

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, January 21, 2020 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Darryl Carter
	Gerald Ellis
	Jerry Epps
	Angela Hampton
	Phillip Hunnicutt
	Bernie Moore
	Bruce Nooe
Interim City Manager:	Terry Shelton
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley
News Media:	Robin Sawyers, Rockingham Update
	Mike Moore, Mike Moore Media

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. Pastor Leroy Valentine, Ambassadors for Christ Ministries, gave an invocation followed by the Pledge of Allegiance led by Fire Chief Tommy Underwood.

PROCLAMATIONS AND RECOGNITIONS:

- a. Proclamation: Martin Luther King, Jr. Day

Mayor Hall read the proclamation.

Proclamation: Martin Luther King, Jr. Day

WHEREAS, January 20 marks the observance of the federal legal holiday to honor the birthday of the Reverend Dr. Martin Luther King, Jr., and

WHEREAS, Dr. King dedicated his life to a vision: that all Americans would live free from injustice and enjoy equal opportunity. His peaceful and lifelong crusade against segregation and discrimination brought our communities closer to the founding ideals set forth in the Declaration of Independence and the Constitution; and

WHEREAS, as we honor Dr. King, we know that our community is stronger, more just, and more free because of his life and work; and

WHEREAS, in paying tribute, we are reminded that the call lies with each of us to fulfill Dr. King's work. Let us use our time, talents, and resources to give back and help those less fortunate. Let us not forget Dr. King's own tireless spirit and efforts as we work, celebrate, and pray alongside each other.

NOW, THEREFORE, BE IT PROCLAIMED that I, Neville Hall, Mayor of the City of Eden, hereby designate January 20, 2020 be set aside as Martin Luther King, Jr. Day in the City of Eden and urge all citizens to join with me this day to apply Dr. King's life and teachings of community service.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of January, 2020.

By: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

b. Recognition: The Hair Company's 45th Anniversary

Mayor Hall called on Main Street Manager Randy Hunt.

Mr. Hunt said The Hair Company celebrated its 45th anniversary in December. The business began on Van Buren Road as Hair Unlimited. In its 45 years, owner Larry Turner had made a positive impact on the community and had been an inspiration to his employees, at least 10 who in turn had run their own successful businesses. Mr. Turner currently had staff who had been with him more than 15 years.

Mayor Hall presented Mr. Turner with a plaque.

c. Update from the Eden Youth Council

Mayor Hall noted this was an item to be added since it was not on the agenda. He asked the Eden Youth Council (EYC) representatives to come forward.

EYC Chairman Harrison Smith addressed the Council. He recognized other officers of the EYC who were with him at the podium, as well as their new advisor Keisha Taylor. Chairman Smith said the EYC had been seeking an additional advisor to assist City Attorney Erin Gilley and Council Member Ellis. Ms. Taylor, program director at the Eden YMCA, approached the EYC to offer her assistance as she had experience with the Raleigh Youth Council and connections to the Statewide Youth Council. After a presentation by Ms. Taylor and considering the opportunities her experience and connections could bring to the EYC, a vote was taken at their December meeting to have her join as an advisor and to move toward joining the statewide organization. Their first meeting in the statewide group was the following Saturday. The EYC appreciated Council's support as they moved forward with guidance from their advisors. Recently, the EYC had done a street cleanup as part of their Adopt-A-Street commitment on South Kennedy Street and assisted at RiverFest and the Freedom Park Fall Festival. Future events included a beautification project at Matrimony Creek, a spring food drive, continuing street cleanup, a garden project and their annual Kickball Tournament.

Mayor Hall thanked the EYC and Ms. Taylor. He looked forward to the EYC expanding their programs and getting involved at the state level.

SET MEETING AGENDA:

Mayor Hall said as well as adding Agenda Item 4c, there was an item to be added under New Business, Agenda Item 10e – update of the EPA Administrative Order.

Ms. Gilley said Agenda Item 7a needed to be modified as a letter of credit had been added to the agreement.

A motion was made by Council Member Moore to set the meeting agenda with the additions and modification. Council Member Epps seconded the motion. All members voted in favor of the motion. The motion carried.

PUBLIC HEARINGS:

- a. Consideration to approve an agreement with the N.C. Department of Commerce for a Rural Economic Development Grant to benefit Gildan Activewear.

Mayor Hall declared the public hearing open and called on Economic Development Director Mike Dougherty.

Mr. Dougherty explained in September, Gildan announced 85 new jobs and the reopening of the former SGRTEX facility. Incentives included a \$500,000 N.C. Department of Commerce Building Reuse Grant to help upfit the facility. The grant funding could be secured via deed of trust or letter of credit.

Ms. Gilley said originally, the deed of trust was going to serve as credit for the \$500,000 collateral. Gildan requested they accept and use a letter of credit from the Bank of Montreal instead. She had reviewed the letter, which was something used by other municipalities in their grants with other companies. She actually preferred the letter of credit because they would not have to foreclose on a property if the company failed to meet their requirements, instead the bank had agreed to make payment if that happened. The Bank of Montreal, in Chicago, was reputable and the second largest in Illinois.

Mr. Dougherty said Gildan had started production and invested heavily in the facility, worth \$20 million before they were finished. Gildan's track record in Eden had been expansions with more than 2 million square feet among three facilities and 600 jobs.

Mayor Hall noted the City had to match five percent, or \$25,000, they had already approved with the tax incentives. It was a great opportunity to have Gildan get the grant.

Ms. Gilley said a funding requirement from the state was that the jobs be kept for six months. They could be making the first release when the requirement had been met. She felt the risk to the City was very small.

Mayor Hall said they were already several months into it at that point or by the time the funding was ready.

Ms. Gilley agreed and thought they had already created some jobs.

Council Member Moore asked about the date on the letter of credit.

Ms. Gilley clarified that Council was given was a sample letter of credit with the Town of Mocksville in 2015. There had not been enough time to get the actual letter. The City would require a letter of credit, dated the date of the contract, from the Bank of Montreal for \$500,000. What was being asked was Council approve the grant agreement contingent upon Gildan providing a letter of credit similar to the sample. She would review the letter when it came in.

As no one wanted to speak in favor or opposition and there were no further questions, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Epps to approve an agreement with the N.C. Department of Commerce for a Rural Economic Development Grant to benefit Gildan Activewear contingent upon Gildan providing a letter of credit. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

- b. Consideration to adopt an ordinance establishing a 60-day moratorium on development approvals for game rooms and games of skill in the City and its extraterritorial jurisdiction.

Mayor Hall declared the public hearing open and called on Planning & Inspections Director Kelly Stultz.

Ms. Stultz said game rooms and games of skill, commonly called sweepstakes, continued to open around the state, including a large number in Eden. While working with Ms. Gilley and the Police Department, it became evident the City's land use regulations did not address the situation adequately. In order to

address that while not allowing any new businesses of that type to open, she requested Council declare a 60-day moratorium on those types of businesses until she could bring back regulations that would address the issue. Those regulations would go before the Planning Board the following week and should come before Council in February.

As no one wanted to speak in favor or opposition and there were no further questions, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Moore adopt an ordinance establishing a 60-day moratorium on development approvals for game rooms and games of skill in the City and its extraterritorial jurisdiction. Council Member Nooe seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE ESTABLISHING A SIXTY DAY MORATORIUM ON  
DEVELOPMENT APPROVALS FOR CERTAIN LAND USES

WHEREAS, N.C.G.S. §160A-381(e) authorizes cities to adopt temporary moratoria on certain development approvals; and

WHEREAS, N.C.G.S. §160A-381(e) requires that before adopting an ordinance imposing a development moratorium with a duration of 60 days or any shorter period, the governing board shall hold a public hearing and shall publish a notice of the hearing in a newspaper having general circulation in the area not less than seven days before the date set for the hearing; and

WHEREAS, sufficient notice was published and a public hearing was held on January 21, 2020, wherein interested citizens were given the opportunity to discuss whether a 60 day moratorium would unreasonably interfere with projects or approvals that would disrupt or impede economic development or the generation of jobs during this brief period; and

WHEREAS, the City of Eden has no zoning ordinances of general application governing the proper and appropriate location and regulations for game rooms and games of skill; and

WHEREAS, almost all counties and most cities greater than 5,000 residents have ordinances of general application that establish zoning districts, setbacks, landscaping and general location requirements for game rooms and games of skill; and

WHEREAS, game rooms and establishments with games of skill have the potential for creating discomfort to the public at large and the State of North Carolina regulates the legality of some of these type uses; and

WHEREAS, the lack of zoning ordinances regulating the aforementioned land uses in the City of Eden does not afford the protection to the citizens and to the general public as do those of other nearby jurisdictions; and

WHEREAS, it is the intent of the City of Eden to adopt amendments to its zoning ordinance and to establish procedures expeditiously so as not to interfere with efforts to develop any of the above-listed uses; and

WHEREAS, the staff of the City of Eden has requested a temporary moratorium to permit it and the Planning Board to further research possible amendments to its zoning ordinance to provide for the more orderly development of regulations for the above listed uses; and

WHEREAS, after considering the comments made at the Public Hearing and reviewing all other options available to it, the City Council believes that there are no other reasonable alternatives to achieving the goal of insuring that all development associated with the above listed uses is in compliance with the proposed new zoning ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden, State of North Carolina, that:

**Section 1: Moratorium Established**

A moratorium is immediately established on development approvals for game rooms and games of skill in the City of Eden and its extraterritorial jurisdiction, to continue in effect until 11:59 p.m. on March 17, 2020, unless earlier terminated or supplanted by another moratorium pursuant to N.C.G.S. §160A-381(e).

