

CITY OF EDEN, N.C.

A special meeting of the City Council, City of Eden, was held on Monday, June 19, 2000 at 4:00 p.m. in the Council Chambers, 338 West Stadium Drive. Those present for the meeting were as follows:

Mayor
Mayor Pro Tem:
Council Members

Philip K. Price
John E. Grogan
Ronald H. Reynolds
Ronald Janney
Christine H. Myott
William W. Rorrer
C. H. Gover
Garry Tudor
Radford L. Thomas
Charles J. Nooe
Kim J. Scott

City Manager:
City Attorney:
City Clerk:
Representatives form City Departments:
Representatives from News Media:

Reid Baer, Greensboro News
& Record

MEETING CONVENED:

Mayor Price called the special meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council needed to add to the agenda a consideration for approval of a \$3,000 contribution to the Eden Jaycees for their Fourth of July Celebration.

Item added to agenda:

A motion was made by Council Member Tudor seconded by Council Member Reynolds to add consideration for approval of a \$3,000 contribution to the Eden Jaycees for the Fourth of July Celebration to the agenda.

Council Member Rorrer commented that he had read in the paper where the Eden Jaycees and Miller Brewery were sponsoring the event. He stated that he did not think that was the way it was supposed to be and asked if it was supposed to include Eden too.

Mayor Price replied that he had not seen the ad and he asked if anyone could answer his question.

Council Member Rorrer stated that he just wanted to be sure that Eden was included and Council Member Tudor agreed that Council Member Rorrer was correct because he had read that also. Council Member Rorrer added that he was sure it was an oversight on someone's part, but it was an oversight that could cost \$3,000.

Mayor Price stated that he was sure that Mr. Conner (Parks & Recreation Director) would take care of that.

Action on the motion was as follows: All Council Members voted in favor of this motion. This motion carried.

Consideration of approval of \$3,000 to the Eden Jaycees for the Fourth of July Celebration:

Mayor Price stated that in the past they have gotten the money in and they were asking if the city could go ahead and notify them to get that out.

City Manager, Mr. Thomas explained that it was in the current year's budget. He stated that this request was made from year to year, they had included money in the 1999-2000 budget, and it just had not been appropriated to them yet. He stated that they could get that done this week, but for the last two or three years, he knew the city had contributed \$3,000 toward the fireworks display.

Council Member Rorrer commented that it had been going on for years.

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Council Member Tudor added that when he was the Jaycee's president he thought it was greater than \$3,000.

Council Member Janney stated that it had never been any more than that. He stated there was one thing that they needed to make sure did not happen, and he had already received a call this year, the Eden Jaycees get charged \$75 for a permit and each year they end of refunding the \$75. He suggested that they try to straighten that out. He stated that he received a call and they went to see Darryl Carter (Fire Inspector) and Ronnie Overby (Fire Chief) and they were told that they would take care of making sure they got their money back. He stated that it was kind of bad to give a donation and then charge them to take it.

A motion was made by Council Member Gover seconded by Council Member Tudor to approve this request. (*See amended motion below*).

City Attorney, Mr. Charles Nooe commented that in the past it had been a joint venture with the Recreation Department and they have participated to that extent as opposed to being a donation to a civic organization.

Council Member Janney agreed that was correct and Mr. Thomas added that was where the money was budgeted in the Recreation Department.

Mr. Nooe stated that the motion came to be a donation but it should authorize the Recreation Department to be a co-sponsor.

Council Member Gover stated that he amended his motion to that effect and Council Member Tudor seconded it.

Action on the motion was as follows: All Council Members voted in favor of this motion. This motion carried.

CLOSED SESSION:

A motion was made by Council Member Grogan seconded by Council Member Gover to go into closed session for the discussion of personnel according to GS 143-318.11(a)(6) and to consult with the attorney in order to preserve the attorney-client privilege according to GS 143-318.11(a)(3). All Council Members voted in favor of this motion. This motion carried.

