

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, December 19, 2000 at 7:30 p.m. in the Council Chambers, 338 East Stadium Drive. Those present for the meeting were as follows:

Mayor:	Philip K. Price
Mayor Pro Tem:	John E. Grogan
Council Members:	Ronald H. Reynolds
	Ronald L. Janney
	Christine H. Myott
	William W. Rorrer
	C.H. Gover, Sr.
	Garry Tudor
Interim City Manager:	Jerry E. Cox
City Attorney:	Charles J. Nooe
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson

Representatives from City Departments:

Representatives from News Media:

Reid Baer, The Daily News, Leslie Brown, Greensboro News & Record

MEETING CONVENED:

Mayor Price called the regular meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council meets the third Tuesday of each month at 7:30 p.m. and works from a prepared agenda; however, time would be set aside for business not on the printed agenda.

INVOCATION:

Council Member Garry Tudor gave the invocation.

ADDITIONS AND DELETIONS TO AGENDA:

Mayor Price asked if there were any additions or deletions to the agenda.

Council Member Gover explained that he would like to add a replacement to the Safety Committee.

It was the consensus of Council to add this item to the agenda. All Council Members voted in favor of this motion.

Council Member Rorrer stated that he also would like to add an item. He stated that he wanted to add a personnel issue to the agenda, for open session.

Those in favor of Council Member Rorrer's request to add an item to the agenda were as follows: Council Members Grogan, Rorrer, Reynolds, Myott, Janney, and Gover. Council Member Tudor was in opposition; therefore, Mayor Price explained that, as it required a unanimous consent of Council, the addition of this item was denied.

PUBLIC HEARINGS:

- (a) Consideration of a zoning map amendment request to rezone property on NC Highway #14 and Martinwood Road in the city's extraterritorial jurisdiction from Residential-4 and Residential-20 to Residential-Suburban. Request submitted by Mason Sutphin, Authorized Representative. ZONING CASE Z-00-13.

Mayor Price called for a public hearing and asked Mrs. Kelly Stultz, Planning and Inspections Director, to come forward for a report.

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Mrs. Stultz explained that this was a request to make a change from Residential-20 and Residential-4 to Residential-Suburban. She stated that the applicant was Mason Sutphin and he was the agent for the property owner.

She explained that the property was located on Highway #14 North and Martinwood Road and contained approximately 20.025 acres. It had 1,219.57' of frontage on Highway #14 and 180' of frontage on Martinwood Road. It was originally zoned R-20 in 1979 and a portion of the property was rezoned to R-4 in the 1980's. The area is characterized by scattered single family, both site built and manufactured, and residential and agricultural uses. The property was in the Smith River Watershed Protected area and a portion of it along the river was in the 100 year flood hazard area.

This request to rezone a tract in the extraterritorial jurisdiction from Residential-20 and Residential-4 to Residential-Suburban. Residential-Suburban was a zoning district characterized by suburban residential and agricultural uses. One purpose of the district was to encourage the continued use of land for low-density residential and agricultural uses. The area was characterized by rural large lot residential development and farm uses.

Based upon the character of the area, the staff was of the opinion that a Residential-Suburban rezoning was appropriate. Therefore, the staff recommended in favor of the request.

Mayor Price called for a public hearing and asked those in favor of this request to come forward.

Ms. Sherry Montgomery, 131 Boulevard, explained that they wanted the property for the purpose of a boarding facility for Rockingham County, and after a thorough search of real estate in the area they found that this was an appropriate place for it outside of the city limits. She noted that it had local low housing development in it. She noted that there were no guidelines that exist with the city or the county, that covered any of the boarding facilities, but if they go by the requirements of the American Board and Kennel Association they have allowed for an acre and a half of land between them and any existing residences. She stated that there were existing natural sound barriers there. There were embankments there and they were going to cradle the kennels within those embankments. It would also be surrounded by dense woods. There was also surrounding acreage that could not or would not be developed, which was the flood zone area. She stated that they had already gone through septic problems there and a wonderful system had been set up to do that. She noted that it had full accessibility from (Hwy) 14.

Council Member Tudor asked what she would be boarding to which Ms. Montgomery replied dogs and cats.

He asked if she had said there were no guidelines for the city, county or state to which Ms. Montgomery replied that there were state guidelines, but they were very vague. She explained that they currently have a grooming shop and there were no guidelines that mandate a grooming shop. She stated that they went by what they felt was morally and ethically correct.

Council Member Tudor asked how many dogs they would be able to board, to which Ms. Montgomery replied that they were looking at a 72 run facility, indoor/outdoor run and play yards.

