

**EDEN CITY COUNCIL
REGULAR MEETING AGENDA
HELD AT EDEN CITY HALL
COUNCIL CHAMBERS
Tuesday, June 16, 2020
6:00 p.m.**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Pastor Cynthia Nanney, First United Methodist and Spray United Methodist Churches
3. Pledge of Allegiance: Led by Terry Shelton, Interim City Manager
4. Proclamations & Recognitions
5. Roll Call
6. Set Meeting Agenda
7. Requests and Petitions of Citizens
8. Work Session:
 - a. Proposed FY 2020-21 Budget. **Terry Shelton, Interim City Manager**
9. Public Hearings:
 - a. Consideration and adoption of the FY 2020-21 Budget Ordinance.
Terry Shelton, Interim City Manager
 - b. (1) Consideration of a request and adoption of an ordinance to grant a 10/70 watershed provision exemption for three properties at the corner of N.C. 135 and Harrington Highway (PIN 7969-0463-2309, 7969-0463-3445, and 7969-0463-1634). Submitted by Daniel Almazon, Teramore Development, LLC, property owner's representative. ZONING CASE Z-20-03. **Kelly Stultz, Director of Planning & Inspections**

(2) Consideration of a resolution adopting a statement of consistency regarding the 10/70 watershed provision exemption for three properties at the corner of N.C. 135 and Harrington Highway (PIN 7969-0463-2309, 7969-0463-3445, and 7969-0463-1634).
Kelly Stultz, Director of Planning & Inspections
 - c. (1) Consideration of a zoning map amendment request and adoption of an ordinance to rezone 730 E. Stadium Drive (PIN 7080-1694-8157) from Office and Institutional to Business – General. Submitted by Trevor Hale, buyer. ZONING CASE Z-20-04.
Kelly Stultz, Director of Planning & Inspections

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment request to rezone 730 E. Stadium Drive (PIN 7080-1694-8157) from Office and Institutional to Business – General.
Kelly Stultz, Director of Planning & Inspections
 - d. Consideration to apply for 2020 CDBG funding under Title I of the Housing and Community Development Act for State CDBG Programs to fund projects for Housing, Planning, Infrastructure and Economic Development, and COVID-19 Funds.
Kelly Stultz, Director of Planning & Inspections
10. Unfinished Business:
 - a. Consideration of a request to approve 2019-20 Strategic Planning Commission funding for three projects: Klyce Street Landing amenities, Movies Under the Stars, and kayak lessons for middle schoolers (*tabled from the May 19 meeting*).
Cindy Adams, Coordinator of Tourism & Special Events/Projects

11. New Business:
 - a. Consideration to approve a three-year contract with Carolina Tax & Business Services for internal audit services. **Tammie McMichael, Director of Finance & Personnel**
 - b. Consideration to approve a process to handle delinquent water, sewer and solid waste accounts upon expiration of the Governor's Executive Order 142. **Tammie McMichael, Director of Finance & Personnel**
 - c. Consideration to adopt policies, plans, resolutions and ordinances for the Draper CDBG - Neighborhood Revitalization Project. **Kelly Stultz, Director of Planning & Inspections**
 - d. Consideration of repairs to the sewer line at the Smith River railroad trestle. **Terry Shelton, Interim City Manager**
 - e. Consideration to hire a City Manager and approval of the Employment Agreement. **Erin Gilley, City Attorney**
12. Reports from Staff:
 - a. City Manager's Report. **Terry Shelton, Interim City Manager**
13. Consent Agenda:
 - a. Approval and adoption of (1) May 14, 2020 Minutes, (2) May 15, 2020 Minutes and (3) May 19, 2020 Minutes. **Deanna Hunt, City Clerk**
 - b. Approval and adoption of Budget Amendment 14. **Tammie McMichael, Director of Finance & Personnel**
 - c. Approval and adoption of Budget Amendment 15. **Tammie McMichael, Director of Finance & Personnel**
 - d. Approval and adoption of Budget Amendment 16. **Tammie McMichael, Director of Finance & Personnel**
 - e. Approval and adoption of Budget Amendment 17. **Tammie McMichael, Director of Finance & Personnel**
14. Announcements
15. Adjourn

**CITY OF EDEN, NORTH CAROLINA
2020-2021 BUDGET ORDINANCE**

BE IT ORDAINED by the City Council of the City of Eden, North Carolina in regular session assembled:

Section 1: The following amounts are hereby appropriated for the operation of the City of Eden government and its activities for the fiscal year beginning July 1, 2020, and ending June 30, 2021, according to the following summary and schedules.

Summary (Funds)	Estimated Revenues	Total Budget Appropriation
General	\$17,149,000	\$17,149,000
Self Insured Insurance	\$3,524,500	\$3,524,500
Water and Sewer	\$11,646,400	\$11,646,400
Runabout Travel	\$20,000	\$20,000
Municipal Service Tax District	\$9,800	\$9,800
 (Less inter-fund transfers)	 <u>\$2,745,200</u>	 <u>\$2,745,200</u>
 (Less Appropriated Fund Balances)	 <u>\$2,190,800</u>	 <u>\$2,190,800</u>
 (Less Grants/Principal Forgiveness Loans)	 <u>\$1,051,900</u>	 <u>\$1,051,900</u>
 (Less Loans)	 <u>\$1,063,400</u>	 <u>\$1,063,400</u>
 (Less Pass Thru Funds – Ex. Runabout Travel)	 <u>\$886,900</u>	 <u>\$886,900</u>
 TOTAL	 <u>\$24,411,500</u>	 <u>\$24,411,500</u>

Section 2: That for said fiscal year there is hereby appropriated out of the General Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
10-4110	City Council	\$48,600
10-4120	Administrative & Legal Services	\$370,000
10-4130	Finance/Human Resources	\$273,700
10-4135	Economic & Tourism Development	\$425,700
10-4145	Information Technology	\$552,300
10-4190	Facilities & Grounds	\$681,700
10-4310	Police	\$5,232,900
10-4340	Fire	\$1,777,400
10-4350	Engineering	\$31,600
10-4510	Streets	\$1,930,100
10-4515	Powell Bill	\$795,500
10-4710	Solid Waste	\$2,170,800
10-4910	Planning & Code Enforcement	\$482,600
10-6120	Recreation/Facility Maintenance	\$1,085,300
10-6920	Fleet Maintenance	\$347,500
10-9100	Special Appropriations	\$543,300
10-9990	Contingency	<u>\$400,000</u>
 TOTAL		 <u>\$17,149,000</u>

Section 3:

It is estimated that the following General Fund Revenues will be available during the fiscal year beginning July 1, 2020, to meet the foregoing General Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3189-11092	Ad Valorem: Prior Years – Rock Co.	\$138,000
3189-18000	Interest on Delinquent	\$21,300
3190-11000	Ad Valorem: Current Year	\$5,578,500
3190-12093	DMV-Vehicle Tax – Current Year	\$606,000
3190-12093	DMV-Vehicle Tax – Prior Year	\$1,100
3190-12094	Short Term Rental Vehicle Tax	\$17,000
3190-12095	Municipal Vehicle Tax	\$169,800
3190-15000	Dog License	\$1,000
3190-18000	Interest on Current Taxes	\$16,400
3190-18100	Interest on Current Taxes – DMV	\$4,900
3190-19097	Payment in Lieu of Annexation	\$243,400
3190-19098	DMV Collection Fees	(\$27,700)
3190-19100	Occupancy Tax	\$80,000

Tax Revenue Total \$6,849,700

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3270-11000	Privilege License	\$800
3270-12000	Franchise Fees/State	\$108,800
3343-41000	Building Permits	\$34,000
3343-41100	Plumbing Permits	\$6,500
3343-41300	Mechanical Permits	\$16,000
3343-41400	Sign Permits	\$400
3343-41500	Electrical Permits	\$13,000
3434-48000	Fire Department Permits	\$1,500
3491-41100	Planning Zoning Permits	<u>\$1,000</u>

Licenses & Permits Total \$182,000

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3350-00200	Donations & Fees – Pottery Festival	\$4,700
3350-02100	Riverfest	\$35,000
3350-02200	Oink & Ale Festival	\$9,500
3350-02300	Shaggin' on Fieldcrest	\$8,000
3350-02400	Touch-A-Truck	\$1,000
3350-02500	Grown & Gathered	\$10,000
3412-43000	Vending Machine Proceeds	\$7,000
3431-41800	Police Controlled Sub State Excise Tax	\$1,100
3434-49000	Fire on Behalf Payments	\$16,000
3434-50000	Fire Dept Rental – Draper Rural	\$1,200
3612-48000	Freedom Park Concessions	\$20,000
3612-48100	Bridge Street Center Concessions	\$900
3612-48200	East Eden Center Concessions	\$1,000
3612-48300	East Eden Pool Concessions	\$6,700
3612-48500	Splash Pad Concessions	\$10,000
3612-48600	Splash Pad Admissions	\$35,000
3612-86000	Pool Admissions	\$16,100
3612-86100	Building Use	\$16,800
3612-86200	Field Use & Lights	\$7,600
3831-49000	Interest: Checking	\$20,500
3831-49500	Interest: NC Cash Mgt. Trust	\$126,100
3831-49700	Interest: Powell Bill Funds	\$3,200
3831-49900	Eden PD/Forfeiture Interest	\$400
3836-82000	Sale of Fixed Assets	\$25,000
3836-83000	Sale of Surplus Property	\$1,000
3839-89000	Miscellaneous Revenue	\$5,000
3850-85000	Insurance Proceeds	\$10,500
3850-86000	Loan Proceeds	\$1,063,400
3991-99300	Fund Balance Appropriated	<u>\$1,106,700</u>

Use of Money & Property Total \$2,569,400

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3231-31000	Local Option Sales Taxes	\$1,110,200
3232-31000	½ Cent Sales Taxes	\$850,000
3233-31000	½ Cent Sales Taxes	\$526,800
3234-31000	½ Cent Sales Taxes	\$252,100
3234-31001	State Hold Harmless Payment	\$944,700
3234-31002	Solid Waste Disposal Tax Distribution	\$11,400
3322-31000	Wine & Beer Taxes	\$65,400
3324-31000	Utilities Franchise Taxes	\$921,000
3325-33000	Powell Bill: State Street Aid	\$452,400
3335-32000	County Grants: Fire Department	\$2,400
3336-33000	Police School Resource Officers	\$163,300
3431-73000	Project Safe Rockingham County	\$20,500
3431-81000	Police Grant – COPS	\$54,900
3612-48400	Recreation Grant-Sr. Center	\$3,600
3837-89000	ABC Revenues	\$125,600
3837-89100	ABC Revenues: Law Enforcement	<u>\$3,900</u>

Other Agencies Revenues Total \$5,508,200

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3350-00100	Historic Preservation Book Sales	\$500
3412-41000	Other Administrative Revenues	\$2,700
3431-41000	Police Revenue: Dog Fines	\$2,200
3431-41100	Police Security Charges	\$40,000
3431-41200	Police Security Fringe Benefit Charges	\$8,400
3431-41300	Court Costs	\$4,000
3431-41400	Parking Violations	\$400
3431-41500	Police Fingerprinting Supplies	\$700
3431-41600	Police Department: Sale of Materials	\$100
3431-41700	Police Revenue	\$2,600
3431-84000	Police Department Restitution	\$5,200
3434-41000	Outside Fire Protection Charges	\$2,500
3451-41100	Street Dept. Revenue: Driveways	\$4,000
3451-81000	Street Mowing	\$11,400
3491-40000	Planning Dept. Nuisance Fees	\$51,000
3491-41000	Planning Department Applications	\$1,000
3491-41600	Planning: Code Compliance Ins.	\$300
3491-81000	Planning Department Sale of Materials	\$200
3612-41000	County User's Fees	\$1,100
3612-41100	League Entrance Fees	\$3,600
3612-41200	Recreation Dept. Revenue: Lesson	\$500
3612-41300	Dixie Youth Tournament	\$16,000
3612-86400	Recreation Dept. Miscellaneous	\$19,000
3612-87000	Fuel Purchases – County Agencies	\$5,600
3839-49900	Cash Discounts Earned	<u>\$100</u>

Charges for Current Services \$183,100

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3471-41100	Residential Fees – Solid Waste	\$1,366,500
3471-41101	Commercial Fees – Solid Waste	\$477,000
3471-81100	Recycling Income – Solid Waste	\$3,500
3471-81200	Sale of Compost/Mulch–Solid Waste	\$3,800
3471-81400	Demolition – Abatement	\$3,300
3714-52000	Dumpster Late Fee	<u>\$2,500</u>
Total Solid Waste Revenue		<u>\$1,856,600</u>
General Fund Revenue Total		<u>\$17,149,000</u>

Section 4: That for said fiscal year there is hereby appropriated out of the Self-Insured Insurance Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4145-18300	Group Insurance Fixed Cost	\$692,700
4145-30000	Claims	<u>\$2,831,800</u>
Self Insured Insurance Fund Total		<u>\$3,524,500</u>

Section 5: It is estimated that the following Self-Insured Insurance Fund Revenues will be available during the fiscal year beginning July 1, 2020 and ending June 30, 2021, to meet the foregoing Self-Insured Insurance Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3351-01000	Charges to Other Funds/GF	\$2,498,300
3351-03000	Charges to Other Funds/W/S	\$781,000
3831-49000	Interest – Checking	\$1,000
3839-83000	Refunds	\$125,000
3839-99100	Fund Balance Appropriated	<u>\$119,200</u>
Self Insured Insurance Fund Total		<u>\$3,524,500</u>

Sections 4 and 5 of this Budget Ordinance hereby authorize City payment of individual premiums in excess of that set forth in City Code § 10-6.3 for said fiscal year only. This authorization in no way creates any benefit or right in property whatsoever of any individual employee or retiree to City payment of premiums for any future year above that prescribed in City Code § 10-6.3.

Section 6: That for said fiscal year there is hereby appropriated out of the Water & Sewer Fund the Following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
7100	Administrative, Inspection & Legal Services	\$424,200
7110	Water Resources	\$556,900
7115	Billing & Collections	\$424,100
7120	Water Filtration	\$1,316,900
7125	Collection & Distribution	\$2,086,300
7130	Water Reclamation	\$1,229,800
8120	Water Construction	\$388,000
8130	Sewer Construction	\$900,000
9920	Special Appropriations	\$3,920,200
9990	Contingency	<u>\$400,000</u>
Water & Sewer Fund Total		<u>\$11,646,400</u>

Section 7: It is estimated that the following Water & Sewer Fund Revenues will be available during the fiscal year beginning July 1, 2020 and ending June 30, 2021 to meet the foregoing Water & Sewer Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3362-51200	Sale of Water	\$4,400,000
3362-53000	Leak Adjustments/Water	(\$57,800)
3363-51300	Sewer Service Charges	\$4,771,500
3363-53000	Leak Adjustments/Sewer	(\$72,500)
3363-53900	One-Time Pool Adj.	(\$1,700)
3711-58000	Miscellaneous Returned Checks	\$2,600
3713-53000	Pre-Treatment Charges	\$37,200
3714-42000	Water Service Application Fees	\$20,000
3714-51000	W/S Meter Tampering Fees	\$200
3714-52000	Reconnection Charges	\$243,900
3714-52200	Water Taps	\$7,600
3714-52300	Sewer Taps	\$1,200
3831-49000	Interest: Checking	\$15,500
3831-49500	Interest: NCCMT	\$84,500
3831-49450	NC Rural Infrastructure – New Street Imprv	\$997,000
3831-60000	Duke Energy Reimbursement	\$44,000
3834-86000	Rent of Equipment	\$51,400
3835-81000	Sale of Materials	\$2,700
3839-49900	Cash Discount Earned	\$100
3839-89000	Miscellaneous Revenues	\$1,800
3850-87000	Reimbursement from EAP Project Fund	\$132,300
3991-99100	Fund Balance Appropriated	\$564,900
3991-99200	Fund Balance Appropriated – Leachate Revenue	<u>\$400,000</u>
Water & Sewer Fund Total		<u>\$11,646,400</u>

Section 8: That for said fiscal year there is hereby appropriated out of the Runabout Travel Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
9100-31200	Runabout Travel Expense	<u>\$20,000</u>
Runabout Travel Fund Total		<u>\$20,000</u>

Section 9: It is estimated that the following Runabout Travel Fund Revenues will be available during the fiscal year beginning July 1, 2020 and ending June 30, 2021 to meet the foregoing appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3612-84000	Runabout Travel Fees	<u>\$20,000</u>
Runabout Travel Fund Total		<u>\$20,000</u>

Section 10: That for said fiscal year there is hereby appropriated out of the Municipal Services Tax District Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4135-29900	MSD Tax – Leaksville	\$7,800
4135-29901	MSD Tax – Draper	<u>\$2,000</u>
Municipal Service Tax District Fund Total		<u>\$9,800</u>

Section 11: It is estimated that the following Municipal Services Tax District Fund Revenues will be available during the fiscal year beginning July 1, 2020 and ending June 30, 2021 to meet the foregoing appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3190-19200	MSD Tax – Leaksville	\$7,800
3190-19300	MSD Tax – Draper	\$1,900
3131-49000	Interest – Checking Account	<u>\$100</u>
Municipal Service Tax District Fund Total		<u>\$9,800</u>

Section 12: There is hereby levied for the fiscal year ending June 30, 2021 the following rate of taxes on each one hundred dollars (\$100) assessed valuation of taxable property as listed as of January 2019 for the purpose of revenue, and in order to finance foregoing appropriations:

A GENERAL FUND (for the general expense incident to the proper government of City of Eden, North Carolina) TAX RATE of \$0.609 per hundred dollars (\$100) of assessed valuation.

Such rates are based on an estimated total appraised value of property for the purpose of taxation of approximately \$931,580,131 with an assessment ratio of 100% of appraised value. Estimated collection rate of 98.33%.

Section 13: The Tax and Service Rates section of the FY 2020-2021 budget sets forth the applicable fees for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

Section 14: The Personnel section of the FY 2020-2021 budget sets forth the grade and positions classification plan for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

- Section 15: Copies of this Budget Ordinance shall be furnished to the Director of Finance & Personnel and City Manager of the City of Eden, to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated.
- Section 16: The City Manager, by authority of this ordinance, may transfer/reallocate between & within departments up to a maximum of ten percent (10%) of the moneys appropriated within any of the above stated funds, including any transfers/reallocations between funds.
- Section 17: The Water and Sewer service charge increases approved by the City Council on November 17, 2015 that had an effective date of September 1, 2016 and then postponed until January 1, 2021 shall be postponed until January 1, 2022 at which time they will become effective.

Adopted this the 16th day of June, 2020.

Neville Hall
Mayor

ATTEST:

Deanna Hunt
City Clerk



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-20-03**
Exception from the 10/70 Provision of the Watershed Ordinance
NC 135 and Harrington Hwy
Date: June 3, 2020

The City has received a request to increase the impervious surface in the Dan River Watershed/Protected Area for property located at the northeast intersection of NC 135 and Harrington Hwy (PIN 7969-0463-2309, 7969-0463-3445, and 7969-0463-1634). The request was filed by Daniel Almazon, Teramore Development, LLC, Representative for Susan Pace and Wanda Dyer.

The Planning and Inspections Department recommends approval request. At a regular meeting held May 26, 2020, the Planning Board voted to recommend that the City Council approve this request.


CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY.

RE: ZONING CASE Z-20-03
NC 135 and Harrington Hwy (PIN 7969-0463-2309, 7969-0463-3445,
and 7969-0463-1634)

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Inspections Director of the City of Eden North Carolina, do hereby certify that notices of the request submitted by Daniel Alamazon, Teramore Development, LLC, Representative for Property Owners, Susan Pace and Wanda Dyer, to increase the impervious service in the Dan River Watershed/Protected Area for property located at the northeast intersection of NC 135 and Harrington Hwy (PIN 7969-0463-2309, 7969-0463-3445, and 7969-0463-1634) were mailed first-class mail to the Applicant, to the owners of the subject property and all property owners adjacent to or within 100 feet of the subject area on the 2nd day June, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand this the 3rd day of June, 2020.



Kelly K. Stultz, AICP
Planning and Inspections Director



PLANNING & INSPECTIONS DEPARTMENT
APPLICATION FOR ZONING ORDINANCE AMENDMENT

PETITION FOR MAP AMENDMENT

INSTRUCTIONS: Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

(1) APPLICANT INFORMATION:

NAME: Daniel Almazon, Teramore Development, LLC TELEPHONE: 704-202-0091
MAILING ADDRESS: 214 Klumac Road, Suite 101
CITY Salisbury STATE NC ZIP CODE 28144
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S): _____
Teramore Development, LLC has an executed purchase contract with owners.

(2) PROPERTY OWNER INFORMATION:

NAME: Wanda Dyer & Susan Pace TELEPHONE: _____
MAILING ADDRESS: PO Box 672
CITY Eden STATE NC ZIP CODE 27289

(3) PROPERTY INFORMATION:

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 796904632309, 796904633445,
796904631634
STREET LOCATION: Intersection of NC 135 and Harrington Highway
DEED BOOK: 1348, 1432, 1374 PAGE NUMBER 2030, 0799, 0940
YEAR CURRENT OWNER ACQUIRED PROPERTY: 2008, 2012, 2009
PROPERTY SIZE (In acres or In square feet if less than 1 acre): 3.573 acres
PUBLIC WATER AVAILABLE YES NO PUBLIC SEWER AVAILABLE YES NO
CURRENT USE OF PROPERTY: Vacant

(4) ZONING INFORMATION:

EXISTING ZONING DISTRICT: DRWS-IV REQUESTED ZONING DISTRICT: DRWS-IV_10/70

(5) ADDITIONAL INFORMATION:

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

(6) APPLICANT CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

[Signature]
Applicant's Signature

4/13/2020
Date of Signature

(7) PROPERTY OWNER(S) CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

[Signature]
Property Owner's Signature

4-15-20
Date of Signature

[Signature]
Property Owner's Signature

4-15-20
Date of Signature

(8) CORPORATION CERTIFICATION:

IT IS HEREBY CERTIFIED, that _____, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this _____ day of _____, 20_____.

CORPORATE SEAL

Name of Corporation

Secretary

By: _____

President

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: 2-20-05

FEE PAID: \$150⁰⁰

RECEIVED BY: KKS

DATE: 3-10-20



March 4, 2020

Mrs. Kelly Stultz
Director of Planning and Inspections
City of Eden, NC
308 E. Stadium Drive
Eden, NC 27288

RE: Watershed 10/70 Request

Mrs. Stultz:

Teramore Development, LLC requests to make application for a 10/70 provision as defined in Section 17-40.B.3.c of the City of Eden Watershed Protection ordinance for the development of a 9,100 square foot commercial retail store and associated parking at a maximum 70% impervious cover on a 1.85 acre tract composed of portions of parcel numbers 133463, 133466, and 133467. The project is located within the WS-IV protection area of the Dan River watershed. Ordinance considerations for the 10/70 application including minimizing built-upon surface area and incorporating best management practices to minimize water quality impacts will be addressed in construction documents. A stormwater control measure will be used to provide runoff control for the first one inch of runoff from all built upon area.

Thank you for consideration of this request.



