to add landscape material on the property that will be in character with residential landscapes. Mr. Roesler clarified that the recorded Special Use Permit is binding with this specific parcel of land. If the property is sold, all the conditions of the Special Use Permit remain, including the specific use (real estate office). A Special Use Permit can be abandoned or modified upon petition to the Board.

Mr. Roesler advised that on September 15, 2006, the Planning Board met and voted unanimously to recommend to the Board of Commissioners to approve the request for Special Use Permit with the following conditions:

1. That any exterior changes to the exterior structure be consistent with the current architectural character and scale of the structure; using like materials, colors, textures and techniques;
2. That the existing concrete driveway be extended to NC Highway 15;
3. That the Special Use Permit be recorded with the Granville County Register of Deeds within sixty (60) days of approval; and
4. That the City be notified of any future change of ownership of the property.

Moved by Commissioner Piper and seconded by Commissioner Ray to schedule a Public Hearing for October 24th, 2006 at 7:00 p.m. for the property located at 106 North Durham Avenue for the rezoning from R-5 to SUD-B-2 and request for Special Use Permit. The motion received a unanimous vote.

Petition for Voluntary Annexation – 211 acres on Brassfield Road:

Mr. Dave Roesler, Planning Director addressed the Board and said that the City received a petition requesting voluntary contiguous annexation for 211.87 acres of land located on the north and south sides of Brassfield Road. The applicant is Mr. Alan Pytcher of Summit Consulting Engineers on behalf of the property owners.

Attorney Currin said that if the Board wants to consider the Petition for Voluntary Annexation on the 211 acres on Brassfield Road they must direct the Clerk to investigate a petition received under G.S. 160-A-58 and certify at the next meeting that all owners have in fact signed the petition in accordance with G.S. 160-A-31 before scheduling a public hearing.

Moved by Commissioner Ray and seconded by Commissioner Mangum directing the Clerk to investigate a petition received under G.S. 160-A-58 and certify that all owners have signed the petition in accordance with G.S. 160-A-31. The motion received a unanimous vote.

Proclamation National Community Planning Month:

**PROCLAMATION
CITY OF CREEDMOOR**

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories; and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of Creedmoor, North Carolina; and

WHEREAS, we recognize the many valuable contributions made by professional community and regional planners of the City of Creedmoor and Granville County and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW THEREFORE BE IT RESOLVED THAT, the month of October, 2006 is hereby designated as **Community Planning Month** in the City of Creedmoor, North Carolina, in conjunction with the inaugural celebration of National Community Planning Month.

Moved by Commissioner Karan and seconded by Commissioner Piper to adopt the Proclamation designating October as National Community Planning Month. The motion received a unanimous vote.

Resolution – Chimney Rock Park:

Mayor Moss said that the owner of Chimney Rock Park recently died and the property is for sale. The purpose of this Resolution is to support the effort to turn Chimney Rock into a State Park.

RESOLUTION
URGING THE STATE OF NORTH CAROLINA
TO ACQUIRE CHIMNEY ROCK PARK

Whereas, Chimney Rock Park, a 1,000 acre privately held natural preserve in Rutherford County, North Carolina, has been offered for sale; and

Whereas, this extraordinary parcel has been well maintained and has benefited from, the sound ecological practices employed by the same family for 104 years; and

Whereas, the Park is home to numerous state and federally listed rare species; and

Whereas, the Park has contributed to the local and state economy by hosting 200,000 to 250,000 visitors annually, the great majority of those being out of area tourists; and

Whereas, Chimney Rock Park is situated in Rutherford County which in 2005 had the third highest unemployment rate in North Carolina out of 100 counties (USDA Economic Research Service); and

Whereas, Chimney Rock Park being operated as a tourist destination has traditionally employed 60 full and part-time individuals; and

Whereas, Rutherford County ranked 26th in tourism impact out of the state's 100 counties generating tourism revenues of over 118 million dollars; and

Whereas, Rutherford County tourism, greatly aided by tourism in the Chimney Rock/Lake Lure area, contributed state and local tax receipts in 2005 of 7.1 million and 3.75 million dollars respectively (NC Department of Commerce); and

Whereas, the citizens of Hickory Nut Gorge and the Town of Lake Lure strongly support continuation of park presence and facilities in the gorge area; and

Whereas, the Rutherford County Daily Courier has opined that “It would be a disaster unprecedented in Rutherford County to see all that the Park has become and all that it still might be relegated to our memories.” (Daily Courier 7/19/2006); and

Whereas, the Asheville Citizen-Times has stated “Losing Chimney Rock Park to private development would severely harm the economy of Hickory Nut Gorge and be a sad end to a remarkable legacy of family stewardship” (Citizen-Times 7/21/2006); and

Whereas, the North Carolina Division of Parks and Recreation, the legislators of Rutherford County, the General Assembly and Governor Easley have shown the desire, foresight and commitment to establish a state park in Hickory Nut Gorge; and;

Whereas, the 1,000 acre Chimney Rock Park would be an addition of inestimable value to a new state park and such has been previously recognized by the North Carolina Division of Parks and Recreation and state officials; now

Therefore be it resolved that the City of Creedmoor does hereby strongly urge and encourage the State of North Carolina through its various agencies, divisions, and legislative bodies, to do all that is possible and necessary to acquire Chimney Rock Park and add that acreage to the planned Hickory Nut Gorge State Park for the benefit of all citizens of and visitors to this state for generations to come.

Adopted this the 26th day of September, 2006

Moved by Commissioner Ray and seconded by Commissioner Piper to adopt the Resolution urging the State of North Carolina to acquire Chimney Rock Park. The motion received a unanimous vote.

Appearance Ordinance:

Commissioner Ray commented that Mr. Ron Greger made a good point when he said that it may take a group effort to help some of the home owners clean-up their property.