He asked how she would envision dealing with waste. Ms. Montgomery replied that it would be picked up on a daily basis. It would not be going into their septic system as they would have a dumpster.

Council Member Tudor questioned if it would not be washed off, and noted that they were adjacent to the river to which Ms. Montgomery replied that they would not be doing that. Mr. Sutphin added that they intended to run it properly.

Mayor Price asked Mrs. Stultz if this required any special permit.

Mrs. Stultz replied that the only other facility of this type in their community was located in Residential-Suburban. She stated that all the other jurisdictions that she could find, plus the regulations that the state did have, North Carolina considered a kennel an agricultural use. She added that the Health Department (county) would regulate the run off and that sort of thing.

Mayor Price asked if anyone else would like to speak in favor of this request. After no one else came forward, he asked if anyone would like to speak in opposition. As no one else came forward, he declared the public hearing closed.

A motion was made by Council Member Grogan seconded by Council Member Reynolds to approve this request. All Council Members voted in favor of this motion. This motion carried.

MONTHLY FINANCIAL REPORT:

(a) Finance Department Monthly Reports.

The memorandum presented to Council contained the Financial Reports for the month of November, 2000.

Mayor Price asked Mrs. Linda Jefferies, Interim Finance Director, to come forward with the report.

Mrs. Jefferies explained that as of November 30, they have Cash on Hand in the bank, \$1,527,578.00. She stated that the bond payment was December 1st, and that was the reason the balance was that large. She noted that in Temporary Investments they have \$6,000,000.00 and North Carolina Cash Management, \$1,783,945.00, for a total of \$9,315,373.00. She noted that was an increase over October.

She stated that the Undesignated Fund Balance in the General Fund was \$2,293,937.00 and that was also an increase. She noted that in Water & Sewer they have an Undesignated Fund Balance of \$2,908,114.68. She noted that all of their departments were in line with their percentages and expenditures.

Mayor Price added that it was pretty self-explanatory this month. He noted that they did have a meeting of the Finance Advisory Board who went over the financial statement in detail. He asked if there were any questions.

Council Member Janney commented that he really did not understand this statement. He stated that he would like for them to go over the financial statement because it did not balance. He stated that he did not see the same numbers and he did not even see a General Fund summary sheet. He noted that it was different from the one he had last month. He explained that he took last months and went from September, October and November and he could not get them to correspond.

Mrs. Jefferies commented that the audit was finished and a lot of the forward balances came in this month's statement that would make things different. They had to do the reversals, the entries there, and it was a tremendous amount of work and at the end she was working weekends and nights, of course she had been since Mr. Sharp left, doing this and trying to get two financial statements done, doing her job and his job...

Mayor Price pointed out that she was closing the year out and there were some entries to make changes, of course they would come forward, but she would explain that.

Council Member Grogan asked if there were not a General Fund to which Council Member Janney replied no there was not and added that he was not criticizing her.

Council Member Gover questioned what came up on Benchmark to which Mrs. Jefferies explained that Mr. Cox had it. She stated that it was \$285,000 now that they were waiting on.

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Council Member Gover stated that he thought they were going to ask for a clarification on that. Mayor Price explained that they would be adding that as an agenda item. Council Member Gover asked if it was not ready at this time.

Mayor Price replied that Mrs. Jefferies knew the figure, but they were looking for an explanation as to why this was going on.

Council Member Reynolds asked if the city was writing any checks to Benchmark.

Mrs. Jefferies replied that it was not the checks to Benchmark. They were writing the checks but they have to wait for the state to refund the city's money and that was the way this grant was set up.

Mr. Cox explained that they basically have to be reimbursed because the city goes ahead and covers it and then asks for a reimbursement from the state rather than the state sending the city the money and the city having the money on hand and draw down, basically as the city has expenditures that they have to submit all the documentation to the state so that they would reimburse the city. He asked Mrs. Jefferies if that was correct to which she replied yes, Mrs. Stultz took care of that.

Council Member Gover asked if the city was having hundreds of thousands of dollars setting out there for several months at a time.

Mrs. Jefferies explained that they have to wait until it comes from the state and they were kind of slow.

Council Member Reynolds added that in other words their money was tied up. Mrs. Jefferies added that they did not get interest on it while it was tied up.

REQUESTS AND PETITIONS OF CITIZENS:

No one came forward to speak to the Council.

UNFINISHED BUSINESS:

(a) Bowling Alley property on Fieldcrest Road.

