

**EDEN CITY COUNCIL  
REGULAR MEETING AGENDA  
Council Chambers  
308 E. Stadium Drive  
September 15, 2020  
6:00 p.m.**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Gerald Ellis, Council Member
3. Pledge of Allegiance: Led by Paul Dishmon, Director of Municipal Services
4. Proclamations & Presentations:
  - a. Swearing in for Eden Youth Council
  - b. Proclamation: Constitution Week
5. Roll Call
6. Set Meeting Agenda
7. Public Hearings
  - a. Consideration to adopt an ordinance annexing the property at 197 and 199 E. Aiken Rd. pursuant to a request submitted by owner Millard Bryant.  
**Kelly Stultz, Director of Planning & Inspections**
  - b. Consideration to apply for funding for the State's Community Development Block Grant Coronavirus program in the amount of \$900,000 to prevent service disconnection and rent/mortgage payments to prevent eviction. **Kelly Stultz, Director of Planning & Inspections**
8. Requests and Petitions of Citizens
9. Unfinished Business:
10. New Business:
  - a. Consideration to accept CARES Act Funding from Rockingham County to cover City public safety costs up to \$348,309. **Tammie McMichael, Director of Finance & Personnel**
  - b. Consideration to adopt an ordinance for the demolition of a structure at 711 McConnell Ave. under the City's Human Habitation Ordinance. **Kelly Stultz, Director of Planning & Inspections**
  - c. Consideration to adopt an ordinance for the demolition of a structure at 617 Spring St. under the City's Human Habitation Ordinance. **Kelly Stultz, Director of Planning & Inspections**
  - d. Consideration to adopt an ordinance for the demolition of a structure at 1503 E. Meadow Rd. under the City's Human Habitation Ordinance. **Kelly Stultz, Director of Planning & Inspections**
  - e. Consideration to ask the City Clerk to investigate the sufficiency of an annexation petition for property at 106 Fireman Club Rd. **Kelly Stultz, Director of Planning & Inspections**
  - f. Consideration to approve a Downtown Development Water Connection Fee Policy.  
**Erin Gilley, City Attorney**
  - g. Consideration of a Memorandum of Understanding with the Draper Volunteer Fire Department for shared fire tax funding. **Erin Gilley, City Attorney**

11. Reports from Staff:
  - a. City Manager's Report. **Jon Mendenhall, City Manager**
  - b. Update on the Matrimony Creek project. **Terry Shelton, Director of Public Utilities**
12. Consent Agenda:
  - a. Approval and adoption of (1) August 18, 2020 Minutes and (2) September 8, 2020 Minutes. **Deanna Hunt, City Clerk**
  - b. Approval and adoption of an ordinance amending Chapter 9 – Motor Vehicles & Traffic of the City's Code of Ordinances. **Clint Simpson, Police Chief**
  - c. Approval and adoption of a resolution to declare items as surplus. **Paul Dishmon, Director of Municipal Services**
13. Announcements
14. Adjourn



## **Eden Youth Council FY 20-21**

### **New Members to be Sworn In:**

- Alexander Hopper
- Allison Wheeler
- Colby Garrett
- Elijah Cobb
- Ellyn Blackstock
- Emily Wheeler
- Hunter Smith
- Jared Thomas
- Laura Deel
- Mason Curtis
- Paige Tuggle
- Seth Sharpe
- Warren Flynt

### **Eden Youth Council Oath:**

I, \_\_\_\_\_, do solemnly swear or affirm that I will support, uphold and defend the Constitution of the United States of America, and the laws thereof; that I will support, uphold and defend the Constitution and laws of the State of North Carolina, not inconsistent therewith, that I will observe and obey the laws and ordinances of the City of Eden, North Carolina; that I will faithfully perform and discharge the duties incumbent upon me as member of the Eden Youth Council fairly and honestly and to the best of my skill and ability; so help me GOD.



## **PROCLAMATION Constitution Week 2020**

**WHEREAS:** September 17, 2020 marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS:** It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

**NOW, THEREFORE I,** Neville Hall, by virtue of the authority vested in me as Mayor of the City of Eden do hereby proclaim the week of September 17 through 23 as

### **CONSTITUTION WEEK**

**AND** ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of Eden to be affixed this 15th day of September of the year of our Lord two thousand twenty.

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Neville Hall, Mayor

Attest:

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Deanna Hunt, City Clerk



# Planning and Inspections Department

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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:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** **Public Hearing - Annexation Request  
Portion of 197 and 199 E. Aiken Road**  
**Date:** September 3, 2020

At the regular City Council meeting on August 18, 2020, the Council scheduled this public hearing to hear comments regarding an annexation of a portion of the property located at 197 and 199 E. Aiken Road.

The Petition Requesting Annexation was filed by the property owner, Millard Bryant.

Staff is of the opinion that this property should be annexed.

PETITION REQUESTING A CONTIGUOUS ANNEXATION

Date: 6-26-2020

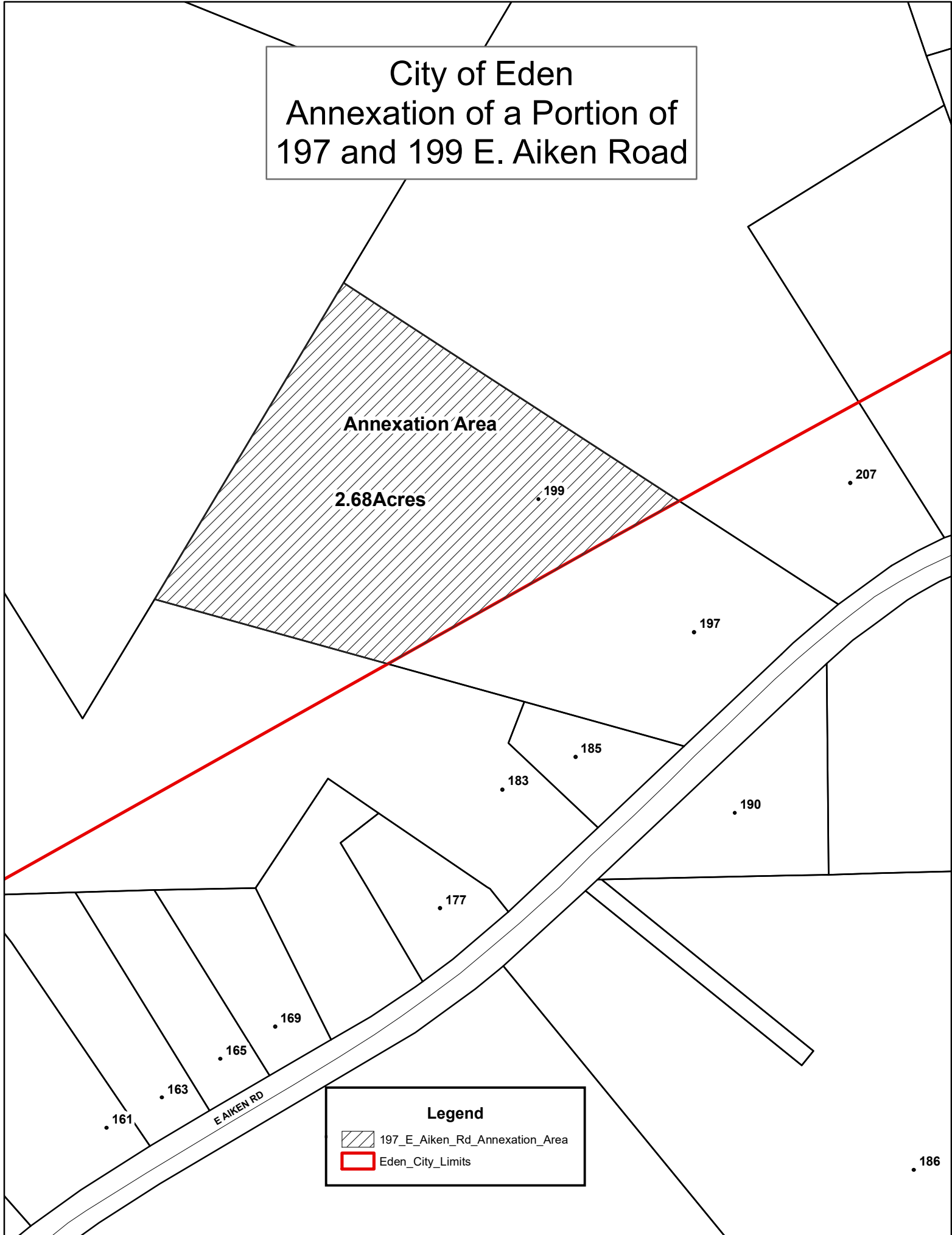
To the City Council of the City of Eden, North Carolina:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Eden.
2. The area to be annexed is contiguous to the City of Eden and the boundaries of such territory are as described in the attached Deed.
3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Eden.

<u>Name</u>	<u>Address</u>	<u>Signature</u>
MILLARD BRYANT	199 E. AIKEN RD.	Millard Bryant
Dorothy Bryant	199 E. Aiken Rd.	Dorothy Bryant
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

BK 65 PG 49

City of Eden  
Annexation of a Portion of  
197 and 199 E. Aiken Road



AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE CITY OF EDEN, NORTH CAROLINA

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WHEREAS, the City Council of the City of Eden, North Carolina, has been petitioned under G. S. 160A-31 to annex the area described below; and

WHEREAS, the City Council of the City of Eden has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City Council Chamber, 308 East Stadium Drive at 6:00 o'clock p.m. on the 15th day of September, 2020, after due notice by publication on September 2, 2020; and

WHEREAS, the City Council of the City of Eden finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made a part of the City of Eden as of December 31, 2020:

That portion of 197 and 199 E. Aiken Road identified by the Rockingham County Tax Department as PIN 7081-17-00-5994 and Parcel Number 177187Z1 and Parcel Number 177187Z2 which lies north of the Eden City Limits current boundary and the entire parcels being described as follows:

**TRACT 1:** Parcel A containing 3.081 acres as per Plat of Survey for Helena A. Bryant dated January 1, 2009, by C. E. Robertson & Associates, P.C. recorded in Map Book 65, Page 49, Rockingham County Registry.

**TRACT 2:** Parcel B containing 1.176 acres as per Plat of Survey for Helena A. Bryant dated January 1, 2009, by C. E. Robertson & Associates, P.C. recorded in Map Book 65, Page 49, Rockingham County Registry.

Section 2. Upon and after December 31, 2020, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Eden, and shall be entitled to the same privileges and benefits as other parts of the City of Eden. Said territory shall be subject to municipal taxes according to G. S. 160A-58.10.



Section 3. The Mayor of the City of Eden shall cause to be recorded in the Office of the Register of Deeds of Rockingham, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territories described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall be delivered to the Rockingham Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Eden.

Adopted this 15th day of September, 2020.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

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



# Planning and Inspections Department

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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:** Jon Mendenhall, City Manager  
**FROM:** Kelly K. Stultz, AICP, Director  
**SUBJECT:** **Public Hearing on Potential Community Development Block Grant**  
**DATE:** September 3, 2020

The City of Eden proposes to request funding from NC Department of Commerce Rural Economic Development Division for Community Development Block Grant Coronavirus (CDBG-CV) funds. For the fiscal year of 2020, the CDBG-CV funding available is expected to be \$27.5 million for non-entitlement communities. The maximum available grant is \$900,000. REDD will accept applications on a first-come, first-served basis beginning September 1, 2020.

As the deadline for filing the application approaches, we are required to hold a second public hearing to obtain citizen's views and to allow response from the public to funding proposals and answer any questions posed by citizens. This is a requirement of the North Carolina Department of Commerce.

In order to proceed with the filing of a formal application, the attached Resolution authorizing the submittal of a formal application to the N. C. Dept. of Commerce needs to be adopted by the City Council.

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

**RESOLUTION FOR THE CITY OF EDEN APPLICATION FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT  
COVID-19 FUNDING FOR THE EDEN SUBSISTANCE PAYMENT PROGRAM**

**WHEREAS**, the City of Eden's Council has previously indicated its desire to assist in community development efforts for housing and community development throughout the City; and,

**WHEREAS**, the City Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to provide emergency utility and rent/mortgage payments on behalf of low-moderate income individuals or families experiencing difficulties due to COVID-19 to prevent homelessness and eviction; and,

**WHEREAS**, the City Council wishes the City of Eden to pursue a formal application for Community Development Block Grant funding to benefit at least 51% low-moderate income individuals or families experiencing difficulties due to COVID-19 to prevent homelessness and eviction;

**WHEREAS**, the City Council certifies it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program,

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Eden that the City of Eden is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant (CV) COVID-19 to benefit at least 51% low-moderate income individuals or families experiencing difficulties paying utilities/rent/mortgage payments due to COVID-19 .

Adopted this the 15th day of September, 2020, in Eden, North Carolina.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

\_\_\_\_\_  
Deanna Hunt, CMC, City Clerk



## MEMORANDUM

**To:** Honorable Mayor and City Council

**Thru:** Jon Mendenhall, City Manager

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

**Date:** September 15, 2020

**Subject:** Coronavirus Aid, Relief, and Economic Security Act Funding

Rockingham County received \$3,497,080 in CARES Act Funding. Per Session Law 2020-80, at least twenty-five percent (25%) of the amount allocated to the County shall be allocated to the municipalities within the County. The County chose to use the per capita method used by the NC Department of Revenue when allocating sales tax revenue. On July 13, 2020, the Rockingham County Board of Commissioners approved an allocation of CARES Act Funding in the amount of \$348,309 to the City of Eden.

The funds must be spent on eligible costs that are described in guidance provided by the US Treasury Department and the North Carolina Pandemic Recovery Office. Municipalities will be held liable to the State for any misuse or mishandling of these funds, and per Session Law 2020-80 “subject to claw back and other appropriate measures, including the reduction or elimination of other State funds.”

The NC Pandemic Recovery Office has provided standard forms that each County and Municipality must use for the spending plan and required monthly reporting. Rockingham County will receive and file all Municipal reports.

After several conversations with the County, the City of Reidsville, the City Manager, and the Interim City Manager, staff submitted a spending plan on the City of Eden’s behalf. The funds can cover Public Safety including salary and benefits. Police Officers (who are patrolling) are presumed “substantially dedicated” to mitigating or responding to the COVID-19 public health emergency.

Rockingham County has accepted our spending plan, and they have sent us information regarding the required reporting. Staff would like Council's approval to accept CARES Act Funding from Rockingham County to cover our Public Safety costs up to \$348,309.



# ROCKINGHAM COUNTY

## GOVERNMENTAL CENTER

### Finance Office

TO: Rockingham County Municipalities  
FROM: Lance Metzler, County Manager  
Pat Galloway, Financial Services Director  
DATE: July 14, 2020  
RE: Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding

The Rockingham County Board of Commissioners approved the following allocation of CARES Act Funding at their meeting on July 13, 2020:

Eden	\$ 348,309
Madison	50,358
Mayodan	55,516
Reidsville	328,551
Stoneville	28,326
Wentworth	<u>63,210</u>
Total	\$ 874,270

Per Session Law 2020-80, at least twenty-five percent (25%) of the amount allocated to the County shall be allocated to the municipalities within the County. \$874,270 is twenty-five percent (25%) of the \$3,497,080 in CARES Act funding that has been allocated to Rockingham County. The allocation method that the County has chosen to use is the per capita method used by the NC Department of Revenue when allocating sales tax revenue.

Session Law 2020-80 requires that each municipality file a spending plan no later than September 1, 2020 in order to be eligible for this funding. If a municipality does not file a spending plan by this date or files a plan that does not utilize the entire amount allocated, then the funds will revert back to the County to be used by the County or be redistributed to other municipalities within the County.

Funds must be spent on eligible costs that are described in guidance provided by the US Treasury Department (<https://home.treasury.gov/policy-issues/cares/state-and-local-governments>) and the North Carolina Pandemic Recovery Office (NCPRO) (<https://www.nc.gov/agencies/ncpro>). Municipalities will be held liable to the State for any misuse or mishandling of these funds, and per Session Law 2020-80 "subject to clawback and other appropriate measures, including the reduction or elimination of other State funds." Therefore, we strongly advise that you review the available guidance, including the FAQ documents on both sites and the videos that are located on the NCPRO site, to ensure the spending plans include only allowable costs.

The NC Pandemic Recovery Office has provided standard forms that each County and municipality must use for the spending plan and required monthly reporting. The NCPRO office has directed that counties receive and file all municipal reports; therefore, to ensure we are able to meet the NCPRO filing deadlines, we will require that all municipal reports be submitted to Rockingham County Finance five (5) days prior to the NCPRO deadline dates.

371 NC 65, Reidsville, NC 27320 | PO Box 41, Wentworth, NC 27375

TELEPHONE: (336) 342-8120 | FAX: (336) 342-8105 | EMAIL: [pgalloway@co.rockingham.nc.us](mailto:pgalloway@co.rockingham.nc.us)

The reporting dates are as follows:

REPORT	NCPRO DUE DATE	ROCKINGHAM COUNTY DUE DATE
Spending Plan	September 1, 2020	<b>August 25, 2020</b>
Monthly Reporting	July 20, 2020	<b>N/A for Municipals</b>
Monthly Reporting	August 20, 2020	<b>N/A for Municipals</b>
Monthly Reporting	September 21, 2020	<b>September 14, 2020</b>
Monthly Reporting	October 20, 2020	<b>October 13, 2020</b>
Monthly Reporting	November 20, 2020	<b>November 13, 2020</b>
Monthly Reporting	December 21, 2020	<b>December 14, 2020</b>
Monthly Reporting	January 20, 2021	<b>January 12, 2020</b>

Municipal reports are due to Rockingham County Finance on or before the “Rockingham County Due Dates” listed in the chart above. The reports should be emailed to Pat Galloway, Financial Services Director at [pgalloway@co.rockingham.nc.us](mailto:pgalloway@co.rockingham.nc.us). If there are any questions or issues with filing a report, please send an email to the same address.