Mr. Robert A. Schaumleffel, Jr., City Manager said that this ordinance was mainly focused on investment properties. He said that most of these people have rental property to just make money. Mr. Schaumleffel noted that there have been complaints of various property values decreasing because of the appearance of their neighbor’s property.

Mayor Moss said that he grew up on Lyon Street and his Father made him pick up trash in front of their home and in their driveway everyday. He said that it is not hard for

someone to have pride in their property. Mayor Moss said that each situation would be taken on a case-by-case basis.

Commissioner Robinson said that if the City does not address this issue it will continue to get worse. He used Hillsboro Street as an example of overgrown grass and trailers that are not maintained. Commissioner Robinson said that he works two hours per week to keep his yard maintained and it should not be that much of a problem for others to do the same. He expressed that he agreed that there may be some people that do not have the money to maintain their property but it does not cost a lot of money to do a little clean-up.

Commissioner Piper said that as a community we should come together and help those in need. He said that he does not mind giving a helping hand.

Mr. Dave Roesler, Planning Director said that there are support groups that are willing to help such as Churches and Habitat for Humanity.

Moved by Commissioner Robinson and seconded by Commissioner Piper to adopt the Community Appearance Ordinance. The motion received a unanimous vote.

MAYOR'S REPORT:

Mayor Moss thanked Commissioner Mangum and all staff that helped with the Music Festival. He also thanked Mr. Deuard Bowden for the lease of the lot on Main Street.

Mayor Moss advised that he was looking at dates to hold a second Board of Commissioners meeting. He said that there were conflicting dates for most of the Board. He said that he would send out to each Board member a draft calendar of the various community meeting dates that they could review for discussion next month. No action was taken at this time.

Mayor Moss announced that he, Commissioner Ray, Attorney Dutra, Robert Schaumleffel, Jr., City Manager and Dave Roesler, Planning Director attended the County's ETJ Planning meeting today. He said that the County would be developing an ETJ policy for the Commissioners to review.

Mayor Moss announced that he and Commissioner Ray attended the UNRBA meeting last week and approximately 30 partners from around the region were in attendance. He said that they released their plans to protect the Falls Lake watershed.

ATTORNEY'S REPORT:

Attorney Currin referred to the adoption of the budget for the Police Department, item #4050 for equipment purchases for Fiscal Year 2006/2007, which included the leasing of three (3) mobile data terminals for patrol vehicles in a five year leasing plan at the budgeted amount of \$5,918.64 per year. He said that Motorola Credit Corporation had proposed a lease purchase agreement and he made a change specifying that the City will not be obligated for later years if the equipment is returned.

Moved by Commissioner Ray and seconded by Commissioner Robinson to approve the Motorola Credit Corporation Agreement as presented by the City Attorney. The motion received a unanimous vote.

COMMISSIONER REPORTS:

Commissioner Ray commended Commissioner Mangum and said that he was appreciative of all her hard work on the Fall Festival. He said that he heard positive comments on this year's festival.

Commissioner Ray said that after speaking with the City's Finance Officer and reviewing records, he asked the SGWASA Executive Director to place the Creedmoor billing issue back on next month's agenda for further discussion.

Commissioner Mangum thanked staff for their help during the planning of the Music Festival. She said that it was a great day of fun and it was also exciting to see performances by people in our community. Commissioner Mangum encouraged everyone to e-mail ideas for next year's festival.

Commissioner Karan announced that Sunday, October 8, 2006 would be the Fall Litter Sweep. He invited everyone to come out and help sweep Main Street to prepare for the Fireman's Day Parade.

Commissioner Robinson said that he attended the Fall Festival and he appreciated Commissioner Mangum's hard work preparing for the event. He said that he enjoyed the music and commended the choir from Mt. Energy School. Commissioner Robinson offered to help with next year's festival and said that more people should be asked to participate.

Commissioner Mangum suggested that for next year it may be best to have several committees; each assigned to a different event.

Commissioner Piper said that he appreciated Commissioner Mangum preparing an event for the community. He emphasized that she did a great job. Commissioner Piper said that he felt there were people in the community that would love to participate in the planning of next year's event.

Commissioner Piper said that he appreciated the City staff cooperating with Deuard Bowden on the new Southern States facility. He said that the renovations were looking great and there would be plenty of parking.

Commissioner Piper said that Alive After Five was another success this year. He said that it is nice for people to be able to come out and socialize together and listen to the music. Commissioner Piper said that it was a great event and he looked forward to it each year in Creedmoor.

Commissioner Mangum thanked the newspapers for their advertisement and pictures of the Fall Festival event. She said that she would also like to thank the sponsors for their donations. Commissioner Mangum said without the newspapers and donations the City would not have been able to accomplish what they did.

Mayor Moss announced that the Annual COG Banquet was scheduled for Thursday, September 28, 2006 in Henderson.

Mr. Jimmy Minor, Assistant Fire Chief for the Creedmoor Volunteer Fire Department addressed the Board and announced that the Annual Fireman's Day Parade would be held Saturday, October 14, 2006 at 3:30 p.m. He advised that directly following the parade would be the dinner. He said that the Fire Department appreciated all that Board does for the community and presented them with tickets for the dinner.

Commissioner Ray thanked staff, especially Chief Pollard, Steve Collenda and Bob Jones for their participation the day of the Fall Festival event.

Moved by Commissioner Piper and seconded by Commissioner Ray to go into Closed Session on the Matter of Personnel and the Acquisition of Real Property in accordance with NCGS 143-318.11. The motion received a unanimous vote.

Upon return from Closed Session, moved by Commissioner Piper and seconded by Commissioner Robinson to adjourn. The motion received a unanimous vote.

Mayor

City Clerk