Information provided to Council explained that the City Council had discussed the potential sale of the bowling alley property on Fieldcrest Road several times in recent months. At the most recent discussion in September, a possible re-use of the property was discussed. That possibility has not materialized. The Director of Planning & Inspections was contacted by a City Councilman about the status of the property and asked to place an item on the December agenda to consider this issue.

The property was currently zoned Business-General, which was the city's most liberal business zoning district. Some of the options available would be to sell the property as it was currently zoned, retain the property for potential future use, rezone the property and then offer it for sale or offer the property for sale with deed restrictions limiting the uses.

Mrs. Stultz explained that this was an issue that the Council had discussed several times. She stated that she had been asked by a Council Member to bring it back to the Council. She noted that she had provided a copy of the existing zoning for that particular block and basically at this point the staff just needed a recommendation from the Council as to what it would like to do.

Council Member Rorrer commented that he had made the request, but he still did not see a recommendation as to how to handle it. He stated that it was his understanding that the last time it was before Council there was supposed to have been a recommendation sent back to them as to how to handle it to keep from messing up the neighborhood.

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Mayor Price commented that Mrs. Stultz's last recommendation alluded to rezoning the property and selling it.

Mrs. Stultz replied that their first recommendation was that there was some concern that there may be a need for this property in the future. She stated that some Council Members had expressed a desire to sell it. She noted that if they take a look at the map, it had a couple of options. She stated that Business-General was very liberal and interjections of some of the uses allowed in B-G to that neighborhood on that property, not only next to the neighborhood but next to the fire station, it was her opinion it might be less than what the Council would expect. She added that same evening Mr. Nooe suggested that it would be possible for the Council to sell the piece of property with deed restrictions and the Council would want to share with him the things that they would want to limit. She stated that she thought there were a couple of ways to do it. They could change the fire station and the bowling alley property to O&I. If they do that, then it would make it a little tricky for someone to operate that building as a bowling alley or completely for storage. She stated that she had not been clear yet at this point as to which direction the Council wanted to go.

Mayor Price asked Mr. Nooe if he thought that deed restrictions would be better.

Mr. Nooe replied that he thought that there was a lack of a sound recommendation to the Council as to what would be in the best interest of the city in disposing of the property and his last impression was that the City Manager, through whatever assistance he deemed necessary would evaluate all of this and come back with just a recommendation to the Council that this would be the best interest of the city of how this property should be disposed of. He stated that it could be discussed to no end as to what all the options or variables were and he really thought that maybe it would be better if more clear instructions were given to the administration as to what the Council wanted from the administration.

Mayor Price suggested that they make their minds up.

Council Member Rorrer stated that they left it with the City Manager to bring it back in a way that would be in the best interest of the city, just like Mr. Nooe was talking about, and give them a recommendation, and they have not as of yet seen a recommendation. He noted it had been back to the Council a half a dozen times.

Council Member Grogan commented that the last time it was discussed was when Mr. Bine (former Interim City Manager) was there and he had some comments, but he was not there and now they were back to square one. He stated that he thought that at least two or three times the Council had expressed a willingness to sell this property, then they came up with zoning and so forth, and then someone suggested using it for the senior citizens.

Mayor Price commented that the building had been inspected for their use but it was not appropriate.

Council Member Grogan suggested that they could vote to sell it in its present zoning or they could ask Mr. Cox if he would like to take a look at it. If Mr. Cox was still there next month then he could make a recommendation or they could hold onto it until they get a permanent City Manager. He stated that it had been about three years since they first discussed selling it so he did not think time was of the essence.

Council Member Rorrer commented that a couple of people were interested in the building.

Mayor Price stated that it would be reasonable to assume that they would have a (permanent) Manager within 60 days. He asked if it would be fair to leave it until they get a City Manager.

Council Member Rorrer replied that he could wait and Council Member Gover stated that he thought that in the mean time the Fire Chief should look at this because the bowling alley looked like 179' on Fieldcrest and the fire station looked like 90'. He questioned how that would

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infringe on the fire station. He stated that if they planned to do anything around the fire station then they did not need to squeeze it out by selling 179'.

Mayor Price agreed and stated that was a good point and they may decide to put deed restrictions on it. He stated that it might be well to think about those restrictions.

Mr. Nooe stated that before there were several things mentioned that could go in it under the present zoning that might be objectionable. He noted that there was such a long list, he truly thought the Council would probably need a special meeting just to discuss all of the things that could go in there. He suggested that it could be resolved if Mrs. Stultz and the City Manager could spend about 30 minutes discussing it and it should not be hard to come up with a recommendation that would protect or prevent the objectionable uses going into neighborhood.