Included with this email is the Spending Plan report provided by NCPRO and is the report that must be used. There are amounts already in the fields to provide an example of how to complete the report; so please write over these amounts as you complete the spending plan for your municipality.

To assist us in electronically filing these reports with NCPRO, please include the name of the municipality as part of the file name when you save the report file. Also, include on the first page of the report the contact information for the person that we should reach out to directly if we encounter any questions or issues with the report.

Once we receive the spending plans, we will then send out the monthly reporting forms to each municipality that is participating in the program.

Other important financial notes on CARES Act Funding that you can learn more about by visiting the NCPRO webpage:

- Not considered a grant but are “ other financial assistance” under 2 C.F.R § 200.40
- Are considered federal financial assistance subject to the Single Audit Act
- Are subject to Uniform Guidance requirements regarding internal controls, subrecipient monitoring/management and audit.
- CFDA number 21.019 has been assigned to these funds.

Let us know if you have any questions.



# 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:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** Human Habitation Standards Action/711 McConnell Avenue  
**Date:** September 3, 2020

Attached you will find a section of the Human Habitation Standards Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish. Also attached is a copy of the Complaint and Notice of Hearing which sets out the violations found at the initial inspection and a copy of the Findings of Fact and Order. The City of Eden Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure. Five (5) bids were submitted to this department as follows:

	Demolition	Asbestos Removal	Total
Sam W. Smith, Inc.	\$ 8,000.00	\$ 4,230.00	\$ 12,230.00
Kenny Frith	\$ 5,400.00	\$ 3,000.00	\$ 8,400.00
Brad Fisher Hauling	\$ 5,900.00		
Loye Grading	\$12,750.00	\$ 5,000.00	\$17,750.00
Rabco Inc of NC	\$ 8,490.00		

Staff recommends that Kenny Frith be awarded the bid for the removal of the asbestos siding and demolition of the house with the lowest bid being in the amount of \$8,400.00. All contractors were given the opportunity to amend their bid to include the removal of the asbestos siding.

Once the demolition is done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments. Special assessments are a lien only on the property in question. That means the best remedy available to us is foreclosure. There is no guarantee that these funds can be recovered.



**§ 4-90 FAILURE TO COMPLY WITH ORDER; OWNER.**

(A) If the owner fails to comply with an order to repair, alter or improve the dwelling, the Director may:

(1) Cause such dwelling to be repaired, altered or improved, and pending such repairs, alterations or improvements, may order such dwelling vacated and closed.

(2) Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(B) If the owner fails to comply with an order to remove or demolish the dwelling, the Director may:

(1) Cause such dwelling to be vacated and closed, removed or demolished.

(2) Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(C) The duties of the Director set forth in subsections (A) and (B) shall not be exercised until the City Council, by ordinance, shall have ordered the Director to proceed to effectuate the purpose of this article with respect to the particular property or properties which the Director shall have found to be unfit for human habitation and which property or properties shall be described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with this article. Such ordinances shall be recorded in the office of the Register of Deeds of Rockingham County and shall be indexed in the name of the property owner in the grantor index.

(D) The amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Director shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by G.S. Chapter 160A, Article 10. If the dwelling is removed or demolished by the Director, he shall sell the materials of such dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court of Rockingham County by the Director, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court. (Ord. passed 5-15-95)

COMPLAINT AND NOTICE OF HEARING BEFORE  
HOUSING INSPECTOR UNDER HOUSING CODE

**TO:** Owners and parties in interest in the property located at 711 McConnell Avenue  
including any accessory structure of the City of Eden, North Carolina.

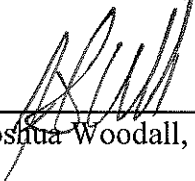
**YOU ARE HEREBY NOTIFIED** that the dwelling unit and/or lot located at the address designated above is in a condition that appears to be unfit for human habitation and to violate the City of Eden Minimum Housing Code as set out in the **ATTACHMENT** which is incorporated herein.

**YOU ARE FURTHER NOTIFIED** that a hearing will be held before the Housing Inspector of the City of Eden at 308 East Stadium Dr. at **8:30 A.M., October 15, 2019**, for the purpose of finding the facts as to whether or not the condition of such property falls within the scope of the above mentioned sections of the Housing Code. At the hearing, you shall be entitled to offer such evidence as is relevant to material to the questions sought to be determined or the remedies to be effected.

**YOU ARE FURTHER NOTIFIED** that if, upon such hearing, the Housing Inspector shall find that the conditions of the above described property do in fact violate the Housing Code, and do in fact render such dwelling unit unfit for human habitation, the Housing Inspector will issue an order in writing directed to the owner of such property requiring the owner to remedy these conditions. The Housing Inspector may make such other orders and take such other procedures as are authorized under the Housing Code and the General Statutes of North Carolina.

Further information as to this matter may be obtained by contacting the undersigned at (336) 623-2110, option 2.

This the 19th day of September, 2019.

  
\_\_\_\_\_  
Joshua Woodall, Codes Inspector

**FINDING OF FACT AND ORDER**

TO: Owners and parties in interest of the property located at **711 McConnell Avenue including any accessory structure**, City of Eden, North Carolina.

The undersigned Housing Inspector of the City of Eden pursuant to law conducted a hearing at the time and place stated in the Complaint and Notice heretofore issued and served, or at a time to which the hearing was continued with previous notice to the above-named owners and parties in interest or their agents or attorneys. At the hearing, the Answer, if any, filed by the owners and parties in interest were carefully analyzed and considered by the undersigned. In addition to other evidence presented, the undersigned personally inspected the property described above, and such inspection and examination has been considered along with the other evidence offered at this hearing.

Upon the record and all of the evidence offered and contentions made, the undersigned Housing Inspector does hereby find the following facts:

1. The above-named owners and parties in interest with respect to the property located at the place specified above were duly served as required by law with written Complaint and Notice of Hearing which set forth the Complaint that the premises located at the above address is unfit for human habitation and violation of the City Minimum Housing Code, and the particulars thereof, and fixed a time and place for a hearing upon the Complaint as provided by law. At the hearing, the following owners, persons in interest or their agents or their agents or attorneys, were present and participated therein:

**Billie Jo Carter and Robert Carter**

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2. The premises described above violate the City Minimum Housing Code, by reason of the conditions found to be present and to exist in and about the structure. Attached is a description of the conditions:

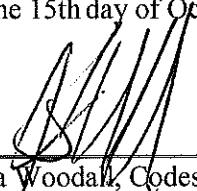
3. Due to conditions, the building and or premises described above is found to be in condition within the meaning of the City Minimum Housing Code.

**IT IS THEREFORE ORDERED** that the owners of the property above are required to bring such property into compliance with the Minimum Housing Code by:

**Repairing, altering, improving or vacating and demolishing the dilapidated structure and cleaning up the premises.**

By a date not later than **JANUARY 15, 2020**.

This the 15th day of October, 2019.

  
\_\_\_\_\_  
Joshua Woodall, Codes Inspector

LOCATION: 711 Mcconnell St

File No. 19001349

**EXHIBIT "A"**

A dwelling is unfit for human habitation **if any one (1)** of the following conditions exists:

**DWELLING UNFIT FOR HUMAN HABITATION (Section 4-75)**

- (1) Seriously listing, leaning or buckling interior walls or vertical studs
- (2) Deteriorating supporting members (33%), outside walls or covering (50%)
- (3) Insufficient floors or roofs (Bedroom floor has collapsed , backroom has large hole in
- (4) Wind or fire damage floor)
- (5) Dilapidation, decay, unsanitary conditions or disrepair (Trash, dirty diapers, old food, dog waste)
- (6) Inadequate egress in case of fire or panic
- (7) Defects increasing fire, accident hazards ( Bedroom floor full of water, drop cords , junk piled up, etc.
- (8) Lack of adequate ventilation, light, heating or sanitary facilities (Bathroom does not appear to function)
- (9) Lack of proper electrical, heating or plumbing facilities (Plumbing not working correctly)
- (10) Lack of connection to potable water supply or public or other approved sewage disposal system

A dwelling is unfit for human habitation if it fails to fully comply with **seven (7) or more** of the following standards of dwelling fitness:

**STRUCTURAL STANDARDS (Section 4-76)**

- (a) Listing, leaning, buckling, rotting, deteriorated or damaged walls, partitions, supporting members, sills, joists, rafters
- (b) Inadequate floors or roofs (OSB for interior floors in some rooms and falling in.)
- (c) Deteriorated foundations, foundation walls, piers
- (d) Improperly maintained steps, stairs, landings, porches
- (e) Inadequate egress in case of fire or panic
- (f) Unsuitable materials or inadequately maintained floors, interior walls or ceilings
- (g) Inadequate provisions for weather and water tightness (missing glass on front door)
- (h) Defective, deteriorated or fire hazardous chimney
- (i) Use of ground for floors or wood floors on ground

**PLUMBING STANDARDS (Section 4-77a)**

- (1) Lack of connection through an approved pipe distribution system to a potable water supply
- (2) Lack of sink, lavatory, tub or shower, and water closet in good working order
- (3) Lack of sink, lavatory, tub or shower, and water closet with both hot and cold water
- (4) Plumbing fixtures not in good working order
- (5) Inaccessible fixtures/inadequate privacy
- (6) Plumbing not installed and/or repaired in accordance with the state plumbing code

**HEATING STANDARDS (Section 4-77b)**

- (1) Heating system, appliances and facilities not installed in accordance with state building code and/or not maintained in a safe, good working condition

**ELECTRICAL STANDARDS (Section 4-77c)**

- (1) Insufficient electric lights and receptacles  
 (2) Inadequately lighted halls, stairways (multiple dwellings)  
 (3) Electrical facilities not in good working order  
 (4) Insufficient capacity of service supply and/or insufficient main disconnect switch

**FIRE PROTECTION SYSTEM (Section 4-77d)**

- (1) Fails to comply with all applicable provisions of the state fire prevention code  
 (2) Lack of approved listed smoke detector

**KITCHEN FACILITIES (Section 4-77e)**

- (1) Lack of food preparation surfaces impervious to water and free of food/liquid trapping defects  
 (2) Shelves, cabinets and drawers in good repair  
 (3) Lack of freestanding or permanently installed cook stove  
 (4) Lack of mechanical refrigeration equipment

**SAFE AND SANITARY MAINTENANCE STANDARDS (Section 4-80)**

- (a) Foundation walls, exterior walls or roofs in disrepair, not weather tight, watertight, or rodent proof  
 (b) Floors, interior walls or ceilings of unsuitable materials which promote sanitation, cleanliness, and privacy  
 (c) Windows, exterior doors in disrepair, not weather tight, watertight or rodent proof  
 (d) Unsound inside or outside stairs, porches or appurtenances  
 (e) Inadequate bathroom or kitchen floor surface  
 (f) Improperly maintained supplied facilities, equipment or utility  
 (g) Inadequate means of egress provided or means of ingress/egress obstructed

**INSECT, RODENT AND INFESTATION CONTROL STANDARDS (Section 4-81)**

- (a) Missing exterior door opening screens or self closing devices (except mechanically ventilated or air conditioned.)  
 (b) Missing window or other opening screens (except operable central heating and adequate cooling equipment for mechanically ventilating)  
 (c) Improperly installed or maintained screens on windows and doors.  
 (d) Missing basement or cellar window or other opening screens to prevent rodent entry  
 (e) Inadequately maintained dwelling - to be free of infestation of insects, rodents, or other pests.  
 (f) Inadequate provision of approved containers and covers for storage and removal of rubbish.

- (g) Inadequate provision of an approved garbage disposal facility
- (h) Improper storage of furniture, vehicle parts, junk, equipment, or other material which harbor insects, rodents, or other pests.

**ROOMING HOUSE STANDARDS (Section 4-82)**

- (a) Inadequate provision of accessible water closet, lavatory basins, bathtubs/shower with hot & cold water
- (b) Inadequate room floor area for sleeping purposes.
- (c) Inadequate sanitary maintenance of all walls, floors, ceilings, and other parts of rooming house and premises.
- (d) Lack of privacy for required water closet, flush urinal, lavatory basin or bathtub/shower

**Note: Items checked indicate violations applicable to subject property.**





PRIVATE  
PROPERTY

22P









Prepared by and Return to:  
Erin B. Gilley

AN ORDINANCE AND ORDER  
FOR THE DEMOLITION OF  
PROPERTY AT 711 MCCONNELL AVENUE,  
EDEN, NORTH CAROLINA

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

WHEREAS, on the 17th day of September, 2019, the Director of the Planning and Inspections Department examined the dwelling owned by Robert D. Carter and Billie Jo Carter at 711 McConnell Avenue, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at an iron pipe in the western line of McConnell Avenue (formerly Park Avenue), said iron pipe being the corner between Lots 15 and 16; thence S. 88° 43' W. 128.25 feet with line of Lot 15 to an iron pipe; thence N. 8° 20' E. 77.05 feet with line of Lot 5 and 4 to an iron pipe; thence N. 88° 43' E. 116.95 feet with line of Lot 17 to an iron pipe in the western line of McConnell Avenue; thence S. 3° 9' W. 19 feet and S. 1° 17' E. 57 feet each to an iron pipe and with the western line of McConnell Avenue to the point of beginning and is all of Lot 16. Block 57. For further reference see Deed Book 791, page 15, Rockingham County Registry.

The above described property being more commonly known as 711 McConnell Avenue, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7979-10-26-9933-00 and Parcel No. 138199.

WHEREAS, on the 19th day of September, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 15th day of October, 2019, which was served on the property owners by first class mail and certified mail, return receipt requested; the certified mail was returned by the U. S. Postal Service marked "Unclaimed."

WHEREAS, the hearing was held on the 15th day of October, 2019, and the Director issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owners by posting a copy on the subject property on the 21st day of October, 2019, and by first class mail and certified mail, return receipt requested; that the certified mail was returned by the U. S. Postal Service marked "Unclaimed;" and

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

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

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

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the names of Robert D. Carter, Billie Jo Carter and Billie Jo Carter Manley in the Grantor and Grantee index.

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

APPROVED, ADOPTED AND EFFECTIVE, this 15th day of September, 2020.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

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



# Planning and Inspections Department

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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:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** Human Habitation Standards Action/617 Spring Street  
**Date:** September 3, 2020

Attached you will find a section of the Human Habitation Standards Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish. Also attached is a copy of the Complaint and Notice of Hearing which sets out the violations found at the initial inspection and a copy of the Findings of Fact and Order. The City of Eden Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure. Five (5) bids were submitted to this department as follows:

Sam W. Smith, Inc.	\$ 8,000.00
Kenny Frith	\$ 4,700.00
Brad Fisher Hauling	\$ 4,900.00
Loye Grading	\$14,075.00
Rabco Inc of NC	\$ 7,690.00

Staff recommends that Kenny Frith be awarded the bid for the demolition of the house with the lowest bid being in the amount of \$4,700.00.

Once the demolition is done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments. Special assessments are a lien only on the property in question. That means the best remedy available to us is foreclosure. There is no guarantee that these funds can be recovered.

**§ 4-90 FAILURE TO COMPLY WITH ORDER; OWNER.**

(A) If the owner fails to comply with an order to repair, alter or improve the dwelling, the Director may:

(1) Cause such dwelling to be repaired, altered or improved, and pending such repairs, alterations or improvements, may order such dwelling vacated and closed.

(2) Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(B) If the owner fails to comply with an order to remove or demolish the dwelling, the Director may:

(1) Cause such dwelling to be vacated and closed, removed or demolished.

(2) Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(C) The duties of the Director set forth in subsections (A) and (B) shall not be exercised until the City Council, by ordinance, shall have ordered the Director to proceed to effectuate the purpose of this article with respect to the particular property or properties which the Director shall have found to be unfit for human habitation and which property or properties shall be described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with this article. Such ordinances shall be recorded in the office of the Register of Deeds of Rockingham County and shall be indexed in the name of the property owner in the grantor index.

(D) The amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Director shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by G.S. Chapter 160A, Article 10. If the dwelling is removed or demolished by the Director, he shall sell the materials of such dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court of Rockingham County by the Director, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court. (Ord. passed 5-15-95)

COMPLAINT AND NOTICE OF HEARING BEFORE  
HOUSING INSPECTOR UNDER HOUSING CODE

**TO:** Owners and parties in interest in the property located at 617 Spring Street including any accessory structure of the City of Eden, North Carolina.

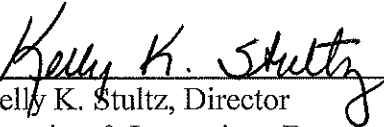
**YOU ARE HEREBY NOTIFIED** that the dwelling unit and/or lot located at the address designated above is in a condition that appears to be unfit for human habitation and to violate the City of Eden Minimum Housing Code as set out in the **ATTACHMENT** which is incorporated herein.