Justin Church, PE
Principal Engineer

4 March 2020



PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
April 21, 2020

CASE NUMBER: Z-20-03

EXISTING ZONING DISTRICT: BG

REQUESTED ACTION: 10/70 Provision Watershed

APPLICANT: Daniel Alamazon, Teramore Development, LLC

APPLICANT'S STATUS: Property Owner's Representative

PROPERTY OWNER: Wanda Dyer and Susan Pace

PROPERTY INFORMATION

LOCATION: Intersection of NC 135 and Harrington Highway

PIN: 7969-0463-2309, 7969-04633445, 7969-0463-1634

SIZE: 3.573 acres

ACCESS: NC 135 and Harrington Highway

LAND USE: Residential (current) and vacant

PHYSICAL CHARACTERISTICS: Vacant, partially cleared, two single-family dwellings

ZONING HISTORY: Zoned R-20 at time of original ETJ zoning; rezoned BG in 2019

AREA INFORMATION

CHARACTERISTICS: Bordered on the north by R-20 property containing single-family residences; bordered on the east by BG property containing a mini-storage facility; bordered on the south by BG property containing single-family residences; bordered on the west (across Harrington Highway) by BG property containing a service station and a single-family residence, and R-20 property containing a single-family residence.

ADJACENT ZONING:

North:	R-20
South:	BG
East:	BG
West:	BG and R-20

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes
PUBLIC SEWER AVAILABLE:	No
LAND DEVELOPMENT PLAN (2007):	Town Center
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	WS-IV

STAFF ANALYSIS

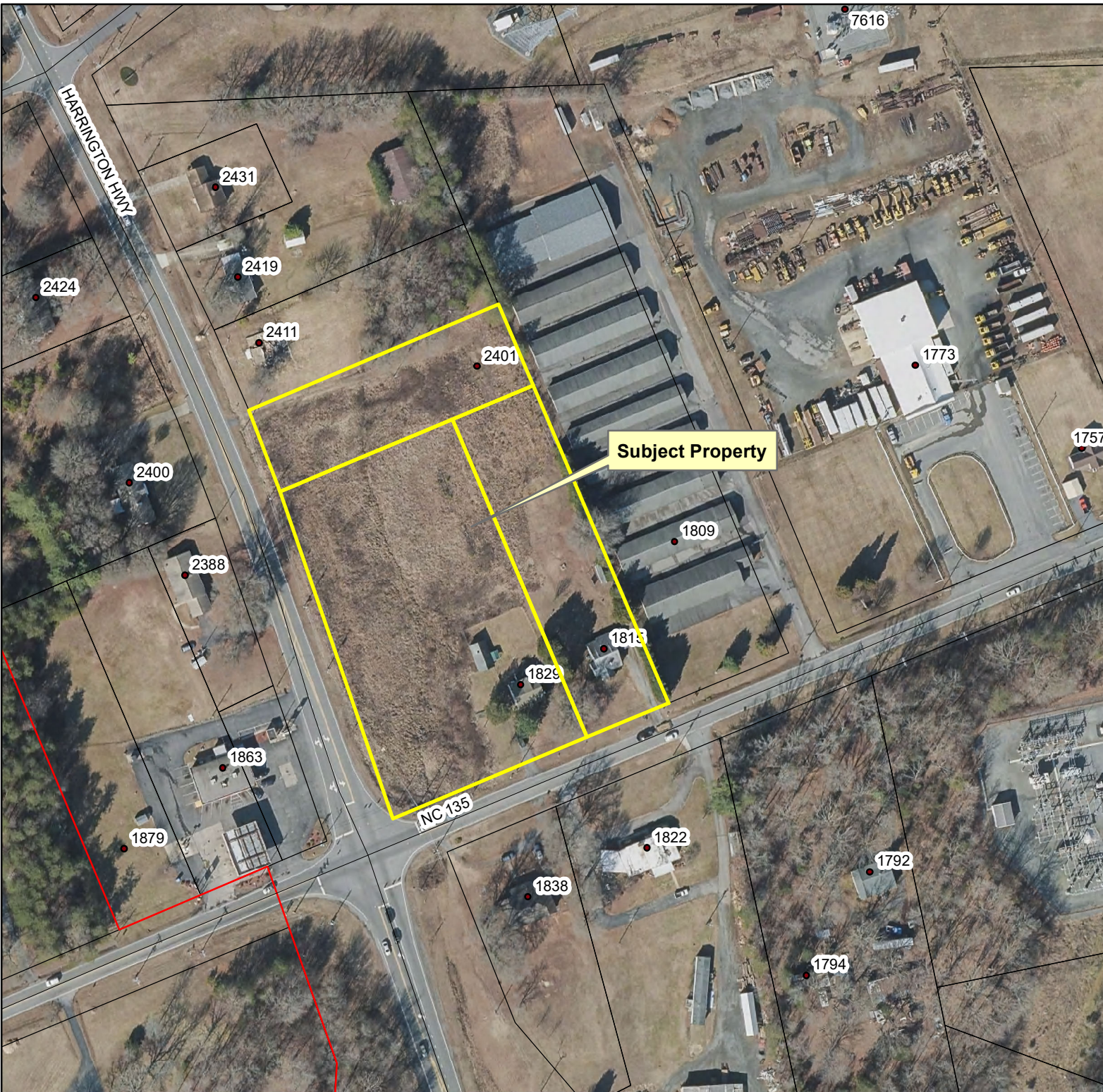
The request is to grant a 10/70 watershed provision exemption for the subject property.

The property is located in the WS-IV protected area of the Dan River watershed. The watershed ordinance requires that the built-upon and density limits for new development shall not exceed 36% built-upon area in the watershed area. However **Article III, Sec.1(B)(3)(c)** of the ordinance (commonly known as the “10/70 provision”) provides an exemption which states that new development and expansions may occupy up to 10% of the protected area (except the critical area) with up to 70% built-upon area (impervious surface) on a project by project basis, subject to certain provisions. The 10/70 provision does not change the underlying zoning requirements such as setbacks and buffer requirements. The provision only applies to non-residential development which has taken place since July 1, 1993 and not to any development which existed before that date. There are approximately 4,827 acres within the City’s jurisdiction of the Dan River Watershed. This is the first application the City has received for 10/70 provision in the Dan River Watershed. The subject property contains approximately 3.573 acres. The proposed development is a 9,100 square foot commercial retail store with associated parking at a maximum 70% impervious cover on the 3.573 acre site.

The subject property is located to the south of an R-20 parcel containing a single-family dwelling and to the west of a BG parcel containing a mini-storage facility. Across NC 135 to the south is BG property containing several single-family residences. Across Harrington Highway to the west is a service station and convenience store and a single-family residence.

Staff is of the opinion that the application meets all the requirements of the Watershed Ordinance. The application includes an engineer’s certification that stormwater control measures will be used to provide runoff control for the first one inch of runoff from all built-upon area. Therefore, staff recommends approval of the 10/70 request.

STAFF RECOMMENDATION: **Approval of the 10/70 request.**



ZONING CASE

Z-20-03

AERIAL MAP



**NC 135 and
Harrington Highway**

**PIN 7969-0463-2309,
7969-04633445,
and 7969-0463-1634**

**Zoned:
Business - General**

**Requested:
10/70 Watershed Provision**



ZONING CASE

Z-20-03

WATERSHED MAP



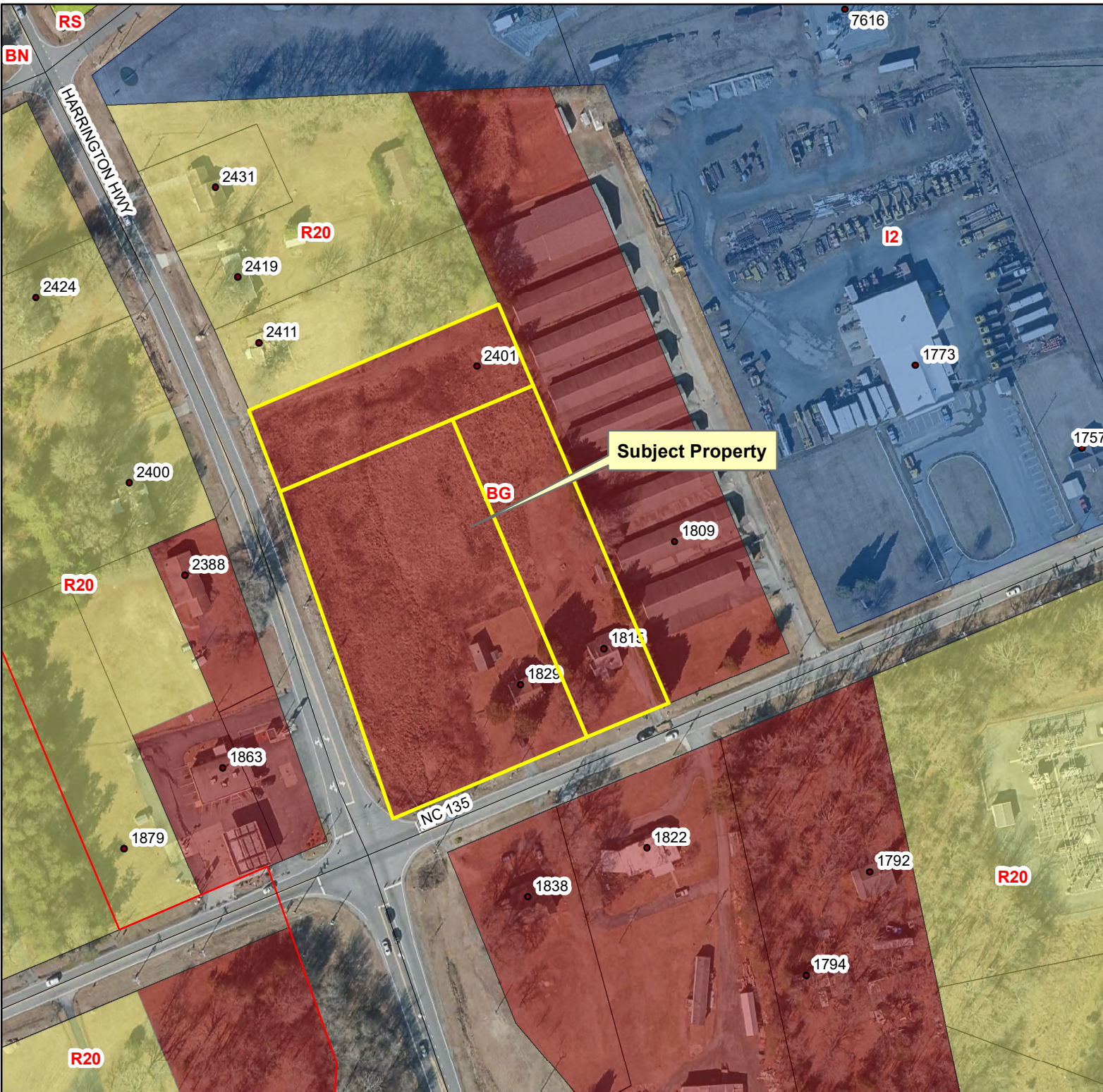
Subject Property

DAN RIVER PROTECTED

**NC 135 and
Harrington Highway**

**PIN 7969-0463-2309,
7969-0463-3445,
and 7969-0463-1634**

Zoned: Business - General



ZONING CASE

Z-20-03

ZONING MAP



**NC 135 and
Harrington Highway**

**PIN 7969-0463-2309,
7969-04633445,
and 7969-0463-1634**

**Zoned:
Business - General**

**Requested:
10/70 Watershed Provision**

AN ORDINANCE TO GRANT A
10/70 WATERSHED PROVISION EXEMPTION
UNDER THE WATERSHED PROTECTION 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, the following property is permitted to develop up to 70% impervious surface as per Article III, Section A (3)(c)(1-5) of the Water Supply Watershed Ordinance.

The property is a part of the Dan River Water Supply Watershed Protected Area. This Watershed is classified by the State of North Carolina as a WS-IV. The watershed in question contains 4,827 acres. That would permit 482.7 acres in said watershed to be developed under the 10/70 provision. The property in question contains 3.573 acres. The Dan River Water Supply Watershed has 479.13 acres that can be considered for the 10/70 provision.

PARCEL 1:

Tract 1: BEGINNING at an iron pipe set in the edge of the Madison-Leaksville hard surfaced highway, which beginning point is where said Madison-Leaksville Highway intersects with a dirt road; and running thence with said dirt road N. 16 deg. 38' W 400 feet to a stake, a corner of Lot No. 70; thence N. 70 deg. 09' E. 127.5 feet to a stake, a corner with Lot No. 28; thence with the dividing line between Lots Nos. 28 and 29, S. 19 deg. 51' E. 400 feet to a stake set in the edge of the Madison-Leaksville hard surfaced highway; thence with said highway S. 70 deg. 09' W. 150 feet to an iron pipe, the point of beginning and being Lots Nos. 29, 30 and 31 as per map of the P.W. Ziglar Property, dated July 16, 1937, and revised July 7, 1945, by J. S. Trogdon, Eng., which map is recorded in Map Book 3, Page 53, and to which reference is hereby made. Subject to restrictions as contained in Deed recorded in Book 339 at Page 538.

Tract 2: BEGINNING at a stake on the W .edge of the Leaksville-Stoneville Highway, which stake is the S. E. corner of Lot No.27 and running thence N 19 deg. 51' W. the dividing line between Lots 26 and 27, 400 feet to a stake in the line of Lot 70; thence parallel with the Leaksville-Stoneville Highway S. 70 deg. 9' W. 100 feet to a stake; thence S. 19 deg. 51' E., the dividing line between Lots 28 and 29, 400 feet to a stake on the W. edge of the said Leaksville-Stoneville Highway N. 70 deg. 9' E. 100 feet to a stake, the point of beginning, the same being Lots 27 and 28, as per map of the P .W . Ziglar Farm, which map is of record in the office of the Register of Deeds of Rockingham County, and to which map reference is hereby made for a detailed description.

The above property being described in a Deed recorded in Deed Book 1348, page 2030 and commonly known as 1829 NC 135 and identified by the Rockingham County Tax Dept. as PIN 7969-04-63-2309 and Parcel No. 133466.

PARCEL 2:

BEGINNING at a stake set in the eastern edge of a dirt road, which stake is N. 16 deg., 38' W. approximately 400 feet from where said dirt road intersects with the Leaksville-Madison hard surfaced highway and which beginning point is also a rear corner with Lot No 31; thence with said dirt road N. 16 deg. 38' W. 100 feet to a stake, a corner between Lots Nos. 71 and 72; thence with the dividing line between Lots 71 and 72, and parallel with the Leaksville Madison hard surfaced highway N. 70 deg. 09' E. approximately 325 ft. to a stake, a rear corner between Lots 71 and 72; thence with the dividing line between Lots No. 24 and the rear line of Lots 70 and 71, 100 feet to a stake, a corner of Lot No. 25; thence parallel with the Leaksville-Madison hard surfaced highway S. 70 deg. 09' West 327.5 feet to a stake set in the edge of the dirt road, the point of beginning and being Lots Nos. 70 and 71, as per map of the P. W. Ziglar property dated July 16, 1937, and revised July 7, 1945, by J. S. Trogdon, Eng., which map is recorded in map book 3, page 53, and to which reference is hereby made.

The above property being described in a Deed recorded in Deed Book 1374, page 0940 and commonly known as 2401 Harrington Hwy and identified by the Rockingham County Tax Dept. as PIN 7969-04-63-1634 and Parcel No. 133463.

PARCEL 3:

BEGINNING at a stake on the north edge of the Leaksville-Madison Road (now defined as State Highway No. 770); thence North 19 deg. 51' West 400 feet to a stake, the southeast corner of Lot No.70; thence North 70 deg. 09' West 100 feet to a stake; thence South 16 deg. 38' East with the dividing line of lots 26 and 27, 400 feet to a stake on the north edge of the Leaksville-Madison Road; thence with the north edge of said Leaksville-Madison Road North 70 deg. 09' East 100 feet to a stake, the point of beginning, same being lots Nos. 25 and 26 as per map of J. S. Trogdon, of the re-division of the P. W. Ziglar property as recorded in the office of the Register of Deeds of Rockingham County. Deed Reference: Book 361, page 485.

The above property being described in a Deed recorded in Deed Book 1432, page 0799 and commonly known as 1815 NC 135 and identified by the Rockingham County Tax Dept. as PIN 7969-04-63-3445 and Parcel No. 133467.

APPROVED, ADOPTED AND EFFECTIVE, this 16th day of June, 2020.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, CMC
City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-20-03
MAP 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 of Eden Planning Board received a request for a 10/70 watershed provision exemption for property located at the intersection of Harrington Highway and NC Highway 135 in the WS-IV protected area of the Dan River watershed;

WHEREAS, On May 26, 2020, the City of Eden Planning Board voted to recommend to the Eden City Council that the request be approved.

STATEMENT OF NEED:

The property is located in the WS-IV protected area of the Dan River watershed. The watershed ordinance requires that the built-upon and density limits for new development shall not exceed 36% built-upon area in the watershed area. However **Article III, Sec.1(B)(3)(c)** of the ordinance (commonly known as the "10/70 provision") provides an exemption which states that new development and expansions may occupy up to 10% of the protected area (except the critical area) with up to 70% built-upon area (impervious surface) on a project by project basis, subject to certain provisions. The 10/70 provision does not change the underlying zoning requirements such as setbacks and buffer requirements. The provision only applies to non-residential development which has taken place since July 1, 1993 and not to any development which existed before that date. There are approximately 4,827 acres within the City's jurisdiction of the Dan River Watershed. This is the first application the City has received for 10/70 provision in the Dan River Watershed. The subject property contains approximately 3.573 acres. The proposed development is a 9,100 square foot commercial retail store with associated parking at a maximum 70% impervious cover on the 3.573 acre site.

Staff is of the opinion that the application meets all the requirements of the Watershed Ordinance. The application includes an engineer's certification that stormwater control measures will be used to provide runoff control for the first one inch of runoff from all built-upon area.

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, as amended, 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 16th day of June, 2020.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, CMC
City Clerk



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-20-04 – 730 E. Stadium Drive**
Date: June 3, 2020

The City has received a zoning map amendment request filed by Trevor Hale for property located at 730 E. Stadium Drive (PIN 7080-16-94-8157). The request is to rezone the property from Office & Institutional to Business-General.

The Planning and Inspections Department recommends approval of the map amendment request. At a regular meeting in May, the Planning Board voted to recommend that the City Council approve this request.

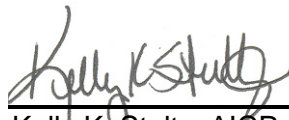
CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY.

RE: ZONING CASE Z-20-04
730 E. Stadium Drive (PIN 7080-16-94-8157)

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Inspections Director of the City of Eden North Carolina, do hereby certify that notices of the proposed zoning map amendment requested by Trevor Hale to rezone 730 E. Stadium Drive (PIN 7080-16-94-8157) from Office & Institutional to Business-General were mailed first-class mail to the owners of property in the proposed rezoning and all property owners adjacent to or within 100 feet of the subject area on the 2nd day June, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand this the 3rd day of June, 2020.



Kelly K. Stultz, AICP
Planning and Inspections Director



PLANNING & INSPECTIONS DEPARTMENT
APPLICATION FOR ZONING ORDINANCE AMENDMENT

PETITION FOR MAP AMENDMENT

INSTRUCTIONS: Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

(1) APPLICANT INFORMATION:

NAME: Trevor Hale TELEPHONE: _____
MAILING ADDRESS: _____
CITY _____ STATE _____ ZIP CODE _____
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S): _____
Agent: Purchasing Property

(2) PROPERTY OWNER INFORMATION:

NAME: Bobby Wayne Boone TELEPHONE: _____
MAILING ADDRESS: 730 Stadium Drive
CITY Eden STATE NC ZIP CODE 27288

(3) PROPERTY INFORMATION:

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 7080-16-94-8157
STREET LOCATION: Gilley Road (730 E. Stadium Dr.)
DEED BOOK: _____ PAGE NUMBER _____
YEAR CURRENT OWNER ACQUIRED PROPERTY: _____
PROPERTY SIZE (in acres or in square feet if less than 1 acre): _____
PUBLIC WATER AVAILABLE YES NO PUBLIC SEWER AVAILABLE YES NO
CURRENT USE OF PROPERTY: Vacant

(4) ZONING INFORMATION:

EXISTING ZONING DISTRICT: O+I REQUESTED ZONING DISTRICT: B-G

(5) ADDITIONAL INFORMATION:

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

(6) APPLICANT CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

[Handwritten Signature]
Applicant's Signature

4-07-2020
Date of Signature

(7) PROPERTY OWNER(S) CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Property Owner's Signature

Date of Signature

Property Owner's Signature

Date of Signature

(8) CORPORATION CERTIFICATION:

IT IS HEREBY CERTIFIED, that _____, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this _____ day of _____, 20_____.

CORPORATE SEAL

Secretary

Name of Corporation

By: _____

President

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: 2-20-04
RECEIVED BY: KKS

FEE PAID: _____
DATE: 4/7/20

PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
April 20, 2020

CASE NUMBER:	Z-20-04
EXISTING ZONING DISTRICT:	O&I
REQUESTED ZONING DISTRICT:	BG
APPLICANT:	Trevor Hale
APPLICANT'S STATUS:	Purchasing Property

PROPERTY INFORMATION

LOCATION:	730 E. Stadium Dr.
PIN:	7080-1694-8157
SIZE:	6.22 acres
ACCESS:	Stadium Dr. & Gilley Rd.
LAND USE:	Vacant
PHYSICAL CHARACTERISTICS:	Vacant, wooded parcel containing a house and outbuildings
ZONING HISTORY:	Zoned O&I at time of original zoning

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north (across Stadium Dr.) by vacant IP-1 property and adjoining O&I property containing a single-family residence; bordered on the east by BG property containing a mini-storage facility, vacant BG property, vacant I-2 property and an O&I parcel containing a single-family residence; bordered on the south by I-3 property containing a lumber storage yard; bordered on the west by vacant O&I property and O&I property containing a single-family residence.	
ADJACENT ZONING:	North:	IP-1, O&I
	South:	I-3
	East:	BG, I-2, O&I
	West:	O&I

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes
PUBLIC SEWER AVAILABLE:	Yes
LAND DEVELOPMENT PLAN (2007):	Town Center
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	None

STAFF ANALYSIS

The request is to rezone approximately 6.22 acres from Office & Institutional (O&I) to Business General (BG). The O&I district is established primarily for office and institutional uses which have only limited contact with the general public and which have no offensive noises, odors, smoke, fumes, and other objectionable conditions. As residences are permitted in this district and as this district is usually adjacent to residential districts, provisions are made for yards, off-street parking and off-street loading areas. The BG business districts are generally located on the fringe of the central business district and along major radial highways leading out of the city. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. Because these commercial areas are subject to public view and are important to the economy of the area, they shall have ample parking, controlled traffic movement, and suitable landscaping.

The subject parcel is located in an area of mixed commercial and industrial type uses. There are also some residential uses in the area. The property is located on a major thoroughfare (Stadium Drive) with additional access off of Gilley Road. The parcel is a large vacant wooded parcel. Although the 2007 Land Development Plan identifies the area as Town Center, there has been no commercial development in the area, and the most recent development in the area has been an I-3 industrial use (sawmill) located to the south of the subject property. Since the property adjoins existing BG property, and because of the commercial and industrial uses in the area, staff is of the opinion that rezoning the property to BG would be compatible with the other uses in the area.

Based upon the character of the area and the commercial and industrial uses in the area, staff recommends approval of the request.

STAFF RECOMMENDATION:

Approval of the BG request.

ZONING CASE

Z-20-04

AERIAL MAP



730 E. Stadium Drive

PIN 7080-1694-8157

**Zoned:
Office & Institutional**

**Requested:
Business - General**



ZONING CASE
Z-20-04
ZONING MAP



730 E. Stadium Drive
PIN 7080-1694-8157
Zoned:
Office & Institutional
Requested:
Business - General

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, the Zoning Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Office & Institutional to Business-General the following tract:

BEGINNING at an iron set in the south side of East Stadium Drive (formerly Virginia Avenue), said iron being South 72 deg. West 2716 feet from an iron marking the intersection of the West side of Hairston Street by the South side of East Stadium Drive; thence with the South side of East Stadium Drive, South 72 deg. West 300 feet to C. H. Reece's present East line, South 18 deg. East 1089 feet to an iron, C.H. Reece's present southeast corner; thence North 72 deg. East 300 feet to an iron; thence North 18 deg. West 1089 feet to the point of beginning and containing 7-1/2 acres.