Mayor Price asked Mrs. Stultz if she could pull those things together so that the Council would have some ideas of things that they would want to discuss about limiting the nature of use of that building. He stated that they would want to get it in a reasonable period of time so it would be in place so that the Council could consider it before the next meeting.

Council Member Janney asked if he was saying it would be on the agenda for the next meeting to which Mayor Price replied the January regular meeting.

NEW BUSINESS

(a) Consideration of a Final Development Plan for Phase III of The Fairways off Edgewood Road.

The information presented to Council explained that Kenan C. Wright has presented a final development plan for Phase III of The Fairways located off Edgewood Road.

The Planning and Inspections Department recommended approval of the plan subject to conditions. At the November 28, 2000 regular meeting, the Planning Board voted unanimously to recommend to the City Council that the final development plan be approved subject to the conditions being met.

Mayor Price congratulated the development of this fine project.

Council Member Grogan questioned where Bermuda Drive went.

Mrs. Stultz replied that currently it did not go anywhere and in that particular phase it stopped. She then proceeded to show Council Member Grogan the map. (A copy of this map is in the office of the City Clerk)

A motion was made by Council Member Grogan seconded by Council Member Gover to approve this request. All Council Members voted in favor of this motion. This motion carried.

(b) Consideration of Single Family Rehabilitation Approval: Pauline Artis, 315 Roosevelt Street.

The information presented to Council explained that Mrs. Pauline Artis has applied to have her home repaired through the city's Single Family Rehabilitation (SFR) Program. Mrs. Artis lives at 315 Roosevelt Street. The SFR Program as it was being administered in this instance is a loan program. The City Council was being asked to authorize the granting of a loan to Mrs. Artis. All of the funds will be repaid.

The low bidder for this project was David's Home Repair (Mr. David Johnson, 201 S. Hundley Drive, Eden), a local contractor. His bid was \$22,300.00.

Council Member Rorrer asked Mrs. Stultz if a different person looked into this to which she replied that there was a new person doing the site work and she had also talked to Mrs. Artis. She added that the Codes Inspectors have also been through the house.

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He asked if she was satisfied that the work was being done to which she replied in the affirmative.

A motion was made by Council Member Rorrer seconded by Council Member Grogan to approve this request. All Council Members voted in favor of this motion. This motion carried.

(c) Consideration of Single Family Rehabilitation Approval: Vera Farmer, 1315 Maryland Avenue.

The information presented to Council explained that Mrs. Vera Farmer has applied to have her home repaired through the city's Single Family Rehabilitation (SFR) Program. Mrs. Farmer lives at 1315 Maryland Avenue. The SFR Program as it was being administered in this instance is a loan program. The City Council was being asked to authorize the granting of a loan to Mrs. Farmer. All of the funds will be repaid.

The low bidder for this project was David's Home Repair (Mr. David Johnson, 201 S. Hundley Drive, Eden), a local contractor. His bid was \$12,950.00.

A motion was made by Council Member Rorrer seconded by Council Member Gover to approve this request. All Council Members voted in favor of this motion. This motion carried.

(d) Consideration of Rhode Island Rehab Environmental Abatement Grant Requirements.

The information presented to Council explained that the City of Eden applied for and received a grant to mitigate the environmental issues in the Rhode Island Mill as a part of the total rehabilitation of the mill property. As with all Community Development Block Grants there were requirements that must be met. The Rhode Island Mill, LLC has engaged at their expense, RSM Harris Associates to administer the grant.

Mr. David Harris, President of Harris Associates, explained that within their Housing Development Grant for Rhode Island Mill there was not any administrative funds included and all was going to go to the contractor because of the extensive abatement that was necessary for lead base paint and asbestos. He stated that however, the state has a requirement that all the Community Development Programs be managed by qualified experienced professional individuals. He explained that could be an existing staff person or a firm that specializes in that. He stated that because the town had no funds and had committed to that project then the developer was called upon in order to pay for the administrative cost associated with that grant. He stated that they have had a relationship with Murray Gould & Associates (formerly Affordable Housing Advisors) on other housing development projects. He stated that they approached him with a proposition to ensure that all the state and federal obligations were met and all the money was spent appropriately. He stated that having done that for 15 years with over 100 programs and close to \$100,000,000 without any money to be paid back, he guessed that he (Gould) trusts their judgement. He stated that he would hope to demonstrate to the Council that they could follow through on a project in Eden to the same extent that they have been doing in the Eastern part of the state.

He then referred to the four items that the Council had in their agenda packet. He explained that he would go through them one at a time. He stated that they have received Disaster Recovery Funds from the state before which sort of triggered a lot of the CDBG requirements. He explained that at the beginning of any project, they do a comprehensive, all encompassing approach to go ahead and identify up front all the policies, guidelines, plans, procedures, etc., so that when the state comes and monitors, there would be no gaps. He noted that they have probably adopted a number of those items to a certain extent with their Disaster Recovery Project.

He explained that the first item was simply a resolution authorizing the execution of CDBG documents. He stated that this was not a legal requirement of CDBG, but it was a format that he had been following since being a City Manager, and that was to go ahead and identify the staff people and that relationship with the state in terms of a lot of the documents that would need to be executed. He noted that in this case, because Mrs. Stultz was the staff person that he would be reporting to, certainly she could be involved in this.

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Mayor Price asked if there were questions and commented that as part of their agenda packets, he suspected that the Council had read it.

Council Member Rorrer asked Mr. Nooe if he had any comments.

Mr. Nooe stated that he had provided nothing from his firm to the City Council indicating that he had been employed in this capacity and that his firm had prepared all of those documents and was certified that it would meet all of those various and sundry requirements. He stated that the City Council would be adopting things that obviously it had not had time to evaluate without his firm's written assurances that all of those things were in fact true.

Mr. Harris replied that he could provide such written assurances to which Mr. Nooe stated that he would be satisfied with that.

A motion was made by Council Member Grogan seconded by Council Member Myott that the request be approved subject to the City Attorney receiving a certification of the documents. All Council Members voted in favor of this motion. This motion carried.

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF EDEN
AUTHORIZING EXECUTION OF CDBG DOCUMENTS

WHEREAS, the City of Eden has the need for affordable housing development; and

WHEREAS, the City of Eden has applied for funding from the State of North Carolina under the Small Cities Community Development Block Grant Program (CDBG) Housing Development Category; and

WHEREAS, the City of Eden has been offered a \$250,000 grant from the NC Division of Community Assistance (DCA) under the 2000 Small Cities Community Development Block Grant Program;

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

THAT, The City of Eden hereby accepts the State of North Carolina Small Cities CDBG Housing Development grant offer of \$250,000; and

THAT, Mayor Philip K. Price, Interim City Manager Jerry Cox, City Clerk Kim J. Scott, and Planning and Inspections Director Kelly K. Stultz are hereby authorized to accept this grant offer on behalf of the City of Eden and execute the Grant Agreement, Funding Approval Form, and related grant documents required by DCA; and

THAT, The City of Eden has substantially complied with or will substantially comply with all federal, state, and local laws, rules, regulations, and ordinances as applicable to the CDBG project.

Adopted this 19th Day of December, 2000 by the City of Eden City Council.

SEAL:

s/Philip K. Price
Mayor

ATTEST: s/Kim J. Scott
City Clerk

CITY OF EDEN GRANT PROJECT BUDGET ORDINANCE
2000 CDBG-HD PROGRAM

BE IT ORDAINED by the City Council of the City of Eden, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted:

Section I. The project authorized is the Rhode Island Mill Apartments Project described in the work statement contained in the 2000 CDBG-HD application between the City of Eden and the Division of Community Assistance.

Section II. The officers of the City of Eden are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the Division of Community Assistance and the budget contained therein.

Section III. The following revenues are anticipated to be available to complete the project.

CDBG-HD Grant	\$250,000
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Section IV. The following amounts are appropriated for the project:

Abatement Activities	\$250,000
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Section V. The finance officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement and Federal and State Regulations.

Section VI. Funds may be advanced from the general funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner. Reimbursement to the general funds should be made in a timely manner.

Section VII. The finance officer is directed to report monthly on the financial status of each project element in Section IV and on the total grant revenues received or claimed.

Section VIII. The budget officer is directed to include an analysis of past and future costs and revenues on this grant project as a part of every budget submission made to this Council.

Section IX. Copies of this Grant Project Ordinance shall be made available to the budget officer for direction in carrying out this project.

Adopted this 19th day of December, 2000, by the City of Eden City Council.

SEAL: s/Philip K. Price
Mayor

ATTEST: s/Kim J. Scott
City Clerk

CITY OF EDEN FINANCIAL MANAGEMENT RESOLUTION
2000 CDBG-HD PROJECT – HOUSING DEVELOPMENT

WHEREAS, the City of Eden has received a 2000 CDBG-HD Grant in the amount of \$250,000; and

WHEREAS, the North Carolina Administrative Code Resolution (4 NCAC 19L) requires that the City of Eden designate a Grant Finance Officer, authorized individuals to execute grant requisitions, and a Depository for CDBG-HD revenues;

NOW THEREFORE, the City Council of the City of Eden hereby resolves the following:

- (1) Linda Jefferies will serve as Grant Finance Officer and will be responsible for financial management of the 2000 CDBG-HD Project according to the requirements of 4 NCAC 19L.
- (2) First Citizens Bank of Eden, NC is hereby designated as the official depository for revenues budgeted for the 2000 CDBG-HD Project.
- (3) Kim J. Scott, City Clerk and Kelly K. Stultz, Planning and Inspections Director are hereby designated as individuals certified to sign requisitions for 2000 CDBG-HD funds.
- (4) Mayor Philip K. Price is hereby directed to sign the “Signatory Forms and Certifications” as the “Certifying Official” and return the forms along with all other materials as necessary to the respective agencies.

Adopted this 19th day of December, 2000 by the City of Eden City Council.

SEAL: s/Philip K. Price
Mayor

ATTEST: s/Kim J. Scott
City Clerk

(e) Consideration of Community Development Block Grant/Housing Rehab/Rockingham County.

The information presented to Council explained that the North Carolina Division of Community Assistance administers Federal Community Development Block Grant Funds for North Carolina. In an effort to reach more rural areas and smaller jurisdictions, the decision was made to give \$400,000 to each qualifying county on a three year rotating basis. Rockingham County was among those counties and was scheduled to receive the funding the first year of the program. The funds were designed to offer housing assistance to those most in need.

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The City, Town and County Managers have met to discuss the most equitable manner in which to distribute the funds without diluting their impact. The recommendation has been to have the funds equally available to all citizens of Rockingham County. However, in order to insure that Eden residents were eligible, the City of Eden must participate in the program.

Mr. Cox commented that for clarification he thought this was a change in the state's administration of CDBG to which Mrs. Stultz added that those monies come through the Federal government and down to the state and there were all kinds of communities in North Carolina that were in entitlement communities and they regularly get funds every year. She stated that one of the things that they decided to do was to reach out to more rural areas and to provide funds on a regular basis to be distributed. The decision was made at a state level to do that on a county by county basis and once those funds went to Rockingham County then the county had the ability to decide how they wanted to handle using that money for the benefit of the entire county. She stated that it was her understanding that the former Interim Manager, Mr. Bine, had attended several meetings that included all the county municipal managers as well as the County Manager and what they decided to do was to administer it and let everyone in the county who had the potential to be approved and meet the requirements of the program, to let them all be allowed to participate equally on the basis of the establishment of need and qualification. She explained that they were funds that would go to Rockingham County and the money would never come to the City of Eden so there would be no administrative issues with it. She stated that what the county was asking, should the Council agree, was to sanction that form of administering the funds for the whole county, so that someone who was a resident of Eden would have just as good a chance as someone who lived out in a more rural, non-urban area of the county.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve this request. All Council Members voted in favor of this motion. This motion carried.

(f) Consideration of School Resource Officer Contract.

The information presented to Council explained that under the School Resource Officer contract proposed by Rockingham County Schools for the current school year, the city would be reimbursed for 100% of the salary, benefits, and overtime of two SRO's for ten months. The city would pay the salary and benefits for the two remaining months. This is the same agreement as the two previous years and it has worked well.

At the request of the previous Interim City Manager, the Police Chief investigated the possibility of having the school system pay 100% of the two salaries for the full twelve months. What the Police Chief found was that the General Statutes specify that the school system may pay \$37,838 per year, but only for SRO's in a high school and none in a middle school. Since the city has one in the high school and one in the middle school, they were actually better off with the contract offered. The Police Chief recommended that the city sign the contract as offered.

A motion was made by Council Member Grogan seconded by Council Member Gover to approve this contract. All Council Members voted in favor of this motion. This motion carried.

(g) Consideration of recommendation on purchase of flat bed truck - Sanitation Division.

The information presented to Council explained that the Fleet Maintenance Superintendent and the Solid Waste Superintendent recommended the purchase of a flat bed truck for the Sanitation Division. The recommendation was to purchase the truck from Enterprise Truck and Trailer Sales at a cost of \$14,300 and the dump bed from Atkinson Truck Sales at a cost of \$5,500. Total cost would be \$19,800, and was a budgeted item in this year's budget.

Council Member Janney commented that in looking at the mileage, 206,000 miles, he knew that the cost was low, but he asked if they really gained anything by buying something with that much mileage.

Mr. Jerome Adams, Solid Waste Superintendent, explained that the mileage on this particular piece of equipment was not a major issue. He stated that this type of unit was designed, engine and all, was set up to run 600, 800 or even 1,000,000 miles. He stated that they currently have two units in operation and one had been in use for about a year and a half and the other since 1994. He stated that both units had similar mileage when purchased and there have been no problems with them. He stated that a lighter vehicle was not designed to run the mileage that those trucks run. He added that the vehicle had been thoroughly checked and they felt very comfortable with it. He stated that the engine itself was proven to be in good condition and with

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the type of operation that they do, the stop and go type of operation, the mileage on this truck was basically road miles, which really did not have that much of an impact on an engine.

Council Member Janney agreed that road mileage did not hurt a vehicle very much. He stated that when he looked at it he did not know what the vehicle was used for.

Council Member Gover asked if it had the original engine to which Mr. Adams replied that it did.

A motion was made by Council Member Grogan seconded by Council Member Myott to approve this purchase. All Council Members voted in favor of this motion. This motion carried.

(h) Consideration of Budget Amendment #12.

This is the twelfth budget amendment for the year.

Budget #12	Amendment	Account #	From	To	Amount
WATER & SEWER FUND					
Revenue		30-3991-991	\$473,018.00	\$478,529.00	\$5,511.00
				\$ -	<u>\$ -</u>
					<u>\$5,511.00</u>
WATER & SEWER FUND					
Expenditures					
W/S Refunds	Assessment	30-9920-98323	\$63,000.00	\$68,511.00	\$5,511.00
					<u>\$5,511.00</u>

Budget Amendment #12: To budget reimbursement of Charlie/Gracie Street Assessments – Paid prior to billing, Mr. Albert Adams & Bernice Hairston.

A motion was made by Council Member Gover seconded by Council Member Myott to approve Budget Amendment #12. All Council Members voted in favor of this motion. This motion carried.

(i) Consideration of Water Distribution System Modeling Software Upgrade WaterCad Software and Additional User.

The information presented to Council explained that the Director of Engineering received a quote from Haestad Methods to upgrade the Engineering Department’s single-user WaterCad water distribution system modeling software from version 3.1 to a two-user WaterCad modeling software version 4.11.

The quote was for \$6,400 which included a credit of \$3,595 on the Department’s existing single-user WaterCad Modeling software. If the two-user modeling software were purchased without trading, the cost would be \$9,995. Also provided was a \$500 gift certificate. The certificate would be applied when ordered; therefore the final cost of the new software would be \$5,900. The money was allocated in the Engineering Department’s budget for this purchase. The gift certificate expires on December 31, 2000.

A motion was made by Council Member Grogan seconded by Council Member Tudor to approve this request. All Council Members voted in favor of this motion. This motion carried.

(j) Consideration of Poolroom License Application.

It was determined that Mr. Singletary, the applicant, was not present. Mayor Price asked who would have to approve the employees to which Mr. Nooe replied that the biggest hurdle they would have was if they were going to sell beer, and if they do, then the ABC people. He stated that the city’s ordinance has certain restrictions as to who could be employed, but whatever they were they would have to abide with it, however employees were going to change from time to time.

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A motion was made by Council Member Grogan seconded by Council Member Gover to approve this application.

Council Member Janney commented that those people have had a lot of problems in that area with this particular establishment. He stated that he did not want to keep anybody from going into business, but he asked had there ever been anything done as far as the building being padlocked by the city or state as the police department had spent numerous hours there.

Mayor Price asked Chief Benthin if he was aware of any time that there had been closure.

Chief Benthin replied that all of the problems had occurred outside the building. He stated that they did not have to be inside the building, but they had to be able to show that the operator of the business was responsible for the problem and that was much more difficult if it occurred outside. He added that they were keeping a close eye on it and they were documenting everything.

Council Member Janney stated that he did not want to keep a man from going into business, but when there were residents who live in that area, he would hate to put them subject to things that had happened in the past.

Chief Benthin stated that they would watch it carefully and if there were reasons to act on it as a nuisance then they would do that.

Mayor Price commented that he certainly agreed with Council Member Janney. He stated that there have been major problems with having businesses in residential areas. He stated that he knew everybody wanted to see private businesses be successful, but they also owe their landowners and people who have built this community safety and peace in their own homes.

Council Member Grogan agreed and stated that if the neighborhood people, as a group, if they were opposed, they could come to the City Council and look at the possibility of rezoning and changing or whatever that might be done, but it was difficult as an elected city official, to try to dictate somebody's business. He stated that he respected the property owner's right, to do whatever he chose, if it was zoned right and it was according to the law.