**YOU ARE FURTHER NOTIFIED** that a hearing will be held before the Housing Inspector of the City of Eden at 308 East Stadium Dr. at **9:00 A.M., May 29, 2019**, for the purpose of finding the facts as to whether or not the condition of such property falls within the scope of the above mentioned sections of the Housing Code. At the hearing, you shall be entitled to offer such evidence as is relevant to material to the questions sought to be determined or the remedies to be effected.

**YOU ARE FURTHER NOTIFIED** that if, upon such hearing, the Housing Inspector shall find that the conditions of the above described property do in fact violate the Housing Code, and do in fact render such dwelling unit unfit for human habitation, the Housing Inspector will issue an order in writing directed to the owner of such property requiring the owner to remedy these conditions. The Housing Inspector may make such other orders and take such other procedures as are authorized under the Housing Code and the General Statutes of North Carolina.

Further information as to this matter may be obtained by contacting the undersigned at (336) 623-2110.

This the 1st day of May, 2019.

  
\_\_\_\_\_  
Kelly K. Stultz, Director  
Planning & Inspections Department



LOCATION: 617 Spring Street

File No. 19000567

**EXHIBIT "A"**

A dwelling is unfit for human habitation if **any one (1)** of the following conditions exists:

**DWELLING UNFIT FOR HUMAN HABITATION (Section 4-75)**

- (1) Seriously listing, leaning or buckling interior walls or vertical studs
- (2) Deteriorating supporting members (33%), outside walls or covering (50%)
- (3) Insufficient floors or roofs
- (4) Wind or fire damage
- (5) Dilapidation, decay, unsanitary conditions or disrepair
- (6) Inadequate egress in case of fire or panic
- (7) Defects increasing fire, accident hazards
- (8) Lack of adequate ventilation, light, heating or sanitary facilities
- (9) Lack of proper electrical, heating or plumbing facilities
- (10) Lack of connection to potable water supply or public or other approved sewage disposal system

A dwelling is unfit for human habitation if it fails to fully comply with **seven (7) or more** of the following standards of dwelling fitness:

**STRUCTURAL STANDARDS (Section 4-76)**

- (a) Listing, leaning, buckling, rotting, deteriorated or damaged walls, partitions, supporting members, sills, joists, rafters
- (b) Inadequate floors or roofs
- (c) Deteriorated foundations, foundation walls, piers
- (d) Improperly maintained steps, stairs, landings, porches
- (e) Inadequate egress in case of fire or panic
- (f) Unsuitable materials or inadequately maintained floors, interior walls or ceilings
- (g) Inadequate provisions for weather and water tightness
- (h) Defective, deteriorated or fire hazardous chimney
- (i) Use of ground for floors or wood floors on ground

**PLUMBING STANDARDS (Section 4-77a)**

- (1) Lack of connection through an approved pipe distribution system to a potable water supply
- (2) Lack of sink, lavatory, tub or shower, and water closet in good working order
- (3) Lack of sink, lavatory, tub or shower, and water closet with both hot and cold water
- (4) Plumbing fixtures not in good working order
- (5) Inaccessible fixtures/inadequate privacy
- (6) Plumbing not installed and/or repaired in accordance with the state plumbing code

**FINDING OF FACT AND ORDER**

TO: Owners and parties in interest of the property located at **617 Spring Street including any accessory structure**, City of Eden, North Carolina.

The undersigned Housing Inspector of the City of Eden pursuant to law conducted a hearing at the time and place stated in the Complaint and Notice heretofore issued and served, or at a time to which the hearing was continued with previous notice to the above-named owners and parties in interest or their agents or attorneys. At the hearing, the Answer, if any, filed by the owners and parties in interest were carefully analyzed and considered by the undersigned. In addition to other evidence presented, the undersigned personally inspected the property described above, and such inspection and examination has been considered along with the other evidence offered at this hearing.

Upon the record and all of the evidence offered and contentions made, the undersigned Housing Inspector does hereby find the following facts:

1. The above-named owners and parties in interest with respect to the property located at the place specified above were duly served as required by law with written Complaint and Notice of Hearing which set forth the Complaint that the premises located at the above address is unfit for human habitation and violation of the City Minimum Housing Code, and the particulars thereof, and fixed a time and place for a hearing upon the Complaint as provided by law. At the hearing, the following owners, persons in interest or their agents or their agents or attorneys, were present and participated therein:

NONE

2. The premises described above violate the City Minimum Housing Code, by reason of the conditions found to be present and to exist in and about the structure listed below:

**Dilapidation, decay, unsanitary conditions or disrepair**

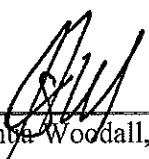
3. Due to conditions, the building and or premises described above is found to be in condition within the meaning of the City Minimum Housing Code.

**IT IS THEREFORE ORDERED** that the owners of the property above are required to bring such property into compliance with the Minimum Housing Code by:

**Repairing, altering, improving or vacating and demolishing the dilapidated structure and cleaning up the premises.**

By a date not later than **August 19, 2019**.

This the 19th day of June, 2019.

  
\_\_\_\_\_  
Joshua Woodall, Codes Inspector





ARC  
OG



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Prepared by and Return to:  
Erin B. Gilley

AN ORDINANCE AND ORDER  
FOR THE DEMOLITION OF  
PROPERTY AT 617 SPRING STREET,  
EDEN, NORTH CAROLINA

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

WHEREAS, on the 30th day of April, 2019, the Director of the Planning and Inspections Department examined the dwelling owned by Tina Lynn Church, Timothy Hodges, Iris Lee Jones Thompson and Otis Lee Jones, Jr. at 617 Spring Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

Beginning at an iron on the N. edge of Spring St. said iron being with the N. edge of Spring St. N. 82 deg. 50 min. W. 90 ft. and continuing S. 85 deg. 42 min. W. 62.34 ft. and continuing N. 79 deg. 08 min. W. 150.83 ft., a total distance with the N. edge of Spring St. of 303.17 ft. from the N. W. corner of the intersection of Spring St. by Park Road; thence N. 10 deg. 52 min. E. 138.7 ft. to an iron; thence N. 65 deg. 01 min. W. 168.17 ft. to an iron; thence S. 33 deg. 16 min. W. 168.4 ft. to an iron in the N. edge of Spring St.; thence with the N. edge of Spring St. S. 71 deg. 47 min. E. 187.67 ft. to an iron and continuing S. 79 deg. 08 min. E. 41.2 ft. to the point of beginning and containing 30,675 sq. ft. more or less. Same being two unnumbered lots, Section 11, Primitive Heights, as per map by W. B. Trogdon, March, 1921, revised 9-8-28 and supplemental survey by W. T. Combs, 1947.

The above described property being more commonly known as 617 Spring Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-15-54-8355-00.

WHEREAS, on the 1st day of May, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 29th day of May, 2019, which was served on the property owners by first class mail and certified mail, return receipt requested; Tina Lynn Church signed for her certified mail on May 3, 2019; Timothy Hodges signed for his certified mail on May 1, 2019; Otis Lee Jones, Jr. signed for his certified mail on May 3, 2019; and the certified mail addressed to Iris Jones Thompson was returned by the U. S. Postal Service marked "Unclaimed;" the Complaint and Notice of Hearing was posted on the subject property on the 3rd day of May, 2019; and

WHEREAS, the hearing was held on the 29th day of May, 2019, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the dwelling located on the property; and

WHEREAS, a copy of the Order was served on the property owners by posting a copy on the subject property on the 20th day of June, 2019, and by first class mail and certified mail, return receipt requested; that Otis Lee Jones, Jr. signed for his certified mail on June 21, 2019; that Iris Jones Thompson signed for her certified mail on July 5, 2019; and the certified mail addressed to Tina Lynn Church and Timothy Hodges was returned by the U. S. Postal Service marked "Unclaimed;" and

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

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

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

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

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the names of Peggy Jean Hodges Church, Tina Lynn Church, Timothy Hodges, Iris Jones Thompson and Otis Lee Jones, Jr. in the Grantor and Grantee index.

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

APPROVED, ADOPTED AND EFFECTIVE, this 15th day of September, 2020.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

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



# Planning and Inspections Department

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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:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** Human Habitation Standards Action/1503 E. Meadow Road  
**Date:** September 3, 2020

Attached you will find a section of the Human Habitation Standards Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish. Also attached is a copy of the Complaint and Notice of Hearing which sets out the violations found at the initial inspection and a copy of the Findings of Fact and Order. The City of Eden Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure. Five (5) bids were submitted to this department as follows:

Sam W. Smith, Inc.	\$ 15,000.00
Kenny Frith	\$ 6,500.00
Brad Fisher Hauling	\$ 8,500.00
Loye Grading	\$ 12,975.00
Rabco Inc of NC	\$ 10,650.00

Staff recommends that Kenny Frith be awarded the bid for the demolition of the house with the lowest bid being in the amount of \$6,500.00.

Once the demolition is done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments. Special assessments are a lien only on the property in question. That means the best remedy available to us is foreclosure. There is no guarantee that these funds can be recovered.



**§ 4-90 FAILURE TO COMPLY WITH ORDER; OWNER.**

(A) If the owner fails to comply with an order to repair, alter or improve the dwelling, the Director may:

(1) Cause such dwelling to be repaired, altered or improved, and pending such repairs, alterations or improvements, may order such dwelling vacated and closed.

(2) Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(B) If the owner fails to comply with an order to remove or demolish the dwelling, the Director may:

(1) Cause such dwelling to be vacated and closed, removed or demolished.

(2) Cause to be posted on the main entrance of any dwelling so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a Class 1 misdemeanor.

(C) The duties of the Director set forth in subsections (A) and (B) shall not be exercised until the City Council, by ordinance, shall have ordered the Director to proceed to effectuate the purpose of this article with respect to the particular property or properties which the Director shall have found to be unfit for human habitation and which property or properties shall be described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with this article. Such ordinances shall be recorded in the office of the Register of Deeds of Rockingham County and shall be indexed in the name of the property owner in the grantor index.

(D) The amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Director shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by G.S. Chapter 160A, Article 10. If the dwelling is removed or demolished by the Director, he shall sell the materials of such dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court of Rockingham County by the Director, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court. (Ord. passed 5-15-95)

COMPLAINT AND NOTICE OF HEARING BEFORE  
HOUSING INSPECTOR UNDER HOUSING CODE

**TO:** Owners and parties in interest in the property located at 1503 E. Meadow Road including any accessory structure of the City of Eden, North Carolina.

**YOU ARE HEREBY NOTIFIED** that the dwelling unit and/or lot located at the address designated above is in a condition that appears to be unfit for human habitation and to violate the City of Eden Minimum Housing Code as follows:

**Dilapidation, decay, unsanitary conditions or disrepair**

**YOU ARE FURTHER NOTIFIED** that a hearing will be held before the Housing Inspector of the City of Eden at 308 East Stadium Dr. at **8:30 A.M., May 30, 2019**, for the purpose of finding the facts as to whether or not the condition of such property falls within the scope of the above mentioned sections of the Housing Code. At the hearing, you shall be entitled to offer such evidence as is relevant to material to the questions sought to be determined or the remedies to be effected.

**YOU ARE FURTHER NOTIFIED** that if, upon such hearing, the Housing Inspector shall find that the conditions of the above described property do in fact violate the Housing Code, and do in fact render such dwelling unit unfit for human habitation, the Housing Inspector will issue an order in writing directed to the owner of such property requiring the owner to remedy these conditions. The Housing Inspector may make such other orders and take such other procedures as are authorized under the Housing Code and the General Statutes of North Carolina.

Further information as to this matter may be obtained by contacting the undersigned at (336) 623-2110.

This the 9th day of May, 2019.

  
\_\_\_\_\_  
Joshua Woodall, Codes Inspector

**FINDING OF FACT AND ORDER**

TO: Owners and parties in interest of the property located at **1503 E. Meadow Road including any accessory structure**, City of Eden, North Carolina.

The undersigned Housing Inspector of the City of Eden pursuant to law conducted a hearing at the time and place stated in the Complaint and Notice heretofore issued and served, or at a time to which the hearing was continued with previous notice to the above-named owners and parties in interest or their agents or attorneys. At the hearing, the Answer, if any, filed by the owners and parties in interest were carefully analyzed and considered by the undersigned. In addition to other evidence presented, the undersigned personally inspected the property described above, and such inspection and examination has been considered along with the other evidence offered at this hearing.

Upon the record and all of the evidence offered and contentions made, the undersigned Housing Inspector does hereby find the following facts:

1. The above-named owners and parties in interest with respect to the property located at the place specified above were duly served as required by law with written Complaint and Notice of Hearing which set forth the Complaint that the premises located at the above address is unfit for human habitation and violation of the City Minimum Housing Code, and the particulars thereof, and fixed a time and place for a hearing upon the Complaint as provided by law. At the hearing, the following owners, persons in interest or their agents or their agents or attorneys, were present and participated therein:

NONE

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2. The premises described above violate the City Minimum Housing Code, by reason of the conditions found to be present and to exist in and about the structure listed below:

**Dilapidation, decay, unsanitary conditions or disrepair**


3. Due to conditions, the building and or premises described above is found to be in condition within the meaning of the City Minimum Housing Code.

**IT IS THEREFORE ORDERED** that the owners of the property above are required to bring such property into compliance with the Minimum Housing Code by:

**Repairing, altering, improving or vacating and demolishing the dilapidated structure and cleaning up the premises.**

By a date not later than **August 19, 2019**.

This the 19th day of June, 2019.

  
\_\_\_\_\_  
Joshua Woodall, Codes Inspector



















Prepared by and Return to:  
Erin B. Gilley

AN ORDINANCE AND ORDER  
FOR THE DEMOLITION OF  
PROPERTY AT 1503 E. MEADOW ROAD,  
EDEN, NORTH CAROLINA

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

WHEREAS, on the 8th day of May, 2019, the Director of the Planning and Inspections Department examined the dwelling owned by Sara Morrison Dunovant at 1503 E. Meadow Road, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at an iron marking the northeast corner of the intersection of Meadow Road by Depot Street (Main Street) thence with the north edge of Meadow Road, North 85 deg. 0 min. E. 145.4 feet to an iron; thence continuing with the north edge of Meadow Road as it curves 48.74 feet (a total distance with the north edge of Meadow Road of 194.14 feet) to an iron marking the southwest corner of Lot No. 10, Section No. 2; thence with the west line of Lot No. 10, North 17 deg. 35 min. West and said west line extending said course 350.18 feet to an iron set on the south bank of Dry Creek; thence with the south bank of Dry Creek South 88 deg. 45 min. West 114.2 feet to an iron set at the intersection of the east line of Depot Street (Main Street) and the south bank of Dry Creek; thence with the east line of Depot Street (Main Street) South 4 deg. 21 min. East 352.01 feet to the POINT OF BEGINNING and containing 54,480 sq. ft. more or less, same being Lots 5, 6, 7, 8 and 9, Section 2, and acreage lying between said lots and Dry Creek as per map of North Draper and Meadow Road made by Clodfelder and Schisler on November 26, 1929, and supplementary survey by H. S. Pierce made January 16, 1936.

SAVE AND EXCEPT the following transfers, book 382, page 62, to Ezra Lewis Furches and wife, Anna Belle Furches, Book 419, Page 199, to Elmo Lemons and wife, Doris F. Lemons and book 480, page 114, to Ezra Lewis Furches and wife, Anno Belle Furches. Deed Reference: Book 706, page 580.

The above described property being more commonly known as 1503 E. Meadow Road, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7090-07-59-4232-00.

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

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

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

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

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

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

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

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

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

APPROVED, ADOPTED AND EFFECTIVE, this 15th day of September, 2020.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

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



# Planning and Inspections Department

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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:** Jon Mendenhall, City Manager  
**FROM:** Kelly K. Stultz, AICP, Director  
**SUBJECT:** **Annexation Request – 106 Fireman Club Road**  
**DATE:** September 3, 2020

The City has received a voluntary annexation request for property located at 106 Fireman Club Road. This property is owned by Judy F. Robertson.

A motion to adopt a "Resolution Directing the Clerk to Investigate a Petition Received under G.S. 160A-58.1" is in order.

# Eden Drive In

## PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

Date: 8/28/20

To the City Council of the City of Eden, North Carolina:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Eden.
2. The area to be annexed is non-contiguous to the City of Eden and the boundaries of such territory are as described in the attached Deed.
3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Eden.
4. We acknowledge that any zoning vested rights acquired pursuant to N.C.G.S. 160A-385.1 or N.C.G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

<u>Name</u>	<u>Address</u>	<u>Do you declare Vested rights? Yes or No</u>	<u>Signature</u>
Judy Robertson	262 Smith Acres Rd Eden, NC 27288		Judy Robertson
Address of PIO	106 Euerman's Club Road		

City of Eden  
106 Fireman Club Road  
A-20-02





**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER N.C.G.S. 160A-58.1**

WHEREAS, a Petition requesting annexation of an area described in said Petition was received on August 28, 2020, by the City Council of the City of Eden; and

WHEREAS, N.C.G.S. 160A-58.2 provides that the sufficiency of the Petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Eden deems it advisable to proceed in response to these requests for annexation:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eden that:

The City Clerk is hereby directed to investigate the sufficiency of the above described Petition and to certify as soon as possible to the City Council the result of her investigation.