**Section 2: Problems and Conditions Necessitating Moratorium**

The above-listed land uses, if left unregulated, could cause certain nuisances to the general public and injury to adjoining and nearby properties. Such uses can create situations in which the quality of life and the safety of the citizens and property owners in the City of Eden Planning Jurisdiction can be impacted. In the 21st century, land use planning and zoning are the primary means by which local communities determine the proper locations for certain uses and the rules and standards under which they may be developed consistent with the rights of owners of adjoining and nearby properties. It is also through zoning ordinances that municipalities require certain uses to receive a special or conditional use permit through which the developer can demonstrate that, under the conditions and location proposed, the use will not substantially injure the value of adjoining or nearby properties. The location of such uses within close proximity to other uses such as schools, churches, parks, residentially zoned and used property and similar uses are only appropriate under certain conditions.

**Section 3: Alternative Actions Considered and Why Inadequate**

The City has considered rushing the completion of the zoning ordinance amendments but believes that this action may be more detrimental to the community as it may lead to unintended consequences and the adoption of development regulations that have not been carefully thought out and considered. Accordingly, the City determines that anything short of a moratorium is inadequate to protect the public and the City of Eden.

**Section 4: Development Approvals Subject to Moratorium and How Moratorium Address Problems**

This moratorium only applies to development approvals in any form, including, but not limited to, building permits, sedimentation and erosion control permits, zoning permits, land disturbance permits, and letters requested by interested parties for confirmation of zoning status or confirmation of no zoning regulations, when such permits, approvals and requests relate to a project being developed for game rooms or games of skill in the City of Eden and its extraterritorial jurisdiction.

**Section 5: Express Date for Termination of Moratorium and Reason for Moratorium Length**

This temporary moratorium shall be effective and continue in full force until 11:59 p.m. on March 17, 2020. It is imposed to maintain the status quo while the City of Eden follows the procedures in N.C.G.S. §160A-381(a) and (e) for amending the City of Eden Zoning Ordinance.

**Section 6: Schedule of Actions to be taken to Address Problems Leading to a Moratorium**

The City will immediately consider and study the proper zoning districts, reasonable development standards, and the methods for permitting the above-listed land uses. The City will immediately consider any other actions necessary to protect the public from improper placement of the above-listed land uses.

**Section 7: Effectiveness**

This moratorium shall be effective upon adoption.

APPROVED AND ADOPTED this 21st day of January 2020.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

**REQUESTS AND PETITIONS OF CITIZENS:**

*There were no requests and petitions of citizens.*

**UNFINISHED BUSINESS:**

- a. Consideration of a presentation by Developmental Associates in the search for a new city manager.

Mayor Hall called on Interim City Manager Terry Shelton and Dr. Stephen Straus of Developmental Associates.

Mr. Shelton reminded Council that there had been discussion at the January 9 special meeting about hiring Developmental Associates in the search for a new city manager. Council had a copy of the proposal.

Dr. Straus said the proposal laid out the plan to proceed. He had met with Mr. Shelton and department heads and it was clear it was a very important decision for the City. A key issue was rebuilding public trust and dealing with some budgetary and financial concerns. He always told councils it was the most important decision they would make. In this case, there was a premium on that decision.

Dr. Straus said his team was based between Chapel Hill and Durham and had been operating since 1991. He was a native North Carolinian, teaching at N.C. State for 25 years and the UNC School of Government for several years. He had been consulting on the side but it was now his primary occupation. The team's approach was that they were not trying to make any decisions for Council, they instead tried to give Council the best, quality information so they could make the most informed decision possible. Too often councils made decisions on insubstantial information. First, the team would do a job analysis – he tried to get a feel of what the client was dealing with, and what the key challenges and opportunities were for the next manager. Their process was then driven by what they learned in those job analyses. After that, the team would put together a recruitment plan which involved developing a job ad, posting the ad with multiple professional websites, targeted recruitment for people they thought were good candidates, posting on listservs and sharing on social media. That would last about 30 days. They would review the cover letters, resumes and applications, which were required to apply. They would analyze the information and compile it in a spreadsheet for the Council to review. The team would do Google searches so Council would know what information was in the public domain. They would then conduct an initial meeting with Council in closed session for about two hours and would want the potential candidates to be reduced to about 15. Those chosen would go through an intensive second screening, using structured telephone interviews, short essay surveys and a standardized emotional intelligence test. Council would meet again with the team in closed session to review the results. After the second meeting, Council would be asked to lower the number of potential candidates to no more than six. Those candidates would be invited to the City to go through an assessment center process, which would involve exercises to simulate what the city manager would have to do, roleplaying, written exercises and a community or staff meeting. It was a two-day process. The first day, assessors, who were usually other local government managers, would come in and be trained on the process, including how to rate candidates objectively. That afternoon, they would begin assessing candidates which would continue through the next day. The second day, the teams of assessors would meet with Council in closed session to share their observations. At the end of that session, they would review the emotional intelligence test to see if it correlated to what the assessors found. It was a comprehensive process and usually at the end, councils would have one, two or three final candidates. Those candidates would then be brought back for final interviews. At that point, Council would know that those candidates had the skills to do the job, they just needed to determine who was the best fit.

Council Member Hunnicutt asked how many city manager searches Developmental Associates was currently doing.

Dr. Straus replied one.

Council Member Hunnicutt asked if the two-day assessment was done in the City or if it was done elsewhere and shared with Council.

Dr. Straus said normally the assessments were brought to a city, and he did not necessarily recommend doing them at City Hall. The candidates would have the opportunity to get to know Eden and Council could have first-hand communication with the assessors when they were done.

Council Member Hunnicutt asked if the process was done at one time and if the candidates heard each other's assessments.

Dr. Straus said normally up to six candidates would come in for the assessment. Recently, they had started doing half one day and half the next. Candidates and assessors signed statements of confidentiality. There were four exercises going on at the same time so while one may be in a roleplay another may be in a staff meeting. They would be moving around into different exercises and they never crossed.

Council Member Ellis asked if they saw each other.

Mr. Straus said they did. They had found that city manager candidates were fine meeting each other and it was usually a friendly atmosphere by the time it was over.

Council Member Hampton asked which nearby cities had used the team to hire a city manager.

Dr. Straus said Greensboro, the current manager had been hired as an assistant manager. They had helped Greensboro hire 10 to 15 positions. They helped the City of Reidsville hire their manager and assistant managers. They had helped Danville hire several key positions.

Council Member Hunnicutt asked about how many candidates usually had the initial phone interviews.

Dr. Straus answered up to 15, with each interview lasting about an hour. The interviews were done by his team with structured questions with structured rating criteria. They would look for answers on any issue Council may have about a particular candidate. The team kept notes that Council could review.

Council Member Ellis asked about the number of positions the team had helped fill in the state.

Dr. Straus said there had probably been between 300 and 400.

Council Member Ellis asked from that number, how many of the new hires had left the position after a year or so.

Dr. Straus replied three candidates had not worked out. One involved a family issue and the other two stemmed from the council not going with the team's results.

Mayor Hall said he had heard the presentation once and it was just as amazing to hear it the second time. After their special meeting last year with the personnel specialist from the N.C. League of Municipalities, he was convinced Council could conduct the process, saving that money, and hire someone they all agreed on. He had talked to other mayors who had used the team and were pleased with it. He had spoken with two candidates who were hired after going through the process and they were happy with it and he also spoke with a candidate who went through it and was not hired, but was still pleased with the team's work. That sold him. He wanted to save money but it was an important decision. He would not perform surgery on himself, he did not know how. He was not

ashamed to ask for help when they were making such a big decision. The team's track record and successes spoke for themselves.

Dr. Straus said he did try to caution councils that there were no flawless candidates. Everyone had strengths and weaknesses. The team would meet with the new hire and any internal candidate who applied and does not get the position and provide them with feedback of what they had learned through the assessment center and the exercises. They wanted the hire to be successful immediately. If a candidate did not work out, it reflected on the team so they wanted to do what they could to put them on sound footing so they would provide that kind of coaching.

Mayor Hall said the City did receive a bid from a company Georgia who provided similar services. They had reviewed the proposal and it was not nearly as in depth as what Developmental Associates did. They would rather stay with a local company.

Council Member Ellis said there was a lot going on in Eden. Having Developmental Associates come in knowing the background was a plus for the City.

Dr. Straus said he would need to get input from each member of Council.

A motion was made by Council Member Ellis to hire Developmental Associates in the search for a new city manager. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

b. Consideration of Boards and Commissions appointments.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said there were several appointments that needed to be made.

Council Member Nooe nominated Tim Kirkman for the Community Appearance Committee.

Council Member Epps nominated Jeanette Wagoner for the Board of Adjustment and Faye Shelton for the Community Appearance Committee.

Council Member Carter nominated Amelia Dallas for the Planning Board.

Council Member Hunnicutt nominated Jason Harris for the Tree Board.

Council Member Ellis nominated Tyra Hinton for the Tree Board and Frank Wyatt for the Planning Board.