SAVE AND EXCEPT FROM THE FOREGOING THE FOLLOWING TRACTS:

TRACT 1: BEGINNING at an iron set in the South side of East Stadium Drive (formerly Virginia Avenue) and being the northwest corner of the lands now owned by the said Grantors, and being at the northeast corner of C. H. Reece; thence running along the southern edge of East Stadium Drive, South 72 deg. 100 feet to a new corner; thence South 18 deg. and parallel with the Reece line 300 feet to a new corner; thence parallel with East Stadium Drive, South 72 deg. 100 feet to a new corner in the edge of the Reece line; thence along the Reece and Roberts line, North 18 deg. 300 feet to the point of beginning and embracing a tract of land consisting of approximately 30,000 square feet on which there is situated a new four-room frame house. Deed Reference: Book 418, page 520.

TRACT 2: BEGINNING at an iron, which iron lies S. 63 deg. 43 min. W. 172.73 feet and thence N. 19 deg. 59 min. W. 92.05 feet from a stake in the center of Gillie Street along a Right of Ingress and Egress herewith conveyed, thence from said iron S. 65 deg. 08 min. W. 130.36 feet to an iron; thence N. 24 deg. 52 min. W. 199.51 feet to an iron; thence N. 65 deg. 08 min. E. 140.36 feet to an iron, which iron lies S. 7 deg. 29 1 E. 145.12 feet from another iron found; thence S. 24 deg. 52 min. E. 199.51 feet to an iron; thence S. 65 deg. 08 min. W. 10 feet to the POINT OF BEGINNING, together with a twenty foot wide Right of Ingress and Egress as shown on a Plat of Survey for Bobby Wayne Boone and Melvine G. Boone, drawn May 20, 1980, by Interstate Engineers-Surveyors, Eden, N.C., which survey is recorded with the Deed in Book 746, page 87 and incorporated herein by reference. For further reference see Deed Book 452, page 372, in the Office of the Register of Deeds, Rockingham County, N. C. Deed Reference: Book 746, page 87.

The property being rezoned is identified by the Rockingham County Tax Dept. as PIN 7080-16-94-8157 and Parcel Number 109387.

Section 2 - The Official Zoning Map of the City of Eden is hereby amended to conform with this Ordinance.

APPROVED, ADOPTED AND EFFECTIVE, this 16th day of June, 2020.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, CMC
City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-20-04
MAP 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 of Eden Planning Board received a request to rezone property at 730 E. Stadium Drive from Office & Institutional to Business-General;

WHEREAS, On May 26, 2020, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

STATEMENT OF NEED:

The subject property was zoned O&I at the time of original zoning. The parcel is currently vacant and primarily undeveloped. The B-G districts are generally located on the fringe of the central business district and along major radial highways leading out of the City. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. The Land Development Plan indicates that the highest and best use of this property is Town Center. The principal uses of land in the area are for business and industrial uses; therefore the zoning change to Business-General is in keeping with the plan.

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, as amended, 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 16th day of June, 2020.

CITY OF EDEN

BY: _____
Neville A. Hall, Mayor

ATTEST:

Deanna Hunt, CMC
City Clerk



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: **Public Hearing on Potential Community Development Block Grant**
DATE: June 4, 2020

The City of Eden, like other non-entitlement cities in North Carolina, competes for funding through the Community Development Block Grant Program. It is our intention to apply for FY 2020 CDBG Funding under Title I of the Housing and Community Development Act. Potential programs for which funding may be applied for through the State CDBG Program are Housing, Planning, Infrastructure and Economic Development, and COVID-19 Funds.

As the time for application approaches, we are required to hold a public hearing. This is a requirement of the North Carolina Department of Commerce. If the City does file an application under Title I of the Housing and Community Development Act, a second public hearing will be held later this year.

If you have any questions, please do not hesitate to contact me.



ECONOMIC & TOURISM DEPARTMENT

Date: June 5, 2020

TO: The Honorable Mayor and Eden City Council

THRU: Terry Shelton, Interim City Manager

FROM: Cindy Adams, Coordinator of Tourism, Special Events & Projects

RE: Strategic Plan Funding Request

Time is requested at the June 16th 2020 Eden City Council meeting reconsider the below projects that the Eden Strategic Planning Commission has approved to be implemented during the 2019-2020 calendar year. At the May 2020 meeting, these items were tabled for reconsideration at the June City Council meeting:

Amenities for Klyce Street Landing - \$4,300

Items will include an entrance sign, kiosk, bench and a concrete pad for 2 picnic tables. This site has a beautiful and open view of the river.

Signage is important since this is a new river access point and citizens are unfamiliar with its location. In the COVID-19 era, citizens have been limited on available activities, causing them to seek more outdoor venues, such as trails and river recreation. The Eden Facilities and Grounds staff have reported that trash receptacles have to be emptied much more often because of increased use since the COVID-19 lockdowns began. We have received positive comments on social media about the availability of trails for exercise. The river access point should be consistent with our existing ones where picnic facilities and signage are present.

Movies under the Stars - \$4,000

This will enable us to show 4 movies that will be shown on a large inflated screen in various places throughout the city. Potential sites are Grogan Park, Freedom Park, Downtown, Pool, etc. All of these movies would be free of charge to the public.

City staff will be certain to follow all social distancing guidelines as it provides our citizens with an opportunity to enjoy movies outdoors. Again, this is a way for people to responsibly gather to watch movies, something not available right now in movie theaters.

Kayak Lessons for Middle Schoolers - \$,1360

These lessons will be offered to 12 middle school age kids. Instruction and rental of kayaks, paddles and vests will be done through Three Rivers Outfitters. There will be 6 sessions that will include 1 instruction day in the classroom, 4 in the pool and the last in the river. We are using this as a pilot program that will hopefully lead to more regular instruction sessions for our youth.

Since 2003, Eden has marketed itself as a river community. In order to encourage citizens to take advantage of the rivers, they should be provided the opportunity to learn about responsible river navigation. We should encourage citizens to enjoy the beauty of the two rivers that grace our community.

Please let me know if you have any questions about the request.



MEMORANDUM

To: Honorable Mayor and City Council

Thru: Terry Shelton, Interim City Manager

From: Terry Shelton, Interim City Manager, and Tammie B. McMichael, Director of Finance and

Date: June 16, 2020

Subject: Internal Auditor

On February 18, 2020, Mr. Bert Davis, Jr., CPA, CFF, CFE presented to Council a forensic audit that he had completed. In his presentation, he recommended that the City contract with an Internal Auditor to work a few days a month on risk analysis. We called local Accounting Firms, and we mailed out a Request for Proposal to local Accounting Firms, and to Accounting Firms recommended by Mr. Davis for an Internal Auditor. We received one proposal from Mr. George Wayne Emerine, MBA BS Accounting/Tax owner of Carolina Tax & Business Services in Eden. He has proposed a 3-year agreement with a monthly cost of \$2,160.00 (annual cost \$25,920.00) for up to 24 hours of monthly services.

If you would like to move forward with Mr. Bert Davis' recommendation to contract with an Internal Auditor, it is Staff's recommendation for to you to accept the proposal from Carolina Tax & Business Services.

George Wayne Emerine, MBA BS Accounting/Tax
IRS Enrolled Agent 126859
181 Gutta Percha Lane
Summerfield, North Carolina 27358
Office 336-349-3684 Cell 336-552-5970 cell

April 24, 2020

Tammy McMichael
Finance Director
City of Eden
308 E. Stadium Drive
Eden, North Carolina 27288

Re: Proposal for Audit Services

Dear Ms. Mc Michael:

We consider it an honor to be a potential source of services for the City we have been serving now for over 20 years. We have been a source of curriculum development and instruction for both the Eden Minority Business Council and Rockingham Community College entrepreneurship studies and a provider of business consulting, tax, and accounting services for small businesses about 20 years.

Additionally, we have been a preferred audit services provider with the N. C. Department of Health & Human Services controller's office for that same period. We were approved to conduct audits by Susan Kesler, in the controller's office, based upon our educational achievements, past performance and peer review processes that satisfied the state audit standards and requirements.

However, we are degreed accountants, but I am not a CPA and, if that does not meet your requirements, I wanted to let you know that now. Susan Kessler is available by email at Susan.Kesler@dhhs.nc.gov or by phone at 919-855-3680 if you would like to speak with her about our work.

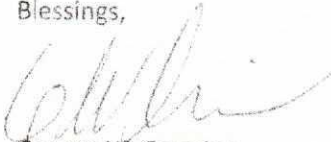
If our credentials meet your requirements, we will be extremely interested in providing a proposal for you. If it matters, I have provided consulting services to R.J. Reynolds, Philip Morris, American Airlines and Exxon during my career and to numerous local businesses since 2000.

Finally, I was recruited to Oral Roberts University, School of Business, in 1996 to update curriculum and to serve as Assistant Professor during my tenure focusing on Strategic

Planning, Auditing, Accounting and Finance.

I am more than confident that you would find our work to be exceptional and strategically useful for the benefit of our City.

Blessings,

A handwritten signature in cursive script, appearing to read "G. Emerine".

George W. Emerine

CAF 03-0000091R

EA 126859

336-349-3684 office

336-552-5970 cell

George Wayne Emerine, MBA BS Accounting/Tax
IRS Enrolled Agent 126859
181 Gutta Percha Lane
Summerfield, North Carolina 27358
Office 336-349-3684 Cell 336-552-5970 cell

April 24, 2020

Tammie McMichael
Finance Director
City of Eden
308 E. Stadium Drive
Eden, North Carolina 27288

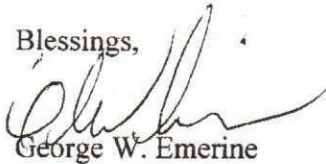
Re: Proposal for Audit Services

Dear Ms. McMichael:

I sent a previous letter today with respect to audit services and credentialing required. I did learn that the Local Government Commission does allow non-CPA auditors similar to the NCDHHS work we already do as approved accountants.

Having said that we are submitting our proposal on the attached letter and look forward to helping our City and its leadership.

Blessings,



George W. Emerine
CAF 03-0000091R
EA 126859
336-349-3684 office
336-552-5970 cell

PROPOSAL TO PROVIDE AUDIT SERVICES
CITY OF EDEN
AUDIT YEAR JULY1, 2020 THROUGH JUNE 30, 2023

April 24, 2020

The term of our proposal is 3 years beginning on July 1, 2020 and continuing thru June 30, 2023

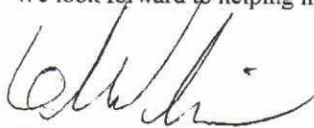
The scope of the audit is to fulfill audit and risk management services consistent with the Local Government Commission, Department of Treasury including such meetings as may be required to formulate and communicate risk assessments, an audit plan and recommendations to senior management including city manager, city attorney, Financial Director, City Council and department directors as may be required.

Audit Cost proposed is a monthly fee of \$2160 for up to 24 hours of monthly services. Additionally, a record of service hours will be retained during the audit year. Should hours required by senior management exceed 24 hours per month, an additional hourly fee of \$90 per excess hour will be billed only if the record of service hours for all months leading up to the month of excess hours have exceeded the 24 hour of required monthly service. If unused hours exist for any prior period, the excess hours will offset any potential billable hours.

The company profile of the company starts with the fact that all employees are residents of Rockingham County, North Carolina and have been serving the county for over 20 years. The firm specializes in tax preparation and mediation, accounting services, payroll, consulting and NCDHHS Medicaid Cost Report Annual Audits. The staff include three degreed accountants, one MBA graduate and one Business and Finance Major and former stockbroker. We have invested in the Eden business community by electing to purchase the previous bank building at 600 Washington Street.

I encourage the review of our website: Carolina Tax & Business Services. We are 5 stars according to our clients and our clients are 5 stars to us!

We look forward to helping make a stronger and more successful Eden.



G. Wayne Emerine
Owner, Carolina Tax & Business Services

George Wayne Emerine, MBA BS Accounting/Tax
IRS Enrolled Agent 126859
181 Gutta Percha Lane
Summerfield, North Carolina 27358
Office 336-349-3684 Cell 336-552-5970 cell

April 25, 2020

Tammy McMichael
Finance Director
City of Eden
308 E. Stadium Drive
Eden, North Carolina 27288

Re: Proposal for Audit Services


Dear Ms. Mc Michael:

I apologize for submitting multiple responses to the request for quote for Eden Audit Services.

When I reviewed the responses to you, I noticed I had not fully answered your question as to audit experience.

In addition to the corporate work we do, we provide Medicaid Audit Work for ten to fifteen companies annually for the NCDHHS controller's office. These audits include income and expense allocation by service category including wage and tax verification and approximately twenty five separate audit categories.

Blessings,



George W. Emerine
CAF 03-0000091R
EA 126859
336-349-3684 office
336-552-5970 cell



MEMORANDUM

To: Honorable Mayor and City Council

Thru: Terry Shelton, City Manager

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

Date: June 16, 2020

Subject: Delinquent Process for Water & Sewer Customers

On March 17, 2020 Council passed a Resolution Authorizing Temporary Suspension of Water and Wastewater Disconnections due to COVID-19. On March 31, 2020, Mr. Roy Cooper, Governor of the State of North Carolina signed Executive Order No. 124 Assisting North Carolinians by Prohibiting Utility Shut-offs, Late fees, and Reconnection fees. This Executive Order remained in effect for sixty (60) days. On May 30, 2020, Executive Order No. 142 was signed by the Governor, and it Prohibits Utility Shut-offs, Late fees, and Reconnection fees until July 29, 2020. Therefore, we have not applied penalties or disconnected any delinquent water and sewer and solid waste accounts since March 10, 2020.

We have a large amount of delinquent accounts. The Governor's Executive Orders state that customers shall be provided the opportunity to make reasonable payment arrangements to pay off over at least a six (6) month period any arrearages accumulated during the effective period of the Executive Order and any order extending the Executive Order and 180 days thereafter. No interest or late fee shall be charged on arrearages.

Finance needs a plan in place to give us guidance on how we will start applying penalties and doing disconnects for nonpayment when the Governor's Executive Order expires.

Although we are not allowed to disconnect for accounts that became delinquent during the executive order, we intend to start disconnecting accounts that become due and delinquent after the Governor's Order expires (July 29). We also intend to offer payment arrangements for the delinquent accounts that became due during the Executive Order.

It is staff's recommendation that we do the following:

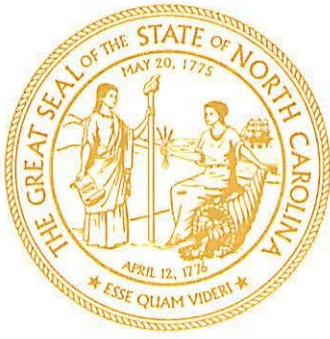
Cycle 1

1. Mail a letter to past due customers in July 2020 informing them of their account balance, let them know when the penalties will start, when the first cut-off will be, and asking them to contact the Finance Department to set up a payment arrangement.
2. Bill August 14, 2020
3. Due date September 4, 2020
4. Mail a reminder notice to past due customers, and apply the \$10.00 late fee on September 8, 2020.
5. Cut-off due to nonpayment and apply the \$40.00 delinquent payment penalty on September 16, 2020
6. Pull or Lock the water meter due to nonpayment and apply the \$25.00 pull meter fee on September 23, 2020

Cycle 2

1. Mail a letter to past due customers in July 2020 informing them of their account balance, let them know when the penalties will start, when the first cut-off will be, and asking them to contact the Finance Department to set up a payment arrangement.
2. Bill August 31, 2020
3. Due date September 22, 2020
4. Mail a reminder notice to past due customers, and apply the \$10.00 late fee on September 25, 2020
5. Cut-off due to nonpayment and apply the \$40.00 delinquent payment penalty on October 7, 2020
6. Pull or Lock the water meter due to nonpayment and apply the \$25.00 pull meter fee on October 15, 2020

We will include all delinquent accounts without a payment arrangement when we create the first cut-off lists. Unfortunately, some of our customers will only respond if we cut their water off. We will require customers to pay the current past due balance, and set up a payment arrangement for any arrearages accumulated during the effective period of the Executive Orders before we reconnect their water.



State of North Carolina

ROY COOPER
GOVERNOR

May 30, 2020

EXECUTIVE ORDER NO. 142

ASSISTING NORTH CAROLINIANS BY PLACING TEMPORARY PROHIBITIONS ON EVICTIONS AND EXTENDING THE PROHIBITION ON UTILITY SHUT-OFFS

WHEREAS, on March 10, 2020, the undersigned issued Executive Order No. 116 which declared a State of Emergency to coordinate the State's response and protective actions to address the Coronavirus Disease 2019 ("COVID-19") public health emergency and provide for the health, safety, and welfare of residents and visitors located in North Carolina; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration for all states, tribes, territories, and the District of Columbia, retroactive to March 1, 2020, and the President declared that the COVID-19 pandemic in the United States constitutes a national emergency; and

WHEREAS, on March 25, 2020, the President approved a Major Disaster Declaration, FEMA-4487-DR, for the State of North Carolina; and

WHEREAS, in responding to the COVID-19 pandemic, and for the purpose of protecting the health, safety, and welfare of the people of North Carolina, the undersigned has issued Executive Order Nos. 116-122, 124-125, 129-131, 133-136, and 138-141; and

WHEREAS, more than twenty-seven thousand people in North Carolina have had laboratory-confirmed cases of COVID-19, and hundreds of people in North Carolina have died from the disease; and

WHEREAS, hospital administrators and health care providers have expressed concerns that unless the spread of COVID-19 is limited, existing health care facilities may be insufficient to care for those who become sick; and

WHEREAS, slowing and controlling community spread of COVID-19 is critical to ensuring that the state's healthcare facilities remain able to accommodate those who require medical assistance; and

WHEREAS, to mitigate further community spread of COVID-19 and to reduce the burden on the state's health care providers and facilities, it is necessary to limit person-to-person contact in workplaces and communities; and

WHEREAS, such limitations on person-to-person contact are reasonably necessary to address the public health risk posed by COVID-19; and

WHEREAS, due to the State of Emergency, many North Carolinians are working from home and staying at home; many businesses have seen a substantial decline in demand for the goods or services that they sell, causing some businesses to close or reduce the size of their workforce; and some businesses have been ordered closed to slow the spread of COVID-19; and

WHEREAS, any disruptions or dislocations that would require people to leave their homes increase the risk of spread of COVID-19; and

WHEREAS, the economic effects of the pandemic have broadly affected business owners, tenants, and employees across the state; and

WHEREAS, because of these and other economic effects from the COVID-19 pandemic, many North Carolinians are enduring financial hardship and financial insecurity; and

WHEREAS, on April 13, 2020 and May 1, 2020, Chief Justice Cheri Beasley of the North Carolina Supreme Court issued orders postponing court hearings, including eviction proceedings, until June 1, 2020; and

WHEREAS, in Executive Order No. 124, the undersigned and Attorney General Josh Stein provided further guidance on the Chief Justice's emergency order, as it relates to evictions, and strongly encouraged mortgage companies to take actions to alleviate the adverse impact caused by COVID-19 on mortgage borrowers who are unable to make timely payments; and

WHEREAS, when the Chief Justice's emergency orders allow court hearings to resume on June 1, 2020, residential tenants in North Carolina will be at risk of eviction; and

WHEREAS, residential evictions remove people from their homes, where they are safest during the COVID-19 pandemic, and thereby increase the risk that such people will contract and spread COVID-19; and

WHEREAS, many residential evictions leave people homeless, where they are at extreme risk of contracting and spreading COVID-19; and

WHEREAS, because many people are now performing their jobs and receiving schooling from their homes, residential evictions during the COVID-19 pandemic also threaten people's ability to maintain their livelihood and receive education; and

WHEREAS, for these and other reasons, it is reasonable and necessary that there be an additional twenty-one (21) day moratorium on residential evictions for reason of late payment or nonpayment, beginning on the date of this Executive Order; and

WHEREAS, commercial evictions disrupt and usually terminate the jobs of all the people in the commercial establishments where the eviction takes place; and

WHEREAS, North Carolina's unemployment rate has greatly increased during the COVID-19 pandemic, and it is reasonable and necessary to take actions that protect North Carolina jobs; and

WHEREAS, commercial evictions require significant amounts of unexpected travel, as commercial tenants move the equipment in the facilities they have leased, and this travel will unnecessarily expose people to risk of transmitting and spreading COVID-19; and

WHEREAS, the federal Paycheck Protection Program and other programs under the CARES Act, P.L. 116-136, have provided financial assistance to small businesses, but these programs provide only a limited amount of assistance, and some commercial tenants are likely to exhaust the financial assistance provided under this program; and

WHEREAS, Section 4024 of the CARES Act, P.L. 116-136, protects from eviction, through late August, tenants in properties with federally backed mortgage loans (including loans owned or securitized by Fannie Mae, Freddie Mac, or insured by HUD, the VA, or the USDA) and tenants in properties participating in various federal affordable housing programs, but some dwellings and some tenants are not covered by the protections in the CARES Act; and

WHEREAS, as a result, it is likely that, absent intervention, there will be a wave of commercial evictions in North Carolina; and

WHEREAS, for these and other reasons, it is reasonable and necessary that there be a twenty-one (21) day moratorium on commercial evictions for reason of late payment or nonpayment caused by the COVID-19 pandemic, beginning on the date of this Executive Order No. 142; and

WHEREAS, the moratoriums on evictions in this Executive Order do not forgive rent or excuse the obligation to pay rent, and instead, this Executive Order merely delays evictions and waives interest, late fees, and penalties that arise during the Order's effective period; and

WHEREAS, the economic effects of the pandemic have broadly affected utility customers across the state; and

WHEREAS, utility services are essential to the continued health and safety of residential utility customers, to the ability of workers and employers to engage in teleworking, and to the continued economic viability of business utility customers, even as the economic effects of the pandemic threaten customers' ability to pay for those utility services; and

WHEREAS, on March 19, 2020, the North Carolina Utilities Commission ("Utilities Commission" or "Commission") issued an Order Suspending Utility Disconnections for Non-Payment, Allowing Reconnection, and Waiving Certain Fees; and

WHEREAS, the Utilities Commission's March 19, 2020 Order applied to only some of the utilities that are necessary for the continued well-being of North Carolina residents and the continued viability of North Carolina businesses; and

WHEREAS, in Executive Order No. 124, the undersigned enacted, for all utilities, prohibitions and restrictions similar to and consistent with the Utilities Commission's March 19, 2020 Order; and

WHEREAS, the undersigned has determined that it is reasonable and necessary to extend the utility customer protections in Executive Order No. 124 for an additional sixty (60) days from the date of this Executive Order; and

WHEREAS, Executive Order No. 116 invoked the Emergency Management Act, and authorizes the undersigned to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(2), the undersigned may make, amend, or rescind necessary orders, rules, and regulations within the limits of the authority conferred upon the Governor in the Emergency Management Act; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(7), the undersigned is authorized and empowered to utilize the services, equipment, supplies, and facilities of political subdivisions, and their officers and personnel are required to cooperate with and extend such services and facilities to the undersigned upon request; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(1), the undersigned may utilize all available state resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of State agencies or units thereof for the purpose of performing or facilitating emergency services; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), during a Gubernatorially declared State of Emergency, the undersigned has the power to “give such directions to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of this Article”; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(3), the undersigned may take steps to assure that measures, including the installation of public utilities, are taken when necessary to qualify for temporary housing assistance from the federal government when that assistance is required to protect the public health, welfare, and safety; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(2), the undersigned, with the concurrence of the Council of State, may establish a system of economic controls over all resources, materials, and services, including shelter and rents; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(3), the undersigned, with the concurrence of the Council of State, may regulate and control the maintenance, extension, and operation of public utility services and facilities; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(4), the undersigned, with the concurrence of the Council of State, may waive a provision of any regulation or ordinance of a State agency or political subdivision which restricts the immediate relief of human suffering; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(5), the undersigned, with the concurrence of the Council of State, may perform and exercise such other functions, powers, and duties as are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, N.C. Gen. Stat. § 166A-19.10(b)(3) further authorizes and empowers the undersigned to delegate Gubernatorial vested authority under the Emergency Management Act and to provide for the sub-delegation of that authority; and

WHEREAS, under the terms of N.C. Gen. Stat. § 166A-19.70(a), utilities are considered critical infrastructure for the State of North Carolina; and

WHEREAS, the undersigned has sought and obtained concurrence from the Council of State consistent with the Governor’s emergency powers authority in N.C. Gen. Stat. § 166A-19.30.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section 1. Evictions Moratorium.

For the reasons and pursuant to the authority set forth above, the undersigned orders as follows:

A. **Definitions.** In this Executive Order:

1. “Residential Lease” means a lease of a dwelling unit in the State of North Carolina to which the North Carolina Residential Rental Agreements Act, N.C. Gen. Stat. §§ 42-38 to 42-46, applies.
2. “Residential Tenant” means the tenant in a Residential Lease.
3. “Residential Landlord” means the owner of, and any rental management company, rental agency, or any other person having the actual or apparent authority of an agent over, any unit in a Residential Lease.
4. “Commercial Lease” means a lease of any real property that is leased to an individual, business, or organization that does commerce in the State of North Carolina; provided, however, that “Commercial Lease” does not include: Residential Leases (as that term is defined in this Executive Order); operations of hotels, motels, or similar lodging

subject to regulation by the Commission for Public Health; and vacation rentals entered into under Chapter 42A of the General Statutes.

5. "Commercial Tenant" means the tenant in a Commercial Lease.
6. "Commercial Landlord" means the owner of, and any rental management company, rental agency, or any other person having the actual or apparent authority of an agent over, the real property in a Commercial Lease.
7. An action is "for reason of late payment or nonpayment" if the legal basis for that action was, in whole or in part, the tenant's late payment or nonpayment of rent.
8. An effect is "caused by the COVID-19 pandemic" if it is caused, in whole or in part, directly or indirectly, by the COVID-19 pandemic. This includes, without limitation, not only the medical effects of the COVID-19 pandemic, but also the disruptions to the economy that have arisen since the beginning of the COVID-19 pandemic and the economic effects of business closures and other public health restrictions instituted because of the COVID-19 pandemic.
9. The "Effective Period" of this Section is defined in Subsection (B)(1) below.

B. Residential Evictions.

1. No Evictions for Late Payment or Nonpayment.
 - a. Residential Landlords shall not, for reason of late payment or nonpayment, initiate or take any action to further summary ejection or other eviction proceedings against a Residential Tenant.
 - b. All Residential Landlords are prohibited from requiring Residential Tenants to vacate their dwelling units for reason of late payment or nonpayment.
 - c. All leases are modified to disallow evicting, or otherwise terminating the possession of, Residential Tenants for reason of late payment or nonpayment during the Effective Period of this Section.

These restrictions and modifications shall continue for twenty-one (21) days after the date of entry of this Executive Order. This time period (the "Effective Period") may be extended by a subsequent Executive Order issued by the undersigned with the concurrence of the Council of State.

For example, if this Executive Order is issued on May 30, the Effective Period of this Section will be May 30 through June 20, inclusive, unless there is an Executive Order extending this Section.

2. Late fees and penalties. Residential Landlords shall not assess upon their Residential Tenants interest, late fees, or other penalties for late payment or nonpayment of rent due during the Effective Period. If a Residential Tenant had existing interest, fees, or other penalties when this Executive Order came into effect, all accumulation of additional interest, fees, or other penalties is paused during the Effective Period.
3. Extra time to pay off rent due in the Effective Period. Residential Tenants shall be provided the opportunity to make reasonable payment arrangements to pay off, over at least a six (6) month period, any rent that became due in the Effective Period and was not paid during the Effective Period. No interest, late fees or other penalties shall be charged on these arrearages. The six-month payoff period shall be calculated from the expiration of the Effective Period.

C. **Commercial Evictions.**

1. During the Effective Period of this Section, as defined in Subsection (B)(1) above:
 - a. **Restriction on Commercial Evictions.** Commercial Landlords shall not, for reason of late payment or nonpayment caused by the COVID-19 pandemic, perform a self-help eviction of a Commercial Tenant, require Commercial Tenants to vacate their facilities, terminate any Commercial Tenant's lease, or take any action, judicial or otherwise, to terminate a Commercial Tenant's possession.
 - b. This restriction on commercial evictions shall apply only if one or both of the following conditions are met:
 - i. The landlord is aware that the Commercial Tenant's late payment or nonpayment is caused by the COVID-19 pandemic; or
 - ii. The Commercial Tenant provides the landlord with documentation or other evidence that the late payment or nonpayment is caused by the COVID-19 pandemic.
 2. **Duty to Inquire.** During the Effective Period of this Section, before performing a self-help eviction of a Commercial Tenant, terminating any Commercial Tenant's lease, or taking any action to terminate a Commercial Tenant's possession for reason of late payment or nonpayment, Commercial Landlords shall inquire whether the late payment or nonpayment is caused by the COVID-19 pandemic and give the Commercial Tenant seventy-two (72) hours to respond. If the landlord does not comply with the provisions of this Subsection (C)(2), the landlord's action is voidable by the tenant.
 3. **Late Fees and Penalties.** Commercial Landlords shall not assess upon their Commercial Tenants interest, late fees, or other penalties for late payment or nonpayment of rent due during the Effective Period. If a Commercial Tenant had existing interest, fees, or other penalties when this Executive Order came into effect, all accumulation of additional interest, fees, or other penalties is paused during the Effective Period.
 4. **Extra Time to Pay Off Rent Due in the Effective Period.** Commercial Tenants shall be provided the opportunity to make reasonable payment arrangements to pay off, over at least a six (6) month period, any rent that became due in the Effective Period and was not paid during the Effective Period. No interest, late fees or other penalties shall be charged on these arrearages. The six-month payoff period shall be calculated from the expiration of the Effective Period.
- D. **Rent Remains Due.** Except for the interest, late fees and penalties expressly waived above, nothing in this Executive Order shall be construed as waiving tenants' obligation to pay rent or perform any other obligations which an individual may have under a tenancy.
- E. **Evictions for Other Reasons.** Nothing in this Executive Order affects evictions for reasons other than late payment or nonpayment. However, all landlords are strongly encouraged to work with tenants to the best of their abilities to avoid evictions in light of the COVID-19 State of Emergency.
- F. **Payment Assistance.** NCDHHS shall publicize payment assistance programs to aid landlords and tenants in the payment of their bills.
- G. **Foreclosure Proceedings.** The undersigned strongly encourages all lenders to work with property owners to the best of their abilities to provide loan payment flexibility that enables property owners to avoid foreclosures, in light of the COVID-19 State of Emergency.

H. **Tenants Should Notify Landlords and Pay Rent if Possible.** During the Effective Period, rent is still due and will accrue. Therefore, the undersigned strongly encourages any Residential Tenant or Commercial Tenant who is or will be unable to pay the full rent due under a rental agreement or lease to notify the landlord as soon as reasonably possible and to make rental payments to the extent the tenant is financially able to do so. Failure of a Residential Tenant or Commercial Tenant to act as encouraged by this Subsection does not exclude the tenant from the protections of this Executive Order.

Section 2. Extension of Assistance for North Carolina Utility Customers.

For the reasons and pursuant to the authority set forth above and in Executive Order No. 124, the undersigned orders as follows:

- A. Section 1 of Executive Order No. 124 shall remain in effect until 11:59 pm on July 29, 2020.
- B. Utility Service Providers shall reasonably inform their customers of this extension. Section 1(F) of Executive Order No. 124 shall apply to that notification.
- C. Section 1(C) of Executive Order No. 124 is amended as follows:

“Late fees and payment arrangements. A Utility Service Provider shall not bill or collect any fee, charge, penalty, or interest for a late or otherwise untimely payment that becomes due from the date of this Executive Order. Customers shall be provided the opportunity to make reasonable payment arrangements to pay off over at least a six (6) month period any arrearages accumulated during the effective period of this Executive Order, of Section 2 of this Executive Order, and of any other order extending this Executive Order and 180 days thereafter. In the event a utility service provider and customer are unable to agree on the duration of an extended repayment plan, the default repayment period shall be six (6) months. The six (6) month payoff period shall be calculated from the date of termination of this Section of this Executive Order or, if other applicable Executive Orders extend the protections of this Section, from the date of the termination of the last Executive Order that extends such protections; provided, however, that Utility Service Providers subject to the Utilities Commission’s March 19, 2020 Order shall remain subject to the terms of that order any Utilities Commission order that may be in effect after this Executive Order expires. No interest or late fee shall be charged on arrearages. No provision in this Executive Order shall be construed as relieving a customer of their obligation to pay bills for receipt of any service covered by this Executive Order.”

- D. Section 1(G) of Executive Order No. 124 is amended and restated as follows:

“Duration. This Section shall remain in effect for one hundred (120) days, until 11:59 pm on July 29, 2020, unless rescinded or superseded by another applicable Executive Order; provided, however, that after that date, the provisions of this Section shall continue to apply to arrearages that accumulated while this Executive Order was in effect.”

- E. Section 1(J) of Executive Order No. 124 is amended as follows:

“Implementation and enforcement. The undersigned directs that the North Carolina Utilities Commission monitor responses and provide assistance and guidance to Utility Service Providers, including to the extent possible Utility Service Providers not under the Commission's regulatory jurisdiction, in implementing the provisions of this Section of this Executive Order. Utility Service Providers shall report implementation information ~~weekly~~ monthly to the North Carolina Utilities Commission, including the following: (1) number of accounts by type (e.g., residential or business account) for which service termination was forborne, (2) number of reconnections by type of account, (3) amount of late fees and other penalties not collected, (4) number of accounts on an extended repayment plan, (5) customer notification information, and any other information determined by the Utilities Commission. The Utilities Commission and the Attorney General shall have the authority to enforce the provisions of this Executive Order through any methods provided by current law. The Utilities Commission, and to the extent necessary for any Utility Service

Providers not within the Utilities Commission’s jurisdiction, the Attorney General may waive provisions in their discretion and order an effective alternative. The Commission shall provide a ~~weekly~~ monthly report to the Governor’s Office on implementation of this Executive Order.”

Section 3. No Private Right of Action Against the State or Against Officers.

This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of North Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any emergency management worker (as defined in N.C. Gen. Stat. § 166A-19.60).

Section 4. Supremacy Clause.

This Executive Order is not intended to supplant or preempt any federal law, including, but not limited to the protections afforded to tenants under the CARES Act, P.L. 116-136.

Section 5. Savings Clause.

If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Section 6. Distribution.

I hereby order that this Executive Order be: (1) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (2) promptly filed with the Secretary of the North Carolina Department of Public Safety, the Secretary of State, and the superior court clerks in the counties to which it applies, unless the circumstances of the State of Emergency would prevent or impede such filing; and (3) distributed to others as necessary to ensure proper implementation of this Executive Order.

Section 7. Enforcement.

- A. Pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), the provisions of this Executive Order shall be enforced by state and local law enforcement officers.
- B. A violation of this Executive Order may be subject to prosecution pursuant to N.C. Gen. Stat. § 166A-19.30(d), and is punishable as a Class 2 misdemeanor in accordance with N.C. Gen. Stat. § 14-288.20A.
- C. This Executive Order limits only evictions for reason of late payment or nonpayment. This Executive Order does not affect or restrict access to court orders that limit, for other reasons, a person’s access to a location.

Section 8. Effective Date.

This Executive Order is effective as of the beginning of the calendar day on which it is entered.

Section 1 of this Executive Order shall remain in effect for the time period stated in Subsection 1(B)(1), except that Subsections 1(B)(3) and 1(C)(4) shall remain in effect for six (6) months beyond the time period stated in Subsection 1(B)(1).

Section 2 of this Executive Order shall remain in effect until the date listed in Subsection 2(A) of this Executive Order, except that Subsection 1(C) of Executive Order No. 124, as amended by Section 2(C) of this Executive Order, shall remain in effect for six (6) months beyond the date listed in Subsection 2(A) of this Executive Order.

An Executive Order rescinding the Declaration of the State of Emergency will automatically rescind this Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 30th day of May in the year of our Lord two thousand and twenty.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State





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: **Draper Community Development
Block Grant-Neighborhood Revitalization**
Date: June 4, 2020

The City of Eden, like other non-entitlement cities in North Carolina, competes for funding through the Community Development Block Grant Program. This funding can be used for housing rehabilitation, clearance, relocation, infrastructure improvements and recreational improvements, water and sewer projects and economic development projects. All of these various kinds of projects are designed to offer assistance to low and moderate income residents of our community.

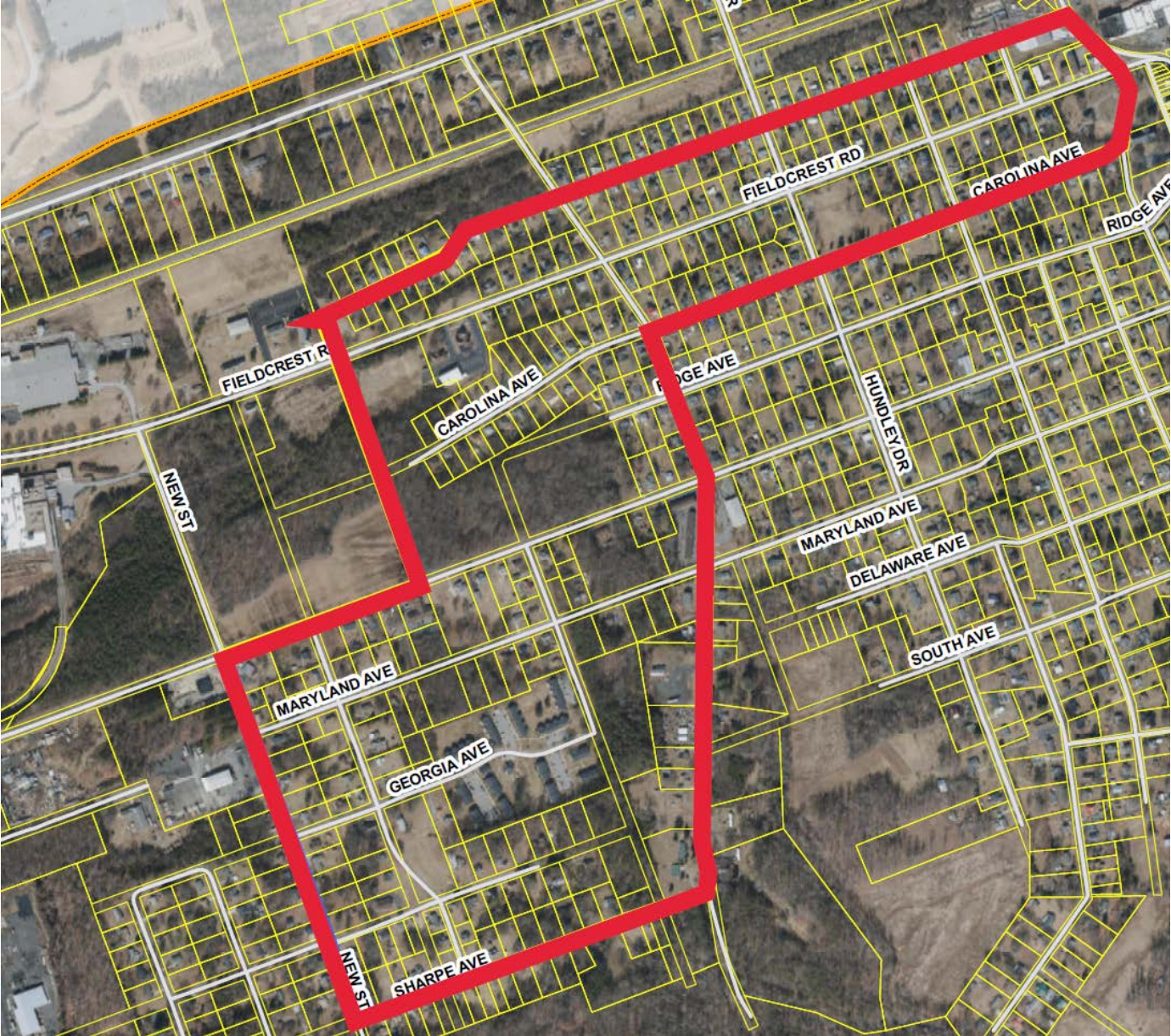
We have received a grant in the amount of \$750,000 for a portion of the Draper area. The project may include housing, drainage, sidewalk, street, water and sewer improvements. This particular grant cycle does not require matching funds from the City.

We are required by the Department of Commerce to adopt a set of policies and procedures in order to receive the funding. The City has adopted these same documents for every other CDBG we have received from the State. There is nothing new in them.

A part of these policies and procedures is an Analysis of Impediments and Assessment of Fair Housing prepared for the Piedmont Triad Region in September 2014. A copy of this 235 page document is located in Administration for your review.

If you have any questions, please do not hesitate to contact me.

Draper CDBG Project Area



RESOLUTION BY CITY OF EDEN TO ADOPT CDBG PLANS

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of neighborhood stabilization and that the North Carolina Department of Commerce was delegated the authority by the state legislature to administer state grant monies received from the U.S. HUD CDBG program, and

WHEREAS, The City of Eden has requested and received state grant assistance for a project,

WHEREAS, HUD's State CDBG program has many federal performance and procurement requirements,

WHEREAS, The City will implement these plans broadly and not specific to any single CDBG grant,

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

That the City of Eden adopts and places into effect the following compliance plans:

- Equal Opportunity and Procurement Plan
- PTRC Analysis of Impediments to Fair Housing
- Fair Housing Plan
- Fair Housing Compliant Procedure
- Language Access Plan
- Local Jobs Initiative Section 3 Plan
- Section 504 Survey and Grievance Procedure
- Citizen Participation Plan
- Residential Anti-Displacement and Relocation Assistance Plan
- Policy of Nondiscrimination Based on Handicapped Status
- Policy Prohibiting Excessive Use of Force
- Conflict of Interest Policy

Adopted this the 16th day of June 2020 in Eden, North Carolina.

(Signature of Mayor)

Neville Hall, Mayor

(Printed Name and Title)

Attest:

Deanna Hunt, CMC, City Clerk

Signature & Title

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

This Residential Anti-Displacement and Relocation Assistance Plan is prepared by the **City of Eden** in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG¹ projects.

MINIMIZE DISPLACEMENT

Consistent with the goals and objectives of activities assisted under the Act, the **City of Eden** will take the following steps to minimize the direct and indirect displacement of persons from their homes:

(The steps provided below are examples only, each jurisdiction must determine the actions it will take based on local needs and priorities, select one or multiple steps or describe others steps below)

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
- Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.

CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” (as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.
- Other: (*Describe*) [Click or tap here to enter text.](#)

A. Relocation Assistance to Displaced Persons

The **City of Eden** will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

B. One-for-One Replacement of Lower-Income Dwelling Units

The **City of Eden** will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program[s] in accordance with 24 CFR 42.375. Before entering into a contract committing **City of Eden** to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the **City of Eden** will make public by public hearing and submit to State CDBG Program(s) North Carolina Department of Commerce the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. [*See also 24 CFR 42.375(d)*].
5. The source of funding and a time schedule for the provision of the replacement dwelling units;

6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the **City of Eden** will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

C. Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), the **City of Eden** may submit a request to the State (NC Commerce) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

D. Contacts

The **Planning and Inspections Office (336-623-2110)** is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The **Planning and Inspections Office (336-623-2110)** is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

Adopted this 16th day of June, 2020.

ATTEST: _____
(Chief Elected Official)
Neville Hall, Mayor

(Clerk)
Deanna Hunt, CMC, City Clerk

CODE OF CONDUCT POLICY FOR CDBG GRANTEES

WHEREAS, the **City of Eden**, as the recipient of federal funding through the Community Development Block Grant (CDBG) Grant program;

WHEREAS, the conflict of interest provisions, including but not limited to those found at N.C. General Statutes § 14-234, 2 C.F.R. § 200.317-318, 320-321, 323-326, 24 C.F.R. § 570.489 (g) and (h), and 24 C.F.R. § 570.611 must be carried out;

WHEREAS, certain limited exceptions to the conflict of interest rules listed in 24 C.F.R. § 570.489 may be granted in writing by Housing and Urban Development (HUD) and/or NC Commerce upon written request and the provision of information specified in 24 C.F.R. § 570.489(h)(ii)(4);

WHEREAS, no persons described in this policy who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter;

WHEREAS, the conflict of interest provisions of this policy apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds; and

WHEREAS, the failure to adhere and enforce this policy may cause the **City of Eden** to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED, by the **City of Eden's** Board of **City Council** that the **City** will pass and adhere to this policy.

Adopted this the 6th day of June, 2020 in Eden, North Carolina.

ATTEST:

Chief Elected Official
Neville Hall, Mayor

Clerk

Deanna Hunt, CMC, City Clerk

CITIZEN PARTICIPATION PLAN FOR CDBG-I GRANTEES

CDBG Recipient/Grantee Name:	CITY OF EDEN
CDBG Recipient/Grantee Mailing Address:	308 EAST STADIUM DRIVE, EDEN NC 27288
CDBG Recipient/Grantee Physical Address <i>(if different from mailing):</i>	308 EAST STADIUM DRIVE, EDEN NC 27288
Contact Person & Title:	KELLY STULTZ, PLANNING AND INSPECTIONS DIRECTOR
Contact Email:	KSTULTZ@EDENNC.US
Contact Phone Number:	336-623-2110
TDD#:	711

I. PURPOSE AND INTRODUCTION

The **City of Eden** has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program.

This Plan is an essential element of the **City of Eden's** present and future community development process and has been developed to comply with the regulations and requirements of the CDBG program as administered by the North Carolina Department of Environmental Quality – Division of Water Infrastructure (NCDEQ-DWI) and the Department of Housing and Urban Development (HUD). The Citizen Participation Plan is required by Section 104(a)(2) of the Housing and Community Development Act and by regulations at 24 CFR 570.486(a)(6).

The primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the **City of Eden's** CDBG program(s) and project(s).

The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized.

The plan is vitally important to the success of CDBG-funded activities undertaken by local units of general government. Compliance with the plan reduces the number of legal challenges and citizen complaints against the local government recipient.

Local units of general government must provide citizens with reasonable advance notice of and opportunity to comment on proposed activities in an application to the state; and for grants already made, the same opportunities must be provided for activities proposed to be added, deleted, or substantially changed from the original application to the state. Substantially changes include, but not limited to, purpose, scope, location or beneficiaries.

Citizens are encouraged to participate in all phases of the CDBG program(s) and will be provided full access to program information. However, final responsibility and authority for the development and implementation of CDBG program(s) will lie with the **City of Eden**.

2. SCOPE OF PARTICIPATION

The **City of Eden** will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all CDBG program(s) undertaken by the **City of Eden**. Local officials will make every effort to involve citizens in all phases of the development, implementation and assessment of community development programs including, but not limited to, the following phases:

- a. Identification and assessment of housing and community development needs; determination of CDBG project(s) and documentation; and the development of CDBG application(s);
- b. Changes and/or amendments to approved CDBG projects; and,
- c. Assessment of CDBG program performance.

All phases of the community development process will be conducted by local officials in an open manner. Citizens of the **City of Eden** are encouraged to participate at all levels and will be given access to program information during each phase of any CDBG program as outlined herein.

3. CITIZEN PARTICIPATION CONTACT PERSON

Kelly Stultz has been designated Citizen Participation Coordinator by the **Chief Elected Official** and will serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Citizen Participation Coordinator shall include, but not necessarily be limited to: disseminating information concerning proposed projects and the status of current project activities; coordinating various groups which may be participating in the community development process; receiving written comments; serving as a vehicle by which ideas, comments, and proposals from local residents may be transmitted to local officials and/or program staff; and, monitoring the citizen participation process and proposing such amendments to the Citizen Participation Plan as may be necessary.

The Citizen Participation Coordinator may be contacted at **City of Eden, 308 E. Stadium Drive, Eden NC 27288 or 336-623-2110** during regular business hours. All questions concerning citizen participation in the community development process should be addressed to the Citizen Participation Coordinator.

4. TECHNICAL ASSISTANCE

The staff of the **City of Eden** shall provide technical assistance to individual citizens and citizen groups, especially those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG program requirements.

Technical assistance shall be provided on request and may include, but not necessarily be limited to: interpreting the CDBG program and its rules, regulations, procedures and/or requirements; providing information and/or materials concerning the CDBG program; and, assisting low and moderate income citizens, and residents of blighted neighborhoods to develop statements of views, identify their needs, and to develop activities and proposals for projects which, when implemented, will resolve those needs.

Technical assistance may be obtained by contacting the **Chief Elected Official** of the **City of Eden** or the Citizen Participation Coordinator.

5. PUBLIC HEARINGS

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the views and proposals of all citizens, especially low and moderate income persons and residents of areas where CDBG activities are proposed or on-going.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to voice opinions and offer proposals concerning the development and performance of CDBG programs. Local officials will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific CDBG project to the governing body at any regularly scheduled meeting.

PUBLIC HEARING TIMES AND LOCATIONS

All public hearings will be held at times and locations which will be accessible to all citizens, especially persons of low and moderate incomes, and residents of blighted neighborhoods and CDBG project areas.

Public hearings will be scheduled for convenient times as determined by the **City of Eden**. Public hearings may be held at any site which, in the opinion of the **City of Eden** provides adequate access for citizen participation.

Hearings will normally be held at the **City Hall, 308 E. Stadium Drive, Eden NC 27288**. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. Hearings may, however, at the option of the **City**, be held at an alternate location to be specified in the public hearing notice(s).

APPLICATION PUBLIC HEARING

One public hearing shall be held during any CDBG program fiscal year prior to the submission of an application to the NCDEQ-DWI for CDBG assistance. The primary purposes of the public hearing shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the CDBG program; and also to present for public comment and review the program activities which have been selected by the **City of Eden** to resolve the identified needs.

An application public hearing will be held during the initial stage of program development to discuss items regarding community development and housing needs, the CDBG program, and the application process. The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities and options associated with the development and submission of a CDBG application. Local officials will also entertain proposals and comments from citizens concerning community development activities at this hearing.

This hearing will normally serve to discuss and review the information appropriate for all applications submitted by the **City of Eden** during any fiscal year. Additional changes in community development or housing needs in the community as determined by local officials can be addressed by a community meeting where citizens can share their comments prior to the submission of other CDBG applications late in the fiscal year.

Citizens will be provided with information concerning the CDBG program at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives of the CDBG program; the total amount of CDBG funds available for the fiscal year and for the funding round; the role of citizens in program planning, implementation, and assessment; the range of activities which may be undertaken; the process to be followed in developing a CDBG application; a statement that 100 percent of the CDBG funds will be used to benefit low-to-moderate income people; the schedule of meetings and hearings; location where the application can be reviewed; activities previously funded in the **City of Eden** through the CDBG program; and, an identification of projects which could result in the relocation of area residences or businesses; and the actions that would be undertaken if such relocation were necessary; provide citizens with contact information such as address, telephone number, and dates for submitting complaints or grievances. Furthermore, the effectiveness of the Citizen Participation Plan in allowing citizen participation in the community development process and potential changes and/or amendments to the Plan shall also be discussed at this meeting.

The **City of Eden** may, at the option of local officials, review multiple CDBG project applications at one hearing when more than one application is to be submitted during the same fiscal year. Each such hearing shall be held prior to, and in preparation for, the application's approval by the **City**.

A second objective of citizen participation during this stage is to inform citizens of the proposed project activities to be included in a CDBG application(s) and to solicit comments from citizens concerning these activities.

Citizens attending this hearing will be provided with information concerning the CDBG project(s) proposed including, but not necessarily limited to: the project application(s) to be submitted and the applicable CDBG fund; specific project activities to be included; the location of the project activities; the

approximate cost estimate for the proposed activities; the estimate of local match required; the impact of the project on low and moderate income persons; and, the approximate application submittal date.

PROJECT AMENDMENT PUBLIC HEARINGS

The **City of Eden** will assure the opportunity for citizen participation during the implementation of any CDBG program(s) when changes to the project are under consideration by the **City**. Citizen participation shall be obtained and considered in any amendments to a CDBG program which involves changes in dollar amount spent on any activity, changes in program beneficiaries, changes in the location of approved activities, addition to or deletion of project activities, and major budget shifts between approved activities.

To ensure adequate opportunity for citizen participation during CDBG programs, the **City of Eden** shall hold a public hearing on all formal amendments which require the NCDEQ-DWI approval. For “local” amendments and changes for which the NCDEQ-DWI approval is not required, input from citizens concerning changes or amendments will be received at regularly scheduled **City** meetings where such changes or amendments are considered.

ASSESSMENT OF PERFORMANCE (CLOSE-OUT) PUBLIC HEARINGS

This public hearing must be held after all third-party contracts’ payments have been submitted.

Citizens of the **City of Eden** will be provided with the opportunity to comment on the performance of local officials, the **City** staff, consultants, engineers, and contractors, and the actual use of CDBG funds during the implementation of a CDBG program. Citizens will also be requested to assess the performance of the **City** in resolving identified community development and housing needs, and in achieving its community development goals and objectives. On-going community assessment of the effectiveness of the community development process is considered essential to the success of the CDBG program.

At the conclusion of each CDBG project, a public hearing will be held to review program activities and to assess program performance. This hearing shall be held prior to the submission of the Performance Assessment Report and any other required closeout documents to the NCDEQ-DWI for a CDBG project. This hearing will be used to ensure community-wide participation in the evaluation of the CDBG program.

ADDITIONAL HEARINGS

Other public hearings may be held as deemed necessary by the **City of Eden** in order to inform citizens of community development project(s) and activities, and to solicit citizen opinions and comments. All additional hearings shall comply with the requirements set forth in this Plan.

6. PUBLIC HEARING ACCOMMODATIONS AND ACCESSIBILITY

VIRTUAL HEARINGS

During a declaration of a state of emergency by the Governor or General Assembly, and if a local unit of general government is concerned about significant public health risks that may result from holding an in-person public hearing, the local unit of general government may undertake a virtual public hearing (alone, or in concert with an in-person hearing) if:

- It allows questions in real time, with answers coming directly from the elected representatives to all “attendees.” Therefore, members of the public must be entitled to participate and address the governing body during any telephonic or video-conference meeting.
- The governing body must post a written notice that gives the public a way to participate remotely, such as a toll-free dial-in number, and that includes an electronic copy of any agenda packet that officials will consider at the meeting.
- As with an in-person hearing, the grantee must select a virtual hearing method or platform that provides accessibility for persons with disabilities and limited English proficiency (LEP) to the greatest extent possible. These accommodations must be free to these populations.
- A governing body must provide the public with access to a recording of any telephonic or videoconference meeting.
- The local unit of government must document its efforts and the reason for them.
- Additional specific communication requirements and requirements for conducting remote meetings can be found in Article 1A of Chapter 166A and Article 33C of Chapter 143 of the General Statutes.

LIMITED ENGLISH PROFICIENCY RESIDENTS

The **City of Eden** has followed the guidance provided in the Language Access Plan (LAP) to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

PUBLIC HEARING NOTICE

Notice of public hearings must be published in a local newspaper of general circulation, in a non-legal section of the paper at least ten (10) days prior to the hearing date, but no more than 25 days prior to the meeting date. Each notice of a hearing shall include the time, date, place, and topics and procedures to be discussed.

ACCESSIBILITY TO LOW AND MODERATE INCOME PERSONS

The public hearing procedures outlined herein are designed to promote participation by low and moderate income citizens, as well as residents of blighted neighborhoods and CDBG project areas in any public hearing(s).

Local officials may take additional steps to further promote participation by such groups, or to target program information to these persons should officials feel that such persons may otherwise be excluded or should additional action be deemed necessary.

Activities to promote additional participation may include: posting of notices in blighted neighborhoods and in places frequented by low and moderate income persons, and holding public hearings in low and moderate income neighborhoods or areas of existing or proposed CDBG project activities.

ACCESSIBILITY TO PERSONS WITH DISABILITIES

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The **City of Eden** shall provide a sign language interpreter whenever the Citizen Participation Coordinator is notified in advance that one or more deaf persons will be in attendance.

The **City of Eden** shall provide a qualified reader whenever the Citizen Participation Coordinator is notified in advance that one or more visually impaired persons will be in attendance.

Additionally, the **City of Eden** shall provide reasonable accommodations whenever the Citizen Participation Coordinator is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

7. PROGRAM INFORMATION

Citizens will be provided full access to CDBG program information during all phases of a CDBG project. Local officials of the **City of Eden** shall make reasonable effort to assure that CDBG program information is available to all citizens, especially those of low and moderate incomes and those residing in blighted or Limited English Proficiency neighborhoods and/or CDBG project areas.

To facilitate citizen access to CDBG program information, the Citizen Participation Coordinator will keep all documents related to a CDBG program on file in the City Hall. Information from the project files shall be made available for examination and duplication, on request, during regular business hours. CDBG program information and materials, concerning specific CDBG projects will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Furthermore, information concerning any CDBG project will be available at regularly scheduled council meetings where the program is discussed.

Materials to be made available shall include, but are not necessarily limited to: the Citizen Participation Plan; records of public hearing; mailings and promotional materials; prior CDBG program applications; letters of approval; grant agreements; the environmental review record; financial and procurement records; project design and construction specifications; labor standards materials; performance and evaluation reports; other reports required by the NCDEQ-DWI and/or HUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received

concerning the community development program, and written responses from the **City of Eden**; and, copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

In no case shall the **City of Eden** disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the **City** shall not disclose any information which may, in the opinion of the **Chief Elected Official**, be deemed of a confidential nature.

8. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

The public hearings scheduled, as described in this Citizen Participation Plan, are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views and proposals on all aspects of a community development program at the public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the **City of Eden**.

Any citizen or citizen's group desiring to comment or object to any phase of the planning, development or approval of the application for CDBG funds, or to the implementation of any CDBG program, should submit such comments or objections in writing to the **Chief Elected Official**. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the **Chief Elected Official**, then the aggrieved may appeal his/her case to the **City**.

Local officials shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. Should the **City of Eden** be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to the NCDEQ-DWI.

Citizens may, at any time, contact the NC Commerce, REDD and/or HUD directly to register comments, objections or complaints concerning the **City of Eden** CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting the NC Commerce, REDD or HUD.

All comments or complaints submitted to the NC Commerce, REDD or the HUD shall be addressed in writing to:

NC Department of Commerce
Rural Economic Development Division
4346 Mail Service Center
Raleigh, North Carolina 27699-4346

Or:

U.S. Department of Housing and Urban Development
Community Planning and Development Division
Greensboro Field Office
1500 Pinecroft Road
Greensboro, North Carolina 27407

Records of all comments, objections and/or complaints by citizens concerning the **City of Eden** CDBG program and subsequent action taken in response to those comments shall be maintained on file at **City** and shall be made available for public inspection upon request.

9. AMENDMENTS

The **City of Eden** may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the **City** to periodically review and discuss the effectiveness of this Citizen Participation Plan in allowing citizen participation in the community development process and in helping to meet the community development needs and goals identified by the citizens of the **City**. To this end, the effectiveness of the Plan will be discussed at public hearings held in conjunction with the community development program as discussed herein, and potential amendments to the Plan will be reviewed at this time.

Amendments to the Plan will be made as necessary. All amendments shall be approved by resolution of the **City of Eden** and shall be incorporated into this Plan.

10. AUTHORITY

No portion of this Citizen Participation Plan shall be construed to restrict the responsibility and authority of the elected officials of the **City of Eden** in the development, implementation and execution of any Community Development Block Grant program.

ADOPTED this 16th day of June, 2020.

(Chief Elected Official)

Neville Hall, Mayor

ATTEST:

(Clerk)

Deanna Hunt, CMC, City Clerk

City of Eden

Equal Employment and Procurement Plan

The *City of Eden* maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy, the *City* prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The *City* shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the *Mayor and/or other persons designated by the Chief Elected Official* to assist in the implementation of this policy statement.

The *City* shall development a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the *Chief Elected Official*.

The *City* is committed to this policy and is aware that with its implementation, the *City* will receive positive benefits through the greater utilization and development of all its human resources.

Adopted this 16th day of June, 2020.

(*Chief Elected Official*)

ATTEST:

Neville Hall, Mayor

(Clerk)

Deanna Hunt, CMC, City Clerk

THE PROHIBITION OF THE USE OF EXCESSIVE FORCE FOR CDBG GRANTEES

WHEREAS, the **City of Eden**, as the recipient of federal funding through the Community Development Block Grant (CDBG) Grant program;

WHEREAS, Title 1 of the Housing and Community Development Act (HCDA) of 1974, Section 519 of Public Law 101-144, and 1990 HUD Appropriations Act requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient’s jurisdiction against any individuals engaged in non-violent civil rights demonstrations;

WHEREAS, all recipients of CDBG funds are further required to follow a policy enforcing applicable federal, state and local laws against physically barring entrances or exists to a facility that is the subject of a non-violent demonstration;

WHEREAS, **City of Eden** endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy; and

WHEREAS, the failure to enforce such policy may cause the **City of Eden** to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED:

SECTION 1: It is the Policy of the **City of Eden** that excessive force by local law enforcement agencies shall not be used against individuals engaged in lawful and non-violent civil rights demonstrations within the its boundaries.

SECTION 2 It is the Policy of the **City of Eden** to enforce applicable federal, state and local laws against the physical barring of an entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction.

SECTION 3: The **City Council** will coordinate with the local law enforcement agency(ies) to implement this Resolution.

PASSED BY THE **CITY COUNCIL, CITY OF EDEN, NORTH CAROLINA.**

Adopted this 16th day of June, 2020.

ATTEST:

Chief Elected Official

Neville Hall, Mayor

Clerk

Deanna Hunt, CMC, City Clerk

Fair Housing Complaint Procedure

City of Eden

Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) and the North Carolina Fair Housing Act. In an effort to promote fair housing and that the rights of housing discrimination victims are protected, **City of Eden** has adopted the following procedures for receiving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the **City of Eden** may do so by informing the **City Planning and Inspections Director, administrator** of the facts and circumstance of the alleged discriminatory acts or practice.
2. Upon receiving a housing discrimination complaint, the **City Planning and Inspections Director, administrator**, shall acknowledge the complaint within 10 days in writing and inform the Rural Economic Development Division and the North Carolina Human Relations Commission about the complaint.
3. The **City Planning and Inspections Director, administrator**, shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the **City**.
4. The **City Planning and Inspections Director, administrator**, shall **publicize** in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

It is the policy of the **City of Eden** to implement the CDBG program to ensure equal opportunity in housing for all persons regardless of religion, race, color, national origin, age, sex, familial status, or marital status.

If you have any questions about the complaint procedure or would like to register a complaint of fair housing discrimination please contact the **City of Eden, Planning and Inspections Department, 308 E. Stadium Drive, Eden NC 27288, 336-623-2110, kstultz@edennc.us** or, for the hearing impaired, TDD assistance is available at **(TDD #711)** and providing the facts and circumstances of alleged discriminatory act or practice.

This information is available in Spanish or any other language upon request. Please contact Kelly Stultz at 336-623-2110 or at 308 E. Stadium Drive, Eden NC 27288 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Kelly Stultz al 336-623-2110 o en 308 E. Stadium Drive, Eden NC 27288 de alojamiento para esta solicitud.



Adopted this 16th day of June, 2020.

_____ (Chief Elected Official)

Neville Hall, Mayor

ATTEST: _____ (Clerk)

Deanna Hunt, CMC, City Clerk

First page must be published on the Newspaper after the Complaint Procedure is adopted. Please keep the Adopted document in the files including signatures and the Newspaper Publication for documentation

Discrimination Complaints

- Visit the [NC Human Relations Commission](#) to file a discrimination complaint
- Visit [HUD's website](#) to file a discrimination complaint
- Visit the [US Department of Justice](#) Civil Rights Division to file a discrimination complaint
- The [NC Fair Housing Project of Legal Aid of North Carolina](#) is funded by a HUD [Fair Housing Initiatives Program \(FHIP\) grant](#). The [Fair Housing Project of NC](#) is available to provide information concerning a person's rights under the Federal Fair Housing Act. When necessary, staff can also assist victims of housing discrimination in filing a complaint with HUD or other appropriate administrative or judicial bodies. For more information, or if you believe you have been a victim of housing discrimination, call the FHP's toll-free number: **1-855-797-FAIR (1-855-797-3247)**.



Requirements for Completing the Fair Housing Plan

- I. Indicate whether this is the first Fair Housing Plan submitted by the recipient or if one has been previously submitted.
- II. List the **major** obstacles and impediments to affirmatively furthering fair housing in the recipient's community, e.g. lack of knowledge among citizens of fair housing laws, lack of affordable housing stock, etc. These will be specific to the recipient community.
- III. Indicate whether the activities apply to part or all of the recipient's community. If some of the activities apply to only part, include an explanation.
- IV. List the activities the recipient will undertake to affirmatively further fair housing in the recipient's community. *The activities should address the obstacles identified in Section II.* Activities should be planned for the life of the grant beginning with the quarter in which the grant agreement was signed and should be listed by quarter with at least one activity per quarter. (For *example*, Quarter 1, Jan –Mar 2009: Distribute fair housing brochures to public library and local banks). The first activity **must** be establishing and/or publishing the grantee's fair housing complaint procedure and TDD number in the local newspaper. In addition, the grantee **must** have at least one activity for community outreach for fair housing in the form of a workshop or designated fair housing fair within an identified quarter. Many recipients have chosen to do this particular activity in the quarter containing April to celebrate National Fair Housing Month.
- V. Describe recipient's method of receiving and resolving housing discrimination complaints. The *four key elements* to include in complaint procedures are given in the example below. The recipient may add additional information as appropriate.

Note: Municipalities may elect to adopt the fair housing plan and activities in the county Analysis to Impediments to Fair Housing Choice, of the county in which they are located, but CI needs this in writing, signed and dated by the local chief elected officer *with* the local complaint procedure. The local activities **must** also adopt the county's Analysis of Impediments to Fair Housing Choice and the local activities **must** coincide with the county activities.

Fair Housing Links

For more information on promoting fair housing, please visit:

<http://www.hud.gov/offices/fheo/promotingfh.cfm>
<http://www.hud.gov/local/index.cfm?state=nc>
<http://www.hud.gov/offices/fheo/FHLaws/index.cfm>
<http://www.doa.state.nc.us/hrc/fairhousing.aspx>
<http://www.hud.gov/offices/fheo/images/fhpg.pdf>

VI. To have the plan approved, please do the following:

1. It is recommended to submit an electronic copy in Word format to the Compliance Office at compliance@nccommerce.com. After review, a Compliance staff person will notify the contact person of any required changes.
2. For approval, please submit an original hardcopy with signature of the local Certifying Officer to the Compliance Office.
3. Upon receipt of the plan, the Compliance Office will issue an official letter notifying the grantee that the Fair Housing Plan is approved.

VII. Compliance Reviews

Please note that the Compliance Office will conduct random desktop and on-site reviews of fair housing plans in conjunction with Grant Representatives to ensure that applicants are conducting fair housing activities as certified in the approved Fair Housing Plan. Please ensure to maintain comprehensive documentation of fair housing activities for reporting and monitoring.

Recipient's Plan to Further Fair Housing

Grantee: City of Eden

Recipient's Address: 308 E. Stadium Drive Eden, NC 27288

Contact Person: Kelly Stultz Contact Phone #:336-623-2110

Contact Email: kstultz@edennc.us TDD #:711

I. Indicate if the Recipient will be affirmatively furthering fair housing for the first time or has implemented specific activities in the past.

First Time _____ Past Activities X _____

II. Identify and analyze obstacles to affirmatively furthering fair housing in recipient's community. (Use additional pages as necessary)

The City of Eden is part of the Piedmont Triad Regional Council. This entity prepared an Analysis of Impediments and Assessment of Fair Housing for the entire Piedmont Triad Region. (Attachment 1) This document found that the obstacles to affirmatively furthering fair housing in the triad area are: 1) geographic racially concentrated areas of poverty, 2) disparity in access to community assets, 3) and disproportionate affordable housing need based on protective class status.

III. Will the above activities apply to the total municipality or county?

Yes X No _____ **If no, provide an explanation.**
(Use additional pages as necessary)

IV. Briefly describe the quarterly activities that the recipient will undertake over the active period of the grant to affirmatively further fair housing in their community. A time schedule and estimated cost for implementation of these activities must be included. *Activities must be scheduled for implementation at least on a quarterly basis.* (Use attached table)

Grantee Name:

Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
<i>Example: Establish FH policy, Complaint Procedure</i>	<i>Jan-Mar.</i>	<i>20xx</i>	<i>\$xxxx</i>	<i>\$xxxx</i>
City to hire consultant and work with consultant to develop fair housing plan.	Jan-Mar	2020	\$200	
Adopt Fair Housing Plan and Complaint Procedure, create and post fair housing survey online.	April-June	2020	\$0	
Place fair housing compliant procedure in the local newspaper.	July-Sept	2020	\$200	
Mail fair housing information to local lenders.	Oct-Dec	2020	\$25	
Hold virtual training on fair housing lending.	Jan-Mar	2021	\$0	
Mail fair housing information to local realtors.	April-June	2021	\$25	
Post fair housing information in town hall, public library, and online.	July-Sept	2021	\$0	
Hold housing selection committee meeting to discuss fair housing obstacles and opportunities.	Oct-Dec	2021	\$0	
Place the fair housing complaint procedure on City website.	Jan-Mar	2023	\$0	
Update fair housing brochures and posters in City Hall and library.	April-June	2023	\$0	
Mail fair housing information to local lenders.	July-Sept	2023	\$25	

Place link on City website to PTRC fair housing information page. Report to City Council fair housing activities for the year.	Oct-Dec	2023	\$0	
--	---------	------	-----	--

V. Describe recipient’s method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedures. (Use additional pages as necessary)

- 1) Any person or persons wishing to file a complaint of housing discrimination in the *City* may do so by informing the *City Planning and Inspections Director* of the facts and circumstance of the alleged discriminatory acts or practice in writing.
- 2) Upon receiving a housing discrimination complaint, the *City Planning and Inspections Director* shall acknowledge the complaint within **10 days in writing** and inform the Division of Community Assistance and the North Carolina Human Relations Commission about the complaint.
- 3) The *City* shall **offer assistance** to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the *City*.
- 4) The *City* shall **publicize** in the local newspaper, with the TDD#, who is the local agency to contact with housing discrimination complaints.

Approved By:

Neville Hall, Mayor		6/16/2020
Name and Title of Chief Elected or Executive Officer	Signature	Date

Providing Meaningful Communication with Persons with Limited English Proficiency

City of Eden
June 2020-June 2023

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

POLICY:

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the **City of Eden** will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

DEFINITIONS:

Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

Title VI Compliance Officer: The person or persons responsible for administering compliance with the Title VI LEP policies.

Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

PROCEDURES:

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The **City of Eden** will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or “I speak cards,” provided by the Rural Economic Development Division (REDD) and LEP posters to determine the language. In addition, when records are kept of past

interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTEPRETER

List the current name, office telephone number, office address and email address of the Title VI compliance officers:

Kelly Stultz
City of Eden
Planning and Inspections Director
308 E. Stadium Drive
Eden, NC 27288
336-623-2110
kstultz@edennc.us

Check all methods that will be used:

- Maintaining an accurate and current list showing the language, phone number and hours of availability of bilingual staff (*provide the list*):
- Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;
- Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

(Identify the agency(s) name(s) with whom you have contracted or made arrangements)

Have/has agreed to provide qualified interpreter services. The agency's (or agencies') telephone number(s) is/are (***insert number (s)***), and the hours of availability are (***insert hours***).

Other (***describe***):

All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of

competency of interpretation, confidentiality, privacy, and conflict of interest should be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other residents will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. PROVIDING WRITTEN TRANSLATIONS

- i. The **City of Eden** will set benchmarks for translation of vital documents into additional languages.
- ii. When translation of vital documents is needed, the **City of Eden** will submit documents for translation into frequently-encountered languages.
- iii. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

4. PROVIDING NOTICE TO LEP PERSONS

The **City of Eden** will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the main lobbies, waiting rooms, etc.

Eden City Hall

Notification will also be provided through one or more of the following: outreach documents, telephone voice mail menus, local newspapers, radio and television stations, and/or community-based organizations

Outreach Documents

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, The **City of Eden** will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, The **City of Eden** will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, complaints filed by LEP persons, feedback from residents and community organizations, etc.

I. Compliance Procedures, Reporting and Monitoring

A. Reporting

The agency will complete an annual compliance report and send this report to REDD. (Format will be supplied by REDD)

B. Monitoring

The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system proposed by the local government. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided to the REDD upon request.

The agency will cooperate, when requested, with special review by the REDD.

II. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy. The form can be found at <https://www.nccommerce.com/documents/cdbg-compliance-plans>.

The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.

The agency will notify the appropriate section within REDD of complaints filed, the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

B. Resolution of Matter

If the matter cannot be resolved by informal means, the individual will be informed of his or her right to appeal further to REDD. This notice will be provided in the primary language of the individual with Limited English Proficiency.

The REDD Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.

If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency.

If not resolved by REDD, then complaint will be forwarded to Department of Justice (DOJ), Department of Housing and Urban Development (HUD) Field Office.

SUBMITTED AND ADOPTED BY:

Neville Hall

Name of Mayor

Signature of Mayor

June 16, 2020

Date

CITY OF EDEN

**POLICY OF NONDISCRIMINATION
ON THE BASIS OF
HANDICAPPED STATUS**

The City of Eden does not discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in, its federally assisted programs or activities.

**Kelly Stultz
City of Eden
308 E. Stadium Drive
Eden, NC 27288
Phone: 336-623-2110
TDD: #711**

**Kelly Stultz, Planning and Inspections Director
has been designated to coordinate compliance with the
nondiscrimination requirements contained in the Department of
Housing and Urban Development's (HUD) regulations implementing
Section 504 (24 CFR Part 8. dated June 2, 1988).**

Local Jobs Initiative
Section 3 Plan
Local Economic Benefit for Low- and Very Low-Income Persons

City of Eden
June 2020-June 2023

I. APPLICATION AND COVERAGE OF POLICY

The *City of Eden* are committed to the policy that, to the greatest extent possible, opportunities for training and employment be given to lower income residents of the community development project area and contracts for work in connection with federally assisted community development project be awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968, the *City* has developed and hereby adopts the following Plan:

The *City* will comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended (24 CRF Part 135), all regulations issued pursuant thereto by the Secretary of Housing and Urban Development, and all applicable rules and orders of the Department issued thereunder

This Section 3 covered project area for the purposes of this grant program shall include the *City of Eden* and portions of the immediately adjacent area.

The *City* will be responsible for implementation and administration of the Section 3 plan. In order to implement the *City's* policy of encouraging local residents and businesses participation in undertaking community development activities, the *City* will follow this Section 3 plan which describes the steps to be taken to provide increased opportunities for local residents and businesses

This Section 3 Plan shall apply to services needed in connection with the grant including, but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.

When in need of a service, NC Commerce the *City of Eden* will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories and Small Business Administration local offices. Word of mouth recommendation shall also be used as a source.

The *City* will include the Section 3 clause and this plan in all contracts executed under this Community Development Block Grant (CDBG) Program. Where necessary, listings from any agency noted above deemed shall be included as well as sources of subcontractors and suppliers. The Section 3 Plan shall be mentioned in the pre- bid meetings and preconstruction meetings.

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the

project. Should a need exist to hire any additional personnel, the Rockingham County Employment Security Commission shall be notified and referred to the contractor.

Each contract for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in our project, prior to any contracting, major purchases or hiring, we will develop a listing of jobs, supplies and contracts likely to be utilized during the project. We will then advertise the pertinent information regarding the project including all Section 3 required information. Community Investment and Assistance (CI) should be contacted with the Bid Materials to distribute the information throughout their list serve to reach out the communities.

II. AFFIRMATIVE ACTIONS FOR RESIDENT AND BUSINESS PARTICIPATION

The *City of Eden* will take the following steps to assure that low income residents and businesses within the community development project area and within the *City* are used whenever possible: (Describe below)

Place qualified residents and businesses on solicitation lists, assure that residents and businesses are solicited whenever they are potential sources of contracts, services or supplies

Please check the methods to be used for the Section 3 program in your community:

City of Eden will place a display advertisement in the local newspaper containing the following information:

- i. A brief description of the project
- ii. A listing of jobs, contracts and supplies likely to be utilized in carrying out the project.
- iii. An acknowledgement that under Section 3 of Housing and Community Development Act, local residents and businesses will be utilized for jobs, contract and supplies in carrying out the project to the greatest extent feasible.
- iv. A location where individuals interested in jobs or contracts can register for consideration
- v. A statement that all jobs will be listed through and hiring will be done through the local office of the North Carolina Employment Security Commission; a statement that all contracts will be listed with the North Carolina Division of Purchase and Contracts; and a statement that potential employees and businesses may seek development and training assistance through various state and local agencies, or which the *County/City/Town* will maintain a list for individuals and business concerns inquiring information

Training and technical assistance will be provided by the local community college for low income residents requiring skills to participate in community development project activities. Referrals will be made to the community college, local Private Industry Councils, Job Training Partnership Act (29 U.S.C. 1579 (a)) (JTPA) Programs, and job training programs provided by local community action agencies as appropriate. Residents and businesses will be encouraged to participate in state and/or federal job training programs that may be offered in the area.

Low income residents and businesses will be informed and educated regarding employment and procurement opportunities in the following ways:

- i. Advertisement in the local newspaper
- ii. Posting of Section 3 Plan at the County Courthouse
- iii. County Board meeting when project activities and schedules are discussed
- iv. Open meetings of Project Advisory Committee when everyone in neighborhood is invited
- v. Notification to other agencies that provide services to low-income people.

Other (describe):

The **City of Eden** will, to the greatest extent feasible, utilize lower income area residents as trainees and employees:

1. Encourage rehabilitation contractors to hire local area residents
2. Encourage public works contractors to hire local area residents

The **City of Eden** will, to the greatest extent feasible, utilize businesses located in or owned in substantial part by persons residing in the area

1. Contract with local contractors to perform demolition activities, and housing rehabilitation activities.
2. Encourage public improvement contractors to hire local residents for site clearance work, hauling materials, and performing other site improvements.
3. Encourage all contractors to purchase supplies and materials from the local hardware and supply stores

III. RECORDS AND REPORTS

The **City of Eden** will maintain such records and accounts and furnish such information and reports as are required under the Section 3 regulations, and permit authorized representatives of State CDBG, and federal agencies access to books, records, and premises for purposes of investigation in connection with a grievance or to ascertain compliance with this Section 3 Plan.

NC Commerce and any of its sub-recipients shall report annually the Section 3 numbers using the form HUD 60002 to State CDBG at the end of the calendar year as part of the Annual Performance Report (APR).

IV. MONITORING COMPLIANCE

The **City of Eden** may require each applicable contractor to provide a copy of the Section 3 Plan and will monitor compliance during the performance of the contract. Copies of all advertisements, notice, and published information will be kept to document the implementation of the plan.

V. COMPLAINTS CONTACT

Please provide the main contact in case that any complaint is received from the general public on Section 3 compliance (including name, phone number, address, and email):

Kelly Stultz
City of Eden
Planning and Inspections Director
308 E. Stadium Drive
Eden, NC 27288
336-623-2110

Adopted this 16th day of June, 2020.

_____ (*Chief Elected Official*)
Neville Hall, Mayor

ATTEST: _____ (*Clerk*)
Deanna Hunt, CMC, City Clerk

City of Eden
308 E. Stadium Drive
Eden, NC 27288

**SECTION 504 COMPLIANCE OFFICER/GRIEVANCE PROCEDURE
COMMUNITY DEVELOPMENT BLOCK GRANT**

The Governing Body of City of Eden, hereby designates Kelly Stultz (officer), to serve as Section 504 Compliance Officer throughout the implementation of the City of Eden Community Development Block Grant Program.

Citizens with Section 504 grievance may do so at any point in the program. The Locality will respond in writing to written citizen grievances. Citizen grievances should be mailed to: Planning and Inspections, City of Eden, 308 E. Stadium Drive, Eden NC 27288 Ph.(336-623-2110). The City will respond to all written citizen grievances within ten (15) days of receipt of the comments.

Should any individual, family, or entity have a grievance concerning any actions prohibited under Section 504, a meeting with the Compliance Officer to discuss the grievance will be scheduled. The meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the grievance, a reply will be made, in writing, within five (5) calendar days.

If citizen is dissatisfied with the local response, they may write to the North Carolina Department of Commerce, Rural Economic Development Division:

Mailing Address - 4346 Mail Service Center, Raleigh, North Carolina, 27699-4346

NC Commerce will respond only to written comment within ten (10) calendar days of the receipt of the comment.

This information is available in Spanish or any other language upon request. Please contact Kelly Stultz at 336-623-2110 or at 308 E. Stadium Drive, Eden NC 27288 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Kelly Stultz al 336-623-2110 o en 308 E. Stadium Drive, Eden NC 27288 de alojamiento para esta solicitud.



Adopted this 16th day of June, 2020.

Neville Hall, Mayor
(Chief Elected Official)

ATTEST: _____ *(Clerk)*
Deanna Hunt, CMC, City Clerk

CITY OF EDEN – MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ERIN GILLEY, CITY ATTORNEY

DATE: JUNE 11, 2020

SUBJECT: CITY MANAGER EMPLOYMENT AGREEMENT

I am pleased to present an Employment Agreement that has been negotiated on behalf of the City of Eden for the City Manager position. After a rigorous interview process, you all selected candidate Jon Mendenhall for the position and authorized the negotiation of an employment agreement. To complete the process, we will need consideration of the agreement as well as a vote on the hiring of Mr. Mendenhall.

Please consider this at your June 16, 2020 meeting and please do not hesitate to contact me if you have any questions or concerns.

EMPLOYMENT AGREEMENT

This **EMPLOYMENT AGREEMENT** ("Agreement") is made this 16th day of June, 2020 by and between the City of Eden ("City"), a municipal corporation organized under the laws of the State of North Carolina and Jon M. Mendenhall ("Employee").

RECITALS:

WHEREAS, the City Council of the City of Eden ("Council") desires to extend to Employee the appointment to the position of City Manager effective on August 17, 2020 (the "Hire Date");

WHEREAS, the Council intends to provide certain benefits and establish certain terms and conditions in connection with Employee's employment as the City Manager; and

WHEREAS, the parties intend for this writing to set forth the terms and conditions of that employment:

NOW, THEREFORE, in consideration of the recitals set forth above, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

ARTICLE ONE TERM

SECTION 1.01. TERM.

- (a) The Employee shall serve at the pleasure of the Council.
- (b) Subject to the provisions of Articles Six and Seven herein, nothing in this Agreement shall prevent, limit, or otherwise interfere with the Council's right to terminate Employee at any time and at the Council's sole discretion.
- (c) Nothing in this Agreement shall prevent, limit, or otherwise interfere with Employee's right to resign his position, separate from employment with the City, and seek continued employment apart from the City provided Employee provides the Council with not less than thirty (30) days' written notice prior to the effective date of resignation. Employee's resignation shall not constitute a termination as provided for under Article Six herein. Employee's resignation shall obligate City not to impede future employability of Employee in the local government administration profession or interfere, in any way, with Employee's job search.

ARTICLE TWO DUTIES

SECTION 2.01. DUTIES.

(a) The Council agrees to employ Employee as the City Manager to perform the functions and duties specified in North Carolina General Statute (“Statute”), the City’s Code of Ordinances (“Code”) and in its Policy and Procedures (“Procedure”), as the same presently exist or as may later be amended, and to perform other legally permissible and proper duties and functions consistent with the City Manager’s position as the Council may from time to time assign.

(b) It shall be the Employee’s duty to employ on behalf of the City all other employees with the exception of the City Clerk and the City Attorney consistent with the provisions of the City’s Code, policies, and ordinances.

(c) It shall also be the Employee’s duty to direct, assign, reassign, and evaluate all City employees with the exception of the City Clerk and the City Attorney consistent with Federal and State law and the City’s Code, policies, and ordinances.

(d) It shall also be the Employee’s duty to organize, reorganize, and arrange the City’s staff and departments and to establish internal regulations, rules, and procedures which Employee deems necessary for the City’s efficient and effective operation consistent with Federal and State law and the City’s Code, policies, and ordinances.

(e) It shall also be the Employee’s duty to accept all resignations of City employees with the exception of the City Clerk and the City Attorney consistent with Federal and State law and the City’s Code, policies, and ordinances provided that, however, the Employee’s resignation shall only be accepted by the Council.

(f) Employee shall perform the duties of the City Manager position with reasonable care, diligence, skill, and expertise.

(g) Employee shall not be reassigned from the City Manager position to another position without Employee’s express written consent.

(h) Employee, or his designee, shall attend, and shall be permitted to attend, all meetings of the Council and all open and closed sessions thereof with the exception of any closed session the subject of which is this Agreement, any amendment thereto, or a discussion/evaluation of the Employee’s performance consistent with State law and with the exception of any closed session the subject of which is the discussion/evaluation of the performance of the City Clerk or City Attorney.

(g) The Council shall, in a timely manner, collectively consider and may act on all substantive comments, recommendations, and other matters brought to its attention by the Employee consistent with the City Manager’s position.

SECTION 2.02. EMPLOYEE'S ANNUAL REVIEW. As provided for under the Council -2 Policy, Employee's annual performance review shall be conducted and written and approved by the Council.

SECTION 2.03. ETHICAL COMMITMENTS.

(a) Employee shall, at all times while this Agreement remains in full force and effect, uphold the tenants of the International City/County Management Association Code of Ethics. Specifically, Employee shall not endorse candidates, make financial contributions to, sign or circulate petitions for, or participate in fund-raising activities for individuals seeking or holding elected office, nor shall Employee seek or accept any personal enrichment or profit derived from confidential information or misuse of public resources.

(b) The Council shall support Employee's ethical commitments by refraining from issuing any resolution, order, direction, or request which would require Employee to violate said code of ethics. Specifically, neither the Council nor any member thereof shall request Employee to endorse any candidate, make any political contributions, sign or circulate any petition, or participate in any fund-raising activity for individuals seeking or holding elected office, nor handle any personnel matter on a basis other than fairness, impartiality, and merit in accordance with the applicable provisions of law or procedure.

SECTION 2.04. OUTSIDE ACTIVITIES. The employment provided for under this Agreement shall be Employee's primary employment. Employee may elect, with the prior approval of Council, to accept limited teaching, consulting, or other business activities which may indirectly benefit the City and its residents on the condition that any such arrangements be disclosed in advance to the Council and if undertaken, must not constitute interference or a conflict of interest with Employee's duties under this Agreement.

SECTION 2.05. HOURS OF WORK. The Council hereby acknowledges that Employee must devote a significant amount of time outside of normal office hours while attending to the City's business and performing the duties of the City Manager position. To that end, Employee shall be permitted to establish flexible work schedules which are appropriate to the parties' needs and allow Employee to effectively perform his assigned duties and responsibilities.

SECTION 2.06. RESIDENCY. Employee shall reside within the corporate limits of the City of Eden within six (6) months of the hire date.

SECTION 2.07. MISCELLANEOUS.

(a) Except for the purpose of inquiry, the Council and its members shall deal with the administrative services of the City only through Employee and neither the Council nor any member thereof shall give orders or instructions to any of the Employee's subordinates. Employee shall take his orders and instructions from the Council only when it is sitting in a duly noticed and assembled meeting and no individual Council member shall give any orders

or instructions to Employee outside thereof.

(b) Council members shall direct requests for documents or information to Employee who shall use his best efforts to provide the requested documents or information on a timely basis. Documents copied or made available for any Council member shall be copied or made available for all members of the Council. No individual Council member shall have the authority to order the preparation or compilation of any written report unless the Council authorizes the same during a duly convened meeting.

ARTICLE THREE COMPENSATION

SECTION 3.01. SALARY.

(a) Council agrees to pay Employee an annual base salary of One Hundred Thirty Thousand Dollars (\$130,000.00), payable in installments at the same times other City employees are paid.

(b) During the term of this Agreement, the Council will adjust Employee's salary and other benefits in such amounts and to such extent as the Council may determine is desirable on the basis of an annual performance evaluation conducted in a like manner as that conducted for all other employees, however, the Council shall not at any time reduce Employee's base salary, compensation or other financial benefits without such actions being deemed, at Employee's option, a termination of this Agreement.

ARTICLE FOUR BENEFITS

SECTION 4.01. INSURANCE.

(a) The Council shall provide Employee with the same health and life insurance coverages which are provided to other eligible employees of the City; such coverages being subject to the terms and conditions of the respective plans and offered to Employee on the same basis as offered to other employees.

(b) In the event that during the term of this Agreement, additional insurance plans are offered to employees of the City, the Council shall provide Employee with the same opportunity to participate in any such plans on the same basis as the other employees.

SECTION 4.02. LEAVE.

(a) Employee shall earn vacation time at an accrual rate equal to the years of service recognized in the North Carolina Local Government Employees' Retirement System and shall be subject to the provisions of human resource procedure, Eden City Code Chapter 10 Personnel Ordinance, or any other applicable Federal, State, or Local law providing for the use, accrual, and conversion of vacation time.

(b) Employee shall earn sick time at the same accrual rate as other employees and shall be subject to the provisions of human resource procedure, Eden City Code Chapter 10 Personnel Ordinance, or any other applicable Federal, State, or Local law providing for the use, accrual, and conversion of sick time.

(c) Employee shall be entitled to the other leave periods as provided for in human resource procedure, Eden City Code Chapter 10 Personnel Ordinance and in accordance with the terms and conditions set forth therein.

SECTION 4.03. 401(k) AND RETIREMENT PLANS.

(a) During the term of this Agreement and for as long as the Council makes this contribution to general employees of the City, the City shall make a contribution of five percent (5%) of Employee's salary to the 401(k) deferred compensation plan offered through the Local Government Employees' Retirement System/Office of State Treasurer. For the purposes of this section, law enforcement officers are not considered general employees.

(b) During the term of this Agreement, the City shall continue Employee's enrollment in the North Carolina Local Government Employees' Retirement System and shall continue to make all appropriate contributions thereto on Employee's behalf.

(c) During the term of this Agreement, the City shall make necessary enrollments for the Employee in the 457 deferred compensation plan offered through the Local Government Employees' Retirement System/Office of State Treasurer. The City is not obligated to make contributions to the 457 deferred compensation plan unless it does so for other employees under human resources procedures; should such compensation arise for other employees then Employee shall receive the same compensation in like manner as those employees. In the event the City Council elects to eliminate the 401(k) contribution to general employees, City shall transfer the five (5%) percent contribution to Employee's 457 deferred compensation plan. In the event the City Council elects to reduce the five percent (5%) contribution to general employees, the City shall transfer the amount reduced to Employee's 457 plan.

SECTION 4.04. OTHER BENEFITS.

(a) Administrative Supplemental Benefit – City shall provide Employee compensatory time as provided for in the City Code.

(b) Relocation expense – A one-time relocation payment shall be paid by City to Employee for relocation expenses in the lump sum amount of ten thousand (\$10,000) dollars payable to Employee upon providing documentation of permanent domicile within the corporate limits of the City of Eden. Such documentation shall include: driver's license, voter registration, utility bill, and residential property deed filed in the Rockingham County Registry.

(c) Calculation of Time in Grade/Years of Service – Any calculation of time in grade, vesting rights, or years of service for any purpose shall mean the number of years of service recognized by the North Carolina Local Government Employees' Retirement System for the

Employee Notwithstanding the foregoing, because Employee was hired after April 17, 2018, Employee shall not qualify for payment of all or part of the health care and dental care insurance premium upon retirement and shall not qualify for participation in the City's health and dental insurance policy upon retirement and the provisions of City Code 10-6.3 (B) (4) shall apply.

(d) Other benefits not enumerated – Any benefit in human resources procedure for which the Employee is eligible shall be applied in a like manner to Employee as with all other City employees.

ARTICLE FIVE EXPENSES

SECTION 5.01. GENERAL BUSINESS EXPENSES.

(a) The City shall budget and pay for Employee's out of County travel and subsistence expenses for short courses, institutes, and seminars which the Council deems necessary and authorizes for Employee's professional development and the City's benefit.

(b) The Council acknowledges that certain expenses of a non-personal nature might be incurred by Employee and may authorize paying or reimbursing Employee for such general expenses provided they benefit the City. Such expenses may include, without limitation, the cost of meals where City business is discussed and participation in social events of various organizations where Employee appears on behalf of the City; any such expenses must be documented by Employee and are subject to annual budget constraints, procurement requirements and legal/ethical prohibitions against conflicts of interest.

(c) The Council also acknowledges the value of Employee participating and being involved in local civic clubs, non-profit boards, and organizations and may, in its discretion, authorize paying or reimbursing Employee for the reasonable membership dues and/or fees enabling Employee to become an active member of such local civic clubs or organizations.

(d) All travel and discretionary reimbursement expenses shall be approved by City Council as provided for in City Council policy (Council-1).

SECTION 5.02. PROFESSIONAL DUES AND EXPENSES.

(a) The City shall budget and pay for Employee's professional dues, including but not limited to the International City/County Management Association, and other subscriptions necessary for Employee's continuation and full participation in national, state, and local associations which the parties agree are necessary and desirable for Employee's continued professional growth and development and which benefit the City.

(b) The City shall budget and pay for Employee's travel and subsistence expenses for professional and official travel, meetings, and occasions which the parties agree provide for Employee's continued professional development and which benefit the City including, without

limitation, Employee attending functions of the North Carolina League of Municipalities.

SECTION 5.03. AUTOMOBILE. The City shall pay Employee a monthly stipend of Five Hundred Dollars (\$500.00) to be applied towards Employee's cost of a personal automobile for work purposes. This stipend shall be processed through payroll and reported on Employee's W-2 forms. Further, the City shall reimburse employee for out of county travel at the rate established by the Federal Internal Revenue Service for mileage reimbursement. All reimbursements shall be approved by Council as in City Council Policy (Council-1).

SECTION 5.04. MOBILE DATA. The City shall provide Employee a mobile telephone with appropriate data plan at the cost of the City. Incidental personal use shall be acceptable within reasonable limits.

ARTICLE SIX TERMINATION

SECTION 6.01. TERMINATION. For the purposes of this Agreement, termination shall be deemed to have occurred when:

(a) A majority of the Council votes to terminate Employee at a meeting duly assembled and noticed.

(b) In the event the Council, registered voters, or the State legislature acts to amend any provisions of the City's charter, code, or enabling legislation pertaining to the role, powers, duties, authority, and responsibilities of the City Manager position, or which substantially changes the City's form of government, the Employee shall have the right to declare that such actions constitute a termination under this Agreement.

(c) In the event the Council acts to reduce the base salary, compensation, or any other financial benefit Employee is entitled to hereunder, the Employee shall have the right to declare that such actions constitute a termination under this Agreement.

ARTICLE SEVEN SEVERANCE

SECTION 7.01. SEVERANCE BENEFITS.

(a) In the event a termination occurs as provided for under Article Six, Employee shall be entitled to severance benefits in a base amount equal to six (6) months of salary and continued benefits except that Article Five Expenses are excluded, at Employee's then current salary and benefit package. The severance pay shall be paid to Employee by the City within ten (10) working days after the date of the termination.

(b) In the event a termination occurs as provided for under Article Six above, the City's payment or conversion of Employee's accumulated vacation and sick leave shall be in

accordance with the applicable provisions of human resources procedure, which provides that the payment of accumulated sick leave upon separation shall not be compensable.

(c) In the event the Employee is terminated for cause, indictment or for conviction of any illegal act involving personal gain to him, any felony, or any misdemeanor, which involves moral turpitude, then, and in that event, City shall have no obligation to pay the aggregate severance sum designated in the above paragraphs.

(d) The City's severance of Employee shall be in accordance with a written Separation Agreement made and entered into between the parties.

ARTICLE EIGHT INDEMNIFICATION AND BONDING

SECTION 8.01. INDEMNIFICATION.

(a) Beyond that required under Federal, State, or Local law, and with the exception of any adversarial proceeding directly between the parties arising out this Agreement, the City shall defend, hold harmless, and indemnify Employee against any obligation to pay money or perform or not perform any actions, including, without limitation, any and all losses, damages, judgments, interests, settlements, penalties, fines, court costs, and other reasonable costs and expenses of legal proceedings including attorney's fees, and any other liabilities arising from, related to, directly or indirectly, or connected with any tort, professional liability claim or demand, or any other threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, arbitative or investigative, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as the City Manager or resulting from the exercise of judgment or discretion in connection with the performance of such duties or responsibilities, unless the alleged act or omission involved willful or wanton conduct. The Employee may request, and the City shall not unreasonably refuse to approve or provide, at its own cost, independent legal representation. Any legal representation provided by the City for Employee shall extend until a final determination of the action including any appeals brought by any party thereto.

(b) The City shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, penalties, fines, court costs, and other reasonable costs and expenses of legal proceedings including attorney's fees, and any other liabilities incurred by, imposed upon, or suffered by Employee in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of his duties as the City Manager. Any settlement of any such claim or action shall be made with the Council's prior approval thereof for the indemnification provided for in this article to be available.

(c) Employee acknowledges that the Council shall have the right to compromise and settle any claim or action unless any such compromise or settlement is of a personal nature to Employee.

(d) With the exception of any adversarial proceeding directly between the parties arising out this Agreement, the City shall pay Employee's reasonable litigation and arbitration-related expenses, including, without limitation, court costs, the costs and fees required for mediation or arbitration, and attorney's fees, throughout the pendency of any litigation or arbitration to which Employee is a party or in which he is a witness for or consultant to the City. Such expense payments shall continue beyond Employee's service to the City so long as the litigation, arbitration, or any appellate review thereof, is pending. For the purposes of this Agreement, reasonable litigation or arbitration-related expenses shall not include witness or consultant fees paid to Employee when he is a witness for or a consultant to the City; any such fees needing to be separately agreed-to between the parties.

(e) The indemnification obligations provided for herein shall survive an Article Six termination or an expiration of the term of this Agreement for a period of three (3) years after the effective date of any such termination or expiration.

SECTION 8.02. BONDING. The City shall bear the full cost of any fidelity or other bonds required of the Employee under any applicable legal authority.

ARTICLE NINE GENERAL PROVISIONS

SECTION 9.01. NOTICES. All notices, reports, and other communications given pursuant to this Agreement shall be in writing and mailed by certified or registered mail, return receipt requested, or delivered in person to the intended addressee. Notice sent by certified or registered mail shall be effective upon the date of delivery as indicated on the return receipt. Notice given in any other manner shall be effective upon a documented actual receipt by the addressee. Notices under this Agreement shall be made to the following:

Employee: Jon Mendenhall
692 Donmovin Court
Calabash, NC 28467

City: CITY OF EDEN
Attn: Honorable Neville Hall
Mayor of City of Eden
P.O. Box 70
Eden, North Carolina 27289

SECTION 9.02. GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.

SECTION 9.03. MEDIATION AND VENUE. In the event any party believes the other party is in default of or in material breach of this Agreement, then, following written notice of

the default/breach and the running of any applicable period of time within which to cure it, the parties shall:

(a) First make a good faith effort to negotiate a resolution of the default/breach.

(b) In the event that negotiations fail to resolve the default/breach, then prior to commencing any litigation or pursuing any other remedy at law or equity, either party may demand that the default/breach be mediated before a State certified mediator and each party shall pay one-half (1/2) of the mediator's fee. Notice of a demand for mediation shall be in writing and sent to the other party in accordance with the notice provisions set forth herein within thirty (30) days after the period of time to cure has expired. In no event shall the demand for mediation be made after the date when commencement of legal proceedings based on the default/breach would be barred by any applicable statute of limitation. The parties shall agree on the selection of a mediator within thirty (30) days after receipt of the demand for mediation.

(c) Failure of either party to timely demand mediation or agree on the selection of a mediator shall be deemed to constitute a knowing and voluntary waiver of the obligation to mediate such that the parties may then pursue any and all actions at law and equity to remedy the default/breach.

(d) The forum and venue for any litigation arising out of this Agreement shall be in the North Carolina General Court of Justice in Rockingham County, North Carolina.

SECTION 9.04. COMPUTATION OF TIME. In computing any period of time provided for under this Agreement, the day of the act, event, default or publication after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday in which event the period runs until the end of the next day which is not a Saturday, Sunday, or a legal holiday.

SECTION 9.05. BINDING EFFECT. Subject to any applicable provisions herein, this Agreement shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective successors in interest and assigns.

SECTION 9.06. NO DEEMED WAIVER. The failure of a party to exercise any right under this Agreement, or the waiver by either party of a default or breach of any provision of this Agreement shall not operate as nor be construed to be a waiver of any such right or of any other provision herein.

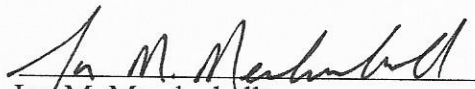
SECTION 9.07. SEVERABILITY. If any term or provision of this Agreement shall be judicially determined to be void or of no effect, such determination shall not affect the validity and enforceability of the Agreement's remaining terms and provisions and the balance of the Agreement shall remain in full force and effect.

SECTION 9.08. ENTIRE AGREEMENT; MODIFICATION. This Agreement constitutes the complete, entire, and final agreement of the parties with respect to the subject matter hereof, and supersedes any and all previous communications, statements, and representations, oral or written, with respect to the subject matter hereof. This Agreement may not be modified, amended, or revised except by further written agreement by and between the parties.

SECTION 9.09. COUNTERPART COPIES. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one and the same instrument which may be sufficiently evidenced by one complete counterpart.

IN WITNESS WHEREOF, the parties hereto, acting pursuant to authority duly given when required, have caused this Agreement to be executed as of date first mentioned above.

JON M. MENDENHALL


Jon M. Mendenhall

CITY OF EDEN

Neville Hall, Mayor

ATTEST:

[SEAL]

City Clerk

This instrument has been pre-audited
in the manner required by The Local
Government Budget and Fiscal Control Act.

Finance Officer, City of Eden



City Manager's Report

June 2020

Interim City Manager Terry A. Shelton

Economic Development

Industry

Eden Industry

As the state continues to reopen, many Eden industries have also rehired employees, while others continue to struggle. Ours is a consumer-driven marketplace and shutting down businesses for eight weeks will naturally have an adverse effect on the economy. As of May 29, more than 40 million Americans were unemployed. Commercial businesses are in dire straits because many have been unable to pay rents and must negotiate with landlords for rent relief, which may or may not come. Datex Property Solutions reported that 54.1% of rents were paid in April and 58.6% of rents were paid in May.

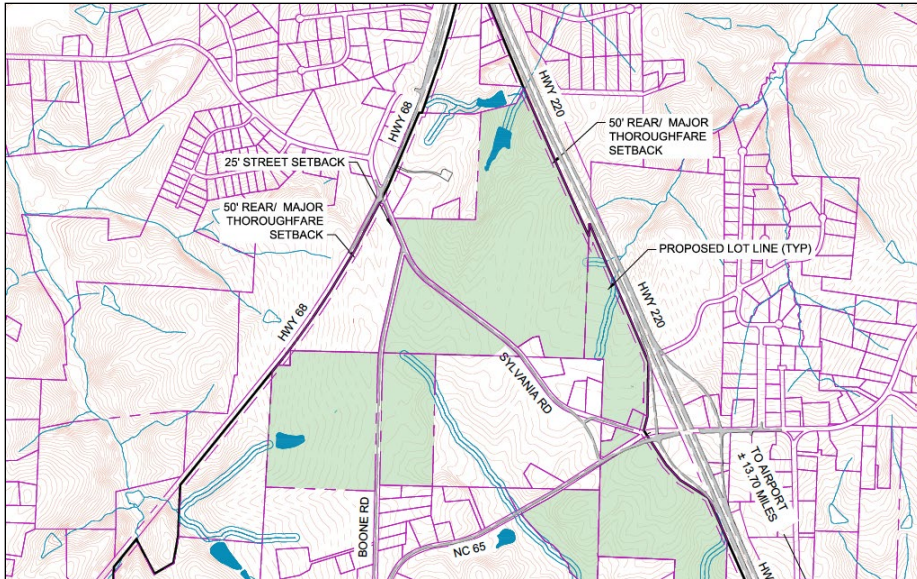
On the positive side, national unemployment did not reach the 20% level that was feared in May but remains at 13.3%, which is traditionally very high. Also, even with the pandemic, there has been significant economic development activity in both Eden and Rockingham County since early April of this year.

NC Unemployment Benefits (from *Winston-Salem Journal*, week of June 1, 2020)

Initial unemployment-insurance benefit claims have dropped for the fifth consecutive week in North Carolina, indicating economic activity has started to pick back up. North Carolina had the 10th-highest number of UI filings in the nation, with a week-high of 172,745 for the week ending March 28. There was nearly an 18% decline in claims to 36,400 for the week ending May 30, down from 44,202 the week prior.

Southern Rockingham Corporate Park

The below graphic shows the location of the Southern Rockingham Corporate Park. A new Belgium company is coming to the park bringing more than 400 jobs. The park's proximity to PTI and it being on an interstate highway were major considerations for Carrol's investment in this property.



RCC Workforce Development Center

The Center for Workforce Development (CWD) project is on budget and on schedule at Rockingham Community College, with plans to begin construction in late 2021 and finish in early 2023. On Monday, May 4, Rockingham Community College President Dr. Mark Kinlaw updated the County’s Board of Commissioners on the \$19 million project, which is being funded by the quarter-cent sales tax voters approved in 2018. RCC has received \$2.66 million in revenues so far.

The RCC Board of Trustees approved an exterior design of the CWD in March, which included design modifications they requested after seeing a presentation at their January board meeting.

The one-story building will be 41,500 square feet, with a main entrance roughly in the center, facing the parking lot across from the Science Building. The CWD will house the programs for Electrical Systems Technology, Industrial Systems Technology, and Machining; and includes a lobby, common areas, offices within an administrative area, conference rooms, a 200-seat corporate meeting room, and a kitchen.

The interior is being planned out now, during the design development phase, which will last through August. The remaining timeline includes:

- Construction documents, October 2020-March 2021
- Advertisement for bids, September 2021
- Bid opening, October 2021
- Construction start, December 2021
- Construction completion, February 2023



All of the Connect NC Bond Fund projects, and those paid for with sales tax across North Carolina, go through the state construction office, keeping them busy and delaying the RCC project.

The College has spent \$1.82 million of sales tax revenue, mostly on technology. RCC upgraded 20 computer labs in seven buildings, replaced several faculty and staff computers, upgraded network wiring, and installed a new telephone system.

The City of Eden Economic Development Department was a key supporter of the tax: spent months advocating for the tax at civic and other community groups and had a seat at the table of the committee that promoted the initiative.

Commercial

Eden YMCA

The YMCA pool, outdoor exercise groups, and day camp are opening the week of June 8. All precautions are being taken, including temperature checks and masks for staff and members. The pool is laps only and in 45-minute blocks of reserved time.

Di-Lishi Frozen Yogurt

Owner Sam Wright has renovated the front portion of his business. They should reopen soon.

Ruby Tuesday Restaurant

The famous garden bar will be returning shortly to the Eden restaurant. This is one of the major attractions to this restaurant and its fans will be happy that it has returned.

Carter Motor and Cycle Sales-New Business

Located at 915 Washington Street, this new Eden business offers auto sales and service. They are open Monday-Friday, 8 a.m. – 5 p.m. Call 336-612-2864 for more information.

Main Street

Small Business Impact

A retail store at 615 Washington Street has opened at the former Tommy's Barber Shop. *This Is Nirvana* sells international home décor, clothing, and jewelry. The store will have an official ribbon cutting at a later date.

The owner of *Total Diva's Closet* has reopened. She has used some downtime to rearrange her inventory to allow for social distancing.

The director of Help Incorporated will open *New Beginnings Too* no later than June 15. They are researching their business model of accepting donations and disinfecting them. They will also change out their inventory before they reopen. This store will be the last to reopen in downtown since the Governor shut down businesses.

Many businesses have received government support to survive during forced shutdowns. Some have not received any Payroll Protection Program funds or Economic Injury Disaster Loan funds because they thought restrictions would be lifted sooner. Others are now applying for relief.

Get Fit Rockingham will begin in the next few weeks with t-shirt inventory delivered to the participating towns. The Kate B. Reynolds grant will be divided amongst the towns so that they may run their own separate programs this year.

Other

Recycling Grant

The City of Eden has received an almost \$20,000 NC Department of Environmental Quality (NCDEQ) recycling grant that was submitted in the fall of 2019.

Tourism and Special Events

A Celebration of Art & Otters

Mark your calendars for Tuesday, July 21 at 10 a.m. You don't want to miss *A Celebration of Art & Otters* on the Smith River Greenway! We will be celebrating the Butterfly Trail, Otter Sculpture, and the Otter Holt. We will be honoring the artists and organizers of these exciting projects!

Launch Party

We will officially launch our new ExploreEdenNC.com website in July on the plaza in Grogan Park. The date will be announced soon via our website and Facebook page. We want to celebrate our designer and all that makes Eden great!

Signature Events

We are anxiously awaiting Governor Cooper's announcement coming at the end of the month concerning the criteria for Phase 3. Currently in Phase 2, outside gatherings are limited to 25. We will then make decisions concerning Shaggin' on Fieldcrest, Summer Grown & Gathered, Touch-A-Truck, and RiverFest. Stay tuned!

Great River Race – September 19

Get those creative homemade vessels ready! More detailed information coming soon.

Coming Soon!

Improvements to the Freedom Park Nature Trail!

Engineering

Waterline Replacement Projects Update

After all active customers on George Street were switched over to the new 2" PVC water main, a Sam W. Smith, Inc. crew cut and plugged the old galvanized water main at the intersection of Clark Street and George Street on May 12. Pavement cuts were patched two days later to complete the project.

Two crews from City's Plumbing & Pools, Inc., assisted by Engineering Department personnel, started closing a few valves at 10 p.m. on June 2 in order to install a tee with two 8" valves, and a cross with three 8" valves near the southeast corner of the old Walmart building. Over the next five days, about 260 linear feet of 8" diameter ductile iron water main was installed from the south side of the building, along with seven bends, to connect with the new valve on the west side of the cross assembly. Hydrostatic pressure testing of this section of new water main was passed on June 8. Additional testing will continue as the crew begins installation of additional new water main starting at the valve on the east side of the cross assembly, with this other section to be located east of the retaining wall installed by the Ample Storage developer.

Additional information needed to provide electrical service to the Jackson Street Pressure Zone project was received from the booster pump supplier in mid-May. DOT personnel provided information on May 20 about a new form that needed to be filled out to go with the encroachment agreement request package prepared by Stoltzfus Engineering. Plans and proposed materials listing were sent to other City employees for review prior to requesting and receiving a purchase order for the package booster pump system on May 28. Additional contact information for electrical service installation was received on June 3, and the approved encroachment agreement from DOT was also received that day. Fabrication and testing of the pump system normally takes about three to four weeks.

Parks and Recreation

Facilities

All Parks and Recreation facilities, except for the indoor Parks & Recreation facilities, are open in a limited capacity due to the COVID-19. The Freedom Park Splash Pad opened on June 1 and we hope the Mill

Avenue Pool will open by June 15. The City hopes to open additional amenities after June 26, when the Governor allows Phase 3 to go into effect.

The Matrimony Creek Nature Trail is closed at this time due to the recent flooding.

Planning & Inspections

GIS

The City executed the Local Government Cloud-Based Small Enterprise Agreement with ESRI. This Agreement will improve the City's ability to run analysis reports on our GIS data and allow 100 users, who can be viewers or creators. The employees identified as creators will be able to collect and correct data in the field. We have been working with ESRI representatives to make this transition and get training for the new services that will be available to the City. We have started our first project to create a navigation plan for the solid waste routes so that the truck drivers can use iPads that will tell them the turns and stops.

When the AMR meters were installed in 2012, the third-party vendor sent crews to GPS the meter coordinates after all the meters were installed. The meters previously installed for testing and all meters installed since that time were not included in the list of GPS coordinates. Since that time, our staff has run reports geocoding active water accounts with address points in our GIS data. Engineering staff continues to locate water meters and identify water meters that were incorrectly located on our GIS maps.

We continue to evaluate the sewer data and fill in field attribute information needed for manholes.

Collections

All code enforcement fees that have been assessed since July 1, 2019 have been identified and the property owners have been given notice that any fees not paid by June 15 will be transferred to the Rockingham County Tax Department. These fees will be added to the tax bills that are mailed out in August.

Unified Development Ordinance

We have had our fourth Steering Committee Meeting and have reviewed two of the three modules of the proposed ordinance. The consultants are preparing the first sections of the third and final module

Boards and Commissions

We had the regular Planning Board meeting through Zoom and have forwarded two cases to the Council for consideration: (1) a rezoning of land off Gilley Road; (2) a Watershed 10/70 request.

Nantucket Mill

We have been working with Economic Development on potential grant funds for this project. The State currently has two grant programs that the City could apply for: (1) a traditional CDBG for residential uses; (2) a grant for Covid-19 issues. Housing for low and moderate income people is one of the areas covered.

Draper CDBG

We mailed a copy of the rehabilitation assistance application to everyone that had been surveyed before. The notice is on our website and our Facebook page. We have been answering many questions from the residents and are seeing a lot of interest. Those in the grant area have until July 30 to submit applications.

At the June meeting of the City Council, a number of policies have been presented for approval that are required by the CDBG program.

Police

Operations & Procedures

The Eden Police department continues to work under CDC guidelines and the Governor's current order to prevent the spread of COVID-19. We are still social distancing whenever and wherever possible. We

continue to take reports via telephone when appropriate and minimize our exposure to each other and citizens when possible.

Some of the training for our officers has begun to open up. Commission classes, mandated recertification classes, and other training is once again being offered at community colleges and the North Carolina Justice Academy. We have not reset our mandatory in-service training dates yet, but that should be done within the next few weeks.

Public Utilities

The CleanB is now running and doing great. A lot of the work is done for the final part of the construction ... wiring and pipe connections just need to be made. At this rate, it will be done way ahead of schedule. Synagro is helping us get the digester cleaned out, so most of this will take place by the end of June. The final closeout should be done in July.

CITY OF EDEN, N.C.

An emergency meeting of the City Council, City of Eden, was held on Thursday, May 14, 2020 at 10 a.m. in the conference room at Eden City Hall.

Mayor:	Neville Hall
Council Members:	Darryl Carter
	Gerald Ellis
	Jerry Epps
	Angela Hampton
	Phillip Hunnicutt
	Bernie Moore
	Bruce Nooe
City Attorney:	Erin Gilley

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

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

A motion was made by Council Member Carter to go into closed session. Council Member Hampton 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 Carter 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

CITY OF EDEN, N.C.

A special meeting of the City Council, City of Eden, was held on Friday, May 15, 2020 at 2 p.m. in the conference room at Eden City Hall.

Mayor:	Neville Hall
Council Members:	Darryl Carter
	Gerald Ellis
	Jerry Epps
	Angela Hampton
	Phillip Hunnicutt
	Bernie Moore
	Bruce Nooe
City Attorney:	Erin Gilley

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

Addition to the agenda: consideration and approval of funding for downtown improvements.

As all Council Members were present and it was determined in good faith that it was essential to discuss and act on the item immediately, Council Member Ellis made a motion to approve the addition to the agenda. Council Member Hampton 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 Moore to go into closed session. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

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

Consideration and approval of funding for downtown improvements.

Economic Development Director Mike Dougherty and Planning & Inspections Director Kelly Stultz joined the meeting. Mr. Dougherty presented a PowerPoint showing before and after pictures of 618 and 624 Washington Street. The same owner, Carpino Investments, was set to purchase the Central Hotel building, located at 625 Washington Street, the following week. That owner had been given a \$20,000 façade grant for 624 Washington Street and was now asking to forgo that grant and get assistance instead for the Central Hotel. The owner did not want a grant for the hotel, as had been discussed by the Strategic Planning Commission (SPC), but was asking for the waiver of meter fees - four for 624 Washington Street and 27 for the Central Hotel. The owner was also requesting a concrete slab be placed in the City's alleyway for a dumpster site. In addition, Council had already approved waiving development fees for downtown projects.

Ms. Stultz said the City traditionally waived fees for economic improvement and this was one project she and many others, included the Historic Preservation Commission, was very interested in. If an owner did not rehabilitate the building, the City would eventually have to make repairs there in an effort to either

save it or keep it from deteriorating. The cost of the improvements would be less than the City would allocate for façade grants at 624 Washington Street (\$20,000 already approved) and the potential grant discussed by the SPC of at least \$50,000.

Council Member Hunnicutt said he was in support of the rehab of buildings downtown and could see the benefit of restoring the Central Hotel, but was concerned about talk he had heard about Carpino Investments failing to pay local contractors.

Mr. Dougherty replied the contractors were going to be paid most likely within the week and before the closing on the Central Hotel. He offered that Council could make the approval of funding contingent on the payment of local contractors being satisfied.

Council Member Nooe agreed that he wanted that contingency in place.

A motion was made by Council Member Hunnicutt to accept the proposal of providing assistance up to \$40,000 to Carpino Investments in the form of waiving water meter fees for four meters at 624 Washington Street and 27 meters at 625 Washington Street, improving the City alleyway behind Central Hotel by pouring a concrete pad for a dumpster site, and the already approved waiver of development fees, with the contingency of local contractors being satisfied (paid). Council Member Carter 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

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, May 19, 2020 at 6 p.m. electronically via Zoom and was streamed live on the City's YouTube channel. Those present for the meeting, all via Zoom, 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 (absent)
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. Pastor Chris Burns of Draper Pentecostal Holiness Church gave an invocation followed by the Pledge of Allegiance led by City Clerk Deanna Hunt.