This the 15th day of September, 2020.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

\_\_\_\_\_  
Deanna Hunt, CMC  
City Clerk

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## **CITY OF EDEN – MEMORANDUM**

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**TO:** HONORABLE MAYOR AND CITY COUNCIL

**THRU:** JON MENDENHALL, CITY MANAGER

**FROM:** ERIN GILLEY, CITY ATTORNEY

**DATE:** SEPTEMBER 2, 2020

**SUBJECT:** DOWNTOWN DEVELOPMENT WATER CONNECTION FEE POLICY

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City Council has established a Municipal Service District for downtown revitalization. The goal of downtown revitalization is to have these areas and buildings restored to their former prominence so that they can contribute to the quality of the downtown areas and generate tax and utility revenue.

Staff is proposing a water connection fee waiver for any developer in the Municipal Service District Areas who creates or adds at least 8 new water accounts. Any developer who proposes a project in a Municipal Service District in which at least 8 new water accounts (residential or commercial) are created in one location would be entitled to have all the water connection fees (fees for meter and riser connection) associated with the new water accounts waived.

This waiver would not encumber any restricted amount or existing city funds. The fees in question would only have been generated from a new project. The benefit to the City is that the fee waiver will help encourage building renovation and development in the areas that are in need of revitalization. New water and sewer revenue will be added to the City because of the additional water or sewer accounts and will offset the waiver of fees.

The intent of this proposal is to create a policy that makes this fee waiver available to any developer or property owner in these areas upon installation. Please consider this policy at your September 15, 2020 meeting, and do not hesitate to contact me if you should have any questions or concerns.



ADMINISTRATIVE POLICIES & PROCEDURES MANUAL		Subject: Economic Development Water Connection Fees Waiver	
Number:  ED-1	Revision:	Effective Date:  September 16, 2020	Page:  1
Supersedes:		Neville Hall, Mayor	

ED - 1 Authority:

This policy was approved by the Eden City Council on September 15, 2020.

ED - 1.1 Purpose:

The purpose of this policy is to promote economic development in underused and blighted downtown areas, specifically the Municipal Service Districts, that are in need of revitalization.

ED - 1.2 Policy:

Any project located in an established Municipal Service District in which at least 8 new water accounts (residential or commercial) are created in one location would be entitled to have all the water connection fees (fees for meter and riser connection) associated with the new water accounts waived.



**City Manager's Report**  
**September 2020**  
City Manager Jon Mendenhall

**ADMINISTRATION**

**Eden Youth Council**

The new members of the Eden Youth Council will be sworn in at the City Council meeting on September 15. We are pleased to welcome 13 new members for this term, bringing our council to full capacity. We are very excited to provide our participants with service opportunities, development of leadership and professional skills, networking amongst civic leaders, coordinated opportunities for Eden youth, and a great experience to list on resumes and college applications.

**ECONOMIC DEVELOPMENT**

***Industry***

**Gildan Yarns**

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

**Night Owl National Stoneworks**

This company is a granite and quartz fabrication center located in the former K-Mart building on Meadow Road. They are hiring electricians, electricians' helpers, granite polishers, CNC machine operators, forklift operators, finish carpenters, sheetrock workers and framers.

Visit [www.noncstoneworks.com/careers](http://www.noncstoneworks.com/careers) or call 888-283-6303 for more information.

**Eden Venture Business Park**

The former Eden Mall is now the Eden Venture Business Park. The building exterior has been painted and outside appearance improved dramatically. The new owner is seeking professional and light industrial tenants. They will build to suit your needs. Visit [www.edenventurebusinesspark.com](http://www.edenventurebusinesspark.com) for more information and to apply.

## ***Commercial***

### **Divine Nutrition**

This new business has opened at 403 W. Kings Highway, Suite B (next to Allstate Insurance). They offer healthy smoothies and energy drinks plus personal coaching. Hours are 6 a.m. until 6 p.m. Monday through Saturday. Call 336-512-9699 for more information or visit <http://Nutritionbychrissy.goherbalife.com>

### **Planet Fitness-Now Open!**

This Kingsway Plaza business is now open after several months of being closed as a result of Executive Order No. 141. Planet Fitness will help you keep in shape after months of being idle. You can visit them at 220 W. Kings Highway or call 336-279-5603 for more information.

### **MJ's Barbeque-New Downtown Draper Business**

Local resident John Moore opened the former Jerry's Restaurant, located at 121 N. Fieldcrest Road in the downtown Draper area, the week of August 17. They are open Tuesday through Saturday. Call 336-635-2575 for pick up or dine in.

### **Proper Pour Events**

This company has 21 years of award-winning experience providing a unique, custom curated bartending service for any and all events. They cater to all of your beverage needs throughout N.C. and surrounding areas. They consult with their clients to cover every detail of weddings, birthdays, corporate events, engagements and parties. Choose from any one of their unique mobile bars to elevate your event. They customize their services to your event needs. There are several mobile bar options.

Owner Will Combs brought his Proper Pour Events to the recent Central Hotel unveiling. They did an excellent job supplying the event's needs. This is a great way to add some class to your event. Visit [www.properpourevents.com](http://www.properpourevents.com) or call 336-456-4891 for more information.

### **The Blissful Palette Catering & Events**

Owner Jarrett Nykamp offers a full catering menu and can help plan your event from start to finish. Great taste and a great experience is the name of the game and they are committed to stepping up to the plate to provide a memorable event with delicious and blissful options. All meals are prepared with fresh ingredients and an artistic flare. If you are looking for someone to provide food at your next event, they will cater both large and small events, including business lunches, weddings, cocktail receptions and more. Call Jarrett at 336-520-0121 or visit [www.TheBlissfulPalette.com](http://www.TheBlissfulPalette.com) for more information.

## ***COVID-19***

### **Legal Protections**

A recent webinar sponsored by the N.C. Economic Development Association was held concerning legal protections against COVID-19 related lawsuits provided to N.C. businesses under SB 704 and HB 118. If businesses are diligent in posting masking, social distancing and cleanliness procedures, as well as pick-up options for retailers and restaurants, they will not be exposed to lawsuits. Only those companies that are blatantly negligent are not covered by this legislation.

## ***Main Street***

### **634-638 Washington Street**

Initial drawings for new retail spaces and apartments at 634-638 Washington Street have been proposed. The former Leaksville Hardware and Belk building could start construction as early as late fall.

### **624 Washington Street**

Finishing work continues on the apartments located at 624 Washington Street as workers touch up exterior details, apply stucco and paint the building. Equipment has been ordered to outfit the downstairs restaurant, as well as large roll up glass doors for the front façade.

### **Central Hotel**

The renovation of the Central Hotel located at 625 Washington Street is moving forward with the majority of interior demolition complete. The upper floor has been framed enabling plumbing and wiring to begin while multiple crews continue working on alternating floors.

### **Merrick's Collision and Restoration Service**

Merrick's Collision and Restoration Service located at 259 The Boulevard is having extensive improvements made to their showroom and façade. New lighting, flooring and a lounge are being installed.

### **Historic Eden Merchant Association**

The Historic Eden Merchant Association has begun to meet again. They are proposing adding new identifying information to be incorporated into existing logos that were created by the City's branding study. The partnership is part of the City's original Strategic Plan and follows its rollout timeline.

### ***Tourism and Special Events***

#### **Otter Holt/Sculpture Celebration**

What a great morning! It was very exciting to see so many folks come out. Thank you to Brian Williams, Tiffany Haworth and all of DRBA for their great partnership on the Otter Holt Project. Another huge thanks to Municipal Services, Street Department and Facilities & Grounds for all of their help with both projects and the morning of the event. These are two very cool projects that really make Eden unique.

### **Great River Race**

There is still time to enter the great River Race on September 19. Call Jennifer at the Eden Chamber of Commerce and get registered: 336-623-3336.

We will launch at the Klyce Street Landing at 9 a.m. and finish 1.07 miles down the beautiful Dan River at the Leaksville Landing. Lots of fun!

### **Readers' Choice**

Thanks to everyone who voted for our fun events and beautiful trails in Rockingham Now's Readers' Choice 2020 Best of Rockingham County. RiverFest, Oink & Ale, Grogan Park, Smith River Greenway Butterfly Trail and the Matrimony Creek Nature Trail were all winners!

### **Eden Trails & Tracks**

Cooler temps are ahead that make for great walking and jogging weather! Check out all of Eden's beautiful trails and walking tracks located all over the City!

### **Our State Magazine Article**

Eden's music heritage is part of an article in the September issue of Our State Magazine entitled '*Music at the Crossroads.*' Check it out!

## ENGINEERING

### **FY 2020-21 Street Resurfacing Contract**

Waugh Asphalt, Inc. completed the construction on the FY 2020-21 Street Resurfacing Contract on September 8. Sectors of the following streets were included in this year's resurfacing contract: Kemp Street, Oakwood Drive, Westwood Drive, Fagg Drive, Spruce Street, Greenwood Street, Morehead Street, James Street, John Street, Pine Lane, Panther Lane, Carpenter Road, Hairston Street, Ridge Avenue, Delaware Avenue, Maryland Avenue and South Avenue.

### **Kings Highway – NCDOT Road Resurfacing**

The N.C. Department of Transportation has scheduled to resurface Kings Highway from Fagg Drive to Boone Road over the next several weeks. APAC-Atlantic, Inc. will be the primary contractor. The work is scheduled to be completed during daytime hours, so traffic delays should be expected.

## INFORMATION TECHNOLOGY

### **Cybersecurity Awareness**

It is no secret that Americans' online presence has grown exponentially over the past two decades. It's almost an expectation that every business you deal with will have an online presence. From banking, to shopping, to even exercise, our life is increasingly online. As a result, a billion-dollar criminal industry has grown up around us gaining access to online accounts and information. Identity theft, ransomware, phishing and a wide variety of other scams from fake tech support to advance fee scams make the internet feel like a minefield full of dangers.

The month of October was established as Cybersecurity Awareness Month. It was started by the Department of Homeland Security and the National Cyber Security Alliance in 2004 with the goal to help the nation's citizens to be safer online. Over the years, the month has had a series of themes. This year, the theme is "Do your part. #BeCyberSmart." Each week of October will focus on a different area of cyber security. StaySafeOnline.org breaks down the month's themes thusly:

Week of October 5 (Week 1): If You Connect It, Protect It

Week of October 12 (Week 2): Securing Devices at Home and Work

Week of October 19 (Week 3): Securing Internet-Connected Devices in Healthcare

Week of October 26 (Week 4): The Future of Connected Devices

Many organizations across the US participate in Cybersecurity Month each year and the City of Eden is no different. Our IT department will be providing our employees with training in line with this year's theme. Citizens can also do their part to #BeCyberSmart. Here are some online resources with tips and tricks to make your online life safer:

[www.staysafeonline.org](http://www.staysafeonline.org)

[www.cisa.gov/cyber-safety](http://www.cisa.gov/cyber-safety)

[www.eff.org/pages/tools](http://www.eff.org/pages/tools)

[www.youtube.com/watch?v=Q7WDL7qZPwQ](https://www.youtube.com/watch?v=Q7WDL7qZPwQ) (From the SANS Institute, a trusted leader in security training)

This October, let's all do our part and #BeCyberSmart!

## **MUNICIPAL SERVICES**

### **Matrimony Creek Nature Trail Repair Update**

Eden's greenways and trails are typically built on sewer line outfalls that run along creeks and rivers. They have multiple uses, such as walking, jogging, biking and horseback riding, which make for a great environment to be out and enjoy the beautiful outdoors.

Municipal Services is currently looking at the cost to repair and open the first three-quarter mile of the Matrimony Creek Nature Trail for citizens to once again use and enjoy. The remaining one-quarter mile is awaiting plan approval from the Army Corps of Engineers, at which point the City will estimate costs and seek City Council approval to begin making the necessary repairs. Plans include measures to help control flooding and erosion of the trail. All work will be completed in house by City of Eden employees.

## **PARKS AND RECREATION**

### **COVID-19 Updates-Phase 2.5**

All Parks and Recreation facilities are open in a limited capacity due to Governor Roy Cooper's Phase 2.5 regarding COVID-19. Please note, at all open indoor facilities, staff will have participants sign in and answer questions regarding symptoms of COVID-19 before they are allowed into the facility. Staff will also sanitize the facility before, during and at the end of each evening.

### **Bridge Street & Mill Avenue Recreation Centers**

These two facilities will be open Monday through Friday from 2 p.m. until 7 p.m. to give children a place to go while school is being conducted remotely and to assist with homework. There will be a maximum of 25 participants allowed at any given time.

### **Citywide Playgrounds**

All playgrounds are open.

### **Eden City Hall**

City Hall is now open to individuals needing to conduct business within the Finance Department. In order to comply with social distancing guidelines, we ask that you wear a mask and remain six feet apart from others as there will be markings in the lobby appropriately spaced.

Staff from other departments within City Hall can meet with individuals in the lobby or in the front Conference Room if needed.

### **Facility Rentals**

There will continue to be no facility rentals due to the limited number of individuals allowed in a facility only being 25.

### **Freedom Park**

The park will continue to operate by maintaining social distancing during the use of the park by citizens. This includes the walking track, basketball courts, skateboard park, nature trail and dog park. The Splash Pad will continue to operate with a maximum of 25 users at a time through September or until the weather turns cool. However, there will continue to be no shelter rentals at this time.



The Freedom Park Softball Complex and Multi-Purpose Field will continue to operate as it did in Phase 2 with no weekend tournaments being held.

### **Garden of Eden Center**

This facility is operating with a limited capacity of 25 participants at any given time and will be open to the public Monday through Friday from 8 a.m. until 5 p.m.

## **PLANNING & INSPECTIONS**

### **GIS**

Staff is continuing to work with ESRI representatives to train for the new services that are now available to the City. ESRI has provided Python scripts to help develop routes for the Solid Waste division to use with mobile devices for navigation directions.

Engineering staff, as well as a member of the Collections and Distribution department, are providing locations and data for sewer manholes, gravity main lines and water valves that will be added to the City's maps.

### **Unified Development Ordinance**

A public meeting will be held in Grogan Park on Thursday, September 10 from 4 p.m. until 6 p.m. A public hearing will be held at the October regular meeting of the City Council to consider the text of the proposed ordinance. A public hearing on proposed zoning and other maps will be held at the November regular meeting of the City Council.

One of the new requirements of Chapter 160D is that all local governments are required to have a Technical Review Committee (TRC). The statutes require that all applications for development must be reviewed by the TRC before they are taken before any of the City of Eden's Boards and Commissions. This committee will consist of department heads with the meetings being considered public meetings. Applicants and their representatives will be allowed to be in attendance. City projects will be included.

### **Stadium Drive Sidewalk**

The design phase of this project is nearing completion. NCDOT staff assures the City that the project's construction will begin in the spring of 2021. Previously, all such work was stopped, but now projects are beginning to move forward with improved NCDOT funding.

### **Draper CDBG**

We plan to either meet with the committee in person or virtually. While the list has been ranked, staff needs to obtain further information from the proposed applicants regarding their financial information, including copies of actual records. To date, the ranking has been based upon the applications submitted and not hard data. Additionally, inspections of the homes will further determine eligibility and necessary repairs. Conformance with state and local codes will be required.

### **NC CDBG CV 2020 (COVID-19)**

The State recently released data regarding the COVID-19 CDBG funding cycle. In July, they sent a recommendation of potential eligible activities for the expected funds, at which time the federal government narrowed the opportunities down. It was determined that it would be in the best interest of Eden citizens if the City proceeded with an application that would assist low and moderate income households within the

corporate limits. This would include Eden utility bills, rent, mortgage payments, electric bills, gas bills and the like. The maximum amount the City is eligible for is \$900,000.

### **Boards and Commissions**

Meetings remain suspended for all of our boards and commissions except those that receive requests that cannot be delayed, such as Planning Board, Board of Adjustment and the Strategic Planning Commission.

### **Board of Adjustment Special Use Permit**

The Board of Adjustment is set to meet on September 17 in the Eden Room to discuss a special use permit application for a dog grooming business as a home occupation.

### **Eden Drive-In Annexation**

We received an application for annexation of the Eden Drive-In. The City is working with the property owner regarding the outdoor theater and operating hours. The property is already connected to city water and sewer.

### **Business Remodel/Rehab/Construction Updates**

The final sealed set of drawings for the 625 Washington Street project (Central Hotel) have been received and the plan review will be completed by September 11. The project at 624 Washington Street (624 Lofts) is nearing completion with four units already finished and occupied. The Wendy's remodel project should be completed by September 11. Zip's carwash has been issued a C.O. and the opening date is unknown at this time due to software issues. The Ample Storage project is in the final stages of construction; however, a completion date is unknown at this time. Burger King is closed due to the degraded original cast iron DWV system (drain, waste & vent) that must be completely replaced.

## **POLICE**

### **Job Vacancies**

The department currently has three vacancies for police officers. They will be conducting interviews on September 22.

## **PUBLIC UTILITIES**

Construction of the new buildings and equipment is almost complete. The City is waiting on a flow meter that was part of a change order. Once that is delivered, the contractor will come back to install it, at which point the project will be considered complete.

Our NPDES permit expired April 30, 2018. The draft permit was received on August 28, giving the City 30 days to respond with any questions. Because the City performed so well over the last several years, they reduced the monitoring requirements, which will save the City a considerable amount of money for contract lab analysis.

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## CITY OF EDEN – MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**THRU:** JON MENDENHALL, CITY MANAGER

**FROM:** TERRY SHELTON, PUBLIC UTILITIES DIRECTOR

**DATE:** SEPTEMBER 15, 2020

**SUBJECT:** UPDATE FOR MATRIMONY CREEK SEWER LINE REHAB

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The progress on the repair work to the sewer line at Matrimony Creek is coming along very slowly. As of September 4, I have still yet to get information back from Dewberry Engineering about conducting the biological survey for the two endangered species possibly in the Matrimony Creek area of where work needs to be done. I had requested them to look over the information we received from the Army Corps of Engineers to thoroughly vet what may need to be done in a survey and give me a quote and a timeframe to complete this work. Until that is completed, we are pretty much at a standstill to be able to put our plan in place to make repairs near the exposed manholes in the sewer line.

When we can proceed with the work following a biological survey, should it be required, we believe we have a workable plan to stabilize the area around the sewer line and the exposed manholes. We would want to move forward with this plan using City forces at the earliest date possible once we have all the necessary approvals to get into the creek and do this work. Although the sewer repair work will be our primary objective, every effort will be made to try and find workable solutions to reestablish the trail from the three-quarter mile marker up to Center Church Road as a secondary objective.

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, August 18, 2020 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

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

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. Police Chief Clint Simpson gave an invocation followed by the Pledge of Allegiance led by Wastewater Treatment Plant Superintendent Melinda Ward.

PRESENTATIONS AND RECOGNITIONS:

- a. Introduction and swearing in of City Manager Jon Mendenhall.

Before Mr. Mendenhall's swearing in, Mayor Hall read a proclamation in honor of outgoing Interim City Manager Terry Shelton.

Proclamation in Honor of Terry A. Shelton

WHEREAS, Terry A. Shelton is an invaluable member of this community who began serving the citizens of Eden in 1979 as an Operator at the Water Filtration Plant; and

WHEREAS, through hard work and with the admiration of his fellow employees, Terry advanced in his career to the top of his field as Public Utilities Director; and

WHEREAS, when the need arose last year, Terry was willing to expand his service to the citizens of Eden by answering the call to assume the duties and responsibilities of Interim City Manager; and

WHEREAS, Terry has devoted himself to the services of our City, and has tirelessly represented the City with distinction and in the highest professional manner during his term as Interim City Manager; and

WHEREAS, Terry has restored integrity and honor, as well as employee and public trust, to the Office of City Manager.

NOW, THEREFORE, I, Neville Hall, Mayor of the City of Eden, on behalf of myself and the Eden City Council, proclaim our deepest gratitude, and we honor Terry A. Shelton for his outstanding professional service and personal dedication as Interim City Manager.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18th day of August, 2020.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

Mr. Shelton thanked the citizens for working with him and City staff who had been fantastic to work with as well. City Council had been supportive of him beyond his expectations and he was happy for the opportunity and that Council trusted him to serve.

Mayor Hall introduced Mr. Mendenhall, a High Point native with 16 years of local government experience who had served as town administrator of Carolina Shores, N.C., from 2014 until the start of his job with the City of Eden. Prior to that, he served as county manager of Gates County, N.C., but began his career in Stanly County, N.C., as a planner. Mr. Mendenhall earned his Masters of Science degree in Technology Systems with a concentration in quality control from East Carolina University, a certificate in Project Management from N.C. State University, and a Bachelor's Degree in History from UNC Chapel Hill. He was a current board member of the N.C. Resource Conservation and Development Association and Cape Fear Resource Conservation and Development, nonprofits engaged in economic development and resource conservation in predominantly rural North Carolina. As an ICMA credentialed manager, Mr. Mendenhall was committed to professional and quality principles in local government.

Mr. Mendenhall was sworn in by Mayor Hall.

SET MEETING AGENDA:

Council Member Nooe requested to add an item to the agenda in reference to the Central Hotel project. As he recalled, the City agreed to provide only water meters for the hotel and nothing additional, but he saw additional funds on the vouchers and staff time spent on the project, which he was opposed to. He would like any spending on it stopped and expenditures brought before Council.

Mayor Hall added the item under New Business as 10(d): Discussion of Central Hotel.

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

PUBLIC HEARINGS:

*There were none at this time.*

REQUESTS AND PETITIONS OF CITIZENS:

Mayor Hall asked City Attorney Erin Gilley to read the City's policy for the speakers.

President Melissa Galloway with Home of Refuge Outreach, Inc., 205 N. Main St., Eden, was speaking on behalf of herself and Executive Director Angel Goldston. She said the organization had been located in the Draper Fire Department for the past nine years and expressed their thanks for the Council's faithfulness in continually allowing them to use the building. She requested they be able to use the building in the coming years.

Ms. Goldston said the outreach was now with the Balance of State Continuum of Care and they recently signed up with Bertie County in order to have their shelter open for victims of Hurricane Isaias. Not only did they take in residents from Rockingham County, but they also took in residents from different counties. They scanned each person for COVID-19 and worked with Annie Penn and Moses Cone hospitals for those who tested positive. The volunteers, mostly elderly, had decreased and therefore, they were trying to obtain funds to hire enough staff to cover their three shifts in an effort to keep the community safe and minimize the spread of COVID-19. She thanked Council for allowing them to use the building.

UNFINISHED BUSINESS:

Ms. Gilley stated there was an item that needed to be added to the Closed Session section of the agenda in regards to economic development and Council needed to make a motion to reset the agenda.

Council Member Nooe made a motion to amend the agenda to include an economic development item to the Closed Session portion of the agenda. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

- a. Update on the City’s Unified Development Ordinance project.

Mayor Hall called on Director of Planning and Inspections Kelly Stultz.

Ms. Stultz stated that the Unified Development Ordinance (UDO) would be more flexible and would make it easier for the development community to know what they could and could not do. Due to changes in the statutes, City Council would be presented with all special use permit applications and conditional use zoning requests going forward.

Chad Sary, with Stewart, Inc., presented a PowerPoint presentation detailing the project schedule and what the UDO contained. The work program was divided into five phases: (1) Project Initiation: January 2020; (2) Code Assessment & UDO Framework: February-March 2020; (3) UDO Preparation & Composition: March-August 2020; (4) Adoption: August-November 2020; and (5) Implementation & Training: December 2020-January 2021.

He explained that Phase 1 consisted of multiple meetings with staff, discussions with members of the community and boards, and tours of the City in an effort to thoroughly understand Eden. A public meeting was held as well as multiple Steering Committee meetings. In Phase 2, they prepared the code assessment report, which was a document that analyzed the City’s existing codes, determining which codes were relevant and functional. It also included suggestions of practices for the City to utilize. Phase 3 was the current phase that included drafting of the UDO, assisted by the City’s Planning Board who also served as the Steering Committee. The overall project goals were to reorganize and consolidate the City’s current ordinances while also implementing the City’s comprehensive land use plan, which was something every UDO should include. The current draft of the UDO was reflective of the current guidelines under NCGS 160D, which was the most comprehensive overhaul of zoning and land development regulations since the 1980s. It also included the consolidation and revision of zoning districts as analyzation revealed some not being used and others overlapped. The City’s current ordinance was difficult to navigate through because it was divided by zoning districts with all of the uses listed. The drafted UDO had a Table of Permitted Uses in Article 4 where a user could locate what they wanted to do and determine if it was permitted in a zoning district. The final goal was to make the UDO user-friendly with less text and more graphics, tables and illustrations.

Mr. Sary said the next step would involve having another public meeting and then proceeding to the Planning Board for their recommendation, at which point they would be ready to bring it to City Council for adoption. He stated that it been put on the website and made available to anyone who desired to see it. Mr. Sary explained that UDOs were used for multiple things. They were incorporating comprehensive plan goals, reorganizing and integrating existing development codes, eliminating inconsistencies and redundancies in different ordinances, establishing clearer development processes, formatting for readability and user-friendliness, and mixed-use elements that would help in the downtown areas. The City currently had a zoning ordinance, subdivision ordinance, watershed protection ordinance, code of ordinances, and flood damage prevention ordinance. The processes and definitions listed in those ordinances could cause redundancies and conflicts. The drafted UDO consisted of the consolidation of those ordinances that were now consistent. It also contained prominent article and section titles, the addition of charts, bold fonts, understandable descriptions and document titles at the bottom, which made it easier to follow from a formatting view. The structure of the UDO was broken into three main sections: (1) Articles 1-3 consisted of the legal section and described how the UDO was formatted, what the City’s responsibility was and what the developmental processes were; (2) Articles 4-8 entailed the design standards surrounding development; and (3) Articles 9-14 involved the regulations of building maintenance standards, environmental protection, nuisance and junk vehicle standards, and enforcement. In the first section containing Articles 1-3, the UDO repealed the old ordinances and codes. It brought in the requirements under NCGS 160D that involved the clarification of developmental processes in three areas to avoid overlapping: (1) Administrative, which would be conducted through the City’s staff; (2) Legislative, which would involve rezoning and was therefore, policy-driven and decided by Council

(example: conditional zoning); and (3) Quasi-Judicial, which would be evidentiary-based, involving expert testimony and decided by Council (example: special-use permits). As a summary of it, it told who did what, when they did it and how. The second part was design standards. The City had five industrial districts that were downsized into two districts: light industrial and heavy industrial. New districts were added that would prove vital to revitalization and redevelopment, particularly in the downtown areas. In addition, Planned Unit Developments became Conditional Zoning Districts based on changes in the statutes. The Table of Permitted Uses outlined three processes: (1) PS-permitted with additional standards; (2) P-permitted by right; and (3) S-special use permit. It allowed users to easily determine a process if they knew what they wanted to do. The final section containing Articles 9-14 portrayed the regulatory structure of the UDO. The City's building maintenance standards mainly stayed the same with the exception of some minor updates due to statutes. The environmental protection combined watershed, storm water and flood damage prevention into one area. Junk cars and nuisance standards were pulled out of the City's ordinances and placed into section three as well as the combination of non-conformities. There were five alphabetized appendices in the code: (A) ETJ Description; (B) Approved Planting List; (C) UDO Amendment History; (D) Vacant Commercial Properties; and (E) Development Review Flow Chart. Lastly, due to the zoning changes that took place, there was also a zoning map update. As they moved forward, they would have a public hearing on the text and a separate public hearing for the zoning map. He commended City staff for doing a great job making as little impact as possible on existing properties while also maintaining their consistency with the land use and consistent zoning.

Mr. Sary said the Planning Board was scheduled to make their recommendation on the UDO the week of August 23. There would be an open house/workshop September 10 at Grogan Park where the maps and large pictures showcasing the steps of the process would be on display. At their September meeting, the Planning Board would make their recommendation on the map and the City Council would have a public hearing on the text October 20. At the November City Council meeting, there would be an adoption hearing for the zoning map followed by a training session in December. On January 1, 2021, the new UDO would be ready for adoption.

Mayor Hall asked if the grandfathering of properties would continue as it had in the past because that would likely be a concern as people went to a different zoning district.

Mr. Sary replied yes.

Ms. Stultz added that the vested rights provisions would be more advanced than they currently were. She planned to ask Council to allow all of the text and map zoning amendments to be made at no cost. Just like the City's current ordinance, the UDO was not unvarying because there would always be change, likely many during the first six to eight months.

Mayor Hall questioned if the uses in the heavy industrial zoning district would still be as restrictive.

Ms. Stultz said that NCGS 160D deemed the current setup of I-3 as no longer legal and therefore, the City must have some industrial uses that were heavy, requiring special use permits, and some industrial uses that were light and permitted.

Mayor Hall asked if the areas zoned to I-3 would be able to proceed with things the City tried to prevent, such as particular dump sites, and if so, would the City be able to prevent such by requiring application for a special use permit.

Ms. Stultz and Mr. Sary both replied yes.

Ms. Stultz said everything that was originally put into I-3, even after separated in the UDO, would still require special use permits.

Mr. Sary added that they were careful about the I-3 district and making sure they brought forth the standards that were previously in place and continuing when a special use permit was required.

Mayor Hall stated he often used other municipalities' UDOs with his job and found them very helpful. They were also helpful to those involved in real estate, development, and to people desiring to know what was going on where they lived or where they desired to live. He was glad the City was moving forward with it.

Council Member Hunnicutt requested Ms. Stultz send the schedule of events to Council.

Ms. Stultz said she would and added that she spoke with Mr. Mendenhall about a special meeting for Council to discuss and review the text if Council thought it was necessary, and possibly a special meeting for the map amendments. She welcomed anyone with questions or concerns to call her before it was presented to the Planning Board the week of August 23. She wanted Council to have a copy of the draft to review and if adopted in January 2021, they would be provided with an official copy that was signed and dated.

Council Member Hampton asked what time the Planning Board meeting would be held.

Ms. Stultz replied that it would be at 4 p.m. via Zoom.

- b. Consideration of the Certificate of Sufficiency and adoption of a resolution calling for a public hearing on the annexation petition of property located at 197 and 199 E. Aiken Road.

Mayor Hall called on Ms. Stultz.

Ms. Stultz stated that it was discovered the owners of 197 and 199 E. Aiken Road were receiving City services but the property was not located inside the City limits. They were offered the opportunity to be annexed in order to continue receiving City services, so the owners submitted a petition in which it was deemed sufficient. She asked for City Council to hold a public hearing at the regular September City Council meeting.

Council Member Moore questioned if it was the same property the clerk was asked to investigate the sufficiency of at the previous City Council meeting.

Ms. Stultz replied yes and said that the statutes stated that the clerk investigated the sufficiency of annexation petitions, but Ms. Stultz performed the verifications.

Council Member Moore questioned if everything was found to be sufficient.

Ms. Stultz answered yes and said that she verified the actual owners of the property based on the deed. She stated that Council decided several years ago to charge the owners inside City rates throughout the process if they filed a petition.

Council Member Ellis made a motion to hold a public hearing on the annexation petition of property located at 197 and 199 E. Aiken Road at the regular September City Council meeting. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION  
PURSUANT TO G.S. 160A-58.2

WHEREAS, Petitions requesting annexation of the contiguous areas described herein have been received; and

WHEREAS, the Eden City Council has by resolution directed the City Clerk to investigate the sufficiency of the Petitions at their meeting on July 21, 2020; and

WHEREAS, certification by the City Clerk of the City of Eden as to the sufficiency of the Petitions has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous areas described herein will be held in the



Eden City Hall in the City Council Chamber at 6:00 P.M. on September 15, 2020.

Section 2. The areas proposed for annexation are described as follows:

That portion of 197 and 199 E. Aiken Road identified by the Rockingham County Tax Department as PIN 7081-17-00-5994 and Parcel Number 177187Z1 and Parcel Number 177187Z2 which lies north of the Eden City Limits current boundary and the entire parcels being described as follows:

TRACT 1: Parcel A containing 3.081 acres as per Plat of Survey for Helena A. Bryant dated January 1, 2009, by C. E. Robertson & Associates, P.C. recorded in Map Book 65, Page 49, Rockingham County Registry.

TRACT 2: Parcel B containing 1.176 acres as per Plat of Survey for Helena A. Bryant dated January 1, 2009, by C. E. Robertson & Associates, P.C. recorded in Map Book 65, Page 49, Rockingham County Registry.

Section 3. Notice of the public hearing shall be published in the News and Record Rockingham Section, a newspaper having general circulation in the City of Eden, at least ten (10) days prior to the date of the public hearing.

This the 18th day of August, 2020.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

c. Update on the Matrimony Creek Nature Trail.

Mayor Hall called on Mr. Shelton.

Mr. Shelton stated there had not been a lot of progress made on the trail as they were waiting to receive information from the Corps of Engineers and DENR specifying what would be required of the City as repairs were made on the sewer line. He believed under the nationwide permitting, the City would be able to make repairs to the sewer line without having to do bioassays of endangered species that could possibly be present at the creek locations in question. The City was still awaiting to hear the regulators specify exactly where work could be performed and if further information was needed before repairs could begin. His hope was to present Council with a cost and request to proceed with the repairs at the regular September Council meeting.

Mayor Hall said it had been a long process and he hoped the City could maintain its intentions to restore it.

Council Member Hunnicutt asked if it was known how long it would take before the State would give the City guidance in regards to the repairs.

Council Member Nooe questioned if part of the trail could be opened and used while waiting to hear from the State.

Mr. Shelton stated that after grading and adding granite dust, the trail could possibly be opened to the three-quarter mile mark if Council chose to do so.

Council Member Carter asked if the footprint would be moved up some.

Mr. Shelton said it would likely remain the same because of the location of the sewer lines. If the portion of the trail that went through the switchbacks to Center Church Road were restored, it would likely need to be moved further up the hill if possible to get out of the floodway for the creek.

Council Member Hunnicutt expressed concern about the amount of money that could be spent on the trail long term to maintain it. The trail had been there a short period of time and had flooded multiple times. With each of the flood events, the water was so abrasive that it washed out portions of the trail. He suggested looking at an alternate route or alternate surface materials. He was in support of trying to restore it, but they needed to

look for a solution to minimize the costs.

Council Member Nooe said the majority of the trail was in the floodway. They were in the area because they had easements or owned the property. In order to move it out of the floodway, the City would have to purchase additional easements. Due to the majority of the trail being in the floodway, there was not a way to avoid flooding.

Council Member Hunnicutt clarified that he meant there were areas where it seemed that the current was particularly abrasive when the trail flooded. It was the same situation on the Smith River Greenway, it was also in a floodplain. He did not know what the costs had been to date just to repair it.

Mr. Shelton stated that the cost to level the trail and add granite dust had been close to \$5,000 to \$6,000 in materials. Besides running parallel to the sewer line and thus close to the creek, it also provided the benefit of walkers using the trails notifying the City if anything were wrong with the sewer system. If the trail were to be moved too far from the creek, it would not be easily visible if there were to be a break in the sewer line or other types of damage.

Council Member Ellis suggested doing something in another positive direction that would not require as much financial upkeep, such as a biking trail instead of a walking trail.

Mr. Shelton stated that the City could look into getting something more resilient in place, but the rain over the past 12 months had been exceptional, as the City had gone a decade in the past without having any issues on Matrimony Creek.

Council Member Nooe stated that sewer issues along the trail would also be detected by those clearing the sewer outfall.

Council Member Ellis pointed out that cycling was a big hobby in many places and could be a draw to Eden.

Council Member Epps said the City's trails were a magnet to people and it would be an asset to the City if something could be resolved with the trail.

Mr. Shelton added the scenery on the trail was some of the best views in the entire city.

Mayor Hall said regardless of what type of trail it was, it would have to be maintained. Duke Energy donated \$100,000 towards the trail and the City had invested around \$35,000 into the trail, so it had not been as large of a financial burden on the City as it seemed. He was not opposed to opening the trail to the three-quarter mile mark if it was safe to do so, but he would plan to meet with Mr. Shelton and Parks and Recreation Director Johnny Farmer to discuss the cost and then with Council to see what they desired to do.

#### NEW BUSINESS:

- a. Consideration to purchase a utility vehicle for the Wastewater Treatment Plant.

Mayor Hall called on Ms. Ward.

Ms. Ward stated that several years ago, the Wastewater Treatment Plant was in need of a new vehicle for the plant site, so they purchased an electric vehicle in an effort to save money on fuel costs. It provided more versatile uses with its capability to easily maneuver around the entire site versus the limitations of a truck's mobility. It had also been an asset for some of the employees who could no longer walk the full extent of the plant site. However, the vehicle's braking system could not handle the dust at the plant site despite the seller assuring the City it could handle any condition. Several repairs had been made to the vehicle over the past few years with the most recent estimated repair cost being about \$3,800 with no guarantees. The cost to replace it with a similar type of vehicle would be \$6,300, but there was the possibility of encountering the same type of

braking system issue. A gas-powered utility vehicle would offer the versatility needed while still proving cheaper on mileage fuel costs and cheaper than a new truck. The department's revenues had been higher than expected due to an increase in leachate proceeds and profits from another plant that had been bringing a daily load to the City's plant since February: \$13,500 last fiscal year and \$4,500 thus far this fiscal year. Due to the repair cost of the electric vehicle not being received until June, Ms. Ward was unable to submit the information into the current budget. Therefore, she asked Council to grant permission to proceed with purchasing a utility vehicle that could be offset with the unanticipated revenue being received.

Council Member Ellis said a few years back, Parks and Recreation had purchased a John Deere vehicle on the state contract and asked if she had looked at that.

Ms. Ward stated that they had test driven that vehicle and had discussed the contract. They also test drove another John Deere utility vehicle that was brought to them to consider, but they had a few personnel who had a difficult time getting in and out of it. Therefore, they would like to have the option to look around and compare prices and usage. The contract they received for the basic John Deere utility vehicle was close to \$9,000, which included a cover and a windshield; anything else added on would be an additional cost. They also looked at units that came as a packaged deal and included everything they would need for a set price. However, they did not want to spend \$20,000 on a utility vehicle when they could purchase a truck for the same price.

Council Member Ellis noted the company Parks and Recreation went through also sold reconditioned materials that might be a possibility for their needs.

Council Member Carter asked Ms. Ward if she had conducted any research on what type of vehicle had the best braking system that would not cause a repeat of the problems they had previously encountered.

Ms. Ward stated the design of the braking system in the electric vehicle opened it up to more issues with sand getting into its system. Other vehicles were designed differently and would not be affected by the sand at the plant.

Council Member Ellis asked if the City could sell the electric vehicle.

Ms. Ward said yes but added that it was not operational.

Council Member Hunnicutt stated that his son had a rural real estate business and had much luck with UTVs (utility task vehicles), particularly the Polaris Ranger model as it was made to handle such types of environmental conditions without posing threats to its braking system. His son found it to be much cheaper to buy a base unit and purchase after-market products, such as the windshield, top and doors, to add to it.

Council Member Epps made a motion to allow the Wastewater Treatment Plant to purchase a utility vehicle up to \$10,000. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

Council Member Carter suggested to Ms. Ward that she consult with the City's Fleet Maintenance Department and possibly have a mechanic assist her with the purchase decision.

- b. Approval to proceed with the purchase of 2020-21 budgeted capital outlay items for the Police Department: eight patrol vehicles.

Mayor Hall called on Chief Simpson.

Chief Simpson stated the entire procedure of purchasing patrol vehicles took approximately 10 months. He understood the financial situation the City was in due to COVID-19 felt it was important to explain the details of the complexity of the purchasing process. Once the vehicles were ordered, it took two-and-a-half months for them to be delivered, at which point they were sent to Fleet Maintenance to receive titles and insurance

and then to Dana Safety Supply to be outfitted with police equipment, such as blue lights and cages. He contacted Tri-City Dodge and was informed that the patrol vehicle purchasing process was currently one month behind. Therefore, any purchases made at the present time would not be delivered until possibly December and ready for use until June of next year. If the purchase was not made until December, the vehicles would not be ready for use until the next fiscal year.

Council Member Carter questioned what type of vehicles the department was considering purchasing.

Chief Simpson replied it would be five Dodge Durangos and three Dodge Chargers.

Council Member Carter asked if the Durangos were all-wheel drive.

Chief Simpson stated that both the Durangos and Chargers were all-wheel drive. The Durangos would be used as patrol vehicles and the Chargers would be used in the investigative division to replace the 2007 Chevy Impalas currently in use.

Council Member Carter asked if the department currently had a Durango in use.

Chief Simpson said they currently had two Durangos in use. Initially, they had looked to purchase Ford Explorers but they were priced at \$38,000 versus the Durango at \$30,000, which he felt was a better choice with taxpayer money.

Council Member Ellis questioned if the Durangos in use had been marked.

Chief Simpson said yes.

Mayor Hall stated the vehicles in question were already approved in the budget. In previous meetings, Council had agreed not to spend money on capital outlay items at the present time if not necessary. However, he viewed the police vehicles as part of the equipment the department used to do their job and felt that the vehicles were considered a need as opposed to a want. He appreciated Chief Simpson's clarity on the process.

Chief Simpson stated the department appreciated the consideration and would not ask for something they were not able to justify and felt that waiting until December to proceed with the purchase would place them in a position where it would likely not be completed within the current fiscal year.

Council Member Ellis made a motion to proceed with the purchase of the 2020-21 budgeted capital outlay item of eight patrol vehicles for the Police Department. Council Member Nooe seconded the motion. All members voted in favor of the motion. The motion carried.

- c. Approval to proceed with the purchase of 2020-21 budgeted capital outlay items for Municipal Services: dump truck.

Mayor Hall called on Director of Municipal Services Paul Dishmon.

Mr. Dishmon stated that Municipal Services had dump trucks in operation that averaged 17.3 years old, with some as old as 25 years. Many had begun to show signs of age and use as a result of building creek trails, box culverts, trestle repairs and hauling dirt. Therefore, he asked for Council to consider the approval of proceeding with the purchase of a dump truck because once it was ordered, it would take approximately 275 days to be delivered, which would be the end of June 2021.

Council Member Carter pointed out that the purchase was time sensitive.

Mr. Dishmon stated that was correct. Fleet Maintenance Superintendent Jason Barnard handled the bidding process and confirmed with the selling company that delivery would occur 245 to 275 days from the date the

purchase order was received. The dump truck bed would have to be built.

Council Member Carter asked if the dump truck was a single wheel.

Mr. Dishmon replied yes. He added that it was an 8-ton single axle, which was a high-use item in Municipal Services considering it was used for storm damage and snow removal. He planned to ask Council for approval to proceed with the purchase of a wheel loader at a later date, which had a 120-day turn around on delivery.

Mayor Hall stated that the purchase was previously approved in the budget and due to Council's request to not spend any capital outlay money if not necessary, Mr. Dishmon was asking for approval to proceed with the dump truck purchase. There were three pieces of equipment requested in the budget for Municipal Services, but they were able to make two pieces work until the City had a better understanding of the budget situation resulting from COVID-19.

Council Member Epps said he recently saw one of the City's trucks that looked to be in bad shape. He was in favor.

Council Member Moore asked what brand dump truck they were purchasing.

Mr. Dishmon replied it was an International Chassis with a diesel engine. Municipal Services had one dump truck that had cost the City almost four times as much as the other dump trucks in service because its engine was not designed to support the body of a dump truck.

Council Member Ellis asked how many dump trucks Municipal Services had in operation.

Mr. Dishmon replied 12.

Council Member Ellis asked when the last dump truck was purchased.

Mr. Dishmon said the City purchased a dump truck for water and sewer in 2019.

Council Member Carter made a motion to proceed with the purchase of the 2020-21 budgeted capital outlay item of a dump truck for Municipal Services. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

d. Discussion of Central Hotel project.

Mayor Hall called on Council Member Nooe.

Council Member Nooe stated that he was under the impression when it was previously discussed and voted upon, the City would not do certain things in regards to the project; however, he saw the City had recently spent money towards the project and it was his desire to not spend any City funds on the project until certain issues were resolved.

Council Member Hunnicutt agreed that was clearly the motion and the intent.

Council Member Nooe said he was told it was interpreted as just for the water meters. That was not his intent. He thought they may need to revote saying nothing else would be spent there or if it was understood that was the motion, they needed to stop spending money on that project.

Council Member Carter asked how much money had been spent on the project.

Mayor Hall stated that Council Member Nooe inquired about certain companies being paid and thus, Mayor Hall made contact with them and was shown receipts that the companies were paid the previous day or that

very day. One of the concerns on the ledger of checks were the renderings. Main Street Manager Randy Hunt ordered the renderings for the unveiling and gave them, along with the bill, to the owner, at which point they were paid.

Director of Economic Development Mike Dougherty said Mr. Hunt got the invoice and gave it to the owner.

Mayor Hall agreed that the invoice had been given to the owner and he paid the company.

Ms. Gilley advised the renderings were not on the vouchers.

Mr. Dougherty stated that he recalled the motion that was made during that closed session was specifically for the water meters as uses and incentives.

Council Member Nooe said he did not recall the exact wording. From that point on, until he knew everyone had been taken care of, he did not want the City to spend any more funds on the project.

Mayor Hall said the City had spent approximately \$500 of occupancy tax funding on the hotel project, all of which went towards the set up and decorations of the unveiling. It was believed necessary due to the presence of local and regional media outlets and guests from the U.S. Senate and U.S. House of Representatives at the unveiling. They wanted the street to look as good as possible. He said he would be in favor of doing that for anyone who was undertaking a \$2 to \$3 million project where the media would be in attendance.

Council Member Nooe said that while he may have felt the same way, he was under the impression that the City would not spend any money on the project. If City staff wanted to spend money towards the project, the proposal needed to come before Council to be approved beforehand. It was his understanding that an appraisal was recently conducted on a piece of property related to the hotel and the City was obligated to pay the fee of \$1,200 for it.

Mayor Hall questioned if the appraisal was done on the hotel property.

Council Member Nooe replied no but it was on a piece of property whose purchase would benefit the hotel property.

Council Member Hunnicutt asked what the motion stated because he was also under the impression it was specific to the water meters.

Ms. Gilley said she recalled the action was regarding the water meters. Staff asked Council about the water meter fees and the condition placed upon that action was that the debt due to local contractors be paid. She understood the intent of Council Member Nooe's concern due to the motion not specifying that no additional funds be spent on the hotel. However, she felt that City staff purchased the decorations as a way to make the City look presentable for the unveiling. She said they could make that motion now to revise it.

Council Member Hunnicutt asked if the water meters had been installed at the hotel.

Mr. Dougherty replied no.

Council Member Hunnicutt said it appeared to still be considered an open item that was predicated on the debt to local vendors being satisfied.

Mayor Hall stated it was his understanding that the debt had either been paid or agreements had been made with the local contractors to satisfy the debt owed. Regardless, the City had voted to not proceed with the water meters until the contractors were paid, but there was not a way that Council could have voted to not fund the unveiling as it was not scheduled until the hotel was purchased. He did not foresee the City paying more money on the hotel aside from the water meters as previously agreed upon. The owner was spending his

own money.

Mr. Dougherty said the food and beverages served at the unveiling were paid for by the developer. Due to the presence of media and guests in attendance at the unveiling, staff felt there needed to be something visual on site, which is why the renderings and decorations were prepared; something he said would be done for any similar event.

Council Member Epps suggested leaving things as is and if something were to arise that needed to be paid for, it could be brought before Council at that time.

Mayor Hall said he did not see a problem with such requests being brought before Council, but questioned the necessity of calling a special meeting for purchases such as decorations, as that was a decision that could likely be made by staff.

Council Member Hunnicutt said he thought they were all with Council Member Nooe on the position that the vendors be paid. Everyone wanted that done. He questioned if they were still within the framework of the motion. He thought the local vendors needed to be paid and whatever they could do to help facilitate that.

Mayor Hall said while he agreed the local contractors needed to be paid, those issues were civil matters that the City did not need to be involved in.

Council Member Hunnicutt agreed.

Council Member Nooe said while that was true, he did not know about spending taxpayer money on things that he did not feel good about.

Council Member Carter questioned what the City had spent money on in regards to the project.

Mayor Hall replied decorations for the unveiling.

Mr. Dougherty said the money came out of occupancy tax revenue, which was money designed for the promotion of downtown and because the hotel was the largest building in the downtown area, they felt the need to provide decorations for its unveiling.

Council Member Ellis asked if the City Manager could make a determination in a situation such as the decorations for an unveiling.

Ms. Gilley said yes due to the minimal amount and it being occupancy tax funds.

#### REPORTS FROM STAFF:

##### a. City Manager's Report

Mr. Mendenhall thanked Council for the opportunity and chose to read a section of the report due to its importance. While it was intimidating coming to a new place and meeting new people, he found everyone to be gracious and kind. He said that Eden really was a great place and made him feel at home. As incoming City Manager, he wanted to highlight and applaud the job that Mr. Shelton did as Interim City Manager and the integrity with which he did that job. Mr. Shelton was a great asset to the City.

He had found it a privilege to meet with City leaders and looked forward to hearing from a diverse number of people throughout the City: engaging, collaborating and innovating with everyone, working to the public's service. He mentioned three things of importance: (1) Eden was a great place with fantastic people that were doing a good job, which he felt was important for them to hear. He had seen a lot of thought and deliberation

being put into items and wanted to continue to encourage such. He noted that he was not there to be disruptive with change, even though some change would be inevitable, but wanted residents, employees and elected officials to work together to collaborate, engage, innovate and continuously improve; (2) COVID had presented a lot of challenges and he had charged staff to hone in on their people to ensure they were safe and equipped to provide for the public as the City moved through what could be a challenging fall and winter. He wanted to ensure the City was conservative and thoughtful in the way that budgets were planned. He wanted to ensure they were doing the best they could to be stewards of the public's purse; and (3) City staff needed to work tirelessly together for the Council and the public's benefit. He had an open door and wanted to be a resource to anyone he could help in City operations and in the general community.

City Manager's Report  
August 2020  
City Manager Jon Mendenhall

ADMINISTRATION

As incoming City Manager, I would like to highlight and applaud Interim City Manager Terry Shelton for a job well done. I cannot say enough good things about the job he has done with clarity of purpose and with the upmost integrity he has been and will continue to be a great asset for the City of Eden.

Additionally, I want to preface this report being presented at my first Council meeting with the following: I have had the privilege and opportunity to meet with City leaders, employees, and most importantly members of the public. This listening tour has only begun, and will take time to hear from the many diverse people in our City. I am committed to listening, to engaging, and collaborating, but as part of this first report I also want to layout where we are now and where I see us going.

The City of Eden is a Great Place

The City of Eden is a great place; we have fantastic people that are doing a good job. I am not here for disruptive change, but change will come, it is inevitable. As a team (and I mean that broadly, each and every person in Eden is part of our team, we are Team Eden), we must work together to collaborate, engage, innovate, and continuously improve.

COVID

I have given a particular charge to the City's management team to hone in on our people, to make sure they are okay, healthy, and that their families are too so that we may serve the public. I want to encourage all our residents to do the same. I particularly want to encourage everyone that as we navigate these historic times, we will have to continually monitor this situation taking conservative, thoughtful, and long-range actions, these will be done collaboratively as we navigate these uncharted waters together. I want to emphasize that in these dark days of pandemic, we must make adequate provision for the dawn that will come, we must layup our resources, preserve them, grow them, and deploy them when night becomes morning and we are on the other side of COVID-19. That is our public trust, our charge, and our plan moving forward.

Conclusion

The overriding idea that has been mentioned repeatedly is that we're going to work together in the days and weeks ahead. I have charged staff to work tirelessly in the public's service, and to listen to the voice of the customer. Put simply, this is where we are, this is the springboard to where we are going, and ultimately this is the commitment to continuous improvement that we should desire to be. In closing, I want to express my gratitude to the Mayor and Council for the opportunity to serve and I want to let each and every person in Eden know that I look forward to working with them in the public's service.

ECONOMIC DEVELOPMENT

*Industry*

Eden Venture Business Park

The former Eden Mall is under new management. The building is being painted and outside appearance has improved dramatically. The new owner is seeking professional and light industrial tenants. They will build to suit your needs. Visit [www.edenventurebusinesspark.com](http://www.edenventurebusinesspark.com) for more information and to apply.



#### Gildan Distribution

Starting August 1, the Saturday-Monday shift at Gildan, located at 602 E. Meadow Road, is active again. Employees work from 7 p.m. – 7 a.m. for these three days and have the rest of the week off. Forklift operating experience is preferred, but not required. For more information, contact Ameristaff (302 N. Pierce Street, 336-623-6252), Debbie's Staffing (124 Boone Road, 336-635-5980) or Workforce Unlimited (1425 Freeway Drive, Reidsville, 336-349-7783).

#### UNC Rockingham Health Care

In order to reinforce safety, UNC Rockingham Health Care has noted the measures they have taken to keep patients and visitors safe. Everyone in the facility is wearing a mask and all staff, vendors, visitors and patients are screened upon entry. Physical distancing is practiced, visitation is limited, PPE (Personal Protective Equipment) is adequately stocked and used to keep patients, coworkers and providers safe, and cleaning schedules have been accelerated with robust disinfectant measures in place. COVID-19 patients and those suspected to have the virus are isolated in separate, sealed areas. UNC Rockingham Health Care is located at 117 E. King's Highway in Eden. Call 336-623-9711 for more information.

#### *Commercial*

##### Howard's Restaurant

This new restaurant is located at 203 E. Meadow Road. You can dine in or fax your orders to the restaurant for pick up. They offer a full salad bar, subs, appetizers, hot dogs and burgers, as well as delicious entrees for dinner. Call 336-635-9133 or fax to 336-623-9038.

##### Purlina's Gift Baskets

Located at 610 Washington Street in Historic Downtown Eden, owner Faye Doe-Alexander will create beautiful gift baskets for you. Contact Faye at 336-280-9464 or email her at [purlina56@gmail.com](mailto:purlina56@gmail.com)

##### Reynolds Brewing

Work continues on one of two Eden microbreweries that will open within the next several weeks. Reynolds Brewing is located in the former historic Garden Central facility at 354 W. Meadow Road. Look to our Facebook pages (City of Eden and Explore Eden NC) and Eden's Own Journal for more information.

##### Seth Woodall & Associates, PLLC

They are experienced attorneys and counselors dedicated to providing effective and cost-efficient legal services to Eden and Rockingham County residents and businesses. They do real estate law, criminal law, trusts and estates, civil litigation, family law and personal injury law. Attorneys and Counselors at law include Seth M. Woodall, James R. Walker, and Philip E. Berger. Call 336-623-3138 or email [seth@woodall-law.com](mailto:seth@woodall-law.com) or visit [www.woodall-law.com](http://www.woodall-law.com)

#### *Tourism and Special Events*

##### Freedom Park Nature Trail

Work has begun on the Freedom Park Nature Trail improvements. Stay tuned!

##### Great River Race

We hope you're working on your boats and planning on entering the Great River Race set for Saturday, September 19 at Klyce Street Landing on the Dan River. We will race 1.07 miles to Leaksville Landing beginning at 9 a.m. Boats must be homemade and powered by humans. They will be judged for ingenuity, aesthetics, costumes and winning the race. GET CREATIVE! Prizes include: First Place: \$500; Second Place: \$300; and Third Place: \$200. This event is sponsored by Get Fit Rockingham. To register, call the Eden Chamber of Commerce at 336-623-3336 or for more information, call Randy Hunt at 336-613-2859. Come be part of the fun!

##### Klyce Street Landing

The Klyce Street Landing entrance sign has been installed! This will make it much easier for our tubers and kayakers to find this beautiful access point. We also have picnic tables with a great river view. So, pack your lunch or an early supper and come enjoy a quiet afternoon by the Dan River! We would like to thank the Street and Facilities & Grounds departments for their help with installation. Great job!

##### Social Distancing & Trails

Remember our walking trails and paddle trails are a good way to get out and enjoy nature, get some exercise, breathe in some fresh air and enjoy all our natural beauty while adhering to social distancing rules. Eden has so much to offer!

#### FY 2020-21 Street Resurfacing Contract

The bid opening for the FY 2020-21 Street Resurfacing Contract was held on February 20. A total of four responsive bids were received for the project with the successful low bidder being Waugh Asphalt, Inc. in the amount of \$486,376.61. Sectors of the following streets are included in the contract: Kemp Street, Oakwood Drive, Westwood Drive, Fagg Drive, Spruce Street, Greenwood Street, Morehead Street, James Street, John Street, Pine Lane, Panther Lane, Carpenter Road, Hairston Street, Ridge Avenue, Delaware Avenue, Maryland Avenue and South Avenue. Construction is tentatively scheduled to start the week August 16.

#### GPS/GIS Manhole Inventory

Over the last several years, Engineering staff has spent countless hours collecting the GPS coordinates on gravity sewer manholes as time allowed around day-to-day tasks and annual construction projects. I am happy to announce that we have completed the manhole inventory. All of the data has been forwarded to GIS Coordinator Debra Madison and is now available on GIS for use by all staff members.

#### GPS/GIS Water Valve Inventory

Engineering staff is currently working on the collection of the GPS coordinates on water valves throughout the City. We have found this to be very time consuming due to many of the valves being buried beneath dirt, grass, gravel or asphalt. Staff is locating and digging out the buried structures as they are found. Work orders are being sent to the Water & Sewer Superintendent to have the valves raised as needed. To date, approximately half of the valves have been located and surveyed. The GPS data is being forwarded to Ms. Madison as it is collected so it can be immediately added to GIS online. Staff will continue to work on the data collection as time allows.

### PARKS AND RECREATION

All outdoor Parks and Recreation facilities are open in a limited capacity due to COVID-19. Freedom Park Splash Pad and Mill Avenue Pool will remain open through Labor Day. The City hopes to open additional amenities on September 11 if Phase III is put into effect by Governor Cooper.

Matrimony Creek Nature Trail remains closed at this time due to recent flooding.

### PLANNING & INSPECTIONS

#### Boards and Commissions

Meetings remain suspended for all of our boards and commissions except those that receive requests that cannot be delayed, such as Planning Board and the Strategic Planning Commission. The Board of Adjustment has not had any applications since the pandemic began.

#### Business Remodel/Rehab/Construction Updates

The Central Hotel is now under new ownership and asbestos inspections were completed on August 7. The Wendy's remodel project should be completed by August 15. Zip's carwash is nearing completion.

#### Draper CDBG

The last day to accept applications was July 31. The applications received are being reviewed and scored in preparation for a meeting with the committee appointed by Council.

#### Nuisance Abatement on Property

We have received nuisance complaints on the property of 500 Highland Drive over the past six years. Notices have been sent in regards to junk on the property, particularly at the back of the house and around an outbuilding, with the last notice being sent in June requiring it to be cleaned up within 15 days. The property owner called and requested an extension until June 30, which was granted. Since that time, numerous inspections have been performed with no apparent progress being made. Therefore, the property owner was given notice on August 7 that a contractor would be hired to perform the abatement on August 17, which will be an extensive abatement and may take multiple days to complete.

#### Unified Development Ordinance

The City Council will receive a report on this project at their regular August Council meeting. The draft of the text is on the City's website.

### POLICE

Training

In-Service training started August 10 and will continue on August 17, 24 and 31. This training consists of daytime firearms qualification requirements, Bloodborne Pathogens training, and HAZMAT training. Detectives Brandon Buckner and Anthony Lovings have successfully completed General Instructor training and have submitted their paperwork to receive their probationary instructor certification.

PUBLIC UTILITIES

The new CleanB system, which replaced our original process, is running great. We are in the process of pumping out the digester and preparing to close it out.

The City assumed ownership of the New Street Wastewater Treatment Plant, formerly the Eden Real Estate Wastewater Plant, as of August 1. There is no treatment available at this time for the facility; thus, we are looking at all of the long-term options as there will not be a future need for the facility once a pump station is complete. Until then, we will continue to monitor it weekly and sample as needed during discharge events.

CONSENT AGENDA:

- a. Approval and adoption of the July 21, 2020 Minutes.
- b. Approval and adoption of Budget Amendment #1.

Assistant Director of Finance Amy Winn wrote in a memo that the budget amendment transferred money from the drug forfeiture account to the General Fund to cover the purchase of a portable, battery-operated speed sign in the drug forfeiture line item. The balance in the drug forfeiture account prior to the purchase was \$40,380.94.

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Fund Balance Approp - Federal Forfeiture	10-3991-99200	\$ -	\$ 3,000.00	<u>\$ 3,000.00</u>
<b>General Fund Expenditures</b>				
Police C/O Equip - Drug Forfeiture	10-4310-57200	\$ -	\$ 3,000.00	<u>\$ 3,000.00</u>

Appropriates from Drug Forfeiture proceeds for the purchase of a portable, battery-operated speed sign.

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

Attest:

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

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

- c. Approval and adoption of a resolution to donate outdated turnout gear.

Fire Chief Tommy Underwood wrote in a memo that the Fire Department recommended donating their outdated turnout gear of 17 turnout coats, 23 pants, 6 hoods, 2 helmets and 14 pairs of boots to Southeast Technical High School located in New Hanover County. The school was starting a new program and needed assistance. If donated, the school would sign a release form for the donated items, relieving the City of any liability. The local college and high school advised they were not presently in need of any equipment.

RESOLUTION TO DONATE PERSONAL PROPERTY

WHEREAS, the City of Eden Fire Department owns turnout gear that has aged out of use for the Department, consisting of 17 coats, 23 pants, 6 hoods, 2 helmets and 14 pair of boots, as shown on the following exhibit, hereinafter referred to as the property; and

WHEREAS, the City of Eden Fire Department has purchased new gear and has no further use for this property; and

WHEREAS, the City of Eden recognizes that the property has been rendered surplus and unused; and

WHEREAS, the City of Eden desires to donate the aforementioned surplus and unused property to Southeast Technical High School located in New Hanover County for its fire education program pursuant to NCGS 160A-280; and

WHEREAS, the City of Eden in no way guarantees the quality, fitness of purpose or effectiveness of this property, and in no way does the City of Eden endorse this type or brand of apparatus, and the City of Eden has made this disclaimer known to the Southeast Technical High School and has obtained a waiver of claims and liabilities from the school; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the used the turnout gear consisting of 17 coats, 23 pants, 6 hoods, 2 helmets and 14 pair of boots, as shown on the following exhibit, be deemed surplus and unused and that they be donated to Southeast Technical High School for its fire education program.

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

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

- d. Approval and adoption of two agreements, replacing Pittsylvania County Service Authority with the City of Danville in agreements that give the City of Eden contractual assurance as primary water and wastewater provider at the Southern Virginia Mega Park at Berry Hill.

Ms. Gilley wrote in a memo that the City entered into two separate agreements with the Pittsylvania County Service Authority (PCSA) in which the City was assured that it would be the primary provider of wastewater and water to the Southern Virginia Mega Site at Berry Hill once a user located in the park. The agreements were enacted in 2011 (wastewater) and 2019 (water), prior to construction on the lines, so that the City would have contractual assurance that it would be the primary providers for these services and generate sufficient revenue to recoup its costs and benefit financially once users located in the park. At the time of enactment, the Pittsylvania County Service Authority (PCSA) had the jurisdiction and authority to regulate the water and wastewater at the Mega Site. Since then, that authority has transferred to the City of Danville. As a result, the agreements were edited to replace the PCSA with the City of Danville. Both agreements were for 20 years and commenced once a user located and began using the City service. An additional term was put in the agreement that if either party wanted to terminate the agreement after the initial term, it would need to give the other party five years notice. Staff recommended that the two agreements be approved so the City of Eden and the City of Danville would be contractually bound, giving the City contractual assurance that it would be the primary water and wastewater provider of the park.

*A copy of the agreements are on file in the Clerk's Office.*

- e. Approval to amend the 2020-21 Pay Grades and Positions to combine the Parts Clerk and Mechanic I position.

Mr. Dishmon wrote in a memo that Municipal Services desired to combine the position of Parts Clerk with the position of Mechanic I into one Fleet Maintenance position. The Parts Clerk position was a Pay Grade 5 and the Mechanic I position was a Pay Grade 8. Due to the combining of the two positions, staff requested the combined position be put into Pay Grade 9. The combination of the two positions would require the individual to be responsible for the requirements as the Parts Clerk as well as being a Mechanic I, enabling the individual to help in situations when needed on mechanical issues. The combination of the two positions would make services more efficient.

Council Member Epps made a motion to approve the consent agenda. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

#### ANNOUNCEMENTS:

Mayor Hall asked Chief Underwood about his recent news.

Chief Underwood said the Fire Department had recently advertised for part-time firefighters and he was in the course of processing six applicants and hoped to get more over time. Part-time firefighters saved the City a lot of money and was a great way to pursue a career as a firefighter, as he started out as a part-time firefighter

himself.

Mayor Hall said it was a great turn in the right direction to build the staff numbers back up.

Chief Underwood said the low number of firefighters was not just a problem in Eden, but was a problem nationwide. However, he hoped to fix the issue in Eden.

Council Member Nooe said he had neighbors tell him they were impressed with the quick response of the City forces who had worked really hard to clean the streets after the recent storms that passed through.

Mayor Hall agreed that City forces had been working hard. He recently saw City employees spraying weeds on the sidewalk and streets downtown. Their efforts were obvious.

Council Member Ellis said he appreciated Mr. Shelton for what he did for the City and encouraged him to enjoy every day. He also thanked Mr. Shelton’s family for their support.

CLOSED SESSION:

- a. To discuss the acquisition of real property pursuant to NCGS 143-318.11(5).

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

ADJOURNMENT:

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

Respectfully submitted,

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

ATTEST:

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

CITY OF EDEN, N.C.

A special meeting of the City Council, City of Eden, was held on Tuesday, September 8, 2020 at 4 p.m. in the conference room, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Darryl Carter
	Gerald Ellis
	Jerry Epps
	Angela Hampton
	Phillip Hunnicutt
	Bernie Moore (attended remotely)
	Bruce Nooe
City Manager:	Jon Mendenhall
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley

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

Closed Session to discuss economic development pursuant to NCGS 143.318.11 (a)(4).

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

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

Respectfully submitted,

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Deanna Hunt  
City Clerk

ATTEST:

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Neville Hall  
Mayor

***Eden Police Department***  
**308 B East Stadium Drive**  
**Eden, North Carolina 27288**

**Memorandum**

**To: The Honorable Mayor and City Council**  
**Through: Chief Clint Simpson**  
**From: Sgt. Jim Robertson**  
**Subject: Request to Amend Division 7 Designated Parking  
for Persons with Disabilities**  
**Date: 08-26-2020**

Over the course of the past few months and in my prior position as Business District Officer, the concern of “Handicapped” parking spaces was brought to my attention by Barry Carter (Business Owner) and Randy Hunt (Downtown Manager).

Due to the passage of time and the changes brought about therewith, signs for the designated spaces on Washington Street have been removed and the designated space on Monroe Street has vanished altogether. Additionally, upon review of other designated spaces within the ordinance, I discovered several inaccuracies.

In order to accommodate the growing downtown area and to correct the erroneous entries in Eden City Ordinances § 9-181 and § 9-182 , it is the recommendation of the Police Department that the amendments to the ordinances of those sections be enacted as follows (the relevant changes have been **highlighted**):

- § 9-181(A)(2) The parking space on the south side of Washington Street in front of **636** Washington Street;

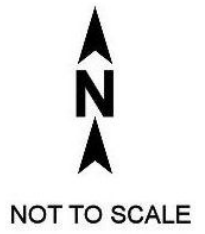
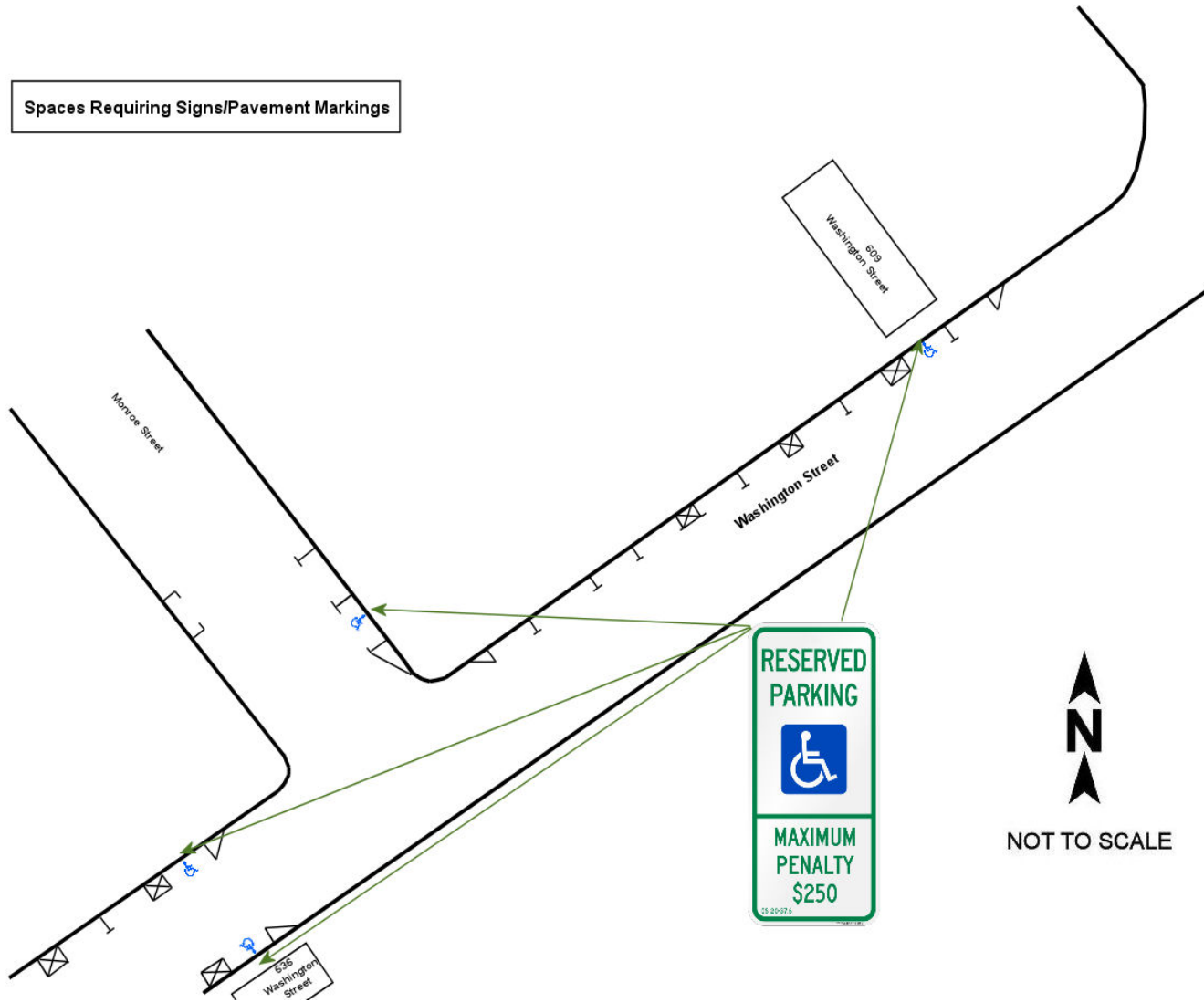
- § 9-181(A)(3) The parking space on the south side of Washington Street in front of 712 Washington Street.
- § 9-181(A)(4) The parking space on the north side of Washington Street in front of 609 Washington Street.
- § 9-181(B) Monroe Street. The parking space on the east side of Monroe Street closest to Washington Street.
- § 9-181(D)(1) The parking space on the east side of Boulevard Street in front of 216 Boulevard Street;
- § 9-181(D)(2) The parking space on the east side of Boulevard Street in front of 258 Boulevard Street;
- § 9-181(D)(3) The four (4) parking spaces on the north side of Boulevard Street in front of 318, 320, and 322 Boulevard Street;
- § 9-181(D)(4) *Delete this entry. These spaces are no longer marked in any way nor relevant to Boulevard Street.*
- § 9-181(E) Henry Street. The fourth parking space on the west side of Henry Street south of Jay Street.
- § 9-181(H) Brame Street. The three (3) parking spaces on the north side of Brame Street, west of its intersection with Cedar Street, in front of Bethel Baptist Church.
- § 9-182 SIGNS. Sign R7-8 as shown in the State Department of Transportation supplement to the manual on uniform traffic-control devices shall be erected or placed at each of the spaces designated in this division.



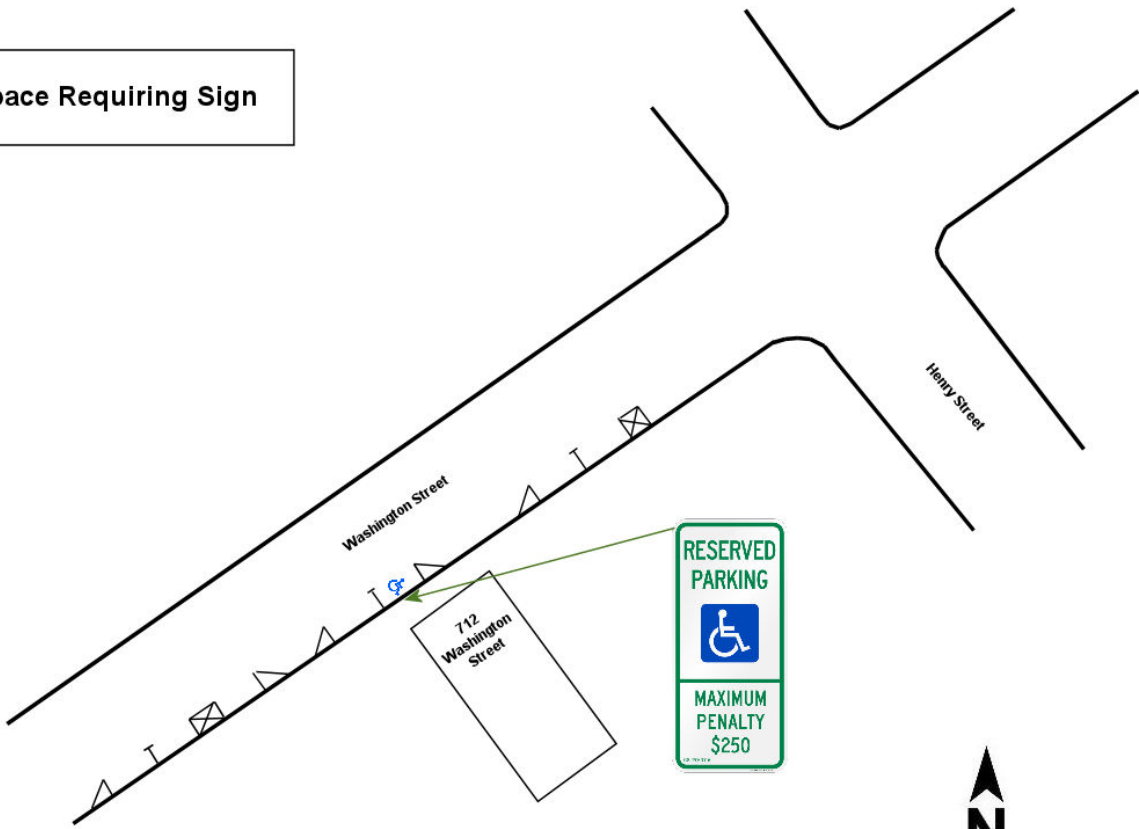
Additionally, some signs will need to be erected or placed in accordance with § 9-182 in the following locations to conform to the above changes and the current designated spaces in § 9-181:

1. The first parking space on the north side of **Washington Street** and west side of the intersection of Washington Street by Monroe Street.
2. The parking space on the south side of **Washington Street** in front of 636 Washington Street.
3. The parking space on the south side of **Washington Street** in front of 712 Washington Street.
4. The parking space on the north side of **Washington Street** in front of 609 Washington Street. (Will need to be marked on the pavement as well)
5. The parking space on the east side of **Monroe Street** closest to Washington Street. (Will need to be marked on the pavement as well)
6. The three parking spaces on the east side of **Main Street** that are south of and next to the existing handicap access to the United Methodist Church. (Will need to be marked on the pavement as well)
7. The three parking spaces on the east side of **Main Street**, beginning with the first space north of the north end of the United Methodist Church. (Will need to be marked on the pavement as well)

Spaces Requiring Signs/Pavement Markings



Space Requiring Sign



NOT TO SCALE

Spaces Requiring Markings/Signs

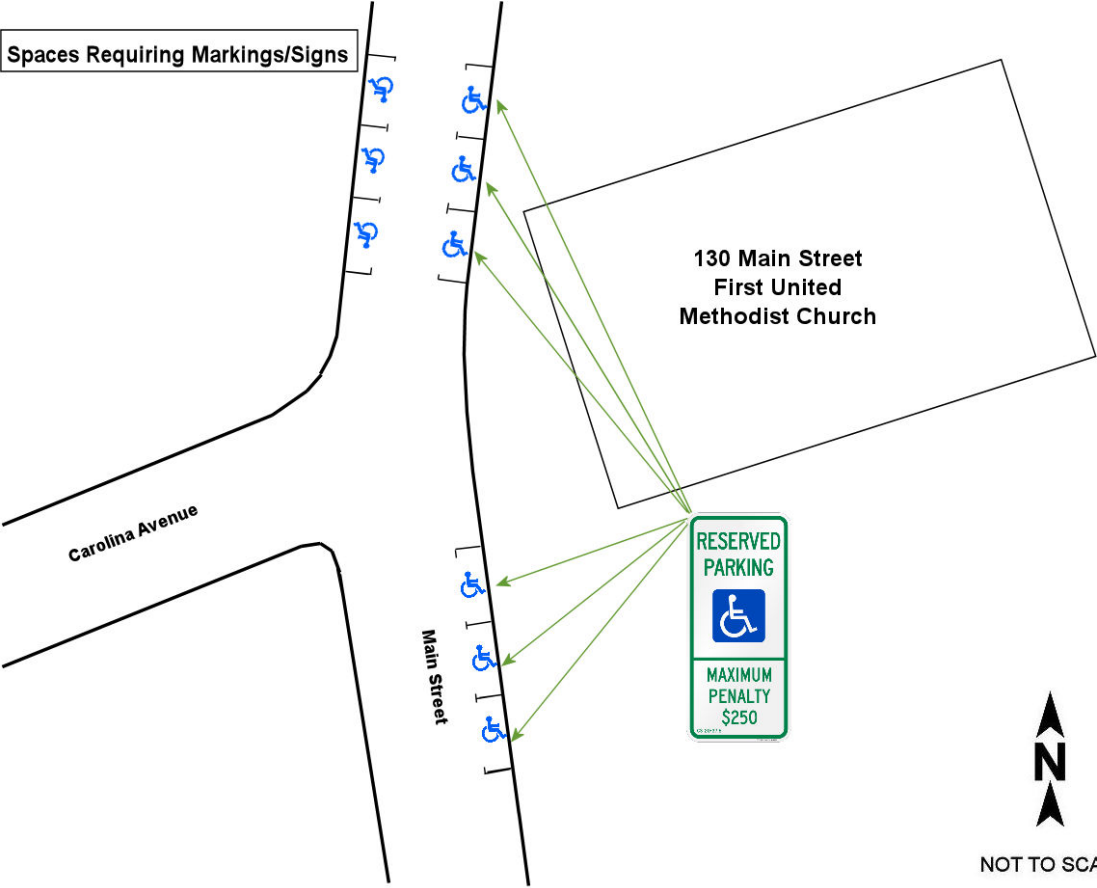
Carolina Avenue

Main Street

130 Main Street  
First United  
Methodist Church



NOT TO SCALE



AN ORDINANCE AMENDING  
THE CITY CODE  
OF THE CITY OF EDEN

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BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that Article 181 of Chapter 9 of the Eden City Code is amended as follows:

***DIVISION 7 PARKING FOR PERSONS WITH DISABILITIES***

**§ 9-181 PARKING SPACES DESIGNATED.**

Parking spaces on the following streets and locations are hereby designated as parking spaces for persons with disabilities and the visually impaired:

(A) *Washington Street.*

(1) The first parking space on the north side of Washington Street and west side of the intersection of Washington Street by Monroe Street;

(2) The parking space on the south side of Washington Street in front of 636 Washington Street;

(3) The parking space on the south side of Washington Street in front of 712 Washington Street.

(4) The parking space on the north side of Washington Street in front of 609 Washington Street.

(B) *Monroe Street.* The parking space on the east side of Monroe Street closest to Washington Street.

(C) *North Fieldcrest Road.*

(1) The parking space on the west side of North Fieldcrest Road in front of 151 North Fieldcrest Road.

(2) The parking space on the east side of North Fieldcrest Road in between 130 and 124 North Fieldcrest Road identified as PIN #709900767284200.

(D) *Boulevard Street.*

(1) The parking space on the east side of Boulevard Street in front of 216 Boulevard

Street;

(2) The parking space on the east side of Boulevard Street in front of 258 Boulevard Street;

(3) The four (4) parking space on the north side of Boulevard Street in front of 318, 320, and 322 Boulevard Street;

~~(4) The parking space on the east side of Bridge Street located 91 feet in a northerly direction from the north right-of-way line at Taylor Street and the parking space on the east side of Bridge Street located 132 feet in a northerly direction from the north right-of-way line of Taylor Street.~~

(E) *Henry Street.* The fourth parking space on the west side of Henry Street south of Jay Street.

(F) *Main Street.*

(1) The three parking spaces on the east side of Main Street that are south of and next to the existing handicap access to the United Methodist Church are hereby designated to be parking spaces for persons with disabilities and for the visually impaired.

(2) The three parking spaces on the east side of Main Street, beginning with the first space north of the north end of the United Methodist Church, are hereby designated to be parking spaces for persons with disabilities and for the visually impaired.

(3) The three parking spaces on the west side of Main Street that are opposite the three spaces described in division (F)(2) above are hereby designated to be parking spaces for persons with disabilities and for the visually impaired.

(G) *Cedar Street.* The two parking spaces on the west side of Cedar Street, north of its intersection with Brame Street, in front of Bethel Baptist Church.

(H) *Brame Street.* The three (3) parking spaces on the north side of Brame Street, west of its intersection with Cedar Street, in front of Bethel Baptist Church.

(I) *Jones Street.* One parking space on the south side of Jones Street, east of its intersection with Morgan Road, beside of Mitchell Drug.

(89 Code, § 9-181) (Ord. passed 6-21-88; Ord. passed 11-15-88; Ord. passed 2-21-89; Am. Ord. passed 12-15-98; Am. Ord. passed 3-16-99; Am. Ord. passed 8-15-00; Am. Ord. passed 2-20-01; Am. Ord. passed 11-20-01; Am. Ord. passed 7-15-03; Am. Ord. passed 10-18-05; Am. Ord. passed 9-15-20)

## § 9-182 SIGNS.

Sign **R7-8** as shown in the State Department of Transportation supplement to the manual on uniform traffic-control devices shall be erected or placed at each of the spaces designated in this division.

('89 Code, § 9-182) (Ord. passed 6-21-88; **Am. Ord. passed 9-15-20**)

APPROVED, ADOPTED AND EFECTIVE, this 15th day of September, 2020.

CITY OF EDEN

By: \_\_\_\_\_  
Neville Hall, Mayor

ATTEST:

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



# Memo

**To:** Honorable Mayor and City Council  
**Thru:** Jon Mendenhall, City Manager  
**From:** Paul Dishmon, Director of Municipal Services  
**Date:** September 2, 2020  
**Re:** Surplus Equipment and Miscellaneous Parts, Exhibit A

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The listed items have reached the end of their life and/or are in need of parts that exceed the cost of replacement of the item. I respectfully request that they be declared surplus and sold at auction on govdeals.com after October 2, 2020. All items sold are “as is/where is”.

## 2020 SURPLUS EQUIPMENT & PARTS

Equipment/Part	Make, Model/Quantity	Condition
Brake Lathe	Ammco Model 6900	Poor
Snow Plow Cutting Edges	A Lot Of Cutting Edges	Poor
Hydraulic Cylinders	17	Poor
Air Compressor Tank	1	Poor
Back Seat (From Police Cars)	2	Poor
Bubble Balancer	1	Poor
Bent Wheels	10 Steel & 4 Aluminum	Poor
Tires (Off Of Police Cars)	40	Poor
Golf Cart	2014 Cushman Elec.	Poor



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

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

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

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

**WHEREAS**, the property will be sold at a public electronic auction to the highest bidder excepting any reserve placed on the property. The property will be listed at [www.govdeals.com](http://www.govdeals.com) starting on October 2, 2020 at 8:00 a.m. and will be posted continuously until it is sold; and

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

**WHEREAS**, Paul Dishmon, Municipal Services Director, is an appropriate city official to dispose of the property by public auction.

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

APPROVED, ADOPTED AND EFFECTIVE this 15th day of September, 2020.

CITY OF EDEN

By: \_\_\_\_\_  
Neville Hall, Mayor

ATTEST:

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

### Exhibit A

<b>Equipment/Part</b>	<b>Make, Model/Quantity</b>	<b>Condition</b>
Brake Lathe	Ammco Model 6900	Poor
Snow Plow Cutting Edges	A Lot Of Cutting Edges	Poor
Hydraulic Cylinders	17	Poor
Air Compressor Tank	1	Poor
Back Seat (From Police Cars)	2	Poor
Bubble Balancer	1	Poor
Bent Wheels	10 Steel & 4 Aluminum	Poor
Tires (Off Of Police Cars)	40	Poor
Golf Cart	2014 Cushman Elec.	Poor