A motion was made by Council Member Hampton to approve the nominations. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

c. Consideration of an updated report on the nuisance violations at 216 The Boulevard.

Mayor Hall called on Ms. Stultz.

Ms. Stultz reminded Council they had voted in October to bring the item back in January. She reached out to the owner, Michael Hall, and he was at the meeting and may want to address Council. Ms. Stultz presented photographs of the building, past and present.

Mr. Hall came forward and said he was working on the building. He had told Council he would make progress on it and he felt he did that. He had contacted a mason, framers and a crane company. The crane company was working on a cost estimate to tear out the ceiling and roof.

Council Member Ellis noted that from October to the present, the front had been redone so he could tell Mr. Hall was working on it. He asked about the back of the building.

Mr. Hall said he had hauled away some stuff from the ground. He was waiting to hear back from the crane company.

Council Member Moore asked if Mr. Hall knew when he could get the estimate.

Mr. Hall said they were working it up a couple of different ways.

Council Member Ellis asked if he could get in through the back.

Mr. Hall said yes, and they were talking about tearing the wall down to get the crane close enough to demo the rest of it.

Council Member Hunnicutt asked if Mr. Hall intended to leave the roof structure that went wall to wall. He was asking because some structures had been built so that they supported each other. He wanted to know what the plan was so that there were not collapsing walls.

Mr. Hall responded that the steel structure was the support of his building and it was all made in one piece. It was a truss system, not attached, but self standing on the inside of the property. He thought the building was built later, thus the metal trusses.

Council Member Hunnicutt said it still may offer bracing or supporting even though it was not part of the original construction. He asked if Mr. Hall planned to leave that.

Mr. Hall said it was being figured both ways, leaving it and just taking the wood off of it or taking it down completely.

Mayor Hall said it sounded like the City's desire to tear down the building was in line with the desire of the property owner.

Council Member Hampton was very impressed by the facelift on the front of the building. The inside and back looked terrible and did not seem to have been touched. She was glad to see that he did paint the front. The front looked bad a couple of months before when there were activities going on around it. The Boulevard merchants were really trying and making progress, so they needed Mr. Hall to jump on board.

Mr. Hall said that was what he would like to do. He wanted it to look nice.

Council Member Hampton said the front looked great.

Mr. Hall said it would look even better.

Council Member Hampton asked if Mr. Hall had any idea what he wanted to do with the property.

Mr. Hall responded he did not right off. He did want the property to look nice. He did not want the worst looking property on The Boulevard.

Council Member Hampton asked if he wanted a shell.

Mr. Hall replied a shell and maybe later on put a partial roof over part of it and maybe put a floor in it. It had a partial floor. He would like to get the front looking nice. His carpenter was coming back and wanted to put siding and an awning on the front. He had a block mason lined up. He wanted it to look good.

Council Member Epps said it looked better than a chain link fence.

Mr. Hall said he was working out of his pocket. He did not want the City to pay for anything.

Council Member Ellis said Mr. Hall seemed to be continually working on the property and that was good. He asked if Mr. Hall had really thought about what he wanted to do with it.

Mr. Hall said it would be nice to turn it into something to make money. He had just paid his taxes in Wentworth, the same rate that was always on it. He was open to suggestions. Anything was better than what it was now. He wanted it to be a positive instead of a negative.

A motion was made by Council Member Epps for Mr. Hall to return in 90 days so Council could see what progress he had made. Winter was coming and it would be rough.

Mr. Hall said it would be and he was waiting on the carpenter and mason.

Ms. Gilley asked if Council Member Epps wanted to put a meeting date with motion.

Council Member Epps amended his motion for Mr. Hall to come back with an update before Council at the regular April meeting.

Mr. Hall said they would be able to tell a difference in it in April.

Council Member Ellis seconded Council Member Epps' amended motion. All members voted in favor of the motion. The motion carried.

#### NEW BUSINESS:

- a. Consideration to approve an agreement and funding approval for the CDBG Draper Neighborhood Housing Revitalization Project.

Mayor Hall called on Ms. Stultz.

Ms. Stultz reminded Council that the City was awarded \$750,000 to do housing repairs for owner-occupied units in the two mill villages in the eastern part of Eden. In dealing with the state and federal government, there were many things that had to be done before the City could get started with the actual work. The Council was requested to approve the required agreements and she would be back later with a contract for a consultant. Once all the conditions had been released, the City would be able to start on the actual work on the houses. A housing committee had been set up and approved by Council, and that committee would screen and approve the applicants based on multiple criteria. A deed of trust would be required to prevent owners from taking the windfall and selling the house. The point of the project was to provide better quality housing. The loans would be forgiven after a certain term of years, usually eight. They would know that as the process went further along.

Council Member Moore asked if information about the grant had been made public.

Ms. Stultz replied yes. She received calls daily about it. She had to tell someone who came in that day that it would likely be several months before the properties were chosen. The City had to follow the rules of the process.

Council Member Epps asked if the grant money was released at one time.

Ms. Stultz replied the City paid and was reimbursed quickly. The City would not do it all at one time. They had to get assessments of the planned work and any change orders beyond a certain amount. Those had to be approved by the state.

Council Member Epps recalled when the project was in the Flynt Hill neighborhood and many people did not want to participate. He hoped this one was better.

Ms. Stultz said the City had a much better response from the residents in Draper community.

Council Member Moore asked if he read that some of the money could be used toward sidewalks.

Ms. Stultz answered potentially, yes. The maximum that could be spent on a house was \$40,000. If someone just needed a roof and they qualified, the City may be able to help more people. She had spoken with the consultant that day and they were working on an urgent repair application that would marry with this project well. That would be additional funds beyond the \$750,000 that she hoped the City would be approved for. It did not appear anyone else in the county was applying for it.

Council Member Hampton asked if applications were still being accepted.

Ms. Stultz said actual applications would be taken once the City was released to do that.

Council Member Ellis asked about the housing committee that was chosen.

Ms. Stultz said the committee was approved in 2019 during the application process. She could bring all of that back for Council to view. She did know Council Member Hampton and other community members were on the committee.

Council Member Hunnicutt asked how the geographic area was determined.

Ms. Stultz replied she chose it based on economic conditions, the fact that that section of Eden had the potential to really change in the next few years and that they had never had any housing money that focused on that area of Eden.

Council Member Hunnicutt asked if it was limited to that area.

Ms. Stultz said it was. The urgent repair would not be if they received the funding for it.

Council Member Hunnicutt asked if she had submitted that particular area when she made the application for funding.

Ms. Stultz replied she had. An area had to be chosen because the City had to verify that the residents in an area generally met the income requirements. The consulting firm that had helped the City with the application spent days in the neighborhood talking to residents. If they did a grant citywide, two things would happen: the impact would be diluted and they were not as likely to get funded.

Council Member Hunnicutt asked how she would deal with a home across the street, outside of the chosen district, from a home who received funding.

Ms. Stultz said she did have flexibility and could fund a home nearby.

Council Member Ellis thought it was an important program. The Draper community was the first visitors from the mega park would see. That community had been hard hit by a loss of industries in the past years.

Ms. Stultz said that community had a strong identity. If homes on a street were repaired, other homeowners would be inclined to do the same.

Council Member Ellis had spoken with someone who repaired a house on Front Street and she told him it was amazing how the changes were affecting the other homes around it.

Mayor Hall appreciated all that Ms. Stultz and her staff had done on the project. He had been in to sign numerous documents that had to be delivered to get the process this far.

A motion was made by Council Member Ellis to approve an agreement and funding approval for the CDBG Draper Neighborhood Housing Revitalization Project. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

- b. Consideration to approve an agreement between the City and Wetherill Engineering, Inc. for the East Stadium Drive Sidewalk.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the City was at the point of hiring a consultant, they had been held up by the state. The new sidewalk would connect the middle and high schools to the park and connect all the way to Edgewood Road. NCDOT had decided they had enough time to administer the project themselves, freeing up the staff from those duties. After the agreement was signed, NCDOT would send a bill for the City's match and then NCDOT would handle the project from there. Ms. Gilley would still be involved in title work and that sort of thing once the surveys were done.

Council Member Epps asked if NCDOT had given a figure for the project.

Ms. Stultz said the engineering, survey and design consultant was about \$98,000 and that was the portion the City was responsible for. The other \$394,000 was being paid by NCDOT. Having Ms. Gilley do a portion of the work would save the City money. It was an exciting project and great for the community. Their division of NCDOT had been kind to them.

Mayor Hall noted it would also connect the elementary school to the park. It was moving them to a more walkable city.

Ms. Stultz said most of the property under consideration was owned by the school system or the City and the right-of-way was incredibly wide.

Council Member Moore asked if the sidewalk would stop at Edgewood Road or if it would turn.

Ms. Stultz said there may be a financial issue that would cause them to turn into the park sooner but she was hoping that it would get all the way to Edgewood Road.

Council Member Ellis asked about the portion of the City's funding.

Ms. Stultz said it was a local match of 20 percent, meaning \$98,000. Director of Finance and Personnel Tammie McMichael had set aside \$106,000 for the project but currently the estimate was \$98,000. The money was already set aside.

Council Member Nooe verified that was for the design and construction.

Ms. Stultz said the City's \$98,000 plus the \$394,000 was for everything.

A motion was made by Council Member Carter to approve an agreement between the City and Weatherill Engineering, Inc., for the East Stadium Drive Sidewalk. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

c. Consideration of Strategic Planning Commission appointments.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said on the Strategic Planning Commission (SPC), there was one vacancy for an unexpired term as a result of a resignation, one for a full term for someone who resigned in their last year of service and three vacancies for members whose terms had expired – Jessie Morris, Merinda Easley and Christy Hensley – but who had expressed interest in staying on. The SPC did make a recommendation at their November meeting that Jim Burnette be appointed. The appointments were made at Council's discretion.

Mayor Hall noted the SPC had asked Council to appoint Mr. Burnette. He asked Ms. Stultz if that was the only appointment Council needed to vote on.

Ms. Stultz said Council could choose to reappoint the members who had been on the Commission.

Council Member Hunnicutt said as the Council liaison to the SPC, as far as diversity, the SPC was weak on industrial and business representation. He would like to see Council appoint Mr. Burnette as he was specifically requested and table the other three people for the SPC's next meeting to give them an opportunity to appoint a new chairman. They did not have a chairman or vice chairman. He thought it would be good for the SPC to get their leadership in place so they could discuss how they wanted to structure their membership.

Ms. Stultz said absolutely. The SPC was supposed to have 12 members and were currently short by five because of two vacancies and three members that had already expired and could not be included in the meeting.

Council Hunnicutt said he was trying to allow the SPC to get leadership in place so Council could get some clarity as to how they wanted to move forward. He did not want it perceived that Council was appointing people and making the SPC operate with people when they may want to go a different direction. He made a motion that Council approve the appointment of Mr. Burnette to the SPC and that the three expired members be asked to stay through the February meeting. At that meeting, the SPC would be able to review other possible candidates.

Ms. Gilley said the ordinance stated the term was for a specific period so legally the City would need to amend the ordinance if they wanted to extend the terms of those members.

Council Member Hunnicutt still felt Council should give latitude to the leadership. He amended his motion that Council at this time approve the appointment of Mr. Burnette as recommended by the SPC. Council Member Epps seconded the motion. All members voted in favor of the motion. The motion carried.

d. Consideration to adopt an ordinance to amend Chapter 16 (Utilities) of the City Code pertaining to cross connection control.

Mayor Hall called on Water & Sewer Construction Projects Manager Mark Bullins.

Mr. Bullins said the amendment to the existing backflow prevention / cross connection ordinance would align with recent changes in the N.C. Administrative Code so the City's ordinance would reflect those changes. The most notable was the requirement of RP on a lawn irrigation system due to changes in the

text using American Water Works Association Manual M14. The changes highlighted in blue were spelling or grammatical corrections, in yellow reflected what the Administrative Code said. There were changes in the definitions. At one time, the state was using the term moderate hazard and severe hazard and those had changed to low hazard and high hazard, just a simplification. The recommendations on page 20 for backflow prevention assembly were from the M14 manual. He did discuss that with the plumbing inspector. There were simplifications in there to help make it easier to enforce the ordinance. The biggest change there was a requirement on lawn irrigation moved from the lesser requirement of a double check to an RPZ and the only requirement for a RP on a fire sprinkler system was if it had chemicals. The pump requirement had been removed.

Council Member Nooe asked how many irrigation meters were in the City.

Mr. Bullins answered close to 200.

Council Member Nooe asked how many meters were in areas of low pressure to begin with.

Mr. Bullins said that was a good question. He had not looked in it.

Council Member Nooe stated there was pressure loss through the devices. If someone was already having issues, it would make an irrigation system less than adequate.

Mr. Bullins said the majority of the irrigation systems were in a lower area of the City where the pressure was higher so it was a lot more sustainable. He was referring to The Oaks. Some on Briarwood Drive were still fairly sustainable. If they were at the higher elevations, they probably would not be sustainable. The pressure loss for a double check could be anywhere from two to five, not supposed to be over 10 psi. Pressure loss for an RPZ could be as high as 12 to 15 psi, which was considerable. That question had also been posed to him by a restaurant, who because of the requirement, would have to put in a bladder system and pump to maintain the pressure they needed for the business.

Mayor Hall pointed out the issue was one Council had battled the previous year and it finally came down to the City having no choice but to implement the ordinance as required by the state.

Council Member Nooe agreed that it was a requirement. He asked what could be done to improve the pressure in the City.

Mayor Hall said they could look at the pressure. They just had no leeway on the ordinance. He had fought against the issue when it was brought up and Mr. Bullins did a lot of work to answer his questions. Mayor Hall had wanted to spare the citizens the additional money but it came down to a safety issue with the water system and the state made them get into compliance. Now the City was being told they were using a different system and it could create more problems.

Mr. Bullins agreed and said the double checks that were allowed to be installed up until January of that year would stay in place until they failed. To make sure that was in place, Mr. Bullins had added a clause to allow that to happen. It would have to fail until it could no longer be repaired or rebuilt.

Mayor Hall verified that by code, they should have been put in during installation. They were supposed to have already been in.

Mr. Bullins said that was correct.

Council Member Ellis asked if the restaurant Mr. Bullins had spoken of was in compliance and working with him to get everything right.

Mr. Bullins replied absolutely. He was trying to work with people to help them get into compliance. He did not want anyone to shut down or bear more of a burden than they had to.

Council Member Carter appreciated Mr. Bullins doing that.

Council Member Hunnicutt asked if the annual inspection requirement was part of the state mandate.

Mr. Bullins answered that it was out of the M14 manual which was referred to in the Administrative Code.

A motion was made by Council Member Nooe to adopt an ordinance to amend Chapter 16 (Utilities) of the City Code pertaining to cross connection control. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that Article 2A of Chapter 16 of the Eden City Code is amended as follows:

*DIVISION 2A CROSS-CONNECTION CONTROL*

§ 16-46 PURPOSE OF CROSS-CONNECTION CONTROL.

The purpose of this cross-connection section is:

- (1) To protect the public potable water supply of the City of Eden from the possibility of contamination or pollution, which could backflow into the public water system, due to backsiphonage or backpressure, by containing such pollution or contamination at the water service within customer's private water system.
- (2) To define the authority of the City of Eden as the water purveyor entitled to eliminating all cross-connections, new or existing, within its public water system.
- (3) To provide for a continuing program of inspections and testing of existing cross-connections, and those which may be installed in the future.

§ 16-47 AUTHORITY FOR IMPLEMENTING A CROSS-CONNECTION CONTROL PROGRAM.

Cross-Connections between potable water systems and non-potable sources are a significant threat to water quality and to the health of the public water supply. This ordinance is designed to maintain the safety and potability of the water in the City of Eden public water system by establishing rules and procedures to prevent the pollution and contamination of public drinking water by backflow from any non-potable source.

The authority for the following backflow and cross-connection rules are found in the

- 1) Federal Safe Drinking Water Act of 1974, 1986 & 1996 (42 US Federal Code, Chapter 6A, Subchapter XII) and the EPA Cross-Connection Control Manual.
- 2) NCAC title 15A, (Title 15A, subchapter 18C .0102 DEFINITIONS (c) .0307, (c)(5)(A); cross-connection control and .0406 (b); Cross-Connections This Article

§ 16-48 DEFINITIONS.

A. Backflow: Any reverse flow of water, gas or any other substance back into the public water system of the City of Eden from any source other than the approved water supply.

1) Back pressure backflow: Any elevation of pressure in the downstream piping system caused by pumps, elevation of piping, heat or steam and/or air pressure above the supply pressure at the point of consideration, which would cause a reversal of the normal direction of flow of water.

2) Backsiphonage backflow: A reversal of the normal direction of flow of water in the pipes due to a negative pressure (vacuum) being created in the supply line with the backflow source subject to atmospheric pressure. This can occur because of water main breaks or during fire suppression events.

B. Backflow Administrator: An employee of the City of Eden, trained and certified by the State of North Carolina as a Cross-Connection Control Operator in Responsible Charge, designated to administer and enforce this article, also known as the Cross-Connection Control Technician.

C. Backflow Prevention Assembly (Approved): An assembly that has been investigated and approved by the City of Eden Backflow Administrator and has been approved to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE), the American Water Works Association (AWWA), and has been tested and approved for specific applications by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research (USC FCCCHR). FM (Factory Mutual) and Underwriters Laboratory (UL) approvals shall be required for backflow prevention assemblies installed on fire suppression lines.

1) Air gap (fixed) - A permanently fixed, unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water from any source to a tank, plumbing fixture, or other device and the flood level rim of the device. An approved air gap separation shall be at least double the diameter of the supply pipe. In no case shall the air gap separation be less than two inches. An approved air gap may be considered as a backflow prevention assembly.

2) Double check valve assembly - An assembly composed of two, independently operating, approved check valves, plumbed in series. The assembly must include four resilient-seated test cocks that are properly located for testing the assembly and two tightly closing shut-off valves located at each end of the assembly.

3) Double check detector assembly - An assembly composed of an approved double check valve assembly with a bypass water meter and a meter-sized approved double check valve device. The meter shall register accurately for very low flow rates and shall register all flow rates. The check valves shall allow for water to flow through the water meter prior to flowing through the larger assembly. This shall be for the purpose of detecting leaks or usage on fire suppression water systems.

4) Dual check valve device - A backflow prevention device comprised of two independently operating, approved check valves, plumbed in series. The device is not testable and is generally installed downstream from a water meter and is used for the containment of single-family water services as part of a residential backflow prevention program.

5) Pressure vacuum breaker Assembly - A device containing an independently operating spring-loaded check valves and an independently operated spring-loaded air inlet valve located on the discharge side of the check valve. The device includes tightly closing shut-off valves on each side of the assembly and two properly located test cocks for the testing of the assembly

6) Reduced pressure zone assembly - An approved, properly functioning assembly containing two, independently operating, approved check valves plumbed in series, with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves that discharges to atmosphere. The assembly must include four resilient-seated test cocks that are properly located for testing the assembly and two tightly closing shut-off valves located at each end of the assembly.

7) Reduced pressure detector assembly - An assembly composed of an approved reduced pressure zone backflow prevention assembly with a bypass water meter and meter-sized approved reduced pressure zone device. The meter shall register accurately for very low flow. The water flowing through the meter shall be protected to same level as the water through the main assembly. The check valves shall allow for water to flow through the water meter prior to flowing through the larger assembly. This shall be for the purpose of detecting leaks or usage on fire suppression water systems.

D. Certified Backflow Prevention Assembly Tester: Any individual person who holds a certificate of completion from a certified training program in the testing and repair of backflow prevention assemblies and cross-connection control. The certification school must be approved by the Cross-Connection ORC for the City of Eden and based on the quality of training provided as compared to NC AWWA and NCRWA standards.

E. Construction Meter: A water meter assembly that includes a Reduced Pressure Zone backflow preventer for the protection of the potable water system, usually ¾ by 5/8 inch designated for the purpose of providing temporary waster service for a construction site. It may be set up to take advantage of an existing water connection or be connected to a fire hydrant and shall have a ¾ inch hose bib connection.

F. Containment: The prevention of backflow from a non-potable system utilizing an approved, properly functioning backflow prevention assembly which is installed, operated, and maintained in accordance with the provisions of this article.

G. Contamination: An impairment of the quality of the water to a degree that it creates an actual hazard to the public health through poisoning or through the spread of disease.

H. Cross-Connection: Any actual or potential connection or piping arrangement between a potable water supply and any other non-potable source or system whereby water or other liquids, mixtures, or substances may flow into or enter the potable water supply system.

I. Hazard (Health/High): A potential threat of contamination to the public water system or to a water service customer's potable water system that could cause serious illness or death.

J. Hazard (Imminent): An immediate threat of contamination to the public water system that could cause serious illness or death.

K. Hazard (Non-health/Low): An actual or potential threat of damage to the physical components comprising the public water system or to a water service customer's potable water system, or of pollution to the public water system or to a water service customer's potable water system.

L. Homeowner: An individual who resides on the property that he/she owns by proper title and/or deed. The owner-occupant of a home.

M. Hydrant Meter: A water meter designed to be connected to a fire hydrant for the purpose of obtaining water on a temporary basis where no regular water connection is available that will perform the purpose needed. This device should include a Reduced Pressure Zone (RPZ) backflow preventer to protect the potable water system from contamination. This assembly shall be fitted 2 ½ inch fire hose connection.

N. Isolation: The prevention of backflow in which a backflow preventer, such as a hose bib or an atmospheric vacuum breaker, is located to correct a cross-connection at a specific location on a private potable water system rather than at a water service connection. This protects the drinking water in the building and is covered by NC Plumbing Code.

O. Owner: Any person who has legal title to, or license to operate or inhabit in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

P. Pollution: An impairment of the quality of the potable water to a degree that does not create a hazard to public health but that does adversely and unreasonably affect the aesthetic qualities of such potable water for domestic use.

Q. Potable Water: Water from any source which has been approved for human consumption by the State of North Carolina, Department of Environmental Quality, Water Resources Division, Public Water Supply Section.

R. Person: Any individual, partnership, company, public or private corporation, political subdivision or government agency or any other legal entity.

S. Private Water System: Any water system located on the water service customer's premise, whether supplied by public potable water or an auxiliary water supply. The system or systems may be either a potable water system or an industrial piping system.

T. Public Water System: The potable water system owned and operated by the City of Eden. This includes all storage tanks, distribution mains, lines, pipes, connections, fixtures and other facilities, conveying potable water from the water treatment plants to the service connections of each water service customer.

U. Service Connection: The terminal end of a service connection from the public potable water system, immediately after the water meter, i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the water service customer's private water system.

V. Used Water: Any water supplied by a water purveyor from a public potable water system to a water service customer's private water system after it has passed through the point of delivery and is no longer under the control of the water purveyor.

W. Water Service Customer: Any person, firm, or corporation receiving water from the City of Eden by way of a water service connected to the City of Eden's public water system.

X. Water Purveyor: Owner or operator of a public potable water system providing approved potable water supply to the public.

Y. Water Supply (Auxiliary): Any water supply on or available to the water customer's premises other than the water purveyor's public potable water system. The auxiliary water may include water from another purveyor's public potable water system or any natural source such as a well, spring, river, stream, etc., and used or objectionable.

Z. Water Supply (Unapproved): Any water supply, which has not been approved for human consumption by the State of North Carolina, Department of Environmental Quality, Water Resources Division, Public Water Supply Section.

§ 16-49 RESPONSIBILITY.

A. Responsibility: City of Eden

(1) The City of Eden Collection and Distribution Superintendent will be primarily responsible for preventing any contamination or pollution of the public water system. This responsibility begins at the point of origin of the public water system supply and includes all of the public water distribution system, and ends at the service connection, under the Safe Drinking Water Act. The Backflow Administrator shall exercise vigilance to ensure that the water customer has taken the proper steps to protect the public potable water system.

(2) When it has been determined by an inspection of the water service customer's private water system that a backflow protection system is required for the protection of the public water system, the Backflow Administrator shall notify the owner, in writing, of any such building or premises, to correct within a time set by this article, any plumbing installed or existing that is in violation of this article.

(3) The Backflow Administrator will select an approved backflow prevention assembly to be installed at the service connection. The owner shall be notified that the installation of a backflow prevention assembly may create a closed system, and as a result thermal expansion may occur. In these circumstances the owner must understand and assume all liability and responsibilities for that phenomenon.

B. Responsibility: Water Service Customer

(1) The water service customer has the responsibility of preventing contaminants and pollutants from entering the water service customer's private water system or the public water system operated by the City of Eden. The water service customer, at his own expense, shall install, operate, test, repair and maintain all backflow prevention assemblies specified within this article. The City of Eden may choose to do the testing, maintenance and repair of the customer's backflow prevention assemblies and pass the costs to the affected water customers through the water billing system.

(2) If a water service customer is a tenant and does not maintain the private water system, and has no authority to bring the system into compliance with the provisions of this article, the City of Eden may assert any available action against the tenant water service customer to assure the private water system is brought into compliance with this article.

§ 16-50 RIGHT OF ENTRY; AUTHORIZATION.

(1) Any authorized representative from the City of Eden shall have the right to enter any building, structure or premises during normal business hours to perform any duty imposed upon him/her by this article and in accordance with the North Carolina Administrative Code. Those duties may include sampling and testing of water, or inspection and observation of all piping systems connected to the public water supply. Refusal to allow these representatives to enter for these purposes shall result in disconnection of water service. (2) On request, the water service customer shall furnish to the water purveyor any pertinent information regarding the water supply system on such property where cross-connection and backflow are deemed possible.

§ 16-51 LAW; UNPROTECTED CROSS-CONNECTION PROHIBITED.

(1) No water service connection to any private water system shall be installed or maintained by the City of Eden unless the water supply is protected as required by this article and in accordance with the North Carolina Administrative Code. Service of water to any premises shall be discontinued by the City of Eden if a backflow prevention assembly required by this article, is not installed, tested and maintained, or if a backflow prevention assembly has been removed, bypassed or if an unprotected cross-connection exists on the premises. Service will be restored after all such conditions or defects are corrected.

(2) No water service customer shall allow an unprotected cross-connection to be made or to remain that involves the water service customer's private water system.

(3) No connection shall be made to an unapproved auxiliary water supply unless the public water supply is protected against backflow by an approved backflow prevention assembly, appropriate to the degree of hazard.

(4) No interconnection to any other water purveyor's water system shall be made unless it is protected against backflow by an approved backflow prevention assembly.

(5) No water service customer shall fail to maintain in good operating condition any backflow prevention assembly, which is part of the water service customer's private water system and is required by this article.

(6) No water service customer shall fail to submit to the City of Eden any records, which are required by this article.

§ 16-52 INSTALLATION.

A. Installation and testing requirements:

(1) The purpose of this section is to require that, when a cross-connection to the City of Eden public water system has been identified, all water flowing from the public water system into that private water system, must flow through an approved backflow prevention assembly. Furthermore, each backflow prevention assembly must be properly located, installed, tested, and maintained per the City of Eden requirements so that the backflow prevention assembly is effective in protecting the public water system from any possible contamination or pollution.

(2) The installation or replacement of a backflow prevention assembly for domestic water, irrigation, commercial and industrial use shall only be performed by a licensed plumber, utility contractor or homeowner. The installation or replacement of a backflow prevention assembly on a dedicated fire sprinkler service shall only be performed by a licensed fire sprinkler contractor. ALL backflow prevention assemblies shall be tested and repaired by a certified backflow prevention assembly tester authorized by the City of Eden.

(3) For premises existing prior to the start of this program, the Department will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary.

(4) All new and change of use construction plans and specifications which will receive service from the City of Eden public water system shall be made available to the Backflow Administrator for review, approval, and to determine the degree of hazard, and any required backflow prevention assembly to be installed.

(5) All facilities zoned commercial or industrial that have existing water services with the City of Eden and requesting Certificate of Occupancy from the City or County Planning and Zoning offices, whether for new construction or change of use, shall be inspected for compliance of backflow prevention and cross-connection control. Any facility not having backflow protection or changing the degree of hazard shall be brought into compliance before the Backflow Administrator may release the Certificate of Occupancy.

(6) The Backflow Administrator will determine if a water service customer must install a backflow prevention assembly, and provide the water service customer with a letter of notification and list of approved backflow prevention assemblies. Any unapproved backflow prevention assembly must be replaced, with an approved backflow prevention assembly, within a time period set by the Backflow Administrator. The following time periods shall be set forth for the installation of the specified backflow prevention assemblies:

*New construction:* No water meter will be installed by the City until the proper backflow prevention assembly is installed, tested, and approved.

*Change of use/change of ownership:* No water service will be activated by the City until the proper backflow prevention assembly is installed, tested, and approved.

Existing facility evaluation compliance schedule:

Health hazard	60 days
Non-health hazard	90 days

Testing and repair compliance schedule:

Failure to test backflow prevention assembly by anniversary date	30 days
Failure to repair or replace failed a backflow prevention assembly	14 days

If an **IMMINENT HAZARD** or an **UNREASONABLE THREAT OF CONTAMINATION OR POLLUTION** to the City's public water system is detected, the Backflow Administrator may require the installation of the required backflow prevention assembly **IMMEDIATELY**, or within a shorter time period than specified above. If installation is not completed within the specified time period, or if contamination is presently occurring, **WATER SERVICE MAY BE IMMEDIATELY DISCONNECTED** in order to protect the potable water system and public health.

(7) All backflow prevention assemblies must be installed and maintained on the water service customer's premises as part of the water service customer's private water system at or near the service connection and before the service line is connected to any other pipes except as authorized by the Backflow Administrator.

(8) If it has been determined that a backflow prevention assembly cannot be installed at the meter service, due to Zoning or DOT Right-of-Way, an approved backflow prevention assembly must be installed before any branch of plumbing that is installed between the service meter and the service backflow prevention assembly.

(9) Any branch of plumbing installed on the private water system that may be subject to a greater hazard than the supply line, (example: Irrigation systems or pump systems, etc.) shall be protected with the appropriate backflow prevention device, as determined by the Backflow Administrator.

(10) Approved backflow prevention assemblies: Meets American Society of Sanitary Engineers (ASSE) standard and carries ASSE seal or is on the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research (USC FCCHR) approval list. Also see the current revision of the City of Eden Backflow Assemblies Specification sheets.

(11) Any water service customer installing any backflow prevention assembly must provide the following information to the Backflow Administrator:

- a. Owner's name and address;
- b. Service address where assembly is installed;
- c. Description of assembly's location;
- d. Date of installation;
- e. Size of assembly
- f. Type of assembly;
- g. Manufacturer;
- h. Model number;
- i. Serial number;
- j. Test results/reports.

(12) Reserved

(13) Each backflow prevention assembly that is required must function properly at time of installation. Each water service customer will be required to maintain, and repair each assembly required as part of their private water system. Testing shall be done immediately following installation of any backflow prevention assembly prior to receiving a CO (certificate of occupancy) and annually thereafter. The owner at their own expense shall have a certified backflow prevention assembly tester conduct the tests and forward the results to the City within ten business days.

(14) If an assembly needs to be repaired it must be re-tested immediately following any repairs. The owner at their own expense shall have a certified backflow prevention assembly tester conduct tests and forward the results to the City. A complete duplicate copy of any testing and/or repair shall be sent to the Backflow Administrator within ten business days of completion of test or repair. Each water service customer must maintain a complete copy of test or repair for no less than five years. All test and repair records must be maintained on forms approved by the Backflow Administrator of the City of Eden.

(15) All rubber components must be replaced every five years in every backflow prevention assembly or as often as needed, according to manufacturer's directions and components condition.

(16) Any existing backflow prevention assembly that was installed prior to the adoption of this article, which does offer the proper level of protection type for the hazard will need to be replaced. At that point the assembly shall be replaced, by the water customer, with the proper type of assembly for the current hazard classification.

A. Installation location requirements:

(1) Backflow prevention assemblies must be located in a place where it is readily accessible for regular testing, maintenance, repair, and inspection. Any water service customer's water service that is critical and cannot be shut down for annual testing or maintenance shall install parallel backflow prevention assemblies in order to maintain the continuity of water flow for testing and repair; or in the case of the assembly failing. Bypass lines parallel to a backflow prevention assembly shall have an approved backflow prevention assembly that is equal to that on the main line.

(2) No backflow preventer shall be installed in a manner by which it is subject to freezing. All above ground backflow preventers shall be installed in an ASSE standard 1060 "freeze retardant" enclosure with a minimum R value of 8.0. All above ground backflow preventers shall be installed with permanent piped electrical service to a thermostatically controlled heater or heat tape. Backflow for lawn irrigation systems may be installed with unions and an upstream shut off valve not subject to freezing. All underground piping must be installed a minimum of 12 inches below grade and must meet the requirements of underground water service piping.

Reduced pressure zone assembly (RPZ).

- a. Above ground outdoor installation is preferred and encouraged.
- b. Below ground and indoor installations are strongly discouraged, and shall only be allowed in special cases as approved by the Backflow Administrator. The vault shall have positive drainage with adequate gravity drainage to atmosphere to accommodate for the maximum discharge of the relief valve(s) on the assembly(s) and must be in a location where no portion of assembly can become submerged at any time or under any circumstances or conditions.
- c. Twelve inches minimum and a maximum of 36 inches clearance from vault floor and a minimum of 24 inches clearance from a wall or another fixture for the purpose of testing and repair.
- d. No vertical installation unless USC FCCHR approvals allow otherwise.
- e. Installation in accordance with manufacturer's recommendations.
- f. Located where it is readily accessible for regular testing, maintenance, and inspection.
- g. Must be in a location where no portion of assembly can become submerged at any time under any circumstances or conditions

Double check valve assembly (DCVA).

- a. Above ground outdoor installation is preferred and encouraged.
- b. Below ground installation is strongly discouraged, and shall only be allowed in special cases as approved by the Backflow Administrator. The vault shall have positive drainage with adequate gravity drainage to atmosphere and must be in a location where no portion of assembly can become submerged at any time or under any circumstances or conditions.
- c. Twelve inches minimum and a maximum of 36 inches clearance from vault floor and a minimum of 24 inches clearance from a wall or another fixture for the purpose of testing and repair.
- d. Vertical or horizontal installation acceptable with USC FCCHR approvals. e. Installation in accordance with manufacturer's recommendations.
- e. Located where it is readily accessible for regular testing, maintenance, and inspection.

Air gap (AG).

- a. Above ground installation only.
- b. Must be in a location where no portion of assembly can become submerged at any time under any circumstances or conditions

§ 16-53 DEGREE OF HAZARD.

A. Determination.

(1) No service shall be completed until the Backflow Administrator has been provided with information or has surveyed the private water system to determine the degree of hazard and decides the type of backflow prevention assembly needed to protect the City of Eden public water supply.

(2) Any water service customer, making any modification to the private water system's use or configuration, which may change the degree of hazard, shall notify in writing the Backflow Administrator before any modification is made. If the Backflow Administrator determines that such modification requires a greater degree of backflow prevention assembly, that assembly must be installed prior to any modification of use or configuration.

(3) If the City of Eden Backflow Administrator or his designee is unable to survey any portion of a private water system to determine the degree of hazard, due to confidential activities, a reduced pressure zone assembly will be required.

B. Degree of Hazard

(1) Health hazard: Actual or potential threat of contamination that presents an imminent danger to the public health with consequence of serious illness or death.

(2) Non-health hazard: One that presents foreseeable and significant potential for pollution, nuisance, aesthetically objectionable or other undesirable alterations of the City of Eden public drinking water supply.

C. Minimum backflow prevention assembly requirements

(1) Degree of Hazard:	RPZ or RPDA	DCVA or DCDA	AG
Health Hazard	X		X
Non-health Hazard		X	

AG = air gap

DCVA = double check valve assembly

DCDA = double check detector assembly (fire protection systems w/o chemicals or pumps)

RPZ = reduced pressure zone assembly

RPDA = reduced pressure detector assembly (fire protection systems with chemicals and/or pumps)

(2) Facilities that require a backflow prevention assembly:

a. Residential dual check valve. If no other backflow prevention assembly is specified a dual check valve assembly must be installed on all private water systems.

b. Non-health hazard.

1. Connection to tanks, lines, and vessels that handle non-toxic substances
2. Fire sprinkler systems without chemicals
3. Most commercial establishments
4. Churches
5. Other facilities as determined by the Backflow Administrator.

c. Health hazard.

1. Irrigation systems
2. Wastewater treatment plants
3. Beauty shop and salons
4. Connection to tanks, lines, boilers or vessels that handle sewage, lethal substances, toxic or radioactive substances
5. Connection to an unapproved water system or auxiliary water supply
6. Buildings with five or more stories above ground
7. Hospitals and other medical facilities
8. Morgues, mortuaries and autopsy facilities
9. Metal plating facilities.
10. Breweries, bottling plants
11. Schools, daycares and colleges
12. Bakeries, restaurants, etc.
13. Solar hot-water systems
14. Canneries
15. Battery manufacturers
16. Exterminators and lawn care companies
17. Chemical processing plants
18. Dairies
19. Film laboratories
20. Car wash facilities
21. Dye work
22. Laundries
23. Swimming pools
24. Waterfront facilities

25. Concrete/ asphalt plants
26. Airports
27. Oil and gas production, storage, or transmission facilities
28. Sand and gravel plants.
29. Furniture manufacturing plants
30. Interconnection with other water purveyor's potable water systems
31. Gas/service stations
32. Other facilities as determined by the Backflow Administrator

\*This is not intended to be an exhaustive list. Any other type facilities or services not listed above may also be required to install an approved backflow prevention assembly if determined by the Backflow Administrator. All assemblies and installations shall be subject to inspection and approval by the City of Eden Backflow Administrator or his designee's.

(3) Filling of tanks/tankers or any other container from a City of Eden fire hydrant is strictly prohibited unless it has been equipped with the proper meter and approved backflow prevention assembly. The City of Eden will issue a permit for this tank/tanker or container. Any unauthorized connection to a fire hydrant is considered an illegal cross-connection to the City of Eden public water system and will be subject to penalties as set forth in the City of Eden Fee Schedule.

\*Exemption: All fire apparatuses are exempt from the backflow prevention requirements only if fighting fire or training. If training they are asked to notify the City's Collection and Distribution Division. However, if fire apparatus has been used to haul non-potable water, it is to be cleaned and recertified prior to connecting to a City of Eden fire hydrant.

\*All double check valve assemblies installed on irrigation systems prior to 2020 shall be allowed to remain in service until they fail and can longer be repaired. At that time, they shall be replaced with a reduced pressure principle assembly in order for the irrigation system to remain in service.

(4) Imminent hazard: If it has been determined a water service customer's private water system has an imminent hazard: the water service customer must install an approved backflow prevention assembly specified by the City of Eden Backflow Administrator and this article. This assembly must be installed within 24 hours of notification from the Backflow Administrator. If the water service customer fails to install the specified assembly within the allowed time period, water service to the water service customer's private water system will be terminated and the water service customer may be subject to civil penalties. In the event the Backflow Administrator is unable to notify the water service customer within 24 hours of determining an imminent hazard exists, the Backflow Administrator may terminate water service until the specified assembly is installed. These actions may be carried out under the Safe Drinking Water Act.

#### § 16-54 NOTICE OF CONTAMINATION OR POLLUTION.

(1) In the event the water service customer's private water system becomes contaminated or polluted the water service customer shall immediately notify the City of Eden Backflow Administrator or the Collection and Distribution Superintendent.

(2) In the event the water service customer has reason to believe that a backflow incident has occurred between the water service customer's private water system and the public water system the water service customer shall immediately notify the City of Eden Backflow administrator or the Collection and the Distribution Superintendent so that appropriate actions can be taken to isolate and remove the contamination or pollution.

(Ord. passed 6-19-18)

#### § 16-55 VIOLATIONS AND CIVIL PENALTIES.

##### A. Notification of violation

- (1) A written notice will be presented to any water service customer/person who has been found to be in violation of any part of this article.
- (2) This first notice must explain the violation and give the time period within which the violation must be corrected.

- (3) A second notice will give 30 additional days to correct all violations as required by this article.
- (4) A third notice will be a civil penalty allowing 15 more days to comply before the penalties begin.
- (5) In the event a water service customer found to be in violation of this article fails to correct the violation within the specified time or, fails to pay any civil penalties expense assessed under this article, water service will be terminated.

B. Civil and other penalties

(1) Unprotected cross-connection involving a private water system, which is of a health hazard: \$1,000.00 per day not to exceed \$10,000.00.

(2) Unprotected cross-connection involving a tank/tanker or other container hooked to a fire hydrant—\$1,000.00 per occurrence.

(3) Unprotected cross-connection involving a private water system, which is of a non-health hazard—\$500.00 per day not to exceed \$5,000.00.

(4) Any violation of the requirements and prohibitions of this Article including failure to address an unprotected cross connection is hereby declared a public nuisance and shall be corrected or abated as directed by the requirements of this Article. Any person(s) creating a public nuisance or failing to abate such shall be subject to the provisions of City Code, Chapter 6 Article II: Nuisances, governing such nuisances, including reimbursing the City of Eden for any costs incurred in removing, abating or remedying said nuisance.

(5) Submitting false records which are required by this article—\$1,000.00. Also, this will result in removal of the tester from the approved testers list. Notification of the school where the tester was certified and the tester's behavior shall be reported to the North Carolina Division of Water Resources.

(6) Failure to submit records which are required by this article—\$500.00.

(7) Failure to test or maintain backflow prevention assemblies as required by this article— \$100.00 per day up to and including termination of water service.

e. Update of the EPA Administrative Order

Mayor Hall called on Mr. Shelton.

Mr. Shelton said there had been a lengthy conference call that day with the EPA that included four staff members and two engineers on the City's end and three people with the EPA. The City would send additional information to them as a follow up to that call. The call was mostly about the EPA fact-finding and gathering more information to pass along to the higher ups at the EPA in Atlanta. The City had asked that the oversight and compliance of the administrative order be transferred to the state with the City's ability to defer some projects until they could recruit and apply for funding. In addition to that, the City would apply for an ASADRA grant and low interest loans in April. He would ask for a resolution to apply for those in March. Three contracts had been reworked, II, III and IV. They would be rebid soon. The City had negotiated with the low bidder on contracts I, V, VI and VII and the engineering firm just needed to evaluate those. A recommendation would be forthcoming and hopefully those would be awarded in the next 30 days. Contract VIII was before Council that evening for Neighborhood Pump Station Improvements and would take in Bear Slide, Fourth Street, Dogwood and Indian Hills. Two pump stations would be replaced and two would receive backup power generators. The original low bidder was \$909,349. Revisions and negotiations with the low bidder took it to \$842,049, which was \$67,300 less. He was asking Council to vote to award the contract.

Ms. Gilley added that state procurement laws allowed them to negotiate with the low bidder when it came in over budget as long as the scope of the project had not changed. It was legal.

A motion was made by Council Member Epps to award Contract VIII. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

REPORTS FROM STAFF:

a. City Manager's Report.

Mr. Shelton requested it be entered in the minutes as if it had been read in its entirety.

Mayor Hall noted the Duke Energy section from the report that zero percent of ash was going into basins as of early 2019. More ash would be recycled than produced once three recycling units were opened. The EPA determined that coal ash was non-hazardous with less than one percent containing trace elements. Thousands of monitoring wells show groundwater impacts were not reaching neighborhood wells. Copies were available for the public, it could be found online and in Eden's Own Journal.

Council Member Hunnicutt said it was amazing when he read that Eden's poverty rate had dropped 25 percent since 2016. He asked who generated the number.

Mr. Dougherty replied from the census.

Council Member Carter noted there were more than 800 jobs available in the county.

City Manager's Report  
January 2020

BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

INDUSTRY

Gildan Yarns

Gildan is seeking machine electricians, spinning and carding technicians, spinning and carding operators, and can haulers. There are some day shift positions, but the majority of these openings are on the night shift. Most positions are for 12-hour shifts on a 2-2-3 schedule. For more information, visit their 335 Summit Road facility.

Armor Express (Formerly KDH Defense Systems)

Armor Express has merged with KDH Defense Systems. The new company will be called Armor Express. Currently, they employ 300 people in their Eden facility. They have immediate openings for sewers, inspectors and utility workers. They offer a competitive compensation package including health and dental insurance, paid time off and 401K. Send your resume to [nshreve@kdhtech.net](mailto:nshreve@kdhtech.net) or visit their 750A Fieldcrest Road facility.

NC Works and U.S. Census Quick facts data

- The current Rockingham County unemployment rate is 4.0%; it is 3.8% for the state and 3.5% for the U.S., the lowest rate in 50 years.
- 811 jobs are available in Rockingham County.
- Eden's poverty rate has dropped 25% since 2016 although it is higher than state average.

UNC Rockingham Health Care Implements Flu Restrictions

UNC Rockingham Health Care has implemented flu restrictions as a precaution to protect patients, families and staff from exposure to influenza. A rapid increase in flu cases in UNC Rockingham facilities and in the area prompted the decision that was made on Jan. 9.

These temporary restrictions are in place:

- Children ages 11 and younger are asked not to visit patients at UNC Rockingham Hospital or residents at UNC Rockingham Rehabilitation and Nursing Care Center.
- People who have symptoms such as fever, sore throat, cough, nasal congestion or body aches should not visit the facilities

Flu, a contagious respiratory illness, is a virus that is spread mainly by droplets that occur when people with flu cough, sneeze or talk. It can also spread by touching surfaces that may have been exposed to the virus droplets. Flu can be mild to severe and can lead to death.

The best protection against flu is to get a flu vaccine. Conditions at UNC Rockingham Health Care facilities will be monitored and restrictions will be lifted when it is determined that it is safe to do so.

#### MVP Pipeline

Mountain Valley Pipeline, LLC announced its proposed 74-mile interstate natural gas transmission pipeline in 2008. It is designed to meet customer demand for low-cost natural gas supply access in southern Virginia and central North Carolina. Dominion Energy North Carolina (DENC), formerly PSNC Energy, is a local natural gas distribution company that signed a long-term agreement to purchase natural gas from MVP Southgate. The North Carolina Utilities Commission has recognized MVP Southgate as the best option for meeting DENC customers' growing demand for natural gas. Project facts:

- A majority of the route is collocated along existing natural gas and electric transmission line corridors.
- Survey work has been completed on 95 percent of the route.
- A majority of the project right-of-way has been acquired.
- Construction is targeted to start in 2020.
- In-service date is projected to be 2021.
- MVP has worked collaboratively with state regulators (NCDEQ) and has determined the project would result in:
  - No permanent impact to streams in NC
  - No permanent loss of wetlands in NC
  - No crossing of the Haw River

#### Duke Energy

Duke Energy offered tours of its Belews Creek facility in December of 2019. Some interesting facts were provided attendees:

- Duke Energy serves 7.5 million customers impacting 23 million lives.
- Belews Creek is a 50% coal/50% natural gas facility.
- The company goal is to reduce emissions by 30% by 2030 and 100% by 2050 (although the technology does not yet exist to reach the latter goal).
- There has been a 70% reduction in ash produced by their plants over the last decade.
- 0% of ash is going into basins as of early 2019. More ash will be recycled than produced once three recycling units are opened.
- The EPA has determined that coal ash is non-hazardous with less than 1% containing trace elements.
- Thousands of monitoring wells show groundwater impacts are not reaching neighborhood wells.

#### Envision Career Expo

This event will expose Rockingham County seventh graders to available jobs in area companies on the RCC campus on April 2. Area companies will showcase their operations. Small business and industry will participate. Many of Eden's local industry partners have expressed interest in participating. The event will open remain open until 6 p.m. that evening for adults interested in learning more about area companies.

#### COMMERCIAL

##### Lidl

The company is finalizing a deal with a broker to represent the building. This resulted after much prodding by the City to put it on the market.

##### Skywalker Windows & Siding

Skywalker Windows & Siding is a full-service, family-owned home improvement solutions provider that is proud to be your contractor of choice, headquartered in Stokesdale, but formerly of Eden. They bring extensive experience in

windows replacement, vinyl siding and siding replacement, and other related services to Rockingham County and the rest of the Piedmont Triad. They have completed 15,500 projects and counting, and are proud to say that they have a 99% customer approval rating and maintain an A+ rating with the Better Business Bureau. Skywalker is one of the most respected, trusted, and awarded home improvement contractors serving Rockingham County and other areas of NC and VA. They would love to discuss how they can help meet your individual needs too. Call 336-265-9595 for more information.

#### Belladonna Antiques and Interiors

A shop filled with cherished interior products is located at 646 Washington Street in Eden. Owners Mark Stevens and Eddie Vernon have just the right item you will need to complete your interior home renovation. They are open Monday-Saturday and can be reached at 336-623-0984.

### COMMERCIAL DISTRICTS

#### Old Leaksville Commercial District

Work at 620 Washington Street has ramped up dramatically. Five new apartments will be ready for rent February 6. Three apartments have been preleased. The pedestrian passage to the Bridge Street parking lot will be finished in the next phase of construction.

Family Video has announced they are closing their Bridge Street location. They are currently liquidating their inventory.

The Dancewear Boutique at 640 Washington Street has received massive upgrades. New plumbing, HVAC, flooring, lighting has been installed. Painting inside is complete and a new paint scheme for the exterior will be completed as the temperatures warm.

The Hair Company at 624 Monroe Street celebrated its 45th year in business in December. They will be recognized for this achievement at the January City Council meeting.

A CrossFit St. Paddy's Smackdown is scheduled March 24. Contestants from 10 other states have been invited to compete. Seventy-two two-person teams can compete, and most teams will bring several spectators.

#### Eden Downtown Development Inc.

The December EDDI meeting voted in members for the 2020-2023 term. City Council designated Phil Hunnicutt to serve as a non-voting liaison between the Board and City body. The term of office will be one year, yet the liaison may serve as many consecutive years as the Board designates.

#### Boulevard Merchants

The merchants have planned their 2020 calendar of events. Food Truck Rodeos are planned for April 18 and August 8, Cars and Crabs are May 23 and October 17, Halloween parade October 31, and an Adult Easter Egg Hunt April 11. A prayer walk is scheduled January 25.

#### Klyce Street Landing

Stairs have been installed. A concrete pad is being poured at the base and a bulkhead is being installed. Landscaping and signage should complete the project in time for spring.

#### Entrepreneurship Training

Main Street Manager Randy Hunt received Facilitator Certification for Entrepreneurship Mindset authorizing training for Ice House Entrepreneurship programs. This curriculum will be used in the series of entrepreneurial classes soon to be offered in a joint project with the city, county and community college.

### TOURISM & EVENTS

#### Event Entertainers

Calling all bands! We are already planning for RiverFest 2020! If your band is interested in performing please submit an EPK or detailed information to Cindy Adams at [cadams@edennnc.us](mailto:cadams@edennnc.us). The dates for this year are

September 18 and 19. Local and regional bands will play on two stages Saturday. Thank you and we look forward to listening to your music!

#### Rivers & Trails Group

The Rivers & Trails Group will meet Wednesday, January 29 at 3:30 in the front conference room at City Hall located at 308 E. Stadium Drive.

#### Pottery Festival

We would like to invite all our talented potters to apply for our upcoming 18th Piedmont Pottery Festival that will take place Saturday, June 6. Applications can be found on ExploreEdenNC.com or can be obtained in the Tourism Office at City Hall or can be mailed to you. Please call 336-612-8049 for more information.

#### Heritage & Heroes

Mark your calendars now for a very exciting new event coming October 17 of 2020! More information coming soon. You do not want to miss it!

### PARKS & RECREATION

Staff will conduct the Monthly Pod Cast with Mike Moore Media on Parks and Recreation on February 7 and attend a Be Healthy Rockingham County Meeting on February 12.

The City's Youth Basketball program is in full swing and players are practicing and playing at the Bridge Street Recreation Center and the Mill Avenue Gym. There are games scheduled with the Parks & Recreation teams, Eden YMCA and the Eden Boys and Girls club. Games will continue through March and will conclude with the Rockingham County Youth Basketball Tournament.

### PLANNING & INSPECTIONS

#### Code Enforcement

Eight notices were mailed by certified mail and first class mail that affect the following number of properties: two for violation of the Non-Residential Building Maintenance Standards and two for zoning violations. Staff has reviewed the current Code Compliance Report and plan to revisit all properties listed on the report to establish the current condition of the property and proceed with the necessary action to abate the violations.

#### Collections

Statements were mailed to all property owners with an outstanding balance for code enforcement action. The buyer of the property at 416 Decatur Street delivered a certified check for the balance due and the Facility Maintenance Department was notified that they no longer needed to mow the property.

#### Unified Development Ordinance

On January 9 at a special meeting of the Eden City Council, a presentation was made regarding the process for the development and adoption of updated land use regulations for the City. The new regulations will also meet the deadline for statutory compliance with the new enabling legislation for land use planning that will be effective as of January 2021. Chad Sary from Stewart Inc. made the presentation.

#### Community Appearance Commission

Commission discussed possible projects and budget items for upcoming year, including: downtown banners; Draper downtown sign; downtown planters; new American flags. A representative from the Boulevard Merchants also attended to discuss possible projects for The Boulevard. Community Appearance Award went to Planet Fitness.

#### Historic Preservation Commission

Upcoming meeting on Jan. 13 and will discuss possible projects and budget items for upcoming year including: new historic district signs; state historic marker for Draper Speedway; historic property inventory updates. Commission also plans to adopt a resolution in support of renaming the Washington Street Park in honor of Jean Harrington.

#### Vacant Commercial Property Registration

Preparing second letter to send to vacant downtown property owners who did not respond to first letter. Civil penalties may be applied if property owners do not reply to this letter.

Sight Obstruction Ordinance

Codes Inspector Josh Woodall and Engineering's Kevin London have been working to make changes to the current sight obstruction triangle ordinance. They have studied other communities' ordinances and gone out and looked at various situations that would not be covered by our current sight triangle ordinance.

CONSENT AGENDA:

- a. Approval and adoption of December 17, 2019 Minutes.

A motion was made by Council Member Carter to approve the Consent Agenda. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

ANNOUNCEMENTS:

Mayor Hall announced the annual Budget Retreat set for February 22.

Council Member Hampton announced a Prayer Walk, starting at Church of the Brethren, on Saturday from 10 a.m. until noon on The Boulevard. A meal would be held at noon.

CLOSED SESSION:

- a. To preserve the attorney-client privilege between the attorney and the public body pursuant to NCGS 143-318.11(a)(3).
- b. To discuss personnel pursuant to NCGS 143-318.11(a)(6).

A five-minute recess was made before Council went into closed session.

A motion was made by Council Member Hampton to go into Closed Session. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

A motion was made by Council Member Ellis to return to open session. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

ADJOURNMENT:

As there was no further business to discuss, a motion was made by unanimous consent to adjourn.

Respectfully submitted,

\_\_\_\_\_  
Deanna Hunt  
City Clerk

ATTEST:

\_\_\_\_\_  
Neville Hall  
Mayor