Mr. Nooe added that the law provided severe penalties and it was much easier to enforce them than it was five or six years ago. He stated that cities were now able to initiate enforcement on its own to places of businesses that constitute a public nuisance, it was just documenting the circumstances of events.

Mr. Roger Brown (property owner) stated that he certainly appreciated their concern. He stated that he was concerned about it as well and there would be no alcoholic beverages sold there. He stated that he did not know that anybody had applied for a license to sell alcoholic beverages. He stated that he lived in the neighborhood, as well as his mother and friends. He stated that they did not have to worry about that.

Council Member Grogan pointed out that the Council did not know that they had.

Mr. Brown stated that since it was mentioned, he thought he should speak up. He stated that he knew that there had been problems in that area for a long time. He stated that he was trying to become more involved in it and he could assure them that if anybody applied for an alcoholic beverage license, it would have to come through him first. He stated that he was glad he had attended the meeting, as he did not even know that the gentleman had applied for a pool license. He stated that he had did not have a problem with pool tables going in there and he also appreciated that the Police Department was looking at it.

Council Member Tudor asked for clarification, that the person who was going to rent the building, if he was not opposed to it being operated as a poolroom.

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Mr. Brown replied that he had told him he had planned to do something else and he saw it on the agenda and his name was mentioned...to which Mr. Nooe suggested that maybe the Council would want to table the item. Mr. Brown stated that the renter told him he wanted to operate a produce stand.

Council Member Grogan stated that he would withdraw his motion and move that it be tabled until a later date.

A motion was made by Council Member Grogan seconded by Council Member Tudor to table this motion. All Council Members voted in favor of this motion. This motion carried.

CONSENT AGENDA:

(a) Approval and adoption of minutes – November 7, 9, and 21st, 2000.

A motion was made by Council Member Rorrer seconded by Council Member Gover to approve the Consent Agenda, Item (a). All Council Members voted in favor of this motion. This motion carried.

ORDINANCES AND RESOLUTIONS:

(a) Adoption of an ordinance amending the City of Eden Zoning Ordinance to allow "automobile towing and temporary storage services" as permitted uses. ZONING CASE Z-00-09.

(b) Adoption of an ordinance rezoning property on Highway #14 and Martinwood Road in the city's extraterritorial jurisdiction from Residential-4 and Residential-20 to Residential-Suburban. ZONING CASE Z-00-13.

(c) Adoption of a Resolution: Piedmont Triad Council of Governments.

RESOLUTION
City of Eden

WHEREAS, Lead Regional Organizations have established productive voluntary working relationships with municipalities and counties across North Carolina; and

WHEREAS, the 2000 General Assembly recognized this relationship through the appropriation of \$990,000 for each year of the biennium to help Lead Regional Organizations assist local governments with grant applications, economic development, community development, and to support local industrial development activities and other activities as deemed appropriate by local governments; and

WHEREAS, these funds are not intended to be used for payment of member dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

WHEREAS, in the event that a request is not made by the Eden City Council for release of these funds to the Lead Regional Organization, the available funds will revert to State's general fund; and

WHEREAS, in Region G, funds in the amount of \$55,000 will be used to carry out the 2000-2001 Program of Work.

NOW, THEREFORE BE IT RESOLVED, that the Eden City Council requests the release of its share of these funds, \$1,009.43, to the Piedmont Triad Council of Governments at the earliest possible time in accordance with the provisions of state law.

Witnessed this the 19th day of December, 2000, by:

s/Kim J. Scott
Kim J. Scott, City Clerk

s/Philip K. Price
Philip K. Price, Mayor

A motion was made by Council Member Janney seconded by Council Member Gover to approve Ordinances and Resolutions (a), (b), and (c). All Council Members voted in favor of this motion. This motion carried.

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VOUCHERS:

There was no discussion on vouchers.

ADDITIONS TO AGENDA:

Mayor Price explained that they had a Safety Committee appointment of Mr. Tommy Carter.

A motion was made by Council Member Gover seconded Council Member Grogan to approve the appointment of Mr. Tommy Carter to the Safety Committee. All Council Members voted in favor of this motion.

REQUEST BY COUNCIL MEMBER RORRER FOR PERSONNEL DISCUSSION AT NEXT MEETING:

Council Member Rorrer commented that at the next meeting (December 28th) he wanted to add an Executive Session for discussion of Personnel and also an Open Session for Personnel.

ADJOURNMENT:

A motion was made by Council Member Janney seconded by Council Member Tudor to adjourn. All Council Members voted in favor of this motion. This motion carried.

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor