

**EDEN CITY COUNCIL
REGULAR MEETING AGENDA
Council Chambers
308 E. Stadium Drive
March 17, 2020
6:00 p.m.**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Pastor Craig Bowman, First Baptist Church
3. Pledge of Allegiance: Led by Fire Chief Tommy Underwood
4. Proclamations & Recognitions:
 - a. Recognition of Family Dental Associate's anniversary.
Mike Dougherty, Director of Economic Development
5. Roll Call
6. Set Meeting Agenda
7. Public Hearings:
 - a. (1) Consideration of a zoning text amendment to amend Section 11.24(k)(1) to allow Electronic Gaming Operations as a special use in the BH-1 and BH-2 districts; to amend Section 11.26(c)(3)(c) to allow Electronic Gaming Operations as a special use in the BH-1 and BH-2 districts; and to amend Section 11.29(a) to add a definition for Electronic Gaming Operations. Request submitted by the City Council. ZONING CASE Z-20-01.
Kelly Stultz, Director of Planning & Inspections
 - (2) Consideration of a resolution adopting a statement of consistency regarding the proposed text amendments with respect to Electronic Gaming Operations in the Business-Highway 1 and Business-Highway 2 districts. **Kelly Stultz, Director of Planning & Inspections**
 - b. Consideration of an incentive package for American Cultivation and Extraction Services, LLC, from the General Fund in an amount not to exceed \$119,851 which will be distributed to the company in three annual installments following the project parameters.
Mike Dougherty, Director of Economic Development
8. Requests and Petitions of Citizens
9. Unfinished Business:
 - a. Consideration of Boards and Commissions appointments.
Kelly Stultz, Director of Planning & Inspections
10. New Business:
 - a. Consideration of a resolution for ASADRA funding for the flood prone EPA Remediation Project. **Terry Shelton, Interim City Manager**
 - b. Consideration to commit Strategic Planning Commission funds for a façade grant for Nantucket Mill. **Mike Dougherty, Director of Economic Development**
 - c. Consideration to approve Strategic Planning Commission funds for the GIS Web Tech program. **Mike Dougherty, Director of Economic Development**

11. Reports from Staff:
 - a. City Manager's Report. **Terry Shelton, Interim City Manager**
12. Consent Agenda:
 - a. Approval and adoption of (1) February 18, 2020 and (2) March 5, 2020 Minutes. **Deanna Hunt, City Clerk**
 - b. Approval to call a public hearing at the April 21, 2020 meeting for project financing for the fire training facility. **Tammie McMichael, Director of Finance & Personnel**
 - c. Approval and adoption of a resolution to declare surplus equipment. **Paul Dishmon, Director of Municipal Services**
13. Announcements
14. Closed Session:
 - a. To discuss personnel pursuant to NCGS 143-318.11(a)(6).
15. Adjourn



Economic Development Department

March 4, 2020

To: The Honorable Mayor and Eden City Council

Thru: Terry Shelton, Interim Eden City Manager

From: Mike Dougherty, Director of Economic Development

Re: Family Dental Associates Recognition

Time is requested at the beginning of the March 17, 2020 Eden City Council meeting to recognize Family Dental Associates and Dr. Michael Burleson and staff for their 40+ years serving the Eden community.

I will read a document about the dental practice and then Mayor Hall will present a plaque to Dr. Burleson.

If you have any questions about this request, please let me know. Thank you.



Planning and Inspections Department

P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

MEMO

TO: Honorable Mayor and City Council
THRU: Terry Shelton, Interim City Manager
FROM: Kelly K. Stultz, AICP, Director
SUBJECT: **Zoning Case Z-20-01 – Text Amendment**
DATE: March 4, 2020

The City Council of the City of Eden initiated a zoning text amendment to amend the Zoning Ordinance to provide for Electronic Gaming Operations with a Special Use Permit in the Business Highway #1 and Business Highway #2 Zoning Districts.

The Planning and Inspections Department recommends approval of the text amendment.

At their regular meeting on February 25, 2020, the Planning Board voted to recommend that the City Council approve this request and adopted a Resolution Adopting A Statement of Consistency Regarding the Proposed Amendment.

If you have questions, please contact this office.

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, Section 11.29(a) Definitions of the Zoning Ordinance of the City of Eden is hereby amended by adding the following Definition:

(a) **DEFINITIONS:**

Electronic Gaming Operation: Any business activity, whether as a principal use or an accessory use, in which patrons use electronic or mechanical machines, including, but not limited to, computers and gaming terminals to conduct or simulate games of chance, including the use of the machines to reveal the pre-determined value of an entry, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether the value is determined by the machines or by pre-determined odds. Electronic Gaming Operations do not include any Lottery approved by the State of North Carolina or any non-profit activity otherwise lawful under North Carolina State Law.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of March, 2020.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, Section 11.24(k) Business-Highway #1 District of the Zoning Ordinance of the City of Eden is hereby amended by adding the following as a Permitted Use:

(1) **Permitted Uses**

Electronic Gaming Operations as a special use upon approval of a Special Use Permit from the Board of Adjustment. (See Section 11.26(c)(3)(c)(18))

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of March, 2020.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, Section 11.26(c)(3)(c) Board of Adjustment of the Zoning Ordinance of the City of Eden is hereby amended by adding the following:

- (18) **ELECTRONIC GAMING OPERATIONS** may be permitted as a special use in the Business Highway 1 and Business Highway 2 districts provided all the following requirements of this section are met:
- (a) An Electronic Gaming Operation shall not be permitted if located within one half-mile of an existing Electronic Gaming Operation.
 - (b) An Electronic Gaming Operation shall not be permitted if located within 2,500 feet of an educational facility to include their outdoor play yards, a licensed child care facility, an assisted living facility, a nursing home, a public park or playground, a hospital, a medical center, an adult establishment or a church or place of worship.
 - (c) The hours of operation of an Electronic Gaming Operation shall be limited to 8 a.m. to 10 p.m.
 - (d) Forty percent (40%) of the front of the building or any side visible from a street or right of way shall be glass so that clear unobstructed view of the interior can occur from the street.
 - (e) No curtains, screens, blinds, partitions, signs or other obstructions shall be placed between the entrance to the room where gaming machines or computer terminals are stationed and the rear walls of the room so that a clear and unobstructed view of the interior can occur from the street.
 - (f) Electronic Gaming Operations shall be limited to no more than fifteen (15) computers and/or gaming terminals.
 - (g) Any Electronic Gaming Operation shall be conducted completely within an enclosed structure.
 - (h) No alcoholic beverages shall be served on the premises of any Electronic Gaming Operation.
 - (i) No flashing signs or lighting shall be allowed on the premises of any Electronic Gaming Operation. All other signage shall meet the requirements as set forth in Section 11.31 of this ordinance.
 - (j) A site plan drawn to scale shall be submitted at the time of application for a special use permit.
 - (k) A floor plan shall also be submitted at the time of application showing the use of all floor space, detailing the number of machines and their location in the facility.

- (l) Any changes or additions to the site or floor plan must be submitted for approval by the Board of Adjustment and shall be considered an amendment to the special use permit.
- (m) No machines or devices that have been deemed to be unlawful by the State of North Carolina shall be a part of any Electronic Gaming Operation.
- (n) All Electronic Gaming Operations shall be subject to an annual review and inspection to ensure compliance with these regulations.

The Board of Adjustment shall, prior to the issuance of a Special Use Permit for an Electronic Gaming use in the Business Highway 1 and Business Highway 2 district, find that the use meets the following standards:

In addition to any other requirements with respect to the Petition authorized by this section, the Petition shall set forth the following:

- (a) The Electronic Gaming Operation is not located within one half-mile of an existing Electronic Gaming Operation.
- (b) The Electronic Gaming Operation is not located within 2,500 feet of an educational facility to include their outdoor play yards, a licensed child care facility, an assisted living facility, a nursing home, a public park or playground, a hospital, a medical center, an adult establishment or a church or place of worship.
- (c) The hours of operation of an Electronic Gaming Operation will be limited to 8 a.m. to 10 p.m.
- (d) Forty (40%) percent of the front of the building or any side visible from a street or right of way is glass so that a clear unobstructed view of the interior can occur from the street.
- (e) No curtains, screens, blinds, partitions, signs or other obstructions will be placed between the entrance to the room where gaming machines or computer terminals are stationed and the rear walls of the room so that a clear and unobstructed view of the interior can occur from the street.
- (f) Electronic Gaming Operations will be limited to no more than fifteen (15) computers and/or gaming terminals.
- (g) Any Electronic Gaming Operation will be conducted completely within an enclosed structure.
- (h) No alcoholic beverages will be served on the premises of any Electronic Gaming Operation.
- (i) No flashing signs or lighting will be allowed on the premises of any Electronic Gaming Operation. All other signage will meet the requirements as set forth in Section 11.31 of this ordinance.
- (j) A site plan drawn to scale has been submitted at the time of application for a special use permit.
- (k) A floor plan has been submitted at the time of application showing the use of all floor space, detailing the number of machines and their location in the facility.

- (l) Any changes or additions to the site or floor plan must be submitted for approval by the Board of Adjustment and shall be considered an amendment to the special use permit.
- (m) No machines or devices that have been deemed to be unlawful by the State of North Carolina are a part of any Electronic Gaming Operation.
- (n) All Electronic Gaming Operations will be subject to an annual review and inspection to ensure compliance with these regulations.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of March, 2020.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-20-01
TEXT AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

WHEREAS, on August 21, 2007, the Eden City Council adopted the Land Development Plan. Plans such as the City of Eden Land Development Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances;

WHEREAS, the City Council of the City of Eden initiated a case to provide regulations for Electronic Gaming Operations in the City of Eden;

WHEREAS, On February 25, 2020, the City of Eden Planning Board voted to recommend to the City Council that the text amendment be approved.

STATEMENT OF NEED:

Electronic Gaming Operations (also called "skill games", "sweepstakes", "game rooms" and other names) have become a hot topic in the State of North Carolina in recent years. The State has outlawed these establishments several times, only for a "loophole" to be found which allows the businesses to continue with slight modifications. If left unregulated, these uses can create certain nuisances to the general public and potential injury to adjoining and nearby businesses and residences, which can impact the quality of life and safety of citizens and property owners. Currently our Zoning Ordinance does not adequately address these uses.

STATEMENT OF CONSISTENCY:

The goals of the 2007 City of Eden Land Development Plan, as amended, are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Land Development Plan, and why the City Council considers the proposed amendment to be reasonable and in the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL THAT:

1. The Eden City Council finds that the proposed amendment to the City of Eden Zoning Ordinance is consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended.
2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Zoning Ordinance is reasonable and in the public's best interest.

Approved and adopted and effective this 17th day of March, 2020.

CITY OF EDEN

BY: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



Economic Development Department

March 2, 2020

To: The Honorable Mayor and Eden City Council

Thru: Terry Shelton, Interim City Manager

From: Mike Dougherty, Director of Economic Development

Re: Public Hearing March 17, 2020 City Council meeting to hold a public hearing on the incentive package for American Cultivation and Extraction Services, LLC (ACES). The City Council will consider approval of an appropriation from its general fund in an amount not to exceed \$119,851 which will be distributed to the company in three annual installments following the project parameters.

The consideration for such incentive package shall be a contractual obligation by ACES to invest up to \$4.0 million in net new personal property by the end of December 31, 2020, an additional \$4.0 million in net new personal property by the end of December 31, 2021 and an additional \$2.0 million in net new personal property by the end of December 31, 2022. ACES agrees to maintain the net new taxable machinery and equipment beginning December 31, 2020 through December 31, 2026 following project parameters as outlined in the performance agreement.

The Company also agrees to create up to 62 full-time positions following the project parameters as outlined in the company performance agreement. The Company also agrees to maintain these full-time positions through direct employment beginning by December 31, 2020 through December 31, 2026 following the project parameters. It is anticipated that the investment will generate increased tax base and other revenues.

Please let me know if you have any questions concerning this public hearing.

**PERFORMANCE AGREEMENT
BETWEEN
LOCAL GOVERNMENTS
AND
AMERICAN CULTIVATION
AND EXTRACTION SERVICES, LLC.**

DATE: _____, 2020

COMMUNITY: Rockingham County (“County”), and the City of Eden (“City”), with both Parties being referred to collectively as the “Community”
P.O. Box 101
Wentworth, NC 27375

COMPANY: American Cultivation and Extraction Services, LLC
245 East Friendly Avenue
Suite 100
Greensboro, NC 27401

ECONOMIC INCENTIVE PURPOSE

Expansion of the Local Economy. Incentives agreed to be paid by the Community under this Performance Agreement (“Agreement”) are in consideration of the Company locating or expanding within the County and the City the industrial enterprise described herein which will increase the population, tax base, and business prospects of the County and the City, as well as result in the creation of a substantial number of basic employment jobs in the County and the City that pay at or above the median average wage.

Basic Employment Jobs. "Basic employment jobs," for purposes of this Agreement are defined as jobs which are associated with activities that generate income from the sales of products and

services in markets outside of the Rockingham County economy. Basic employment jobs have a multiplier effect creating additional jobs within the local economy. (A relevant study by the Piedmont Triad Council of Governments indicated that each basic employment job created within Rockingham County results in the generation of 2.9 additional jobs within the County's economy.)

Source of Funding. The amount of the County and City expenditures under this Agreement have been calculated by reference to the Net New Taxable Value of the Company's investments under this Agreement, but may be funded from any revenue sources, in the individual discretions of the County and the City.

Net New Taxable Value. "Net new taxable value," for purposes of this agreement is defined to be that increase in the total tax value of the Location real estate and improvements listed with the Rockingham County Tax Department over and above its current value which is new to the economy of Rockingham County and the City of Eden. Under this definition, "net new taxable value" would exclude any value which by whatever means is removed from another situs within Rockingham County to the Location. Also excluded from this definition, would be any increase in tax value resulting from revaluation of real estate or improvements existing at the time this Agreement is executed and the value of any real estate or improvements provided to the Company as an incentive under this agreement; however, any net increase in taxable market value of the Location resulting from other improvements located thereon after the execution of this Agreement by all parties would be included.

TOTAL INCENTIVE PACKAGE

The Community and Company have agreed to enter into the following Performance Agreement. The Community is offering to the Company a total incentive of \$256,627 in three (3) phases. The Company shall be eligible to receive \$136,776 in incentives from Rockingham County and \$119,851 in incentives from the City of Eden. In return, the Company agrees to meet certain industrial investment and employment performance standards outlined below in Article 2. If the Company meets all industrial investment and employment performance standards, then it shall receive the full amount of yearly financial incentives offered by the Community. If the Company fails to meet a portion of its investment or employment performance standards, then the incentive payable shall be calculated as referenced in Article 4, Section C below.

1. SUMMARY OF COMMUNITY INCENTIVES

- A. COUNTY INCENTIVES FOR PERSONAL PROPERTY:** Assuming Company also meets its employment qualification set out in Article 2, Section B below, the County agrees to pay for Eligible Costs not to exceed \$54,710 in Phase I, \$54,710 in Phase II, and \$27,355 in Phase III, for a total incentive of \$136,776. As used herein, "Eligible Costs" shall consist of the costs of personal property incurred by the Company at the location described in Article 1, Section B below in connection with the investment described in Article 2, Section A below, such project has been approved by the Rockingham County Board of Commissioners. The County will reimburse the Company for such Eligible Costs according to the following schedule:

- (i) **Phase I** (\$4 million investment by Company in Personal Property)
The County will reimburse the Company for Eligible Costs over a 3 (three) year period for a total amount of \$54,710.00. The first annual installment of \$20,016.00 shall be made by May 31, 2022. The second annual installment of \$18,236.80 shall be made by May 31, 2023. The third annual installment of \$16,457.60 shall be made by May 31, 2024.
- (ii) **Phase II** (\$4 million investment by Company in Personal Property)
The County will reimburse the Company for Eligible Costs over a 3 (three) year period for a total amount of \$54,710.00. The first annual installment of \$20,016.00 shall be made by May 31, 2023. The second annual installment of \$18,236.80 shall be made by May 31, 2024. The third annual installment of \$16,457.60 shall be made by May 31, 2025.
- (iii) **Phase III** (\$2 million investment by Company in Personal Property)
The County will reimburse the Company for Eligible Costs over a 3 (three) year period for a total amount of \$27,355.00. The first annual installment of \$10,008.00 shall be made by May 31, 2024. The second annual installment of \$9,118.40 shall be made by May 31, 2025. The third annual installment of \$8,228.80 shall be made by May 31, 2026.

B. CITY INCENTIVES FOR PERSONAL PROPERTY: Assuming Company also meets its employment qualification set out in Article 2, Section B below, the City agrees to pay for Eligible Costs not to exceed \$47,940 in Phase I, \$47,940 in Phase II, and \$23,970 in Phase III, for a total incentive of \$119,851. As used herein, “Eligible Costs” shall consist of the costs of personal property incurred by the Company at the location described in Article 1, Section B below in connection with the investment described in Article 2, Section A below, such project has been approved by the Eden City Council. The City will reimburse the Company for such Eligible Costs according to the following schedule:

- (i) **Phase I** (\$4 million investment by Company in Personal Property)
The City will reimburse the Company for Eligible Costs over a 3 (three) year period for a total amount of \$47,940.00. The first annual installment of \$17,539.20 shall be made by May 31, 2022. The second annual installment of \$15,980.16 shall be made by May 31, 2023. The third annual installment of \$14,421.12 shall be made by May 31, 2024.
- (ii) **Phase II** (\$4 million investment by Company in Personal Property)
The City will reimburse the Company for Eligible Costs over a 3 (three) year period for a total amount of \$47,940.00. The first annual installment of \$17,539.20 shall be made by May 31, 2023. The second annual installment of \$15,980.16 shall be made by May 31, 2024. The third annual installment of \$14,421.12 shall be made by May 31, 2025.

(iii) **Phase III** (\$2 million investment by Company in Personal Property)

The City will reimburse the Company for Eligible Costs over a 3 (three) year period for a total amount of \$23,970.00. The first annual installment of \$8,769.60 shall be made by May 31, 2024. The second annual installment of \$7,990.08 shall be made by May 31, 2025. The third annual installment of \$7,210.56 shall be made by May 31, 2026.

C. LOCATION: The Project (as defined below) is located at 801 Fieldcrest Road, Eden, North Carolina, an existing industrial facility (also known as the “Plant Site”), situated on a 17-acre tract, Eden, Rockingham County, North Carolina 272888. The Parcel ID Number is 173470 (7090-09-06-6740-00).

2. INDUSTRIAL INVESTMENT AND EMPLOYMENT AGREEMENT

A. INVESTMENT QUALIFICATION: The Company agrees for the benefit of the County and the City to invest at the Location a minimum of \$10,000,000 in Net New Taxable Value in personal property by December 2022 (\$4,000,000 in 2020, \$4,000,000 in 2021, and \$2,000,000 in 2022).

The Company agrees to make timely filings to the Rockingham County Tax Assessor such that all of the taxable personal property owned by it at the Location shall be properly listed with the office of the Rockingham County Tax Assessor no later than January 31 of the calendar year following its installation at the Project Location. Specifically, the Company agrees that it will invest as follows: \$4,000,000 in taxable personal property in 2020, listing with the Tax Assessor no later than January 31, 2021; \$4,000,000 in taxable personal property in 2021, listing with the Tax Assessor no later than January 31, 2022; and \$2,000,000 in taxable personal property in 2022, listing with the Tax Assessor no later than January 31, 2023, or such later date as authorized by statute or in writing by the Tax Assessor.

The Company stipulates that such taxable personal property listed with the office of the Rockingham County Tax Assessor shall be depreciated using the Cost Index and Depreciation Schedules developed by the North Carolina Department of Revenue. The \$10,000,000 of taxable personal property invested by the Company, less Allowable Depreciation for such taxable personal property, shall be maintained through December 31, 2026. The personal property may be referred to herein as the “Project” at the site identified in Article 1, Section C above.

The Company also stipulates such taxable personal property shall be listed with the office of the Rockingham County Tax Assessor using Schedule A10 of the Cost Index and Depreciation Schedule developed by the North Carolina Department of Revenue. More specifically, the personal property shall for valuation purposes have a 10-year life with a 25% residual tax value. Said listing and subsequent valuation shall reflect the minimum taxable investment by the Company in personal property which is new to the economy of Rockingham County. “Allowable Depreciation” for purposes of this Agreement is the amount expressed in dollars generated by computing depreciation under said Cost Index and Depreciation Schedule. Provided, however, that should the Cost Index and

Depreciation Schedule be altered by the State of North Carolina or the applicable personal property treated by the taxing authorities other than as contemplated by the parties so as to reduce the taxable investment of the Company below the above described minimums, then the incentives paid hereunder by the County and the City shall be reduced on a pro rata basis to reflect the percentage reduction in net new taxable investment actually created by the Company pursuant to this Agreement.

- B. EMPLOYMENT QUALIFICATION:** The Company agrees for the benefit of the County and the City to create, fill, and maintain an additional employment level of 43 full-time positions by December 31, 2020, 15 additional full-time positions by December 31, 2021, and 4 additional full-time positions by December 31, 2022 for a total of 62 full-time positions. The Company agrees to maintain these full-time positions by direct employment through December 31, 2026. Full-time positions shall mean positions in which an employee is employed for a minimum of 52 weeks and 2080 hours (with the usual adjustments for vacation, sick leave and personal time) during the course of each year January 1 through December 31 at an average annual wage of \$57,032 and provided with a medical benefits plan by the Company. It is understood that the Company will report to the Community the number of full-time employees it has on the payroll as of December 31 of each year. This report shall be filed with the Community on or before January 31 of the following year. The calculation of financial incentives shall be based on the number of full-time employees as reported and amounts of capital investments resulting in Net New Taxable Value, as reported pursuant to Article 2, Section A above. It is understood that the amount of financial incentives paid will be subject to reductions pursuant to the formula set forth in Article 4, Section C below.
- C. LOCAL ZONING QUALIFICATION:** The Company agrees to certify that there are no pending violations of the state building code or local zoning ordinances and payment of sums due under this Agreement is conditioned on compliance by the Company with all such building codes and zoning ordinances.
- D. STATUTORY COMPLIANCE:** The Company understands that County and City participation is contingent upon compliance by the County and City with N.C. General Statute 158-7.1.
- E. BINDING EFFECT:** This Agreement and the obligations of performance contained herein shall be binding upon the Company and its successors and assigns, as a continuing contract pursuant to N.C. General Statute 153A-13 as to the County and 160A-17 as to the City.

3. PROOF AND CERTIFICATION

Community and Company officials agree to furnish to the other any reports and certificates with supporting documentation reasonably necessary to verify that each is performing its obligations under this Agreement. Once the Company meets its investment and employment goals, it will no longer be obligated to provide such access to its records or furnish such reports and certificates.

4. **REMEDY**

- A. **COMPANY:** In the event of the Community's breach or threatened breach of any provision of this Agreement, Company shall be entitled, if it so elects, to institute and prosecute proceedings in any court of competent jurisdiction, either in law or in equity to enforce the specific covenants herein.
- B. **OFFSET:** The Community reserves the right to suspend or reduce any payment due to the Company under this Agreement if any water and sewer charges, ad valorem taxes, assessments or other financial obligations lawfully incurred by the Company and payable to the County and the City are not current.
- C. **COMMUNITY:** If the Company does not meet and maintain the investment and employment requirements set forth in Article 2 above, within the timetable set forth in this Agreement, then the Company agrees to a reduction by the County and the City of the pro rata share of the sum \$256,627 offered as a financial incentive to reimburse Eligible Costs under this Agreement that has not been earned and to have its annual installments reduced by the Community until such time that the Company is in compliance. Any pro rata adjustment of annual incentive payments shall be based 50% on the Company's Investment Qualification and 50% on the Company's Employment Qualification (For example: if the actual new investment is 10% less than the Investment Qualification, and the actual new employment is 20% less than the Employment Qualification, then the annual incentive payment would be reduced by 15%. Or, if the actual new investment meets the Investment Qualification, but actual employment is 20% less than the Employment Qualification, then the annual incentive payment would be reduced by 10%); provided, however, that the incentive paid to the Company by either the County or the City under this Agreement in any year of performance shall not exceed the amount of ad valorem taxes paid to such entity for net new taxable value invested by the Company for such year. If in any year during the term of this Agreement, the Company terminates all operations in the Facility all future financial incentive payments shall be suspended and the Community shall have no obligation to pay any financial incentive payments following the termination of all operations in the Facility. The remedies set forth in this Section C shall be the sole and exclusive remedy of the Community and the sole and exclusive obligation of the Company in the event the Company does not meet and maintain the investment set forth in Article 2 or otherwise fails to comply with the terms of this Agreement.

5. **REPRESENTATIONS AND WARRANTIES**

- A. **Community's Representations:** Each Community entity represents for itself (but not for the other), as follows:
- (i) The Community (1) has full power and authority to enter into this Agreement, and to enter into and carry out the transactions contemplated by this Agreement; (2) by proper action has duly authorized the execution and delivery of this Agreement; and (3) is not in default under any provisions of this Agreement.

- (ii) The Community has duly authorized, executed and delivered this Agreement, and this Agreement constitutes the Community's legal, valid and binding obligation, enforceable in accordance with its terms.
- (iii) To the Community's knowledge, there is no litigation or proceeding pending or threatened against the Community or affecting it which would adversely affect the validity of this Agreement.
- (iv) The Community is not in default under any provision of State Law, which would affect its existence, or its powers as referred to in subsection (i).
- (v) No member, director, officer or official of the Community has any interest (financial, employment or other) in the Company or the transactions contemplated by this Agreement.
- (vi) With respect to this Agreement, County and City have complied fully and shall comply fully with all requirements of N.C. General Statute 158-7.1.

B. Company's Representations: The Company represents as follows:

- (i) The Company (1) is a legal entity duly constituted and in good standing under the laws of North Carolina (2) is duly qualified to transact business and is in good standing in the State of North Carolina; (3) is not in violation of any provision of its Certificate of Incorporation or its Bylaws; (4) has full corporate power to own its properties and conduct its business; (5) has full corporate power and authority to enter into this Agreement and to enter into and carry out the transactions contemplated by this Agreement; (6) by proper corporate action has duly authorized the execution and delivery of this Agreement; and (7) is not in default under any provision of this Agreement.
- (ii) Its execution and delivery of this Agreement neither conflicts with, nor will result in a breach of or default under or will result in the imposition of any lien on its property pursuant to its Articles of Organization or its Operating Agreement or, to the best of the its knowledge, the terms, conditions or provisions of any statute, order, rule, regulation, agreement or instrument to which it is a party or by which it is bound.
- (iii) It has duly authorized, executed and delivered this Agreement, and this Agreement constitutes its legal, valid and binding obligation, enforceable in accordance with its terms.
- (iv) There is no litigation or proceeding pending or, to its knowledge, any threatened against such Company, which would adversely affect the validity of this Agreement.

6. MISCELLANEOUS PROVISIONS

- A. Assignments:** No party shall sell or assign any interest in or obligation under this Agreement without the prior express written consent of all the parties. Provided, however, that this Agreement may be assigned by the Company to a wholly owned subsidiary of the Company, without the consent of all other parties, provided that the Company will guarantee the performance by the subsidiary of the obligations due under this Agreement.

- B. Governing Law:** The parties intend that this Agreement shall be governed by the law of the State of North Carolina.
- C. Notices:**
- (i) Any communication required or permitted by this Agreement must be in writing except as expressly provided otherwise in this Agreement.
 - (ii) Any communication shall be sufficiently given and deemed given when delivered by hand or five days after being mailed by first-class mail, postage prepaid, and addressed as shown above on page 1 of this Agreement.
 - (iii) Any communications hereunder sent to the County or the City, shall also be sent to each of the other.
 - (iv) Any addressee may designate additional or different addresses for communications by notice given under this Section to each of the others.
- D. Non-Business Days.** If the date for making any payment or the last day for performance of any act or the exercising of any right shall not be a Business Day, such payment shall be made or act performed or right exercised on or before the next preceding Business Day.
- E. Severability.** If any provision of this Agreement shall be determined to be unenforceable, that shall not affect any other provision of this Agreement.
- F. Entire Agreement; Amendments.** This Agreement constitutes the entire contract between the parties, and this Agreement shall not be changed except in writing signed by all the parties.
- G. Binding Effect.** Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties and their respective successors and assigns.
- H. Time.** Time is of the essence in this Agreement and each and all of its provisions.
- I. Liability of Officers and Agents.** No officer, agent or employee of the County, the City, or the Company shall be subject to any personal liability or accountability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute such documents in their official capacities only, and not in their individual capacities. This Section shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.
- J. Counterparts.** This Agreement may be executed in several counterparts, including separate counterparts. Each shall be an original, but all of them together constitute the same instrument.

IN WITNESS WHEREOF, Rockingham County, the City of Eden, and American Cultivation and Extraction Services, LLC executed this Agreement effective as of the date first above written.

ROCKINGHAM COUNTY

(SEAL)

By: _____
Mark F. Richardson, Chairman Date
Board of Commissioners

ATTEST:

Jennifer H. Woods Date
Clerk to the Board of Commissioners

CITY OF EDEN

(SEAL)

By: _____
Terry Shelton Date
Interim City Manager

ATTEST:

Deanna Hunt Date
City Clerk

**AMERICAN CULTIVATION AND
EXTRACTION SERVICES, LLC.**

(SEAL)

By: _____
Ed Sartin Date
Managing Partner

ATTEST:

Name Date

Title

**NORTH CAROLINA
ROCKINGHAM COUNTY**

I, _____, a Notary Public of said County and State, do hereby certify that Jennifer H. Woods, Clerk to the Rockingham County Board of Commissioners, personally appeared before me and certified that the foregoing instrument was executed in the name of **ROCKINGHAM COUNTY** by Mark F. Richardson, Chairman of the Rockingham County Board of Commissioners, and that she, Jennifer H. Woods, Clerk to the Board, did attest to said instrument and sealed it with its corporate seal.

Witness my hand and official seal, this the _____ day of _____, 2020.

(OFFICIAL SEAL)

Notary Public

My commission expires:

**NORTH CAROLINA
ROCKINGHAM COUNTY**

I, _____, a Notary Public of said County and State, do hereby certify that Deanna Hunt, Clerk to the City of Eden, personally appeared before me and certified that the foregoing instrument was executed in the name of the **CITY OF EDEN** by Terry Shelton, Interim Manager for the City of Eden, and that she, Deanna Hunt, Clerk to the City of Eden, did attest to said instrument and sealed it with its corporate seal.

Witness my hand and official seal, this the _____ day of _____, 2020.

(OFFICIAL SEAL)

Notary Public

My commission expires:

**NORTH CAROLINA
ROCKINGHAM COUNTY**

I, _____, a Notary Public for said County and State, do hereby certify that Ed Sartin personally came before me this day, and acknowledged that he/she is the Managing Partner of **AMERICAN CULTIVATING AND EXTRACTION SERVICES, LLC.**, a North Carolina Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by Ed Sartin, sealed with the corporate seal, and attested by his/her as its Secretary.

Witness my hand and official seal, this the _____ day of _____, 2020.

(OFFICIAL SEAL)

Notary Public

My commission expires:

ROCKINGHAM COUNTY

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.**

JOHN M. MORRIS, COUNTY ATTORNEY

EDEN

"This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.**

ERIN GILLEY, EDEN CITY ATTORNEY



Planning and Inspections Department

308 East Stadium Drive, Eden, North Carolina 27288 Phone: (336) 623-2110 Fax: (336) 623-4057

MEMO

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Debbie Galloway
Subject: **2020 Boards and Commissions Appointments**
Date: March 4, 2020

The following seats on the City Boards and Commissions are up for appointment or reappointment in 2020. When making appointments, please consider whether these persons have the time or the ability (for whatever reason) to attend regular meetings and participate in the activities of the board or commission.

If you have questions, please do not hesitate to call.

Ward 5 Councilman Carter – Historic Preservation Commission
(Marianne Aiken resigned)



RESOLUTION BY THE CITY COUNCIL OF THE CITY OF EDEN

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction and planning of improvements of wastewater and drinking water systems, and
- WHEREAS, The **City of Eden** has need for and intends to complete various wastewater system improvement projects in order to comply with US EPA Administrative Order CWA-04-2012-4578 and provide wastewater system resiliency/asset hardening, and
- WHEREAS, The **City of Eden** intends to request state grant/loan assistance for the projects,

NOW THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF EDEN:

That **City of Eden**, the **Applicant**, will arrange financing for all remaining costs of the projects including required matching funds, if approved for a State grant award.

That the **Applicant** will adopt and place into effect on or before completion of the projects a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the **Applicant** will provide for efficient operation and maintenance of the projects on completion of construction thereof.

That **Terry A. Shelton, Interim City Manager**, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant/loan to aid in the completion of the construction projects described above.

That the **Neville Hall, Mayor**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the projects; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 17 day of March, 2020 at Eden, North Carolina.

Neville Hall, Mayor

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Eden does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Eden duly held on the **17th day of March, 2020**; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this **18th day of March, 2020**.

Deanna Hunt, City Clerk



Economic Development Department Planning and Inspections Department

March 6, 2020

To: Honorable Mayor and City Council

Thru: Terry Shelton, Interim City Manager

From: Mike Dougherty, Director of Economic Development
Kelly Stultz, Director of Planning and Inspections

Re: Nantucket Mill Special Façade Grant Commitment Request

Currently, two mill developers are finalizing plans to rehabilitate the historic Nantucket Mill in the Spray Historic District. This is a \$23 million project that will include 107 apartments and a 3,000-4,000 SF event space. Both market rate and affordable housing will be included in this project. Four permanent jobs will be created within the facility. It will save one of Eden's most iconic historic structures and help pave the way for additional development.

At the November 2019 City Council meeting, an At-Risk and Historic Property Façade Grant policy was approved. That grant ranged from \$2,500-\$20,000 based on the cost of the façade rehabilitation. This was designed to incentivize developers to improve buildings so the City was not left with the cost of saving or stabilizing them. Because of this grant, three historic buildings will be rehabilitated in 2020. It is working as it was designed.

The Nantucket Mill would have been rehabilitated a decade ago if it were located in a community along the I-40 corridor. Eden's rural location makes it riskier for such development projects. In fact, we have seen how other developers have encountered resistance from lending institutions because Eden is a rural community. On a positive note, the recently brisk housing and strong rental markets have demonstrated that Eden can support such projects.

It should be noted that many NC communities have contributed to building or mill rehabilitation projects by either waiving permit fees, providing infrastructure improvements, funding loans or grants. Some examples:

- **White's Furniture Site, Mebane, NC**
City of Mebane:

Moved sewer line: \$52,997
Provided new storm drain: \$649,956
Engineering, design and testing as well as sidewalk improvements: \$142,646
Waived permit fees: \$180,550
Total contribution: **\$1,026,149**

- **Spencer Mill, Mt. Airy, NC**

City of Mt. Airy:

\$80,000 to purchase part of the mill
Infrastructure improvements: \$4 million
Total Investment: **\$4,080,000**

- **Asheboro Lofts, Asheboro, NC**

City of Asheboro:

Public improvements, such as sidewalk construction
Waived permit fees
\$560,000 loan to developer at 2% interest with a 20-year term-payment term

The Nantucket Mill is a significantly larger structure than any downtown building. The sheer scale of this rehabilitation project warrants consideration of a larger grant amount. On March 6, 2020, a proposal was made to the Eden Strategic Planning Commission (SPC) to support a \$100,000 façade grant. Because this grant is significantly larger than the ones approved previously, the City Attorney has advised that the City should require the Developer to grant the City an easement over the façade of the structure in consideration for the grant funds. The easement will require the owner to improve and maintain the façade and give the City the right to inspect and control the condition of the façade.

The funds do not have to be provided immediately. They can be committed to the project that will be completed by 2024. In addition, the City will not take any ownership interest in the property, such as the façade easement until the environmental risks have been abated. The SPC voted to support this grant. When the At-Risk and Historic Property grant was created, the path for approval started with the SPC and moved to City Council for final approval.

The Eden City Council is being asked to also commit to providing this funding in a future budget, most likely the 2021-22 budget year. At this time, the project will be well underway, providing evidence that it will be completed and the investment will produce a return on investment of new housing and a significantly improved structure in the Spray Historic District. We are seeking this commitment so the developers can proceed with their project, secure that this funding will be provided. As with all Eden grants, it will be provided on a reimbursement basis.

It should be noted that the alternative to this mill being rehabilitated is the likely withdrawal of the developers or sale of the structure to a company specializing in harvesting valuable infrastructure from historic buildings. These companies leave debris that often falls to the municipality to remediate at significant costs. A neighboring Rockingham County community has incurred more than \$500,000 in such costs for an abandoned mill with potential liability

exceeding a million dollars. The City's investment will help ensure that the project will proceed and the Nantucket Mill will be returned to the tax rolls and begin the resurgent of the Spray neighborhood of Eden.

Please let me know if you have any questions concerning this request. A presentation will accompany the request.



Economic Development Department

March 6, 2020

To: The Honorable Mayor and Eden City Council

Thru: Terry Shelton, Interim Eden City Manager

From: Mike Dougherty, Director of Economic Development

Re: GIS Web Tech program cost approval

GIS Web Tech is a partner organization with Environmental Systems Research Institute (ESRI,) a supplier of global statistical data with various applications. The City Planning and Inspections Department has used ESRI data extensively, as has the Economic Development Department.

In late 2019, the Rockingham County Economic Development Department incorporated GIS Web Tech into its site and building inventory into its web site. This program offers extensive information on zoning, demographics, drive times, federal opportunity zones and workforce availability. At a 2019 North Carolina Economic Developer Association meeting, it was emphasized that the availability and accuracy of data is imperative to being considered for economic development projects.

By incorporating this program into the Eden economic development sites and building inventory we will be consistent with the County and provide a wealth of information to site consultants who often preview communities without their knowledge. This program allows pertinent data about Eden to be available at all times.

On Friday, March 6, 2020, the Eden Strategic Planning Commission (SPC) approved the \$1,500 initial charge and \$5,000 annual charge for this service. After the first year, the cost of the annual fee will be incorporated into the economic development department budget. I am requesting that the \$6,500 approved by the SPC be also approved by City Council at its March 17, 2020 meeting so this program can be immediately incorporated into our web site.

Please let me know if you have additional questions about this request.



City Manager's Report March 2020

Interim City Manager Terry A. Shelton

Administration

Eden Youth Council

The City is currently accepting applications for the 2020-21 City of Eden Youth Council. Membership is open to individuals who live in the Morehead High School Attendance Zone (MHS, college, homeschool, or private school students) and are between the ages of 14 and 20.

This experience provides our youth with:

- Service opportunities
- Development of leadership and professional skills
- Networking amongst civic leaders
- Coordinating opportunities for Eden youth
- Great experience to list on resumes and college applications

Applications are available at Eden City Hall - Administration, Morehead High School Student Affairs Office, and online on the City's website.

Economic Development

Industry

Southern Virginia Mega Site at Berry Hill

The water line project is moving very quickly and will be completed much earlier than the August 2020 initial completion date projection. It could be completed as early as April of this year. There has been significant activity by parties interested in locating at the park.

Envision Career Expo

This event will take place on Thursday, April 2 at Rockingham Community College. Seventh-graders from across the county will see area companies exhibit what they do in their individual businesses. The goal of this event is to show students the careers they can seek at Rockingham County industries and small businesses. This will be an annual event facilitated by the Rockingham County Economic Development Department and its partners, including the City of Eden Economic Development Department.

RCC Enrollment

At a February 17 meeting, RCC President Mark Kinlaw gave a presentation on the current state of the college and the workforce development center. Enrollment is up considerably as seen in the following:

- Fall enrollment has increased 7.68% since 2015

- Spring enrollment has increased 16.5% in 2020 vs. 2019
- 35.4% of Rockingham County School students attend RCC (21.6% in 2015)
- Distance education has grown from 9.8% in 2013 to 31.05% in 2019
- GED students have grown from 72 in 2013 to 101 in 2019
- Continuing education is up 18.2% (246 in 2015 and 291 in 2019)

The new workforce building is in the process of being designed. It is not scheduled to open until March 2023. Because of the NC Connect Bond funding, almost all of the community colleges obtained funding for capital improvements. These projects have to go through the state construction office, which has delayed plan approval significantly.

Morehead High School

Eden officials participated in a mock interview session at the high school on March 3. In one area, students seeking scholarship funding were asked to make the case why they were deserving of this funding. Facilitators saw very focused, dedicated, and admirable students during the 2.5 hours spent interviewing them. Some examples:

- One student acts as a mentor to his peers by tutoring them during his lunch period. He often “counsels” those having problems as well.
- A Rock-A-Top Apprenticeship student is currently working half days while completing his high school degree. He offered to speak on behalf of the Rock-A-Top apprenticeship program to help other students who may have an interest in participating because of the great experience he has had with the program.
- One young man won the MHS and Rockingham County science fair award and went on to compete at the state level.
- Several National Honor Society students, who are also leaders on the Student Council, participated. One student also partakes in Meals on Wheels. Many are concerned with our environment and want to work toward improving their community.

There are many good things taking place at MHS, thanks to Principal Ryan Moody and the dedicated staff that work diligently for their students to succeed.

Commercial

Lidl Building

The building is now on Atlantic Retail’s website with demographic and spec information. A “For Sale” sign is up on the site, but no price. The company is leaving the price open to negotiation. The new broker has had several inquiries about the site.

KFC

This restaurant reopened the second week in March. There was much excitement concerning this reopening after the store was demolished in the summer of 2019 as a result of a gas explosion. Everyone wishes them the very best as they continue serving the Eden community.

Ample Storage/Zip’s Car Wash

Considerable work is being done in the former Walmart building to accommodate this new business. The car wash is being plagued by the wet weather, but continues to progress.

Gordman’s Department Store-Grand Opening next month!

All 45 new Gordman’s stores will open concurrently at 9 a.m. on Tuesday, April 7. The new Eden Gordman’s store will be located in the former Peeble’s location in Kingsway Plaza next to Dollar Tree.

Main Street

Eden Downtown Development Inc.

The inaugural date for the **Entrepreneurship Eden program** is April 30 in Pace-Stone's upstairs gallery. The program is a joint effort of the Eden Downtown Development Corporation, Rockingham Community College Small Business Center, Rockingham County Economic Development Department, and the Eden Chamber of Commerce. Representatives from NC Idea and the NC Rural Center will assist as the 'Who Owns the Ice House' curriculum is explored. The event will showcase Eden's entrepreneur support network and introduce new and exciting mindset techniques for entrepreneurs to recognize opportunity. Seating is limited and registration will be coordinated through RCC's Small Business Center. A **citywide yard sale** is planned for May 2 in conjunction with the Eden Boys and Girls Club. The event will kick off with a scavenger hunt at the club. We hope that Eden residents will coordinate their own yard sale that day. If you would like to rent a space at the Boys and Girls Club at 1026 Harris Street, call them at 336-627-7960.

Leaksville Commercial District

Upper floor apartments are now available downtown at 620 Washington Street. The building will also house a coffee shop and has a pedestrian alley to connect with the Bridge Street parking lot. Coming soon to 624 Washington Street is more upper floor residential living space above an Italian restaurant. With the addition of Dollar General moving into the former Family Video store, Eden will have a more vibrant walkable downtown.

Boulevard Merchants Association

The merchants have begun using a logo from the Positively Eden branding study on the street's planters as they prepare for upcoming events. An Adult Easter Egg Hunt will be held April 11 and a Food Truck Rodeo on April 18. The Three Rivers chapter of the AACA will host a car show at Tractor Supply featuring the Boulevard Merchant's signature Low Country Crab Boil.

Tourism and Special Events

Pottery Festival

Calling all potters! Our 17th Annual Piedmont Pottery Festival is set for Saturday, June 6 at First Presbyterian Church. Potter applications are ready and can be obtained by calling 336-612-8049 or email cadams@edennc.us. See you there!

Grown & Gathered

Our Spring Grown & Gathered event will be held along the Canal at the Spray Mercantile on Thursday, May 21. Please mark your calendars. We will begin taking reservations very soon. Seating is limited to 100!

Butterfly Trail Unveiling

We are so excited to announce the unveiling of the Smith River Butterfly Trail! It will be at 2 p.m. on Wednesday, April 8. We will gather at the shelter at the Meadow Road entrance of the Smith River Greenway. Join us and please bring the kids!

Canadian Golfers

Over 40 of our Canadian golfer friends will arrive in Eden on April 11 for a week long of golf and fellowship. If you meet any of them during their stay, give them a big Eden welcome! They have been choosing Eden as a destination for nearly 20 years!

Showcase Magazine

Eden is the featured city in the March issue of Showcase Magazine out of Danville, Va. It is a beautiful issue highlighting some of the great things about our city! Pick up a copy and see for yourself!

Fine Arts Festival

The Fine Arts Festival will once again be held in Eden here at City Hall this year! Music and Literature entries will be taken March 31 from 2 to 6 p.m., all other 2D and 3D entries will be taken on April 14 from

11 a.m. to 6:30 p.m.. The opening of the show and awards ceremony will be held in Council Chambers on Sunday, April 26 at 3 p.m.. Make sure you visit the exhibit and see all the great talent we have in Rockingham County!

ExploreEdenNC.com Website

Our new and exciting tourism website will launch the first week of April! It is full of beautiful photos, videos and information! We can't wait to share it with you.

Engineering

Waterline Replacement Projects Update

A bid opening was held March 11 for the Primitive, Spring and George Streets 2" WL Replacement projects. Sam W. Smith, Inc., is the apparent low bidder for the Primitive and Spring Street section of proposed 2" PVC water main installation at a base bid of \$64,300. Sam W. Smith, Inc., is also the apparent low bidder for the proposed installation of about 560 LF of 2" PVC water main along George Street, at a base bid of \$57,644. Construction should start in the near future after the bids are verified, bonds obtained, and agreements executed by all parties.

Pressure Boosting System

Revised plans prepared by Stoltzfus Engineering, Inc., for a proposed pressure boosting system to serve a portion of Jackson Street are being reviewed, and information needed for a report required by the Public Water Supply Section of NC DEQ is being obtained. An application for electrical service needed by the small packaged pump station will be made in the near future.

Municipal Services

Free Mulch and Compost Sale

Starting the first Saturday in April and continuing each Saturday while supplies last (weather permitting). 7 a.m. - 2:30 p.m. at the end of West Avenue (off Washington Street) at the City's fenced lot. Compost is: pick-up truck load - \$5; tandem axle trailer - \$15; large dump truck - \$25. For more information, call 336-627-7783, ext. 106.

Free Cleanup Week: March 30 – April 3

Household residents only, no contractors or commercial waste. All items must be at the curb by 7 a.m. on your scheduled collection day and not obstructed in any way. We will be picking up bulk waste items, demolition debris, brush and yard waste (leaves, grass clippings, twigs smaller than 6 inches), which should be separated by type (brush, yard waste, leaves and grass clippings, bulk waste, white goods/scrap metal). No household garbage should be at the curb – it needs to be bagged and in your city trash container. No tires, wood pallets, TVs or computer equipment will be picked up; however, all city residents can take 5 tires per household, TVs and computer equipment to the county landfill at no charge. No toxic or liquid hazardous waste such as containers of oil, paint, gasoline, batteries or pesticides will be picked up. For more information, please call 336-627-7783, ext. 106.

Parks and Recreation

Freedom Park Events

Freedom Park will be very busy again in 2020 with local leagues playing weekdays as well as weekend tournaments scheduled until the middle of December. Concerts in the Park/Cruise-Ins are scheduled the last Saturday of each month at 5 p.m. beginning in April and going through October. There are also special events scheduled on a regular basis, such as the Citywide Easter Egg Hunt, Funfest and the Fall Festival.

There are already 50 events scheduled for 2020, not including the reservations for use of the two shelters at the park, which are rented out almost every Saturday and Sunday through November.

Sports Programs

Registration for the Youth Baseball and Youth Softball programs is now available at either the Bridge Street or Mill Avenue recreation centers or Parks & Recreation at City Hall.

Senior Games

Registration for the Rockingham County Senior Games is taking place now and you can register at the Garden of Eden Senior Center to participate. The Senior Games will begin on April 14 and run through May 16. Local winners will advance to the N.C. Senior Games later this summer.

Matrimony Creek Nature Trail

The Matrimony Creek Nature Trail is still being repaired due to the flooding that occurred in February. Staff hopes to have the repairs completed and this site available to the public in the next few weeks.

Police

Sweepstakes Update

On Feb. 3, the Department delivered letters to each sweepstakes establishment in the City advising the establishment owners that on and after March 4, we would begin to enforce statutes related to sweepstakes/casinos. As of March 6, all sweepstakes establishments inside the city limits have closed.

New K-9 Officer

As a result of K-9 Sadie retiring after nine years of service, we selected K-9 Saga, from Highland K-9. Officer Eric Gann has been selected to be the next K-9 handler. The four-week handler school begins March 16.

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, February 18, 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:	Roy 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 Wayne Parlier of Meadow View United Methodist Church gave an invocation followed by the Pledge of Allegiance led by Fire Chief Tommy Underwood.

PROCLAMATIONS AND PRESENTATIONS:

a. Proclamation: Black History Month

Mayor Hall called Eden Chamber of Commerce President Angela Fowler to the front before he read the proclamation, noting that Ms. Fowler was the first African American director of the Chamber.

BLACK HISTORY MONTH PROCLAMATION

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, this annual observance is an opportunity to remember the challenges of our past, but also to honor countless African American heroes who inspire us to shape our country's future, and

WHEREAS, we remember and celebrate the lives of Sojourner Truth, Frederick Douglass, George Washington Carver, Martin Luther King, Jr., Rosa Parks, and countless other African Americans who triumphed over ignorance, oppression, and injustice to make indelible contributions to our American history. They are an integral part of our Nation's story. We are indebted to the individual and collective perseverance and patriotism of these outstanding men and women;

WHEREAS, during Black History Month, we recommit to being a community of opportunity and hope for every citizen;

NOW, THEREFORE, I, Neville Hall, Mayor of the City of Eden, do hereby proclaim the month of February 2020 to be BLACK HISTORY MONTH in the City of Eden and encourage all City of Eden residents to join me in

celebrating the collective ingenuity, creativity, cultures and traditions of African Americans and commit ourselves to raise awareness and appreciation of Black History Month by participating in educational events honoring the contributions of Black Americans.

Presented this 18th day of February, 2020.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

b. Presentation: Update on the Garden of Eden Senior Center.

Mayor Hall called on Senior Center Director Carla Huffman.

Ms. Huffman requested her advisory board come forward with her. She noted Council Member Hampton was also on that board. Ms. Huffman explained she had been requesting certification through the State for several years, but the Senior Center building's square footage was too small. The State agreed to allow the Center to be grandfathered in if they added square footage. As a result, Parks & Recreation Director Johnny Farmer authorized the addition of a porch. The State confirmed the Center met the requirements to be a multi-purpose senior center upon completion of their inspection in January, which made the Center eligible to apply to receive the Homecare Community Block Funding from the State. In addition, they became eligible to proceed with Senior Center Operations Procedures Evaluations (SCOPE) certification. They would learn the results of their funding requests in the summer. She asked Council to keep the existing Center plans in mind as they needed more space and a safe place to provide more programs for the growing senior population.

Mayor Hall asked Ms. Huffman to remind everyone of the dates of the Senior Games.

Ms. Huffman stated they compete with Reidsville, Madison and other surrounding areas. The opening ceremonies would be April 14 and registration had already started. Games included shuffleboard, bocce ball, tennis and cards as well as art, paintings and literature for those not interested in sports. She requested that seniors sign up now.

Council Member Carter asked Ms. Huffman for the number of seniors she typically served.

Ms. Huffman replied there were over 100 seniors each week that came through the Center, the Bridge Street Recreation Center and the Mill Avenue Recreation Center. She noted that the Center provided free tax assistance to almost 500 people each year in addition to various legal assistance, etc. She reiterated that they were restricted in what they could provide due to limited parking spaces.

SET MEETING AGENDA:

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

PUBLIC HEARINGS:

There were no public hearings at this time.

REQUESTS AND PETITIONS OF CITIZENS:

There were no requests and petitions of citizens at this time.

UNFINISHED BUSINESS:

Minutes of the February 18, 2020 meeting of the City Council, City of Eden:

- a. Consideration of an updated report on the nuisance violations at the American Warehouse property located at 206 Warehouse Street.

Mayor Hall called on Planning and Inspections Director Kelly Stultz.

Ms. Stultz stated that Piedmont Folk Legacies was the owner of the structure and Louise Price was present to discuss the current condition and plans.

Mayor Hall commented that Ms. Price provided Council with pictures of the site. He stated there was evidence of progress being made.

Ms. Stultz agreed and said that Ms. Price contacted her the previous week regarding the City picking up the trash from the property on the designated collection day.

Council Member Carter stated it appeared work had been done.

Council Member Ellis replied that the progress made was very nice.

A motion was made by Council Member Ellis to extend the time for an additional six months. Council Member Carter seconded the motion.

City Attorney Erin Gilley asked what the additional time was for and if there were conditions.

Council Member Hunnicutt questioned what else they were expecting the owners to do.

Ms. Price said she had the same question.

Council Member Carter asked if there was anything else they had to abate.

Ms. Price replied that she previously met with former Council Member Jim Burnette, Interim City Manager Terry Shelton, and Ms. Stultz at the property and a list was given to her of what needed to be done. It was her understanding the list had been completed. They repaired the fence, removed the debris and placed it at the curb for pickup, and swept up all of the glass. She was not aware of anything else that needed to be done.

Mayor Hall asked Ms. Stultz if she agreed.

Ms. Stultz replied yes.

Mayor Hall stated he did not see any reason to extend the time.

Council Member Carter asked if the abatement needed to be withdrawn.

Ms. Stultz replied no. She stated they could consider that part abated but said that Ms. Price was aware if the violations happened again, they would have to be cleaned up.

Council Member Moore expressed that his concern was that it was maintained.

Ms. Stultz agreed and said she and Ms. Price hoped to not find themselves in the same situation again.

Council Member Ellis said they did an excellent job.

Mayor Hall thanked them for doing what was asked.

Council Member Moore asked if they had any leads on selling the building.

Ms. Price replied there had been a number of interested parties but it took time.

Council Member Moore said he understood.

b. Consideration of Boards and Commissions appointments.

Mayor Hall called on Ms. Stultz and stated he was approached by Council Member Moore prior to the meeting in regards to an additional appointment to be filled on the Community Appearance Commission. The other position that needed to be filled was on the Historic Preservation Commission by Council Member Nooe.

Council Member Moore nominated Susan Cunningham for the Community Appearance Committee after receiving an email from Millie Priddy resigning from the position.

Ms. Stultz said that the Strategic Planning Commission nominated Christy Hensley as she had been a sitting member and requested that she be reappointed.

Council Member Nooe nominated Melissa Whitten to serve on the Historic Preservation Commission.

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

NEW BUSINESS:

a. Consideration of a forensic audit by Davis Forensic Group.

Mayor Hall called on Bert Davis, Jr., of Davis Forensic Group.

Mr. Davis, owner of Davis Forensic Group, began by stating that his company provided financial investigational support to attorneys and other organizations that needed financial investigations. He was a certified public accountant and a certified fraud examiner in business since 2013. He was asked to do an investigation following the SBI and FBI investigations of previous City Manager Brad Corcoran to see if there were other areas where City funds may have been misused or abused. His investigation methods included interviews with senior City management, Finance Department staff, and the external auditor firm who performed the City's annual audit, and reviews of the City's Code of Ethics, Credit Card Policy and Procedures, and Travel Policy. Those were the areas he felt were of highest risk where Mr. Corcoran was using City money. He noted the risk areas were the use of credit cards, travel, and being reimbursed for personal expenses.

Mr. Davis looked at credit card statements and supporting documentation for all expenses charged on the credit card for the past five years to see if there were any red flags that might have indicated there was some abuse or misuse. He had three findings. The first was the credit card policy. He interviewed finance staff to see if the policy was being enforced for everybody, if there were good controls in place, and if the policy was being followed. He concluded the policy was appropriate and being followed. He stated that Mr. Corcoran's documentations of his expenses were very good, thorough, and that everything added up. However, he stated there might be some concern about some of the things Mr. Corcoran bought. The next

finding was in regards to the travel policy. He examined to see if the proper steps in the policy were being followed when employees were traveling out of town. He found evidence of that being done on a regular basis. He believed the policy was adequate and was being followed by employees as a whole. He referenced that Mr. Corcoran's use of the travel policy was a little different in that whenever he had a conference to go to, he would request reimbursement for the hotel, mileage, air fare, and meals in advance. He would get a check cut to him prior to going on the trip. Mr. Davis stated that there was nothing in the travel policy that said he couldn't do that, but did note that it was unusual since Mr. Corcoran did have a City credit card. He questioned why Mr. Corcoran would not have used the City credit card for the trips rather than getting the check/cash up front. Being a skeptical forensic examiner left him questioning if Mr. Corcoran really went on the trip or to the conference since he received the cash up front. He raised that question but also stated that it would be very hard to determine at this late date. He explained that even if organizations kept track of who registered, they would probably not be keeping track of who walked in the door and attended all of the meetings unless you could find someone who was there. His last finding was in regards to the Code of Ethics policy. He stated that the Code of Ethics policy said that employees cannot use City property for personal use. He quoted the policy: "No City official or employee shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public." This is the area where he saw there was a risk of misuse of City property but it was also the most problematic to quantify because a lot of Mr. Corcoran's purchases could have been used for City or personal use. He noted it was entirely for the use of the City credit card that he had. Upon his professionally, skeptical, subjective review, he found situations where Mr. Corcoran bought outdoor lighting, fertilizer, and a pressure washer. Mr. Davis questioned why the City Manager would be buying these items. He stated that there might have been very good, reasonable explanations, but that these items could have been used for personal use in addition to being used by the City.

Mr. Davis did an analysis over the last five years and concluded that the potential items that could have been used for personal or City use averaged to just over \$2,200 per year. He felt that determining whether these items were used for personal use or not would be very difficult after the fact but he wanted to let the Council know that he did examine it and it was an area that he found that was questionable.

There was another area that Mr. Davis found unusual. Mr. Corcoran was in the habit of buying gift cards from various retail organizations, such as Subway, Ruby Tuesday, and Walmart, and giving them out to employees and other people at different times. Between 2014 and 2019, Mr. Corcoran's gift card purchases averaged to around \$3,995 per year. Mr. Davis mentioned that providing gift cards of small amounts is not prohibited by the City of Eden or other federal and state regulations as long as the same person was not given too many gift cards, which could cause potential problems with the IRS. The issue he had was that there were no records kept of who received the gift cards. He acknowledged that while the City knew how much was paid for the gift cards, there was no record of where they went. While many people acknowledged receiving gift cards from Mr. Corcoran, there was no record to prove how much of the gift cards bought each year were given to the City employees. Mr. Davis reiterated that he was not accusing Mr. Corcoran of having done anything improper, but because there was no control over the cards, this was an area where there was a risk of abuse. Due to the passage of time and the nature of the expenses reimbursed to Mr. Corcoran, the potential loss to the City was not clear-cut.

Based on his experience, Mr. Davis did not feel that the cost of the additional work and the potential civil lawsuit against Mr. Corcoran would be justified to the City and therefore, did not recommend doing that. In conclusion, Mr. Davis did make two recommendations that he felt could discourage that type of behavior in the future. First, implement a fraud hotline that would allow employees to securely report any suspicious activity to someone outside of the normal management chain. Mr. Davis stated that it was clear that some employees knew about Mr. Corcoran's behavior and some of the items being purchased, and there was concern as to whether the items were legitimately being purchased for City use or personal use.

Research over the years in the forensic community showed that 50 percent of all fraud was discovered by a tip. In those types of situations, a hotline would be the best way to make it as easy as possible to allow people to feel comfortable enough to make a tip, which Mr. Davis felt would have possibly led to Mr. Corcoran's behavior been checked into sooner than it was. With proper employee education and a secure reporting outside the normal management chain of command, Mr. Davis felt a hotline would greatly reduce the chance of fraudulent behavior occurring in the future. He noted there were companies that offered hotlines to businesses, organizations, hospitals and governments. Secondly, he recommended that the City contract with an internal auditor that could provide risk analyses to determine what operational areas were most at risk for fraud and abuse. He did not feel that the City's budget justified a full-time internal auditor, but rather felt that hiring a CPA staff to come in and do internal audit work approximately two to four days a month would be sufficient. Mr. Davis explained that the procedures that the external auditor performed would not have necessarily caught what Mr. Corcoran was doing, whether it was wrong, even though it was fairly well known. He further explained that while the Finance Department is well qualified and does a very good job for the City, they are not in the position to provide the level of skeptical oversight that the City needs on an ongoing basis. While they are processing the paperwork and sometimes will be able to spot certain things, the Finance Director does not have the authority to question the City Manager, which he further acknowledged was what happened in the City's situation. An internal auditor would conduct a risk analysis on the City and look at the areas where there was concern for possible misuse of City funds and would have the authority to investigate those areas. The internal auditor would report directly to Council.

Mr. Davis welcomed any questions and thanked the Council for the opportunity. He stated it was a great experience and was a pleasure working with everyone involved as they were all very cooperative and knowledgeable, which enabled him to complete the investigation in a very effective and efficient manner.

Mayor Hall stated his appreciation for Mr. Davis's expertise, the speed in which he completed the investigation, and the cost of his services being less than what the FBI told them it would be. He hoped that this would finally bring closure and the City would be able to move forward.

Council Member Moore stated that he thought the guidelines and recommendations were good.

Mayor Hall said the City had already implemented multiple new policies and procedures to take care of several things that would prevented it in the first place. He acknowledged the additional recommendations would be beneficial as well.

Mr. Davis replied that the suggestions were good governance and good practice.

- b. Consideration of a resolution to receive the N.C. Water Infrastructure Fund Grant for the Southern Virginia Mega Park Water Line project.

Mayor Hall called on Director of Economic Development Mike Dougherty.

Mr. Dougherty stated that in order to fund the Southern Virginia Mega Park water line, the City was fortunate to receive a \$2 million Economic Development Administration grant federally, up to \$1.8 million in Department of Environmental Quality grants. He explained that this is a state appropriations program for another million dollars and the resolution stated the City will comply with all of their requirements as has been done in the past. The money will be used to complete the line.

A motion was made by Council Member Carter to adopt the resolution to receive the N.C. Water Infrastructure Fund Grant for the Southern Virginia Mega Park Water Line Project. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

Resolution of the Council of the City of Eden, February 18, 2020

WHEREAS, The Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking-water system owners in financing the cost of construction for eligible, drinking-water infrastructure; and,

WHEREAS, The North Carolina Department of Environmental Quality has offered a State Appropriations Program (SAP) grant from the NC Water Infrastructure Fund on January 17, 2020 in the amount of \$1,000,000 for the construction of Regional Mega Park Waterline Expansion (DWI Project N. H-SAP-D-19-0024,) hereafter referred to as the "Project"; and

WHEREAS, The City of Eden intends to construct said project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina Public Water Supply Section.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF EDEN:

That the City of Eden does hereby accept the State Appropriations Program offer of \$1,000,000; and,

That the City of Eden does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard "Conditions" and "Assurances" of the Department's funding offer, awarded in the form of the State Appropriations Grant; and,

That Terry Shelton, Interim City Manager and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request, in connection with such application or the Project; to make Assurances as contained above; and to execute such other documents as may be required in connection with the application; and

That the City of Eden has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project, and to Federal and State grants and loans pertaining thereto.

Adopted this 18th day of February in Eden, NC

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

- c. Consideration of a Municipal Agreement with NCDOT to update the City's Bicycle/Pedestrian Plan and authorize the payment of the local match contribution of \$12,000.

Mayor Hall called on Ms. Stultz.

Ms. Stultz stated the City applied for and became the beneficiaries of the Pedestrian Planning Grant from NCDOT. The City's match was \$12,000 and it was in her budget.

Council Member Nooe said he noticed in the contract that NCDOT would cover up to \$48,000. He questioned if Ms. Stultz had any estimate as to what the cost would be.

Ms. Stultz replied that none of her colleagues that had it done in recent years had gone beyond that amount of money.

Council Member Nooe noted the City was responsible at 100 percent for whatever went over the \$48,000 amount.

Ms. Stultz agreed and said she could not imagine it would be that much and assured she would speak with Council about it if it did.

Council Member Carter asked if the City received one of the grants years ago.

Ms. Stultz replied the City did receive one in 2007. The City was due to have a new Comprehensive Transportation Plan with NCDOT that was also previously done in 2007. She explained that one of the finer points of staying up to date on the required plans was they made the City grant eligible.

A motion was made by Council Member Nooe to approve the municipal agreement with NCDOT to update the City’s Bicycle/Pedestrian Plan and authorize the payment of the local match contribution of \$12,000. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

- d. Consideration of a request to adopt an ordinance for the demolition of a structure at 924 Burton Street under the City’s Human Habitation Ordinance.

Sam W. Smith, Inc.	\$ 5,000.00
Kenny Frith	\$ 1,800.00
Brad Fisher Hauling	\$ 3,000.00
Loye Grading	\$ 3,500.00
Rabco Inc. of N.C.	\$ 2,390.00

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the structure had been on their radar for quite some time. The pictures provided from 2018 and 2020 looked virtually the same. The owners had shown no movement towards doing anything about it. Because it was in a residential area, Ms. Stultz recommended that it be demolished.

A motion was made by Council Member Ellis to adopt an ordinance for the demolition of a structure located at 924 Burton Street under the City’s Human Habitation Ordinance and to award the bid to Kenny Frith. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF
PROPERTY AT 924 BURTON STREET, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A-443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 25th day of April, 2018, the Director of the Planning and Inspections Department examined the dwelling owned by Adelaide S. Holt Heirs, Adelaide Holt Hairston, Madeline Holt McBurrows, Jackie Williams, Alicia Nesbitt and Otelia Wright, at 924 Burton Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at a stake at the northeast corner of Wright and Burton Streets; thence along the east line of Wright Street, South 35 deg. 30 min. East 182 feet to a stake; thence leaving Wright Street, North 54 deg. 30 min. East 82.5 feet to a stake; thence North 35 deg. 30 min. West 183 feet to a stake on the southeast side of Burton Street; thence along the line of Burton Street, South 54 deg. 30 min. West 82.5 feet to the

BEGINNING. Same being a part of Lots Nos. 13 and 17 as per map of Harris Addition, Leaksville, N.C., made 1899 by W. B. Trogdon and being the lands conveyed by S. B. Dillard and wife, Victoria Dillard, deed dated August 28, 1917. Deed Reference: Book 328, page 39.

The above described property being more commonly known as 924 Burton Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7979-10-47-2050-00.

WHEREAS, on the 12th day of June, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 10th day of July, 2019, which was served on the property owners by publishing on the 19th and 26th day of

June, 2019, copies were served on Madeline Holt McBurrows by first class mail and certified mail, return receipt requested on the 21st day of June, 2019, on Adelaide H. Hairston by first class mail and certified mail, return receipt requested on the 15th day of June, 2019, on Jackie Williams by first class mail and certified mail, return receipt requested on the 17 day of June, 2019, on Alicia Nesbitt by first class mail and certified mail, return receipt requested on the 17 day of June, 2019, and on Otelia Wright by first class mail and certified mail, return receipt requested, which was returned by the U. S. Postal service marked “Not Deliverable As Address;” however, the first class mail was not returned; and by posting on the subject property on the 17th day of June, 2019; and

WHEREAS, the hearing was held on the 10th day of July, 2019, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owners by first class mail and certified mail, return receipt requested as follows: on Madeline Holt McBurrows on the 22nd day of August, 2019, on Adelaide H. Hairston on the 21st day of August, 2019, on Alicia Nesbitt on the 23 day of August, 2019, on Otelia Wright without a date being provided by the U. S. Postal Service; the copy mailed to Jackie Williams was returned by the U. S. Postal Service marked “Unclaimed” and by posting a copy on the subject property on the 21st day of August, 2019; and

WHEREAS, the property owners did not appeal the Order and, pursuant to Chapter 4, Section 4-89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owners have had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and they have failed to take any action to comply with the Director’s Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the names of Adelaide S. Holt, Madeline Holt McBurrows, Adelaide Holt Hairston, Jackie Williams, Alicia Nesbitt and Otelia Wright in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of February, 2020.

CITY OF EDEN

BY: Neville A. Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

- e. Consideration of a request to adopt an ordinance for the demolition of a structure at 753 Friendly Road under the City’s Human Habitation Ordinance.

Sam W. Smith, Inc.	\$ 7,000.00
Kenny Frith	\$ 4,900.00
Brad Fisher Hauling	\$ 4,600.00
Loye Grading	\$ 9,600.00
Rabco Inc of N.C.	\$ 3,995.00

Mayor Hall called on Ms. Stultz.

Ms. Stultz stated while the outside of the structure on Friendly Road did not look too bad, the inside was. She explained that it was open and people could get in and out of it. She asked that the Council have it removed.

A motion was made by Council Member Moore to adopt an ordinance for the demolition of a structure located at 753 Friendly Road under the City's Human Habitation Ordinance and to award the bid to Rabco, Inc. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF
PROPERTY AT 753 FRIENDLY ROAD, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A-443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 19th day of June, 2019, the Director of the Planning and Inspections Department examined the dwelling owned by Linda K. Millner Heirs, Jason Tyrone Millner, Colette M. Millner, James Maurice Millner and Tracie Millner at 753 Friendly Road, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at an iron pipe set in the west line of Cascade Road, said iron pipe also marking the S. E. corner of Lot 4, thence and with the west line of Cascade Road, South 51° 00' West 100.00 feet to an iron pipe, said iron pipe marking the south east corner of Lot No. 5; thence continuing with the west line of Cascade Road South 57° 30' West 100.00 feet to an iron pipe; thence North 33° 00' West 195.00 feet to an iron pipe, the corner with Lot 7; thence North 69° 30' East 100.00 feet to an iron pipe, said iron pipe marking the south west corner of Lot No. 5; thence North 36° 00' East 77.50 feet to an iron pipe a corner with Lot 4; thence and with the south line of Lot No. 4, South 37° 45' East 196.0 feet to an iron pipe, the POINT OF BEGINNING, same being Lots 5 and 6, as per map showing portion of D. F. King Estate, Map "A", by E. B. Fitzgerald, Jr., also as per plat showing property of R. H. Hardy, made by Deputy County Surveyor, Henry J. Reid, by A. N. Mattocks, Rockingham County Surveyor, November 13, 1952. For further reference see Book 393, page 570. SAVE AND EXCEPT Lot 6 which was conveyed to Martin T. Kelley and wife, Lucille H. Kelley by deed recorded in Book 806 at page 1609.

The above described property being more commonly known as 753 Friendly Road, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7081-18-20-7463-00.

WHEREAS, on the 21st day of June, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 17th day of July, 2019, which was served on the property owners by posting on the subject property on the 17th day of June, 2019, and by first class mail and certified mail, return receipt requested, as follows: on Tracie Millner on the 25th day of June, 2019, on James Maurice Millner on the 24th day of June, 2019, the certified mail for Colette M. Millner was returned by the U. S. Postal Service marked "Unclaimed" and her first class mail was not returned, the certified mail for Jason Tyrone Millner was returned by the U. S. Postal Service marked "Refused" and his first class mail was not returned; and

WHEREAS, the hearing was held on the 17th day of July, 2019, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owners by posting a copy on the subject property on the 26th day of July, 2019; by publishing a copy on August 7, 2019; and by first class mail and certified mail, return receipt requested as follows: on Jason Tyrone Millner on the 27th day of July, 2019, on James Maurice Millner on the 29th day of July, 2019, the certified mail and first class mail for Collette M. Millner was returned by the U. S. Postal Service marked "Unclaimed," and the certified mail for Tracie Millner was returned by the U. S. Postal Service marked "Unclaimed."

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 2nd day of October, 2019; and

WHEREAS, the property owners did not appeal the Order and, pursuant to Chapter 4, Section 4-89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owners have had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and they have failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the names of Linda K. Millner, Jason Tyrone Millner, James Maurice Millner, Colette M. Millner and Tracie Millner in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of February, 2020.

CITY OF EDEN

BY: Neville A. Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

- f. Consideration of a request to adopt an ordinance for the demolition of a structure at 1220 Front Street under the City's Human Habitation Ordinance.

Sam W. Smith, Inc.	\$ 5,000.00
Kenny Frith	\$ 3,500.00
Brad Fisher Hauling	\$ 3,900.00
Loye Grading	\$ 7,200.00
Rabco Inc of NC	\$ 3,540.00

Mayor Hall called on Ms. Stultz.

Ms. Stultz said they have dealt with nuisance abatements in the yard over the last couple of years. In the midst of those dealings, the house burned. Pictures provided showed that someone started demolition of the property, but found out there were some funds owed to the City and as a result, backed off. The fire left debris in the yard and the house was unrepairable. She asked Council allow them to take it down.

Mayor Hall asked if Ms. Stultz knew what caused the fire or if it could possibly have been intentionally set as the City has had a lot of trouble with the house.

Ms. Stultz confirmed that they have had a lot of trouble with the house but did not believe that the Fire Department experts thought there was any indication of arson.

A motion was made by Council Member Ellis to adopt an ordinance for the demolition of a structure located at 1220 Front Street under the City's Human Habitation Ordinance and to award the bid to Kenny Frith. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF
PROPERTY AT 1220 FRONT STREET, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A-443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 9th day of December, 2019, the Director of the Planning and Inspections Department examined the dwelling owned by Teresa Hill Liamani at 1220 Front Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows: Being all of Lot 11, Block 71 as shown on map designated as Sheet 3 of 3 Draper Development and recorded in the Office of the Register of Deeds of Rockingham County, N.C. in Map Book 3, page 138, and as described in a Deed recorded in Book 1545, page 2849. The above described property being more commonly known as 1220 Front Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7090-06-37-6678-00 and Parcel ID No. 110696.

WHEREAS, on the 9th day of December, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 6th day of January, 2020, which was served on the property owner by first class mail and certified mail, return receipt requested; the certified mail was returned by the U. S. Postal Service marked “Unclaimed,” and by posting a copy on the subject property on the 12th day of December, 2020; and

WHEREAS, the hearing was held on the 6th day of January, 2020, and the Director issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owner by first class mail and certified mail, return receipt requested, on the 13th day of January, 2020, and by posting a copy on the subject property on the 13th day of January, 2020; and

WHEREAS, the property owner did not appeal the Order and, pursuant to Chapter 4, Section 4-89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owner has had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and she has failed to take any action to comply with the Director’s Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Teresa Hill Liamani in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of February, 2020.

CITY OF EDEN

BY: Neville A. Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

- g. Consideration of a request to adopt an ordinance for the demolition of a structure at 1503 E. Meadow Road under the City’s Human Habitation Ordinance.

Sam W. Smith, Inc.	\$ 15,000.00
Kenny Frith	\$ 6,500.00
Brad Fisher Hauling	\$ 8,500.00
Loye Grading	\$ 12,975.00

Rabco Inc of NC \$ 10,650.00

Mayor Hall called on Ms. Stultz.

Ms. Stultz stated the property was owned by Sara Morrison Dunovant and they have had some unfortunate interactions over various properties that she owned. Ms. Dunovant called earlier in the day and said that she had surgery was having additional surgery the next day and could not attend the meeting. The pictures displayed at the meeting showed how the property was compromised and full of junk. Ms. Stultz said Ms. Dunovant had reached out to Council and to others and would like to have more time. She stated that although Ms. Dunovant has struggled, she was unaware of what could happen in that time period if she were to be given more time.

Council Member Nooe said he spoke with Ms. Dunovant on Saturday and he motioned that it be tabled for 30 days. Ms. Dunovant understood that property was going to be torn down but he would like to have her meet with Ms. Stultz to go through the process. He knew Ms. Dunovant had some questions and he wanted to make sure she was satisfied. He talked with Ms. Stultz and hoped that Kenny Frith would honor his bid for 30 days, but wished for it to be tabled until then.

Council Member Ellis seconded the motion.

Council Member Carter said Ms. Dunovant asked if she would be allowed to make payments on some of the money incurred as a result of the demolition.

Ms. Stultz replied that they have allowed that. She reminded there was a policy that stated monies spent during the fiscal year were forwarded to the County Tax Department at the end of each fiscal year. When the Tax Department sent out bills, those funds were included on them. Therefore, any payments made after June 30 by Ms. Dunovant would have to be made to the County.

City Attorney Erin Gilley reiterated that the County allowed them to make payments.

Ms. Stultz said Ms. Dunovant was upset over another property where enforcement action had been taken. Ms. Stultz stated that she had previously told Ms. Dunovant she would let her know the cost estimate of the demolition before it was demolished. However, Ms. Stultz acknowledged that she forgot to inform her of the price.

Council Member Carter questioned if that was in reference to the trailers.

Ms. Stultz replied yes. She went on to say that it would not have made any difference to the price due to the fact that when they began to clear out the mobile homes, they found others that were covered up by weeds and vines that needed to be removed, which resulted in the price increasing. She stated the whole thing was unfortunate, but pointed out that the property was an area that they are all working hard to try to revitalize due to the Mega Park. Ms. Stultz stated that she wished she could get something done and not have to pay public funds to take the house down.

Ms. Gilley questioned if the motion to table for 30 days was until the next meeting.

Council Member Nooe replied yes.

All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF

PROPERTY AT 1503 E. MEADOW ROAD, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A-443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 8th day of May, 2019, the Director of the Planning and Inspections Department examined the dwelling owned by Sara Morrison Dunovant at 1503 E. Meadow Road, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows: BEGINNING at an iron marking the northeast corner of the intersection of Meadow Road by Depot Street (Main Street) thence with the north edge of Meadow Road, North 85 deg. 0 min. E. 145.4 feet to an iron; thence continuing with the north edge of Meadow Road as it curves 48.74 feet (a total distance with the north edge of Meadow Road of 194.14 feet) to an iron marking the southwest corner of Lot No. 10, Section No. 2; thence with the west line of Lot No. 10, North 17 deg. 35 min. West and said west line extending said course 350.18 feet to an iron set on the south bank of Dry Creek; thence with the south bank of Dry Creek South 88 deg. 45 min. West 114.2 feet to an iron set at the intersection of the east line of Depot Street (Main Street) and the south bank of Dry Creek; thence with the east line of Depot Street (Main Street) South 4 deg. 21 min. East 352.01 feet to the POINT OF BEGINNING and containing 54,480 sq. ft. more or less, same being Lots 5, 6, 7, 8 and 9, Section 2, and acreage lying between said lots and Dry Creek as per map of North Draper and Meadow Road made by Clodfelder and Schisler on November 26, 1929, and supplementary survey by H. S. Pierce made January 16, 1936. SAVE AND EXCEPT the following transfers, book 382, page 62, to Ezra Lewis Furches and wife, Anna Belle Furches, Book 419, Page 199, to Elmo Lemons and wife, Doris F. Lemons and book 480, page 114, to Ezra Lewis Furches and wife, Anno Belle Furches. Deed Reference: Book 706, page 580. The above described property being more commonly known as 1503 E. Meadow Road, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7090-07-59-4232-00.

WHEREAS, on the 9th day of May, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 30th day of May, 2019, which was served on the property owner by first class mail and certified mail, return receipt requested, on the 11th day of May, 2019, and by posting on the subject property on the 13th day of May, 2019

WHEREAS, the hearing was held on the 30th day of May, 2019, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owner by posting a copy on the subject property on the 20th day of June, 2019, and by first class mail and certified mail, return receipt requested on the 21st day of June, 2019; and

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 3rd day of July, 2019; and

WHEREAS, the property owner did not appeal the Order and, pursuant to Chapter 4, Section 4-89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owner has had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and she has failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the names of Edna F. Morrison and Sara Morrison Dunovant in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 18th day of February, 2020.

CITY OF EDEN

BY: Neville A. Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

h. Consideration of a request to award the bid for the demolition of 110 Dameron Street.

Sam W. Smith, Inc.	\$ 8,000.00
Kenny Frith	\$ 4,700.00
Brad Fisher Hauling	\$ 5,700.00
Loye Grading	\$ 7,500.00
Rabco Inc of NC	\$10,980.00

Mayor Hall called on Ms. Stultz.

Ms. Stultz stated that at the November 19 Council meeting, Council had adopted an ordinance to take the structure on Dameron Street down. Subsequent to that, her department realized they had attributed the wrong price to the low bidder. Kenny Frith's original bid was \$5,700; however, they previously stated it was \$2,750, acknowledging it was a mistake on their part. In all fairness, they decided to rebid it. As a result, some of the bids came down, but the low bid was Kenny Frith at \$4,700, which was \$1,000 less than what they would have spent if they had chosen him to begin with. She requested that they allow them to take it down for \$4,700.

A motion was made by Council Member Epps to award the bid to Kenny Frith in the amount of \$4,700 for the demolition of 110 Dameron Street. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

Council Member Moore asked Ms. Stultz how soon the demolitions would start happening.

Ms. Stultz replied that they gave the contractors a timeframe to get them down and she expected them to go ahead and start on them since it was getting close to the end of the fiscal year. They told the contractors they have 90 days to complete the demolition.

i. Consideration of a resolution to rename Washington Street Park.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said Jean Harrington had been a fixture in local historic preservation efforts and others for many years. Ms. Harrington attended the very first meeting of the Commission in 1980 and was still on the Historic Preservation Commission when Ms. Stultz began her career with the City in 1990. Recently, Ms. Harrington resigned. Ms. Stultz stated that Ms. Harrington was the driving force behind the Washington Street Park and desired for certain things to be in the park that the City could not afford even with State grants. Therefore, Ms. Harrington paid for those particular things. Washington Street Park had been Ms. Harrington's passion and in honor of her long service to the City, the Historic Preservation Commission sent a resolution asking that Washington Street Park's name be changed to Jean Harrington Park.

A motion was made by Council Member Carter to rename Washington Street Park as Jean Harrington Park. Council Member Hampton 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 the report be entered in the minutes as if it had been read in its entirety.

City Manager’s Report
February 2020

ADMINISTRATION

New Addition

City Hall’s Administration Department is pleased to welcome a familiar employee to our office – Blair Barker is transferring Feb. 18 from Finance to serve as an administrative assistant alongside the City Manager, Attorney and Clerk. Ms. Barker has nearly 12 years of dedicated experience working for the City. She is filling the position left vacant after Jennifer Woods took a position in December as Clerk to the Rockingham County Board of Commissioners.

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.

Industrial/Commercial Projects

Both the City and County economic development departments are finalizing two projects that should be announced by March. One is an innovative industrial process and the other a fabrication company.

Southern Virginia Mega Site at Berry Hill

The water line project is progressing quickly with the expected completion date to be closer to March than the original August date. Travelers can see the fire hydrants along Berry Hill Road to the Virginia state line. Our Virginia neighbors have extended the line from there to the park itself. This is another element in making the park more marketable to potential users.

COMMERCIAL

Family Dental Associates

The City will honor Dr. Michael Burleson and his staff for their more than 40 years in business at the March City Council meeting. Dr. Burleson started this practice with two additional dentists, Jim Eggleston retiring a few years ago.

Gordman’s Department Store

All 45 new Gordman’s stores will open concurrently at 9 a.m. on April 7. The new Eden Gordman’s will be located in the former Peeble’s location in Kingsway Plaza next to Dollar Tree.

Lidl Building

Atlantic Retail of Charlotte has been contracted to market the facility. This company specializes in retail recruitment and is actively working on potential tenants. The City and broker have been working together on a national tenant that would be a good fit for this space.

News & Record/Rockingham Now

In early February, Berkshire Hathaway, owner of the Greensboro News & Record and Rockingham Now, announced it will sell its newspaper holdings to Lee Enterprises for \$140 million. In addition to the Greensboro and Rockingham County newspapers, BH Media owns newspapers in Hickory, Statesville, Morganton and McDowell County. It also owns 10 daily papers in Virginia, including the papers in Danville, Martinsville, Roanoke, Lynchburg, Charlottesville and Richmond.

The Clock Doc

Owner Kevin Webb has spent 25 years as a horologist. He has been both a watch master and clock smith since 1993. They offer new product sales and service of both clocks and watches. They are located at 350 W. King's Highway and can be reached at 336-627-3750.

MAIN STREET

Boulevard Merchants Association

Merchants met to discuss how they can work together to promote retail and service-based business together. As The Boulevard continues to thrive, a need for more formal meetings has grown. A second February meeting is planned on the 17th. The merchants will affix the BLVD logo from the Positively Eden branding study to the street's planters.

Duke Energy Water Resources Grant

Both Klyce Street and Draper landings held fast from the flooding that occurred over the February 7 weekend rains. Draper Landing was completely to the roof of the kiosk. At Klyce Street, the entire parking lot and landing ramp was flooded, but the unique design of the stairwell allowed the tops of the hand rails to stay visible.

Eden Downtown Development Inc.

Rhonda and David Price of David Price Auto Works were formally announced as Eden's 2020 Main Street Champions. They will be honored at a ceremony at the closing of the N.C. Main Street Conference in New Bern this March. A citywide yard sale is planned for May 2 in conjunction with the Eden Boys and Girls Club.

Leaksville Commercial District

The Danceware Boutique at 640 Washington St. was awarded a Building Rehabilitation Grant for renovations. The building has new HVAC, bathrooms, flooring and electrical work. Its facade is currently being painted. A new business is coming to 615 Washington Street. 615 was the former home to Tommy's Barber Shop. It will now house boutique clothing and international home décor. 1405 Highway 770 will be the new location of The Blissful Palette Catering and Events. The new business plans to open in February. The Leaksville Merchant Association met February 11- event planning for 2020 and future leadership was addressed.

Main Street Program

The N.C. Main Street Center is recommending to the National Main Street Center that Eden Downtown Development again be a 2020 nationally accredited Main Street program.

TOURISM & SPECIAL EVENTS

HGTV Submission

Eden is in the running to win the HGTV Home Town Takeover Contest! We submitted our application and video and have our fingers crossed! A huge thank you to everyone who played a part in this heartfelt community effort. A special thank you to Chase Nappier of CTT Productions for producing our video. We could not have done it without you! You can watch the video on our Explore Eden or City of Eden Facebook pages.

Otter Habitat

Work will begin soon on this project to be located near the Island Ford Landing at the Smith River Greenway. A Duke Energy grant will fund almost all of this project costs. Both the City of Eden and Dan River Basin Association are working together on the project to provide shelter for the otters who traverse the Smith River.

Shaggin' on Fieldcrest

We have booked the CAT 5 BAND for our July 25 Shaggin' on Fieldcrest!!! Make sure you mark your calendars!

Showcase Magazine

Showcase Magazine out of Danville, Va., is dedicating its March issue to EDEN! Make sure you pick up a copy.

Trails

Recent rainfall has caused significant damage to Eden riverside trails. For the safety of all residents, the City of Eden asks that citizens do not walk on these trails until repairs can be made. Your cooperation with this request is appreciated. Thank you.

INFORMATION TECHNOLOGY

Wuhan Coronavirus scams

The Federal Trade Commission has issued the following alert concerning scams surrounding the Wuhan Coronavirus:

“Scammers are taking advantage of fears surrounding the Coronavirus. They’re setting up websites to sell bogus products, and using fake emails, texts, and social media posts as a ruse to take your money and get your personal information. The emails and posts may be promoting awareness and prevention tips, and fake information about cases in your neighborhood. They also may be asking you to donate to victims, offering advice on unproven treatments, or contain malicious email attachments.

Here are some tips to help you keep the scammers at bay:

- Don’t click on links from sources you don’t know. It could download a virus onto your computer or device. Make sure the anti-malware and anti-virus software on your computer is up to date.
- Watch for emails claiming to be from the Centers for Disease Control and Prevention (CDC) or experts saying that have information about the virus. For the most up-to-date information about the Coronavirus, visit the Centers for Disease Control and Prevention (CDC) and the World Health Organization (WHO).
- Ignore online offers for vaccinations. If you see ads touting prevention, treatment, or cure claims for the Coronavirus, ask yourself: if there’s been a medical breakthrough, would you be hearing about it for the first time through an ad or sales pitch?
- Do your homework when it comes to donations. Don’t let anyone rush you into making a donation. If someone wants donations in cash, by gift card, or by wiring money, don’t do it.
- Be alert to “investment opportunities.” The U.S. Securities and Exchange Commission (SEC) is warning people about online promotions, including on social media, claiming that the products or services of publicly-traded companies can prevent, detect, or cure coronavirus and that the stock of these companies will dramatically increase in value as a result.

If you come across any suspicious claims, report them to the FTC at [ftc.gov/complaint](https://www.ftc.gov/complaint).”

PLANNING & INSPECTIONS

CDBG

The grant agreement and other documents have been received for signatures. The consultant has been contacted regarding moving forward with the grant. There are some conditions that have to be released before we can expend funds.

Code Enforcement

35 notices were mailed that affect the following number of properties - 5 for violation of the Minimum Housing Code, 2 for violation of the Non-Residential Building Maintenance Standards, 3 for disabled vehicles, 4 for junk storage and 4 for zoning violations. The violations of the Non-Residential Building Maintenance Standards include the space occupied by Yono’s at 700 S. Van Buren Road and the “Covered Mall Building” at 201 E. Meadow Road. The “Covered Mall Building” is for the common area and small rental spaces. It does not include the anchor stores of the former Belk building, former Peebles building and former K-Mart building. A hearing for the mall property is scheduled for February 20 at 8:30 a.m. The space occupied by Yono’s is currently being repaired by the property owner.

GIS

Minutes of the February 18, 2020 meeting of the City Council, City of Eden:

The City's account representative with ESRI has been contacted about enhancing the City's GIS capabilities including making the data available to the majority of the City staff. An appointment for a demonstration of the applications available has been scheduled for February 21.

Historic Preservation Commission

The Commission met on January 13 and adopted a resolution to present to City Council recommending that the Washington Street Park be renamed Jean Harrington Park in her honor.

Inspections Projects of Note

Zip's Carwash is underway and the site utilities are almost completed. KFC is now in the trim out stage and should be finished by the end of February. The former Kmart building upfit is underway. Osborne Baptist Church has submitted plans for an 8,500 square foot classroom addition.

Pedestrian Planning Grant

Approval of the grant documents will be on the February regular agenda.

Stadium Drive Sidewalk

Surveying on the project should begin in the next two weeks.

Unified Development Ordinance

We held 6 stakeholder meetings. They were extremely successful. Information received will be posted on our website. The Steering Committee (aka the Planning Board) met on February 3. They received training on the process ahead and also served as a stakeholder group by offering their issues with our regulations and suggestions for changes. On February 10, we held a community meeting held in the Eden Room. Notice of the meeting was published, on the City Hall sign and our website.

Urgent Repair Grant

This grant application was submitted last week.

Vacant Commercial Property Registration

Second letters were sent to vacant downtown property owners who did not respond to first letter. Several property owners have responded.

POLICE

Anti-Litter Campaign

The Eden Police Department continues to post a public service announcement on our Facebook page asking citizens to stand against litter as part of the countywide campaign to aggressively enforce littering and illegal dumping violations. We will continue to replay the announcement each month and aggressively enforce littering and illegal dumping statutes.

Facebook:

We encourage citizens to follow our Facebook page for updates and information concerning our community, as well as Crimestoppers, to provide anonymous information concerning illegal activity to keep our community safe. We all have to work together to keep our community safe.

K-9

As a result of K-9 Sadie retiring after nine years of service, the department has selected Saga, from Highland K-9, as the replacement. Officer Eric Gann has been selected to be the next K-9 handler. We should be completing this process over the next several months. The four-week handler school is tentatively set in April.

Sweepstakes Establishments in the City

The department delivered letters to each sweepstakes establishment in the City on Feb. 3. The letter advised establishment owners that on and after March 4, the department, in conjunction with NCALE, would begin to enforce statutes related to sweepstakes/casinos operating in the City. This letter was also delivered by each agency

in Rockingham County in their respective jurisdictions in a joint operation to gain compliance in sweepstakes establishments.

PUBLIC UTILITIES

Water Quality Report

The City’s Water Filtration Plant has released their 2019 Water Quality Report, detailing specific information pertaining to the quality of drinking water that it provides to its customers. As part of a U.S. Environmental Protection Agency mandate, water utilities across the country produce annual reports that are designed to educate and inform consumers. This report is an opportunity for the public to understand what is involved with making the water safe. You can find it on the City’s homepage under Latest News (edennc.us) or pick up a printed copy in the Billing and Collections Department at City Hall, 308 E. Stadium Drive.

CONSENT AGENDA:

- a. Approval and adoption of the (1) January 9, 2020 Minutes (2) January 21, 2020 Minutes (3) January 30, 2020 Minutes.
- b. Approval and adoption of Budget Amendment #6.

Assistant Finance Director Amy Winn wrote in a memo that a delivery truck for one of the contractors for the Wastewater Treatment project caught the edge of the hoist and beam that extends out from the roof of the building. This caused the beam to be bent and ripped the electrical lines off of the end. A specialty company had to come in to temporarily repair the lines and then they replaced the section of the beam that was bent along with the electrical lines. The City received insurance proceeds to cover this repair and this budget amendment allocates those proceeds to the Wastewater Treatment M/R Buildings line item.

	Account #	From	To	Amount
Water & Sewer Fund Revenues				
W/S Insurance Proceeds	30-3850-85000	\$ -	\$ 7,300.00	<u>\$ 7,300.00</u>
Water & Sewer Fund Expenditures				
W/S Waste Treatment M/R Buildings	30-7130-35100	\$ 2,700.00	\$ 10,000.00	<u>\$ 7,300.00</u>

Appropriates insurance proceeds for damage of a hoist caused by contractor.

Adopted and effective this 18th day of February, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

- c. Approval and adoption of Budget Amendment #7.

Ms. Winn wrote in a memo that when the City purchases vehicles with installment purchases, it is required to show the loan proceeds as revenue and the payment to the vendor as an expenditure in the financial statements. The attached amendment increases the General Fund revenue line item “loan proceeds” and also increases the Street Department Capital Outlay – Vehicles and the Street Department Capital Outlay – Off Road Equipment line items for the following installment purchases: 1. The purchase of an additional service truck for Public Works that was approved by the city manager in July 2019; 2. The purchase of a John Deere tractor to replace the 2006 John Deere tractor that was totaled while being transported for repairs.

Minutes of the February 18, 2020 meeting of the City Council, City of Eden:

	Account #	From	To	Amount
General Fund Revenues				
Loan Proceeds	10-3580-86000	\$ 1,001,800.00	\$ 1,146,500.00	<u>\$ 144,700.00</u>
General Fund Expenditures				
Street C/O Vehicles	10-4510-55000	\$ -	\$ 30,600.00	\$ 30,600.00
Street C/O Off Road Equipment	10-4510-56000	\$ -	\$ 114,100.00	\$ 114,100.00
				<u>\$ 144,700.00</u>

Appropriates loan proceeds for the purchase of service truck and tractor for the Street Department.

Adopted and effective this 18th day of February, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

d. Approval and adoption of Budget Amendment #8.

Ms. Winn wrote in a memo that in June 2019, the Street Department skid steer was totaled while working on the Bridge Street Force Main Stabilization project. The attached budget amendment allocates the insurance proceeds to the Street Department C/O – Equipment line item in which a replacement skid steer was purchased.

	Account #	From	To	Amount
General Fund Revenues				
GF Insurance Proceeds	10-3850-85000	\$ 8,000.00	\$ 53,200.00	<u>\$ 45,200.00</u>
General Fund Expenditures				
Streets C/O Equipment - Depreciable	10-4510-57000	\$ 70,000.00	\$ 115,200.00	<u>\$ 45,200.00</u>

Appropriates insurance proceeds for damaged Skid Steer.

Adopted and effective this 18th day of February, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

e. Approval to award the FY 2019-2020 Audit Contract to Rouse, Rouse, Rouse and Gardner, LLP.

Director of Finance & Personnel Tammie McMichael wrote in a memo that she was seeking approval for the FY 19-20 Audit Contract. The contract amount is \$53,260. If City Personnel completes the items listed in the contract, the amount will be reduced to \$47,485. City Personnel will complete the items listed. This is a 5.0% increase when compared to what was paid last year \$45,130. The Rouses and their staff have been doing the City's audit for 39 years. Their love and compassion for the City of Eden shows in their willingness to assist in any way that they can to make sure the city's Finance Department operates in the most efficient and effective way to provide accurate financial information. They have always been very faithful and dedicated to the City. The City calls on them for assistance with day-to-day questions that come up or for special projects. They never bill the City for anything extra. It is very nice to know that the City has someone that can be called anytime, and they always have time. If they do not have the answer immediately, they never refer the City to someone else. They always take the time to make

telephone calls on the City's behalf. They look after the City's best interest in making sure that the City gets the answers needed. They keep the City updated on Governmental Accounting Standards Board and Internal Revenue updates. They also keep the City updated on any classes/seminars that they feel would be beneficial to the finance staff. Based on their experience and dedication along with the City's longtime desire to do business locally, Ms. McMichael cannot make a better recommendation than to award the 19-20 audit contract to Rouse, Rouse, Rouse & Gardner.

f. Approval of financing for 2019-20 budgeted item: garbage truck.

Ms. Winn wrote in a memo that in the 2019-2020 Budget, City Council approved the purchase of a garbage truck for the Solid Waste Department and it has been set up in the budget to be financed. On February 5, she requested bids from our local banks for the financing and received the following quotes: BB&T 2.15%; First National Bank 2.06%; United Financial (Home Trust) 2.14%. The total cost of the equipment is \$299,933 which is within the budgeted amounts. She respectfully asked that Council approve First National Bank as the successful bid for financing.

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

ANNOUNCEMENTS:

Mayor Hall announced the annual Budget Retreat would be held Saturday, February 22, in the Eden Room beginning at 8:30 a.m.

Council Member Carter said that he would become a grandfather again soon as his youngest daughter was due to give birth.

Council Member Hampton thanked everyone who attended the Prayer Walk on The Boulevard.

Council Member Moore noted that Free Week was coming up at the Rockingham County Landfill the week of March 30. He would get the exact dates and the information would be put on the City website. He noted that each family could dispose of up to five tires this year.

CLOSED SESSION:

- a. To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body pursuant to NCGS 143-318-11(a)(4).
- b. To discuss personnel pursuant to NCGS 143-318.11(a)(6).

A motion was made by Council Member Moore to go into closed session. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

A motion was made by Council Member Moore 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

CITY OF EDEN, N.C.

A special meeting of the City Council, City of Eden, was held on Thursday, March 5, 2020 at 6 p.m. in the conference room, 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 (joined the meeting at 6:30 p.m.)
	Bruce Nooe
Interim City Manager:	Terry Shelton
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley

Mayor Hall called the special meeting of the Eden City Council to order.

Consideration of a consultant for CDBG-Draper Neighborhood.

Mayor Hall called on Planning and Inspections Director Kelly Stultz.

Ms. Stultz explained the next step in the process to receive funding authorization for the Draper Neighborhood Revitalization Grant was to select a consultant to help with the administration. Request for Proposals for Grant Administration Services was advertised in the local newspaper and posted on the NCDOA Historically Underutilized Businesses website. Proposals were received from Summit Design and Engineering Services and WithersRavenel. The fee for administration services was regulated by the State so both proposals were the same. Based on qualifications and grant experience, Staff recommended WithersRavenel be selected as the consultant for the grant.

Council Member Hunnicutt asked about the fee and who paid it.

Ms. Stultz replied it was set by the grant document at \$75,000 and was part of the grant.

A motion was made by Council Member Carter to award the CDBG-Draper Neighborhood Grant Administration Services contract to WithersRavenel. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

Closed Session to discuss personnel pursuant to NCGS 143-318.11(a)(6).

A motion was made by Council Member Hampton to go into closed session. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

Minutes of the March 5, 2020 special meeting of the City Council, City of Eden:

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

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



MEMORANDUM

To: Honorable Mayor and City Council

Thru: Terry Shelton, City Manager

From: Tammie B. McMichael, Director of Finance and Personnel

Date: March 17, 2020

Subject: General Fund Emergency Services Fire Training Facility Project Financing

The City needs to proceed with private placement financing for the Emergency Services Fire Training Facility Project.

Please call a public hearing for your April 21, 2020 meeting.

Memo

To: Honorable Mayor and City Council
From: Paul Dishmon Director of Municipal Services
Thru: Terry Shelton Interim City Manager
Date: February 26th, 2020
Re: Surplus Items

Municipal Services has items that we would like to have declared surplus and be advertised on Gov deals auction site by Jason Barnard, Fleet Maintenance Superintendent. Due to the age and condition of the following items it is no longer feasible for the City of Eden to keep and maintain the following equipment.

The items are as follows:

20S- Sign Trailer (NO TAG)

25S-Protect-O-Flash Trailer ID# 089274W (NO-TAG)

26S- Muller Concrete Mixer ID# 81226 (NO-TAG)

35FM- 1991 Chevy pick-up VIN# 1GCEC14H4ME153962 (Tag# 69072)

53G- 2008 International 4400 VIN# 1HTMKAAR68H646285 (Tag# 95649T)

Thank you for your consideration in this request. If you have any questions please let me know

Paul

**RESOLUTION AUTHORIZING THE DISPOSAL
OF PERSONAL PROPERTY BY PUBLIC AUCTION**

WHEREAS, the City of Eden owns certain surplus equipment and property listed below in Exhibit A and hereinafter referred to as “the property”; and

WHEREAS, the City of Eden desires to dispose of the property by public auction as authorized by North Carolina General Statute §160A-270; and

WHEREAS, pursuant to North Carolina General Statute §160A-270 (c), the City Council must authorize the use of the public electronic auction service and the means of publication; and

WHEREAS, the property will be sold at a public electronic auction to the highest bidder excepting any reserve placed on the property. The property will be listed at www.govdeals.com starting on March 30, 2020 at 8:00 a.m. and will be posted continuously until it is sold; and

WHEREAS, The City desires to publish this notice solely by electronic means via the City of Eden website; and

WHEREAS, Paul Dishmon, Public Works Directors, is an appropriate city official to dispose of the property by public auction.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the property listed above be disposed of by public auction, that the publication of this sale be solely by electronic means, and that Paul Dishmon be authorized to dispose of the property by public auction.

APPROVED, ADOPTED AND EFFECTIVE this 17th day of March, 2020.

CITY OF EDEN

By: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

Exhibit A

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