OPEN SESSION:

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

WATER & SEWER:

Mayor Price explained that the second part of their meeting was concerning water & sewer with Mr. David Cain (Finkbeiner, Pettis, & Strout). He stated that prior to Mr. Cain addressing the Council, he would like to make a statement from the city.

Mayor Price stated that the City of Eden had notified Miller Brewery Company and National Textiles, Inc. that the city had adjusted the water rates for the current year for each company according the terms of their respective contracts. He stated that each contract was being billed for any additional amounts that may be due to the city as a result of the contract rate adjustments. The contracts provide for the computation and the implementation of rate adjustments by the city without the necessity of modifications or amendments to contract or approval of adjustments by the City Council or the respective industries. Each company had a right to verify the data used by the City Administration and the computation of the new contract water rate for each industry. He stated that because of the closing of Pluma, Inc. and more recently because of budget meetings, the City Administration and the City Council have been evaluating the short and long term adverse affects of this closing on the city's financial status. The city has already acted to offset some of the net loss in the water and sewer revenues and would take further action as may be appropriate and necessary to ensure that the financial condition would not be seriously affected in the long term.

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Mayor Price thanked everyone for their attention and asked Mr. Cain to come forward to address the Council.

Mr. Cain commented that when he was there last, the main question and request that was asked of him was to put some numbers together in a format that could be used to go and talk to the contract customers. He stated that Mr. Nooe gave him a form that he wanted to see it in and he put that together. He stated that it was really background numbers, but it was put into a format that should be easily understood by the contract customer and he added that he had that available for his (Mr. Nooe) use. He added that he did not make copies for everybody because it was really a lot of numbers that may or may not be any use to them. He stated that it was his understanding that was what was needed of him and he had that available.

Council Member Janney asked what the numbers were.

Mr. Cain replied that it was basically just background for numbers that they had talked about before, as far as how derivations were made. He asked that they recall from the last meeting, he had given Mr. Nooe a lot of information and he wanted it in a simpler form that they could use to give to the industries. He stated that it was basically just condensing all that to where it was easily understood.

Mr. Nooe added that it would be a matter of public record now, so the information would be available to the Council, industry and the public.

Council Member Grogan commented that he would like for Mr. Cain to do a study for them on the water and sewer rates to take into consideration the non-contract customers for the Council to look at in the near future to finish the budget.

A motion was made by Council Member Grogan seconded by Council Member Tudor to have Mr. Cain (FP&S) do a study of the water and sewer rates taking into consideration the non-contract customers. *(This motion was later removed).*

Council Member Rorrer commented that he was in opposition of voting on anything that was not on the agenda. He stated that he was asked before he got to meeting about open meeting items and he had told the constituent that they did not have any open meeting no more than just a formality.

Mayor Price stated that he thought his motion was in order. He asked the City Attorney for his thoughts.

Mr. Nooe stated that if understood the rules and procedure that the city had operated by, if it was not on the agenda and a Council Member objected, it would not be voted on.

Council Member Grogan commented that he would then remove his motion.

Mayor Price asked if he had any intention of adding that to the agenda.

A motion was made by Council Member Grogan seconded by Council Member Myott that the rate study be added to the agenda.

Council Member Janney commented that he did not understand what was going on. He stated that they were moving too quickly. He stated that Mr. Nooe had a copy of what Mr. Cain had prepared and the Council had no idea what that was.

Mr. Nooe explained that if he got the bill tomorrow and the Council did not like the bill and wanted to cut it in half, fine, then that was the Council's prerogative. He added that at this point, it was the administration's job to compute the rate adjustment and send it to the industry.

Council Member Grogan added that the focus had been dumped together and really what they had asked Finkbeiner to do, was to study rates for their contract customers to see where they were and where they should be. He stated that Mr. Cain had done that and which they have adjusted the rates in billing contract customers. He stated that he thought that they should go one step further and ask him to do a study for the water and sewer rates for the city, because one had

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not been done in a long time for all non-contract customers, both commercial as well as residential. He explained that was his request to be added to the agenda.

Action on the motion was as follows: All Council Members voted in favor of this motion. This motion carried. *(After brief discussion, it was determined that this vote was not unanimous.)*

Mr. Nooe objected and asked if it was carried unanimously to which Council Member Grogan asked everyone to raise their right hand and Mayor Price added that he did not hear any opposition.

Council Member Rorrer replied that he was sitting there protesting.

City Attorney Nooe explained that they were now calling for the vote.

Council Member Rorrer asked if he was adding to tonight's agenda or tomorrow's to which Mayor Price replied, tonight.

Council Member Rorrer stated that he had a "no".

Mayor Price asked if that was unanimous.

Mr. Nooe explained that it had been that without unanimous consent of the members of the Council, they did not add anything to the agenda for that meeting.

Council Member Grogan asked if it was in order to ask that the vote for tonight be added to tomorrow night's agenda to which Mr. Nooe replied that he would think so.

A motion was made by Council Member Grogan seconded by Council Member Rorrer to add the agenda item to tomorrow night's meeting (June 20, Regular City Council Meeting). All Council Members voted in favor of this motion. This motion carried.

ADJOURNMENT:

A motion was made by Council Member Grogan seconded by Council Member Tudor to adjourn the meeting.

Council Member Janney wanted to know when they were going to get back to the budget.

Mayor Price replied that they were coming closer and they have resolved a lot of things.

Council Member Janney pointed out that they have not resolved the budget.

Mayor Price stated that they have not resolved personnel and the water and sewer situation, but they have agreed on insurance and basically on the capital items, unless they needed to come back to anything that was pulled out...to which Council Member Janney stated that they needed to come back to some things.

Council Member Rorrer stated that he did not think they had agreed to anything under capital outlay. He stated that Mr. Thomas had listed some things he had eliminated but they did not actually get into too much of it.

Mayor Price pointed out that they spent two hours on it one night to which Council Member Rorrer replied that he had not missed a meeting.

Council Member Janney explained that the reason that he had said that was that they needed to come to some consensus on this budget. He stated that he had experienced one interim budget since he had been on the Board and he did not want to have another interim budget. He stated that if they needed to come down there for a couple of nights, or even do it in one night, and everybody get their act together whether they agree or disagree and get this budget behind them.

Mayor Price agreed with him. He stated that for some time, he had a feeling they, as a whole, were not completely clear on the payroll situation. He stated that he had pretty much made up his

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mind, personally, of the direction they should take. He stated that he had a conversation on last Friday with a gentleman who had asked him some pertinent questions and he was not sure he did not change his mind on his direction on how to implement the payroll labor discussion they talked about. He stated that he wanted to make completely sure, because they were talking about \$300,000 to \$500,000 decisions there and they had to be absolutely sure.

Council Member Janney stated that they needed to be together on that and he did not think they were. He stated that he had some real concerns about taking it all off in one time. He stated that he had suggested the other night that they go ahead and give a certain amount of raise and come back to it later. He stated that he still felt that was the way to go, but if the Board did not want to do that it was fine. He stated that he had been in a lot of discussion about this pay increase. He stated that he had not decided which way he wanted to go at this point. He stated that he had some real concerns that he was ready to voice to everybody. He asked that they make sure they do it right as it had to be a positive thing or it was not worth a hoot.

Mayor Price agreed and added that it was an expensive thing.

Council Member Janney stated that it was not going to be just one year; it was every year.

Council Member Gover pointed out that they needed another outcome on those rates also before they get into the money.

Mayor Price stated that he hoped before June was out that they could certainly meet some time next week to try to resolve all the little things.

Council Member Janney stated that he appreciated that because they needed to get it behind them.

Action on the motion was as follows: All Council Members voted in favor of this motion. This motion carried.

Respectfully submitted,

Kim J. Scott, CMC
City Clerk

ATTEST:

Philip K. Price
Mayor