PROCLAMATIONS AND RECOGNITIONS:

- a. Proclamation: Public Works Week.

Mayor Hall read the proclamation.

PROCLAMATION: PUBLIC WORKS WEEK

WHEREAS, public works infrastructure, facilities and services are of critical importance to the health, safety, economy and overall wellbeing of our community; and,

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, and administrators, representing all levels of government, who are responsible for and must plan, design, construct, inspect, operate and maintain the public works facilities essential to serve our citizens; and,

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works functions is materially influenced by the people's attitude and understanding of the importance of the work they perform; and,

WHEREAS, it is in the public interest for our citizens, civic leaders and children to learn and understand the importance of vital public works programs such as drinking water, sanitary and storm sewers, streets and highways, public fleets, and solid waste collection and disposal; and,

WHEREAS, the theme for this year's celebration is "The Power of Public Works," and 2020 marks the 61st annual national Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, I, Neville Hall, Mayor of the City of Eden, do hereby proclaim the week of May 17th – 23rd, 2020 as Public Works Week in the City of Eden, North Carolina, and call upon all citizens and civic leaders in this community to gain knowledge of, and maintain a progressive interest in the public works needs and programs vital

to our everyday lives, and to recognize the daily contributions which public works officials make to ensure our health, safety, comfort and quality of life.

This the 19th day of May, 2020.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

SET MEETING AGENDA:

A motion was made by Council Member Moore to set the agenda. Council Member Hampton seconded the motion. All members voted in favor (according to a roll call vote by Mayor Hall). The motion carried.

PUBLIC HEARINGS:

There were no public hearings.

REQUESTS AND PETITIONS OF CITIZENS:

There were no requests and petitions of citizens.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

- a. Consideration of a request to approve 2019-20 Strategic Planning Commission funding for three projects: Klyce Street Landing amenities, Movies Under the Stars, and kayak lessons for middle schoolers.

Amenities for Klyce Street Landing - \$4,300

Items will include an entrance sign, kiosk, bench and a concrete pad for 2 picnic tables. This site has a beautiful and open view of the river.

Movies under the Stars - \$4,000

This will enable us to show 4 movies that will be shown on a large inflated screen in various places throughout the city. Potential sites are Grogan Park, Freedom Park, Downtown, Pool, etc. All of these movies would be free of charge to the public.

Kayak Lessons for Middle Schoolers - \$1,360

These lessons will be offered to 12 middle school age kids. Instruction and rental of kayaks, paddles and vests will be done through Three Rivers Outfitters. There will be 6 sessions that will include 1 instruction day in the classroom, 4 in the pool and the last in the river. We are using this as a pilot program that will hopefully lead to more regular instruction sessions for our youth.

Mayor Hall called on Coordinator of Tourism & Special Events/Projects Cindy Adams.

Ms. Adams presented three projects that had been unanimously approved by the Strategic Planning Commission. Klyce Street Landing amenities was the first. In spite of how popular the landing was, people had a difficult time finding it so an entrance sign was proposed. In addition, the installation of a kiosk would help people find where they were on the river. The project would also include a 10x12 concrete pad with two picnic tables. Ms. Adams showed a rendering of a metal sign for the Klyce Street

Landing which used the same logo that would be on signs for all the paddle trails. The logo on the metal sign at Matrimony Creek Nature Trail was proposed to be the same logo used at all of the walking trails.

The second project was Movies Under the Stars, which had previously been at Grogan Park. The funding would provide for four movies at different locations, such as the Freedom Park amphitheater, downtown and Mill Avenue Pool. Event dates would depend on when outdoor gatherings of a larger number of people were allowed.

Ms. Adams explained the third project was kayak lessons for middle schoolers, which was also supported by the Dan River Basin Association. The City had spent a lot of money and time branding itself as a river community and the project would help to enhance that. It would help teach the younger generation how to be safe, hopefully creating a generation of people who loved our rivers. The lessons would be offered to 12 middle schoolers, with instruction and rental of the kayaks, paddles and vests provided by Three Rivers Outfitters. There would be six sessions in all; one to include instruction in the classroom located at Three Rivers Outfitters, four to be held in the Mill Avenue pool, and the last session to be conducted on the river. The intention was to create a pilot program that would grow.

Ms. Adams said the total for all of the projects was \$9,660. For the amenities project at Klyce Street Landing, local company Mattco Metal Works would be used. The concrete pad would be poured in-house, as well as the installation of the beams around the metal sign. Therefore, the cost of \$4,300 for that project could possibly be lower.

Council Member Carter questioned if the money appropriated for the projects was available in the current fiscal year's budget.

Ms. Adams replied yes.

Council Member Hunnicutt said he was concerned about some of the shortfalls in the upcoming budget. Some departments would actually be running in the red the next year. He suggested waiting until after the budget review process took place before approving the projects and therefore, made a motion for the item to be put on hold for 30 days and then reviewed at the June meeting. He was concerned about priorities when spending additional money on the items when the City would be faced with issues in the upcoming budget.

Council Member Ellis agreed that it would be best to postpone the decision for 30 days.

Council Member Hunnicutt said he was not opposed to the projects and while he understood that the funds were out of the current fiscal year's budget, they could also be rolled over in the savings account and applied to next year's budget.

Council Member Epps questioned if it would be possible to go ahead and begin some of the in-house work.

Mayor Hall replied that he was unsure how they would be able to begin a portion of the project without a plan in place and felt it would be best to stay in the order of the project schedule.

Council Member Ellis asked if there was an announcement made regarding Oink & Ale.

Ms. Adams replied that it was canceled.

City Attorney Erin Gilley advised that the motion needed to be amended to reflect the next meeting instead of 30 days.

Mayor Hall said Council Member Hunnicutt’s motion was then amended to table the consideration of the three projects to the next regularly scheduled City Council meeting. Council Member Nooe seconded the motion.

Council Member Carter voted yes, but wanted to go on record that he was in favor of the Strategic Plan and the amenities at the landing.

All members voted in favor (according to a roll call vote by Mayor Hall). The motion carried.

REPORTS FROM STAFF:

a. City Manager’s Report

Mayor Hall requested the report be entered in the minutes as if it had been read in its entirety.

City Manager’s Report
May 2020

Administration

Eden Youth Council

Our youth council members found a way to spread positivity and cheer during the midst of the COVID-19 outbreak. Owner Lynda Burnette volunteered the side of her building on Washington Street to be used for the project. Youth council members took turns putting their creative touch on the building by painting a rainbow and words of encouragement while also practicing social distancing. The message has brought hope to everyone that passes by and serves as a reminder that “Hope Flows Through Eden!”

Economic Development

Industry/Workforce Education

Building Reuse Grant

In April, an Eden industry was awarded a \$250,000 building reuse grant to renovate the building in which they are located by the NC Rural Infrastructure Authority (RIA). Pam Cundiff, owner of Travel Consultants, is an RIA Board member and a great supporter of Eden projects. The City of Eden and Rockingham County Economic Development Departments applied for this grant on the company’s behalf. While work is on-going in the company’s facility, the official opening has been delayed by COVID-19 and no exact date for their formal announcement has been determined.

Remaining Eden Industries

The COVID-19 shutdown has caused several Eden industries to close temporarily, reduce their workforces, or furlough employees. With the partial reopening of the economy starting on May 8, we remain hopeful that these industries will resume operations and return to some sense of normalcy. Because most industry supplies consumer products, full recovery will require consumer spending to resume to normal levels.

Commercial

Micro Business Impact Grant

Because of the generosity of the Rockingham County Citizens for Economic Development, the Reidsville Area Foundation, Reidsville and Eden Rotary Clubs, The Wright Company and Sylvia Grogan — as well as those individuals who have contributed to the Go Fund Me page set up by Randy Hunt through the Eden Downtown Development Inc. — more than 20 Eden businesses have received grants to help them with expenses during the COVID-19 shutdown. Thanks to those organizations and individuals who helped these small business owners.

Go Fund Me Page

Many organizations and individuals have donated to the Rockingham County Small Business Relief Fund to provide grants to struggling small businesses during this shutdown. Hair and nail salons remain closed, and inside dining remains prohibited for restaurants. A recent survey of NC restaurant owners revealed that 77% of their respondents have suffered losses of up to 70% of normal sales. The goal is \$10,000 and more than \$1,000 has already been raised.

If you wish to donate, please visit this link:

https://www.gofundme.com/f/rockingham-county-small-business-relief-fund?utm_medium=email&utm_source=customer&utm_campaign=p_email%2B5806-thank-you-ask-share

Wendy's Restaurant

This restaurant is undergoing an interior dining room renovation while they are unable to have dine-in customers.

Eden Jewelry

Due to COVID-19, this company is permanently consolidating their Eden and Reidsville store locations at our Eden store located at 234 East Meadow Road. They can be reached at 336-623-1511. They want to thank their Reidsville and Eden customers for their loyalty and support over the years and appreciate their business. Robin Wyatt, their excellent staff, and jeweler will be available at our Eden store to assist Rockingham and adjoining county customers with all of their jewelry and repair needs.

Banking

Big banks are closing antiquated branches at a record pace, but they are also opening smaller and more digitally-focused ones to better serve their customers, according to research from Jones Long LaSalle's Branch Banking 2020. After peaking at 100,000 branches in 2009, the number of bank branches has plunged by 13,200. A few years ago, it was reported that banks could have closed 10,000 branches because their customers were not using them as more digital programs displaced traditional banking functions. This has been seen in Eden. Since 2015, Home Trust Banking, FNB Southeast, Bank of America, and Carter Bank and Trust have closed branches. Yet, each remaining institution remains dedicated to helping local customers both at their bank branches and through on-line services.

Other

Mountain Valley Pipeline

This organization has donated \$5,000 to the Rockingham County Salvation Army to help them continue to serve area citizens in need. Their generosity is greatly appreciated.

Main Street

Small Business Impact

Concerns of COVID-19 have caused many Eden businesses to close or restrict operations. Business support information is being shared throughout the City and through the three merchants' associations to share best practices, grant, and loan information. Many businesses have received the Small Business Administration's Paycheck Protection Program or Economic Injury Disaster Loan. Some businesses have received the county's micro business grant. Unfortunately, other businesses have received no relief.

The City's Planning & Inspections Department received new guidelines from the state about how businesses can social distance. Now, a business can have 15 people for every 1,000 square feet.

Many businesses reopened May 11 as part of the Governor's phased reopening process. Many businesses are still forced to stay closed.

A new business to Eden, Simply MK, at 571-A Bridge Street had a soft opening Saturday with an official opening Monday, May 11. They carry clothing, home décor, children's items, and much more.

Draper

The owners of Jerry's Restaurant have set up a food truck in the parking lot of the restaurant. The food truck will operate 11 a.m.-4 p.m. Monday through Friday.

The Boulevard

The Rockingham Community College GED classroom that was on Washington Street will move by June 30 to the front meeting space at 241 Events on the Boulevard. RCC ensures the area will have adequate power to operate the computers, monitors, and projectors.

Tourism and Special Events

Butterfly Trail at Smith River Greenway

Our latest addition to the Butterfly Trail is a large head board for photo opportunities located near the Rotary Observation Deck. Kids and adults alike enjoy putting their heads through the oversized butterfly board. HAVE FUN!

Landscaping at Matrimony Creek Nature Trail

Beautiful landscaping is underway at Matrimony Creek Nature Trail and there is more to come! Gorgeous trees are going to be planted along the entrance path leading to the trail and more plants will be placed at the trailhead sign. Come walk this great trail and see all the improvements! Thank you to the crew of Facility & Grounds and Josh Woodall for making this happen!

Amenities at Klyce Street Landing

COMING SOON! New amenities are being planned for the new Klyce Street Landing. Stay tuned!

Freedom Park Nature Trail Upgrades

In addition to the unique and beautiful boulder entrance signs and landscaping, more improvements are going to be made to the trail itself in the near future. Stay tuned for more details.

Sunflower Field at Smith River Greenway

The sunflower field at the Smith River Greenway has been planted and there are signs of sprouts already! We can't wait!

Educational Signage

As you are exploring our trails, pay attention to new signage. Near the otter sculpture there has been a sign placed entitled "Otters on the Smith River" and a new sign has been placed in the kiosk at the Matrimony Creek Nature Trail. Once the last portion of the trail is open, there will be educational signs showing fascinating information about the old grist mill that once stood there and another sign highlighting life in the creek. A huge thank you to Brian Williams of the Dan River Basin Association for helping us make this happen!

ExploreEdenNC.com

Our new tourism site is LIVE and full of great information. Check it out! If you have any great outdoor activity or nature pictures you would like to share to be placed on the site, please submit them to cadams@edennc.us.

Follow the Art

Check out our new Follow the Art flyer on our Explore Eden Facebook page and web page that highlights all the public art projects in our beautiful City. We are having some great weather that allows everyone to get out and Explore Eden!

Engineering

Waterline Replacement Projects Update

A Sam W. Smith, Inc. crew installed new water services off the 2-inch diameter schedule 80 PVC water main along Spring Street on April 15. New water taps for customers along N. Primitive Street were completed the following two days. The crew returned on April 21 to kill out the old 2" galvanized water main at the intersection of Spring and Dameron streets. Problems with at least one valve not holding resulted in this work taking longer than expected. The crew was able to complete asphalt patching of pavement cuts the next day, as well as final seeding and restoration work.

A Sam W. Smith, Inc. crew began installing 2-inch diameter schedule 80 PVC water main along the south side of George Street on April 23. Installation work to replace an old 2" galvanized water main continued through April 29, when the new water main was first filled with water and pressurized. The required hydrostatic pressure test passed on April 30. The crew returned on May 4 to pump in a high-test hypochlorite (HTH) solution to continue the rest of the required testing. After repeating the flushing and chlorinating procedures, good results from the bacteriological testing were received on May 8, allowing for connection of customers to the new water main. Two customers were switched over to the new PVC water main on May 11. The old galvanized water main will be cut and plugged at the intersection of Clark Street and George Street after the other customers are connected to the new PVC water main. The approval package from the Public Water Supply Section was received on April 24 for the Jackson Street Pressure Zone project, based on plans submitted by Stoltzfus Engineering Inc. Information has been shared with various individuals to obtain additional permits and agreements, as well as a revised quote for the approved package booster pump system. A meeting is scheduled to discuss electrical service to the small pump station on May 12.

Parks and Recreation

Facilities

All Parks and Recreation facilities, except for the Matrimony Creek Nature Trail, Smith River Greenway, Grogan Park, Bridge Street walking track, Mill Avenue walking track, Peter Hill Park walking track, Freedom Park walking track and the City's river access sites are closed due to COVID-19. The first three-quarters mile of the Matrimony Creek Nature Trail has been repaired and is open to the public. The City hopes to open additional amenities after May 22 when the Governor allows Phase II to go into effect.

Planning & Inspections

GIS

Water meters are continuing to be located for active water accounts that are not on the City's GIS maps. Data for gravity main lines and manholes provided by W.K. Dickson was reviewed and corrected in the system. Preparation is being made for the City's Enterprise Agreement with ESRI.

Stadium Drive Sidewalk

The surveying has been completed.

Unified Development Ordinance

Nearly all of the sections of Module 2 of the UDO have been received. A Steering Committee meeting along with the Planning Board will likely meet at the end of the month.

Boards and Commissions

The Strategic Planning Commission met online this past month, but the rest of the Boards and Commissions have not been meeting at this time. There will likely be a Planning Board meeting via online for May as there is a 10/70 Watershed request to consider and a rezoning on Gilley Road.

Police

Operations & Procedures

When someone calls the Eden Police Department, we know the incident they are reporting is important to them and we will continue to provide our services. Due to COVID-19, officers are taking some reports by telephone when feasible. The reports taken by phone are incidents where the crime is a misdemeanor, no assault or threats have occurred, and/or the suspect is no longer on scene. Detectives in the investigative unit are also working the reported incidents and interviewing by phone when appropriate and practicable depending on the type and seriousness of the case. We ask for the public's patience as this procedure is for their safety as well as ours. We will respond to all serious and ongoing calls as usual. This procedure is only utilized when it is appropriate. We are in this together and encourage all citizens to abide by Governor Cooper's Executive Order by social distancing of six feet or more and ask that the public not participate in gatherings of more than 10 people.

CONSENT AGENDA:

Minutes of the May 19, 2020 meeting of the City Council, City of Eden:

- a. Approval and adoption of (1) April 21, 2020 Minutes and (2) May 1, 2020 Minutes.
- b. Approval to call a Public Hearing to consider the FY 2020-2021 Budget on June 16, 2020.
- c. Approval of Budget Amendment #12.

Assistant Director of Finance Amy Winn wrote in a memo that the budget amendment increased the General Fund Police Security revenue line item and increased the Police Department’s Police Security expenditure line item to reflect the additional revenue received from police security charges.

	Account #	From	To	Amount
General Fund Revenues				
Police Security	10-3431-41100	\$ 40,000.00	\$ 68,000.00	\$ 28,000.00
Police Security - Fringe Benefits	10-3431-41200	\$ 8,400.00	\$ 13,000.00	\$ 4,600.00
				<u>\$ 32,600.00</u>
General Fund Expenditures				
Police Security	10-4310-12500	\$ 40,000.00	\$ 72,600.00	<u>\$ 32,600.00</u>

Appropriates additional revenue generated by police security.

Adopted and effective this 19th day of May, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

- d. Approval of Budget Amendment #13.

Ms. Winn wrote in a memo that when Riverfest was completely transferred to the City’s accounts several years ago, there was a balance in the account at year end. Each year a fund balance was calculated for Riverfest based on the beginning fund balance and revenues over/under expenditures. At June 30, 2019, \$26,446 of the City’s General Fund fund balance was reserved for Riverfest. This budget amendment appropriates Riverfest funds received over the original budget appropriation for FY 2019-2020 and a portion of fund balance that is designated for Riverfest.

	Account #	From	To	Amount
General Fund Revenues				
Riverfest	10-3350-02100	\$ 39,000.00	\$ 41,800.00	\$ 2,800.00
Fund Balance Appropriated - Riverfest	10-3991-99100	\$ 640,900.00	\$ 645,100.00	\$ 4,200.00
				<u>\$ 7,000.00</u>
General Fund Expenditures				
Riverfest	10-4135-30200	\$ 45,000.00	\$ 52,000.00	<u>\$ 7,000.00</u>

Appropriates Riverfest revenue and fund balance reserved for Riverfest.

Adopted and effective this 19th day of May, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

Minutes of the May 19, 2020 meeting of the City Council, City of Eden:

A motion was made by Council Member Carter to approve the Consent Agenda. Council Member Hampton seconded the motion. All members voted in favor (according to a roll call vote by Mayor Hall). The motion carried.

ANNOUNCEMENTS:

There were no announcements at that time.

CLOSED SESSION:

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

Council Member Moore made the motion to go into closed session. Council Member Ellis seconded the motion. All members voted in favor (according to a roll call vote by Mayor Hall). The motion carried.

Council Member Epps made the motion to return to open session. Council Member Hampton seconded the motion. All members voted in favor (according to a roll call vote by Mayor Hall). 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



To: Honorable Mayor and City Council

Thru: Terry Shelton, Interim City Manager

From: Amy P. Winn, CPA
Assistant Director of Finance

Date: June 16, 2020

Re: Budget Amendment # 14

Two portable radios were lost and not recovered on fire calls. The attached budget amendment allocates the insurance proceeds to the Fire Department C/O – Equipment line item in which the replacements have been purchased.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn
Assistant Director of Finance
Date: June 16, 2020
Subject: Budget Amendment # 14

	Account #	From	To	Amount
General Fund Revenues				
GF Insurance Proceeds	10-3850-85000	\$ 53,200.00	\$ 60,000.00	<u>\$ 6,800.00</u>
General Fund Expenditures				
Fire - C/O Equipment Depreciable	10-4340-57000	\$ -	\$ 6,800.00	<u>\$ 6,800.00</u>

Appropriates insurance proceeds for portable radios.

Adopted and effective this 16th day of June, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor



To: Honorable Mayor and City Council

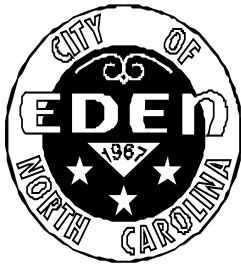
Thru: Terry Shelton, Interim City Manager

From: Amy P. Winn, CPA
Assistant Director of Finance

Date: June 16, 2020

Re: Budget Amendment # 15

The Eden Police Department receives funds for the reimbursement of bulletproof vests purchased from a Justice Assistance Grant. The attached budget amendment allocates these reimbursement funds to the Police Safety Equipment line item.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn
Assistant Director of Finance
Date: June 16, 2020
Subject: Budget Amendment # 15

	Account #	From	To	Amount
General Fund Revenues				
Bullet-Proof Vest Program	10-3431-86000	\$ -	\$ 3,000.00	<u>\$ 3,000.00</u>
General Fund Expenditures				
Police Safety Equipment	10-4310-21300	\$ 59,200.00	\$ 62,200.00	<u>\$ 3,000.00</u>

Appropriates proceeds for the reimbursement of the purchase of bullet-proof vests.

Adopted and effective this 16th day of June, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor



To: Honorable Mayor and City Council

Thru: Terry Shelton, Interim City Manager

From: Amy P. Winn, CPA
Assistant Director of Finance

Date: June 16, 2020

Re: Budget Amendment # 16

The attached budget amendment appropriates Municipal Service District Tax fund balance for projects in the downtown areas. This amendment appropriates \$3,000 to the Draper District for Christmas lights. These expenditures are approved by the merchants in each district.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn
Assistant Director of Finance
Date: June 16, 2020
Subject: Budget Amendment # 16

	Account #	From	To	Amount
Municipal Service District Tax Fund Revenues				
MSD Tax Fund Balance Appropriated	17-3991-99100	\$ -	\$ 3,000.00	<u>\$ 3,000.00</u>
Municipal Service District Tax Fund Expenditures				
MSD Tax Expense - Draper	17-4135-29901	\$ 2,000.00	\$ 5,000.00	<u>\$ 3,000.00</u>

To appropriate MSD Tax funds for downtown projects.

Adopted and effective this 16th day of June, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor



To: Honorable Mayor and City Council

Thru: Terry Shelton, Interim City Manager

From: Amy P. Winn, CPA
Assistant Director of Finance

Date: June 16, 2020

Re: Budget Amendment # 17

At June 30, 2019, there was a fund balance in the Self-Insurance fund in the amount of \$277,733. We have proposed to use \$119,200 of this fund balance in the FY 2020-2021 budget. We project that claims for this year may exceed the budgeted amount; however, this is only a projection based on past experience. Since this amount could fluctuate with an increase or decrease based solely on claims, the attached budget amendment appropriates the remaining fund balance of \$158,533 to cover the projected excess of claims over the budgeted amount. Any amount that is not used will automatically return to fund balance.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn
Assistant Director of Finance
Date: June 16, 2020
Subject: Budget Amendment # 17

	Account #	From	To	Amount
Self-Insurance Fund Revenues				
Refunds	15-3839-83000	\$ 16,100.00	\$ 144,600.00	\$ 128,500.00
Fund Balance Appropriated	15-3391-99100	\$ -	\$ 158,500.00	\$ 158,500.00
				<u>\$ 287,000.00</u>
Self-Insurance Fund Expenditures				
Insurance Claims	15-4145-30000	\$ 2,501,900.00	\$ 2,788,900.00	<u>\$ 287,000.00</u>

Appropriates a portion of fund balance @ 6/30/19 to cover unexpected claims for FY 19-20.

Adopted and effective this 16th day of June, 2020.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor