

## CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, November 21, 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:	Peter G. Bine
City Attorney:	Charles J. Nooe
City Clerk:	Kim J. Scott
Administrative Staff:	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.

RECOGNITION OF BOY SCOUT TROOP 567:

Mayor Price recognized Boy Scout Troop 567 and welcomed them to the meeting.

RECOGNITION OF INTERIM CITY MANAGER, PETER BINE:

Mayor Price announced that this meeting would be Mr. Bine's last meeting as he has accepted a City Manager position in Hopewell, Virginia. He thanked him for his work in Eden and wished him good luck.

INVOCATION:

Pastor Joel Long, First Presbyterian Church, was present to give the invocation.

ADDITIONS AND DELETIONS TO AGENDA:

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

Council Member Gover stated that he would like to add under Unfinished Business a report from the City Attorney on the Banking Services.

Mayor Price noted that in terms of removal they have been asked by the Planning Department to table Item 8(a) to the next month's meeting. He added that they were also asked to table Item 8(d) until next month.

Mayor Price stated that under New Business, he would like to ask for approval of a Resolution approving the Transportation Improvement Plan for Rockingham County.

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

PUBLIC HEARINGS:

- (a) Consideration of a zoning text amendment request to amend the City of Eden Zoning Ordinance to allow "automobile towing and temporary storage services" as permitted uses. Request submitted by the Planning Board. ZONING CASE Z-00-09.

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

Mrs. Stultz explained that they had all discussed this issue a great deal. She noted that at an earlier City Council Meeting they had discussed some possible clarifications to the amendment that had been proposed. She referred to information provided in the Council's agenda package and noted that letters in blue were additions or were possible alternatives and the red letters were suggestions that the Planning Board had made different than what the staff had suggested. (A copy of this information is in the office of the City Clerk).

She mentioned that one of the things discussed, and Council Member Janney had noted that she did not clearly put it in there, was that vehicles stored inside a particular operator's building, completely enclosed, would not count toward the maximum number of storage. She noted that was one of the things that the Planning Board had discussed and she had decided to add in order to make certain that it was clear.

She noted that on Item #1, where it talked about vehicles that would be allowed in Business-Central, Business-General, and Business-Highway #2, the staff recommended that only 20 vehicles be stored on the premises and the Planning Board recommended 50.

She stated that the City Attorney suggested that she make the language in there more closely reflect what was in other parts of the ordinance.

She noted that on the second page, another thing that was discussed was language in the first proposal about the fence, or whatever screen they would need to erect. She stated that there was some concern that perhaps it was not clear enough as to what that screen would be. She explained that she put in there the same language that was in the other section of the zoning ordinance dealing with fences of that type.

She explained that this was an amendment that she recommended that they all consider. She stressed that it needed to be done in their ordinance to provide for the legitimate type of business that this amendment called for.

Council Member Gover asked why she had included #4,#5 and #6 in this proposal to which Mrs. Stultz replied that they were already in the sections of the ordinance. Council Member Gover stated that it was confusing.

Mrs. Stultz explained that she put it in there just to make sure, if somebody looked, because this would be in the definition section, that all of the regulations that would apply would be in one place and she was simply trying to make it easier.

Mayor Price asked if there was anyone present who wished to speak in favor of this amendment. As no one came forward to speak, he asked if anyone would like to speak in opposition.

Mr. Clarence Hale, 2238 Ford Street, stated that he thought they would run into problems. He stated that he did not know exactly what they were talking about. He stated that he did not think any of them (business owners) would have 50 vehicles at any one time. He stated that they had storage and wrecked vehicles, but if they were getting into moving vehicles for the city, then that would pose another problem. He stated that they needed to discuss it to make sure that it would suit them all because if they agree to it and then have problems down the road they would be back before the Council again and they needed to do it right to start with.

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Mayor Price asked Mr. Hale for his opinion of the 50 vehicles.

Mr. Hale replied that he had talked with most of the others in the wrecker business and they hardly ever had 50 vehicles at any one time, but that was wrecked. He asked if they were talking about picking up junk vehicles out of people's yards and if they were they would get more than that as there were some places that probably had 50 that needed to be moved now. He questioned that they would have to put them on their yard, and if they had 50, what were they going to do.

Mr. Nooe pointed out that there was nothing in the ordinance that said they would have to.

Mr. Hale asked if that meant in other words that they were going to put them somewhere else.

Mr. Nooe replied no, that they were talking about hauling junk vehicles for the city and under one of the city's junk vehicle ordinances, they did not have to tow them.

Mayor Price asked Mr. Nooe to explain the ordinance.

Mr. Nooe used as an example, Planning and Zoning found a violation in one of their junk car ordinances, a junk vehicle on private property, and they wanted it towed, there was nothing in that ordinance and the city could not pass an ordinance that was going to make one of those businesses tow that vehicle and store it for the City of Eden. He pointed out that it would be a business matter and if the city paid them enough money, maybe they would and if it did not they did not have to. He stated that to him, so that there would be no confusion with the businesses who were in the business of repairing wrecked vehicles, either mechanically or body damaged, the city should have its own impound area and vehicles that were in violation of the junk car ordinances, the city should employ someone, or have its own tow trucks to tow those vehicles to its impound area and the city should dispose of those vehicles as provided by law.

Mayor Price commented that they have talked about this in the past and the city had done it in the past to which Mr. Nooe disagreed.

Mayor Price pointed out that the city did store some cars at the public works facility a few years ago.

Mr. Nooe replied that they were not as a matter of a policy dealing with junk vehicles, they were more or less accumulated in various and sundry ways and were just put over there. The city has never had a program to dispose of junk vehicles that were in violation of the junk car ordinances.

Council Member Tudor suggested that one of the present businesses may be interested in contracting with the city for that purpose.

Mr. Nooe agreed that that was possible. He added that there seemed to be some suggestion that the city was going to call them up and order them to haul those things and store them at their own expense and he wanted to point that out so there would be no misunderstanding.

Mayor Price asked if everyone understood to which Mr. Hale replied that it would not be on a rotation system.

Mr. Nooe commented that the rotation system was confused before. He explained that involved a wrecked vehicle on the highway that the Police Department needed to get out of the way. That was an entirely different business from what that ordinance covered.

Mr. Bine stated that although he was soon departing, he recommended that they did not use a particular wrecker service exclusively to pick up tagged vehicles. He stated that there would be some division of the work. He stated that on the other hand, if it were observed by the staff that they would not be desirous of towing, because of other business, there was not a requirement for

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the staff to go out and tag every abandoned and junk vehicle on private property and have them towed at the same time as it would be a program that would take a period of time to undertake and then dispose of those vehicles in the appropriate manner because that takes a period of time, so he suspected and would hope that the city's staff would undertake the program and tag and remove those vehicles on a regular basis to systematically try and minimize the problem and not put them in a disadvantage of their primary income of towing wrecked cars, etc. He stated that he saw it as a give and take situation.

Mr. Hale stated that he at one time had a contract with the city to tow at one time. He stated that they towed those things, but it got so confusing that they had to take some of them back after they had picked them up. He pointed out that if they had a system that was working, they should not have to take them back. He stated that they needed to fix it right to start with, if they did not, they had a problem.

Mayor Price asked Mrs. Stultz if she had any comments, based on what had just been discussed.

Mrs. Stultz replied that they dealt with cars on several levels. They had a City Council endorsed ordinance that would require the removal of junk vehicles that were across the community. She stated that the other issue that was dealt with was that their ordinance did not presently permit the temporary storage of junked, inoperable or wrecked vehicles anywhere, except in I-2 with a special use permit. She stated that the biggest issue was that most of those gentlemen were doing those activities illegally at the moment, in violation of the city's ordinance and all of the businesses that they have in place did need to be legitimized with certain restraints for the protection of the community associated with that. She stated that the other issue was the various and sundry violations that they might have around the community. She stated that recently they had dealt with a rather large violation where there were a tremendous number of vehicles. She stated that one of the good things about having provisions for automobiles both in their zoning ordinance and the junk car ordinance was that it did give the ability for the City Attorney to advise them which ones of those ordinances might work best in that situation. She stated that she could not imagine them going somewhere and tagging that number of vehicles to be dealt with under the junk car ordinance. When it reached that magnitude it certainly would qualify as a violation of the zoning ordinance through being a junkyard. The expense for towing and storage for that amount of vehicles would be prohibited and risky for the community. She stated that one of the things that they had to count on was that the Attorney, the Planning Director, and the Manager, would have the good judgement to make sound decisions in determining which way to handle those issues, but to her way of thinking, the first issue that needed to be cared for was the fact that the ordinance did not address those type businesses at all. She stated that as dependent as their community was on the automobile, that their businesses were quite necessary.

Council Member Janney commented that those people had to put up some type of barrier or fence.

Mrs. Stultz noted that was her recommendation and the Council did not have to do that.

Council Member Janney stated that it was all in that proposed ordinance. He stated that if he was in the business of repairing or pulling cars, and he was on a rotation for the Police Department, and he had all of those things up there and was at the limit, then he was repairing cars and he had a car up there that he had to bring in to take some stuff off to fix another vehicle, then he was hung, unless he took one out.

Mrs. Stultz explained that the way their system worked, she asked that he assume that, that happened and the day that he took the 51<sup>st</sup> car in, one of his neighbors called in a complaint and Code Enforcement went down there and there were indeed 51 cars. She explained that the way the violation system was currently set up, the first thing they would do would be to send a letter informing them that it had come to the city's attention that they had this problem and to please respond within 10 days. She continued in that the 10 days went by and then there was another letter that would go out with 30 more days and then another letter with 30 more days, so with the

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worst case scenario they would have 70 days to get rid of a vehicle or two. She stated that it was not a perfect system and this amendment was about as close as she thought they could get to start. She stated that she thought this was a good one and the Planning Board had looked at it. She stated that the gentlemen (towing business) had concerns and she thought there had been some confusion between the junk car ordinance and what was in their zoning ordinance. She stated that she would really like to see this done and she also asked that they consider doing it with the letters in blue that were used as an alternative for paragraph 3 and that they make sure that that sentence in there about vehicles stored inside an enclosed structure did not count towards that maximum number.

Council Member Janney stated that his point was, if he was in the business, as he saw this, he would look to get out of the business, because he saw this ordinance really putting the pressure on them. He stated that he saw somebody coming to their place every few days and checking to see how many cars they had. He stated that he saw a lot of expense. If they were going to deal with wrecked cars, then they should deal with wrecked cars by themselves, and if they were going to deal with junk cars, deal with junk cars by themselves, because to him if he read it right, and they have never come up with a clear way to do this.

Mrs. Stultz stated that they did have some statutory constraints and she would tell them that he was correct, it was a regulation that they would have to deal with, but the real issue that she would have as their sworn zoning administrator was that currently they were all illegal and they have never been legal, from the time the city's zoning ordinance was put in place.

Council Member Janney pointed out that they were not illegal of their own doing, they were illegal of the Board's doing.

Mayor Price asked Council Member Janney to define that.

Council Member Janney replied that nothing had ever been set up for them to be legal.

Mayor Price asked if this was the first time that they have set up anything to legalize this business since he had been on the Board to which he replied it was the first time that he remembered anything.

Mrs. Stultz agreed and stated that currently their ordinance did not permit it anywhere.

Council Member Gover asked what they would do if they did not. He stated that now they were getting off of towing and storing and getting back to wrecked cars and this and that. He stated that every time they try to get those guys legal, they go to wrecked cars. He asked why they did not just stay with storing and towing.

Mrs. Stultz replied that what it specifically says is that they were not talking about salvage, it did not permit salvage operations. She stated that she did not know how and perhaps Mr. Nooe could suggest another way to word it, other than if they were going to tow something, and generally whatever they tow was either going to be inoperable or wrecked or junk. Those were the kinds of cars that get towed and if those things get towed there, she did not know what else to call them. She stated that if they did not qualify it some and certainly the Council could make whatever decision it felt was best, as their zoning administrator, it was difficult for her not to realize that they needed to limit it. They have already received phone calls from others who were thinking about establishing yards for storage. She stated that if they allowed it to go too far, it just might do that. She stated that if they did something and they all got grandfathered, they had to take great care in how it was handled.

Mayor Price asked if there was anyone else who would like to speak in opposition.

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Mr. Ray Hopper stated that to him it seemed that the problem was “seeing” the cars. If they put up an opaque fence or a blind fence and they could not see the cars, then what did it matter if they had 10 cars or 100 cars.

Mayor Price asked if anyone wanted to respond, as he had no answer.

Council Member Rorrer commented that if he was within the zoning and had his fence then he could care less how many cars he had and Council Member Grogan agreed.

Mayor Price stated that they could get into a situation where some people would decide to go double decking and he certainly did not want to see that happen.

Mr. Hopper pointed out that most of the wrecker company’s lots were not that big to hold but so many cars anyway. He stated that he did not see how they could control how many cars they had and that was telling him how much money he could make on his storage.

Council Member Myott referred to the last sentence that was added in the first paragraph of Automobile Towing and Temporary Storage Services and stated that was probably why it was added.

Mrs. Stultz explained that the fact of having a number was her original recommendation and the reason was, how did they tell, without some sort of limit, when whatever it was stopped being towing and temporary storage, and became something more permanent. She agreed that Mr. Hopper was absolutely correct in that where his business was located there was no way he could have many more vehicles that 50 max. She stated that there were lots of properties in their community that were zoned Business-General with 20 acres. She asked how many vehicles they could get on that. She stated that when she wrote this text amendment, she had to try to come up with how to deal with it in the worst case, not that she thought Mr. Hopper would suddenly have 200 vehicles, but that did not change the fact that they have already had somebody who owned property near the Meadow Greens Shopping Center and zoned Business-General, and had talked to them about establishing a lot. She stated that in one of those kinds of areas an enormous number could be something that the Council might not think was appropriate. She added that if they wanted to remove the number then they could certainly do that.

Mayor Price then declared the public hearing closed.

Mr. Nooe commented that he would like to see the Council clearly state that the rotation for this for the Police Department would not have any bearing or connection with the towing of the vehicles that were junk cars under any of the city’s ordinances so that the city would make its arrangements with the businesses that were interested in towing junk cars and it could be that the same businesses would want to be on both lists, but he did not think the city should put legitimate businesses in the position that if they wanted to conduct this legitimate business, they had to operate this service for the benefit of the city, which may be a detriment to that business financially.

Mayor Price asked if what he was saying was that he wanted to make sure that the policy stated that a rotation for emergency service was different from storage.

Mr. Nooe replied in the affirmative as he thought they could get in trouble on their emergency services if some of those gentlemen express real concern about losing money.

Council Member Grogan asked if it was not the policy now that the Police Department use the rotation to which Mr. Nooe replied yes and that was why he was asking the Council to keep that separate.

Mayor Price and Council Member Grogan both agreed that was reasonable.

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Council Member Rorrer suggested that they could poll the people in the business to see if they were interested and create a rotation list from that.

There was some discussion as to whether a number was needed. Council Member Grogan stated that he thought they needed a number so that someone would be accountable. He suggested that they change the number from 50 to 30. Mayor Price agreed but stated that he thought that 50 would be more reasonable.

A motion was made by Council Member Grogan seconded by Council Member Gover to accept the recommendation from the Planning and Zoning Board.

Council Member Gover explained that his reasoning for seconding the motion was to make those people legal. He stated that if one gets a complaint more than the others, then that forced the Council's hand and that was why it was needed.

Council Member Rorrer referred to item #5 and stated that not one of them could operate if they approved it ("No outdoor disassembly or salvaging shall be permitted"). He pointed out that it said they could do nothing outside.

Mayor Price stated that this was for storage.

Council Member Rorrer replied that it said "no outdoor disassembly" which meant that it had to be in the building if they wanted to take any piece off or do anything at all.

Mrs. Stultz explained that the reason it was in there was because it was in the current ordinance, that they were not allowing salvaging or outdoor disassembly in any of those districts. She stated that she did not know just how far the Council wanted to loosen it up.

Council Member Grogan agreed with Council Member Rorrer and amended his motion to eliminate #5.

The amended motion was as follows: A motion was made by Council Member Grogan seconded by Council Member Gover to accept the recommendation from the Planning Board with the elimination of item #5.

Council Member Rorrer stated that he was willing to vote for 50, but if there was a problem for any of the operators and they came back, he would be willing to look at the changes. Council Member Janney agreed and stated that he would support it but he thought there should be no limit.

Action on the motion was as follows: 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 October, 2000.

Mr. Bine stated that he would be glad to respond to any questions that the Council might have in regard to the Financial Report.

Council Member Janney questioned page 12 of 30, the Self Insurance, and pointed out that it showed a deficit again. He stated that he thought a couple of months ago it showed a deficit. He recalled that the answer he received at that time was that they were going to be getting in some more funds and they had paid out more than they had and when they received more funds they would make that a positive number.

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Mr. Bine explained that any insurance fund and for that matter any other funds that occur in the city in the General Fund, which depends upon ad valorem taxes as its base revenue was cyclical. They may have more claims in one period of time as opposed to another in the insurance fund. Over time, the claims history, which was what the premium was based upon was designed to cover, if not there was a reserve to cover that.

Council Member Janney stated that there must be no reserve as they were showing a deficit. He stated that they have shown a deficit twice in this fiscal year. Their current fund balance showed a deficit of \$35,797.00.

Mayor Price noted that Council Member Janney was looking at the Cash Summary and the Council was concerned that the numbers did not match and it seemed that every month the Self Insurance Fund was negative.

Council Member Janney added that this had been the second month in the pay period, which he wanted to point out.

Mr. Bine stated that he had a meeting with the Self Insurance Administrator back in September. He assured him that the fund was solvent and the rates were about as low as the city could get with any outside carrier.

Council Member Janney turned to page 13 of 30, the Temporary Investments. He stated that he had pointed out last month they were going downhill. He noted that they were still going downhill this month.

Mr. Bine agreed and explained that this was the period of time where they spend money and did not get much money in.

Council Member Janney asked him to look back three or four years, it was a lot more than what was shown, as they were spending more money to which Mr. Bine agreed that they had discussed that.

REQUESTS AND PETITIONS OF CITIZENS:

No one came forward to speak.

UNFINISHED BUSINESS:

(a) Consideration of option to purchase land.

Council Member Janney explained that last month they gave the Rockingham County Economic Development and the North Carolina Department of Commerce the approval to market property, so far that they did not own. He stated that the Council agreed to spend \$15,000 on a study, which they have really no legal option to purchase at this point. He stated that the information that they received from the Economic Development Director about the property in question, which was the Whitt property, the city was to give the owner a certain sum of money to get an option on this property with a deed of trust. He stated that if he looked back at deeds of trust, he could not find any attempt to do anything at all with this land. He stated that he knew they had not spent the money yet as they had not agreed to it, but his question was, when they give that owner that amount of money for that option, did that go toward the land they were proposing to buy and would it be applied to the purchase price, and what length of time did they have all that. He asked what kind of financial commitment they had. He noted that Mr. Moss had said they could pay for the land as it was sold. The city would pay cash for the property as lots were sold.

He stated that he had said all of this to say one thing. He stated that he thought they were getting way ahead of themselves in trying to do something with this land because there were two pieces of information that he questioned any of them on the Board had seen. He stated that the



engineers that looked at that property put it on there. He asked them to go back and look at that property and the way it was located and the environmental issues that they were going to have with that property. He stated that he had looked at it and had others to look at it and he thought they would sink a lot of money in that place. He stated that they were no where and before they did anything they needed to get their ducks in a row. He added that if they wanted the numbers, he had them. He stated that they should be seriously considering those two pieces of paper that was never presented to the Council.

Council Member Rorrer asked if he was referring to wetlands to which Council Member Janney replied wetlands and all the ponds on it and what was good and what had to be built up. Council Member Rorrer commented that the expense concerning the wetlands and the ponds would be greater than the purchase of the property.

Council Member Myott asked where he had found that information.

Council Member Gover replied that he found the information off of one of the maps that Mr. Moss had presented in the presentation and he brought the map back in the break area that night. He stated that they really needed to look at it. He stated that he had asked those questions because he was not familiar with the land but he was familiar with the map that he had shown, the layout of land and environmental issues. He stated that they needed to look at it very closely.

Mayor Price agreed and stated that he was glad he had brought it up. They did have the option to purchase this property. He stated that the document was present and he would be presenting it to Mr. Nooe for his perusal. He also presented some information to the Council and asked if there were questions. *(The City Clerk did not receive a copy for file.)*

Council Member Janney commented that this was not at all what Mr. Moss had presented. He noted that \$50,000 was the option price. He stated that he had answered that question. He noted that it said all proceeds go to the purchase price of the land. He stated that was never said when they first studied this. The first 100 acres was going to be \$2,000 an acre and the second 200 was going to be \$3,000, that remained the same, and the last 100 acres was \$3,700 an acre which was \$300 less. He noted that would be a little under what it averaged to start with, which was \$3,000 an acre. He noted that the contract terms was 20 years, he saw what the Mayor had, but he had better let the Board sit down and look at those charts that Council Member Gover received from the County office before anybody fools with this, because they may look at it a little differently.

Council Member Grogan commented that there were certified engineers under contract and the reason things have not been completed was because all of the engineering had not been finished and he did not think anything would be done until that was finished. He noted that they all felt comfortable that nothing had been or would be done until a lot of those questions were answered. He stated that he felt comfortable with the engineering firm doing the work as they have done work all over the state.

Council Member Gover stated that he was not questioning the engineering firm. He stated that he was just challenging the Council to look at those maps and read what the firm put on there. He noted they were telling them what they had to do to make it a viable lot such as stormwater drain runoff, the pondage that they would have to manage, and he had asked for this information a long time ago and never got it, so he went and got it himself.

Mayor Price commented that it was very valid and information would be provided to Council prior to making the decision.

(b) Consideration of implementation of pay and classification study.

Mayor Price explained that they have discussed this for a number of months. He stated that he thought that the plan that had been presented was fair to the city and everyone involved. He recommended that the City Council accept it, less the changes that were made in July.

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Council Member Rorrer asked if this would take care of the bottom or top half or all the way.

Mr. Bine replied that he would certainly like to answer his question, but he did not currently understand it.

Council Member Rorrer explained that the city had a limited number of dollars. He asked the intent of doing it.

Mr. Bine replied that he and Mr. Reece had presented the implementation of the pay plan at the Council work session as it was funded in the 2000-2001 budget. He noted that this had been coordinated with the Council's action at the end of June, of the \$1,000 per employee. He explained that by coordinated, that meant that if an employee was going to be getting a \$3,000 raise in the study, they already received a \$1,000, so the Council's action tonight would potentially give them \$2,000. He stated that it did address to a substantial degree but not completely, what was known as compression. He used as an example, if four people have been employees for five years, it usually happened with employees who had a relatively short term of service, in a particular position, and those four employees have moved up the pay scale almost to mid-grade, in that period of time. In this study, they would move up 2 or 3 pay grades, such as from a 17 to a 20, then they would be above the new employee, or someone who would start tomorrow, by a relative distance, which would compensate for their years of service. He added that was maintaining some degree of distance within the compression. He stated that where there was compression, and they were at mid-grade, they would be moved up slightly above starting level and in the new pay grade, the new employee would come in at starting level and there might be a 5% or so difference between a brand new employee and an employee who had five years of service. Compression did not recognize years of service and experience in the job. He added that they were not talking about promotions, but the same job. He stated that there was in the plan that was presented earlier, recognition of the maintenance of the distance in compensating for avoidance of compression.

Council Member Rorrer stated that did not answer his question.

Mayor Price asked if he was asking if everyone was going to get a raise after they received the \$1,000 in July.

Council Member Rorrer replied that he thought they needed to lay it out there for the employees.

Mr. Bine explained that the plan as presented, back in May or June, if there was no pay grade adjustment, an employee got up to a 7 ½% pay increase. There was a 1 pay grade adjustment, an 8.45, 9.70 and 10.45. That did not mean that everyone got exactly those amounts. That was the maximum to be received. He stated that in coordination with that, they had to take the \$1,000, which was where they cut into each of those pay increases that they have already received. He stated that in answer to his question, almost everyone would receive some pay increase as a result of this action. He added that some of the employees, who received \$1,000 back in June, got more than this plan recommended, so they were not going to be counted.

Council Member Rorrer asked if they were going to do this with the balance of the money that they talked about when they used that \$189,000.

Mr. Bine replied yes, \$478,000 was the amount budgeted in all funds and \$189,043 was the amount that was allocated in July, so the balance was \$228,145.31. That was what the current action would involve.

Council Member Janney stated that he was right, they had \$478,000 and they put \$189,000 plus into the employee's pay raise with the \$1,000 which left the \$228,000. He stated that he did not think they had enough money in the budget to do the full gambit. He stated that he had asked Mr. Bine to get him some more information and he had been through it, as well as pay scales and things like that, not that he was going to change anything, but what he wanted to do was to find

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out what the effects would be. He stated that if they went and did the first phase of that, they would change the entry level and that was all.

Mr. Bine noted that was the \$149,000.

Council Member Janney agreed but added that in another sheet he received it had said \$203,000, so he did not know which was right. He stated that in taking each one for the time being, he counted all the city employees, and 144 were above the new proposed entry level. Then, 39 employees were under that entry level. He asked them to understand that that could include anyone that was hired when they first began, up to "x" numbers of years, whatever it took them to that point in time. He stated that they had 20 employees who were at maximum pay and in 1999 they just had 13 employees, and that did not include 12 vacancies, plus the City Manager's position. He stated that he took all of that out and looked at it and started looking at the procedures...he stated that he knew they needed to do something, and he was willing to do it, but when he looked at the different grades and what was going on, from grade 5 to grade 26, the proposed entry level would change by \$4,600 in grade 5, up to \$12,000 into a grade 26, if all of his numbers were correct.

Mr. Bine agreed that was correct.

Council Member Janney continued in that he thought they have dwelled on entry level a long time and he thought that was where they needed to change, but he was hearing Mr. Bine say that if they went the full gambit, they were going to change the maximum as well as entry level.

Mr. Bine replied that was correct.

Council Member Janney stated that if they compared the proposed entry level to the proposed minimum, versus the current maximum, he thought it would cost a whole lot more money than they had to go the full gambit at one time. He added that he understood compression, but compression on the low end was a temporary thing, it was not permanent.

Council Member Tudor commented that he appreciated Council Member Janney's comments and concerns. He stated that he was concerned about the upper end and what would happen if they did not do the recommendations that Mr. Reece made. He stated that they had to be concerned about keeping the good people they had and attracting more people and he would like to take an optimistic point of view that this was the right thing to do. Go ahead with the full across the board pay raise, as recommended by Matt Reece and the Piedmont Triad Council of Governments.

A motion was made by Council Member Tudor seconded by Council Member Reynolds to accept the recommendation by Piedmont Triad Council of Governments Consultant, Mr. Matt Reece.

Council Member Grogan commented that he agreed with both Council Member Janney and Tudor. They talk about entry level and a grade 26. He stated that for a grade 26 they would be talking about a department head, someone who had been there a long time and had a lot of experience. It would be difficult to replace them and that was what all of this was about, just to get them up to a parity. It was not that they were going to be paying exorbitant wages to city employees, it had to get them up to parity as to what other municipalities in this county was presently paying.

Council Member Rorrer stated that he did not feel that there was enough money and he was not talking about the \$228,000 that was left over. He stated that he would vote for it, but he did not think there was enough money there.

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Council Member Janney commented that there was a piece of information that they never got that they should have and that was the local supply information. He stated that it was the labor market and they had asked for it but never got it.

Council Member Gover expressed concern about the lower end. He questioned if they were doing enough for the lower end and be able to attract the people they need. He asked if it would change enough as it did on the upper end, to bring in needed recruits. He stated that they had it (the money) for this year, and he questioned if they were going to have it for next year. He pointed out that this was forever once they do it.

Mayor Price agreed and added that employees were forever and payroll was the biggest expense the city had. If they look at the productivity of that payroll and the turnover they have had, the quality of work that this city turned out and he thought they needed to keep those employees and to attract the type of employee they need. He stated that he was very proud of what their city did and they needed to go forward. He stated that there were a lot of challenges in front of them and they needed to reward their people for a job well done and they needed to open the doors for new people to come in. He stated that in response to his question, there was not a soul in that room who could say exactly how this would impact. It would require a lot from the new Manager, the Board, employees and Department Heads.

Mr. Bine commented that he had worked since July in trying to get the numbers together and get the information to a point to where the Council could consider and he was hoping it would be done a couple of months earlier, and certainly before he left. He stated that he thought that if the Council did not do this, and since it had already rejected the elimination of the residency requirement, it was going to make it extremely difficult for the city to continue to conduct the kind of business it had for the past. In the four months that he had been there, he did not know as many employees as he would like by their first names, he had come to recognize and appreciate the kind of work that they do and he would hope that there was a positive vote on this motion.

Council Member Tudor commented that although his motion had been seconded, there was something that he had intended to say that they needed to do this retroactive to November 1<sup>st</sup> to which Council Member Reynolds who seconded the motion agreed.

The motion was amended as follows: A motion was made by Council Member Tudor seconded by Council Member Reynolds to accept the recommendation by Mr. Matt Reece (Piedmont Triad Council of Governments), less the \$1,000 presented in July, and have it begin retroactive to November 1<sup>st</sup>.

Council Member Rorrer commented that they have that \$478,000 that they were using and they were using approximately \$120,000 for Longevity to which Mr. Bine noted that was funded separately. Council Member Rorrer replied that he understood that but the total amount was in access of \$600,000 that they have put out there for raises if this passed, this year.

Mr. Bine replied that \$478,000 was the amount that was allocated for this to be done and there would only be \$417,000 spent.

Council Member Rorrer stated that he understood that too, but next year under the same thing, if nothing changed, it would be \$478,000. Mr. Bine replied no. Council Member Rorrer asked what would be roughly the total figure that they were giving the employees in raises this year, when they take merit raise, Longevity, and this all, total. It was roughly a little over \$600,000.

Mr. Bine replied that if they include Longevity, the \$1,000 given in July, and this action that was correct.

Council Member Janney commented that they started out with this because they were told that their entry level was not like it should be. He stated that he would like to give everybody all the raise they could possibly get, but they had to think about their citizens out there as well, when

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they go to budget session next year. He stated that he could really support the entry level, with a clear conscience, but he thought they were going to see some problems down the road with the way they were spending money now.

Action on the motion was as follows: Council Members Rorrer, Reynolds, Gover, Grogan, Myott, and Tudor voted in favor of the motion. Council Member Janney voted in opposition. This motion carried.

(c) Report on the Banking Services:

Mr. Bine explained that unfortunately they have been very short staffed and he had not been able to complete this report and provide the City Attorney with the information.

Mayor Price asked if that needed to go back to the Finance Department.

Mr. Bine replied, yes, and frankly the Finance Department did yeoman's work to get out the Financial Statement yesterday afternoon. He stated that they were getting to a point of wrapping up an audit and it was taking a tremendous amount of time.

Council Member Gover stated that he had asked for the Attorney's report.

Mr. Bine explained that the Attorney had asked him to do some things and get back to him and that was the plan. He apologized to Mr. Nooe and explained that they have just been busy.

BREAK:

Mayor Price called for a short break before continuing with New Business.

NEW BUSINESS

(a) Consideration of a Resolution of Intent to close a portion of Fifth Street in the city's extraterritorial jurisdiction. STREET CLOSING SC-00-03.

This item was tabled until December.

(b) Consideration of the creation of a Finance Committee and appointment to committee.

Mayor Price explained that there had been some discussion about a Finance Committee. He noted that Council Member Rorrer had been correct in that they had made the Council the Finance Committee. He stated that with the gravity of information that comes out of the city he wanted to propose that they have a quasi public/private Finance Committee, with individuals from the public who would be involved on a monthly basis. He stated that it would be healthy for the city and the Council. He proposed that they restore the Finance Committee.

A motion was made by Council Member Myott seconded by Council Member Tudor to restore the Finance Committee.

Council Member Rorrer commented that the Finance Committee, unless it was compiled of the Council, did not have to answer to the taxpayers.

Council Member Tudor asked if he understood that the Mayor would make the appointments to which Mayor Price replied that would be upon the approval of Council.

Mr. Nooe suggested that it would be best to have a resolution that creates the committee and how it was to be composed and who should make those appointments and that should be part of the creation of the committee.

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Mayor Price added that he would like to add that the Mayor, with the approval of the Council, would appoint the committee.

Mr. Bine commented that he had actually experienced a committee of this sort and it was not really called a Finance Committee. He stated that Finance Committee gave it an air of being an operating committee of the Council and if they were considering a mix of private citizens and public employees and Council, his suggestion was that it be called a Financial Advisory Committee. Mayor Price agreed that made sense.

Council Member Tudor stated that those people who would be appointed would be people who have expertise in money, finance, banking, and accounting.

Council Member Janney asked what their function would be.

Mayor Price replied that they would look at the financial information and ask questions, to be another set of eyes and ears, to let the public have some input into the information that came before the city.

Council Member Janney asked if they would report anything to the Board to which Mayor Price replied that as they go through the financial information, which they do every month, it would be appropriate to have comments from the chairman.

Council Member Janney stated that they needed to set up guidelines if they were going to pass it. He added that he was opposed to the committee but if it passed it needed guidelines.

Mayor Price agreed, but stated that not to complicate the issue, they were charged to have a commenting period to go through information at the meeting from the chairman.

Council Member Gover asked if they had had this in the past and how did it work.

Mayor Price replied that he thought it worked well and then there was a lapse, they got out of it, but there were good people involved in it.

Council Member Gover replied that would make it more efficient.

Council Member Janney commented that he served on the committee years ago, and he served on it with another Board member who was a committee member and chairman of it and he brought the information back to the Board when it was needed, but there was very little ever said about anything at all about finances.

Council Member Myott asked if the chairman could make recommendations to which Mayor Price replied in the affirmative.

The motion was amended as follows: A motion was made by Council Member Myott seconded by Council Member Tudor to restore the Finance Committee and call it the Financial Advisory Committee, with the members to be appointed by the Mayor and approved by the City Council.

Action on the motion was as follows: Council Members Reynolds, Gover, Grogan, Myott, and Tudor voted in favor of this motion. Council Members Rorrer and Janney voted in opposition. This motion carried.

Mayor Price stated that for this committee he would like to appoint Council Member John Grogan as Chairman, Council Member C.H. Gover, Mrs. Mary Hill Bishopric, and Mr. John Hodges, with the Mayor as ex officio member.

A motion was made by Council Member Reynolds seconded by Council Member Myott to approve those appointed by Mayor Price as follows: Council Member John Grogan as Chairman,

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Council Member C.H. Gover, Mrs. Mary Hill Bishopric, and Mr. John Hodges, with the Mayor as ex officio member.

Council Member Rorrer asked if he would be correct in assuming that there would be 5 members of the committee to which Mayor Price replied there would be 4 with the Mayor as ex officio. Council Member Rorrer pointed out that would be 5 to which Mayor Price replied he would be non-voting.

Action on the motion was as follows: Council Members Reynolds, Grogan, Gover, Myott, and Tudor voted in favor of this motion. Council Members Rorrer and Janney voted in opposition. This motion carried.

(c) Consideration of appointments to the Safety Committee:

Mayor Price stated that Council Member Reynolds, due to time restraints, could no longer serve as chairman. He stated that he would like to appoint Council Member C.H. Gover as chairman, as well as Mr. Paul Pulliam and Mr. Gary Roberson to that committee.

A motion was made by Council Member Rorrer seconded by Council Member Tudor to approve as follows: Council Member C.H. Gover as chairman, as well as Mr. Paul Pulliam and Mr. Gary Roberson to the Safety Committee. All Council Members voted in favor of this motion. This motion carried.

Council Member Rorrer asked if the chairman of the committee could give a report back to the Council.

Mayor Price agreed that was a good point to which Council Member Gover replied that he would give them a report.

Mr. Bine commented that he would trust that any information that would be conveyed back to the Council in public session or closed, would take into consideration the personnel laws of the State of North Carolina, whether or not an employee was or was not disciplined as the result of an accident was not material information open for general knowledge.

Council Member Rorrer pointed out that the committee did not discipline.

Mayor Price explained that Mr. Bine was saying that they not use any names.

(d) Consideration of agreements between Rockingham County School Board of Education and the City of Eden for the continuation of School Resource Officer Program.

This item was tabled until December.

(e) Consideration of Budget Amendment #7.

This is the seventh budget amendment for the year.

Budget Amendment	Account #	From	To	Amount
#7				
Capital Reserve Fund				
City Park PARTF Grant	70-3491-84230	\$ -	\$ 150,000.00	\$ 150,000.00
Capital Reserve Fund				
Cap Res Trans to Park Fund	70-4910-98200	\$ -	\$ 150,000.00	<u>\$ 150,000.00</u>
				<u>\$ -</u>

Budget Amendment #7 is to recognize the receipt of a Grant from North Carolina for the Park.

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A motion was made by Council Member Tudor seconded by Council Member Myott to approve budget amendment #7. All Council Members voted in favor of this motion. This motion carried.

(f) Consideration of Budget Amendment #8.

This is the eighth budget amendment for the year.

Budget #8	Amendment	Account #	From	To	Amount
Sewer Fund	Construction				
S/C Misc. Revenue		72-3839-89000	\$ -	\$ 10,000.00	\$ 10,000.00
Sewer Fund	Construction				
S/C Outlay/System	Capital	72-8130-55000	\$ 491,200.00	\$ 501,200.00	<u>\$ 10,000.00</u>
					<u>\$ -</u>

Budget Amendment #8 is to recognize the receipt of funds from the Rockingham County School System for the upgrade of Merriman Street Outfall.

A motion was made by Council Member Tudor seconded by Council Member Grogan to approve budget amendment #8. All Council Members voted in favor of this motion. This motion carried.

(g) Consideration of Budget Amendment #9.

This is the ninth budget amendment for the year.

Budget #9	Amendment	Account #	From	To	Amount
General Fund					
Donations Recreation Department	to	10-3612-84000	\$ -	\$2,600.00	\$2,600.00
General Fund	Res	10-6120-29500	\$ 1,000.00	\$3,600.00	<u>\$2,600.00</u>
Donation Exp.					<u>\$ -</u>

Budget Amendment #9 is record donations for Recreation Department.

A motion was made by Council Member Tudor seconded by Council Member Gover to approve budget amendment #9. All Council Members voted in favor of this motion. This motion carried.

(h) Consideration of Budget Amendment #10.

This is the tenth budget amendment for the year.

Budget #10	Amendment	Account #	From	To	Amount
General Fund		10-3850-85000	\$ -	\$7,600.00	<u>\$7,600.00</u>
General Fund					
Police M/R Vehicles		10-4310-25300	\$49,000.00	\$49,300.00	\$ 300.00
Recreation Equipment	M/R	10-6120-35400	\$11,000.00	\$18,300.00	<u>\$7,300.00</u>
					<u>\$7,600.00</u>
Water & Sewer Fund		30-3850-85000	\$ -	\$4,200.00	<u>\$4,200.00</u>

Water & Sewer Fund



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W/S Filter Plant M/R Equipment	30-7120-25700	\$55,500.00	\$56,850.00	\$1,350.00
W/S Maint M/R Hydrant	30-7125-24700	\$2,000.00	\$3,200.00	\$1,200.00
W/S Waste Treat M/R Equipment	30-7130-25700	\$113,306.00	\$114,956.00	<u>\$1,650.00</u>
				<u>\$4,200.00</u>
				\$ _____ -

Budget Amendment #10 is record Insurance Proceeds for Damages suffered by Lightning & Accidents.

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

(i) Consideration of Budget Amendment #11.

Budget Amendment #11	Account #	From	To	Amount
General Fund Contributions from Cap Res.	10-3984-98000	\$ -	\$75,000.00	\$75,000.00
Fund Balance Appropriated General Fund	10-3991-99100	\$172,367.45	\$188,367.45	\$16,000.00
Recreation C/O Land Improvements	10-6120-52000	\$42,702.45	\$133,702.45	<u>\$91,000.00</u>
				\$ _____ -

Budget amendment #11 is record payment for Grading and Buffer for City Park Property.

Council Member Janney questioned the controversy over that grading.

Mr. Bine replied that this budget amendment did not actually make the payment, Council would authorize the payment, but this would make the money available.

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

(j) Consideration of Robert A. Harris Water Filtration Plant – Concrete Basin Rehabilitation Engineering Services.

The memorandum provided to Council explained that a proposal from an engineering firm consultant to perform specialized services for the design and specifications of repair and coatings and injection systems to repair concrete defects that exist within the sedimentation basin structures at the water filtration plant had been received. Four separate areas would be addressed. Services include bidding and construction administration during the project. The cost for this professional service is \$14,800. Money has been designated within the water construction fund for this work.

The Engineering and Treatment Plants Departments were requesting approval of this project to help prevent any further corrosion to the reinforcement bars within the concrete structures and to stop deterioration of the concrete in the areas that were to be addressed.

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.

(k) Consideration of approval of Transportation Improvement Program Resolution:

**RESOLUTION  
SUPPORTING ROCKINGHAM COUNTY'S  
HIGHWAY PRIORITIES OF INCLUSION IN THE  
TRANSPORTATION IMPROVEMENT PROGRAM OF THE  
STATE OF NORTH CAROLINA**

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**WHEREAS**, The State of North Carolina of Transportation has requested public officials to submit preferences as to priorities of projects to be scheduled in the Transportation Improvement Program, and;

**WHEREAS**, Rockingham County is geographically the largest county in Division 7 with nearly 600 square miles, and;

**WHEREAS**, the primary concerns of local officials regarding transportation are first, the safety of our citizens using state and federal highways, and; second, the adequacy of the roads which connect local areas to each other and to the region to accommodate existing and future demands, and; third, the opportunity to share in the economic prosperity of the region by improving the quality of the county's major routes, and;

**WHEREAS**, The Transportation Committee and the City of Eden believes that a good highway system is vital to the mutual benefit of all citizens of Rockingham County.

**NOW THEREFORE, BE IT RESOLVED**, that the City of Eden go on record as endorsing and recommending to the North Carolina Department of Transportation the published priorities for inclusion in the upcoming Transportation Improvement Program with the following alterations, and additions:

**CRITICAL NEEDS**

- R-1033 Move up the schedule for the continuation and final phase of N.C. 135 to coincide with the completion of the current phase of construction.
- U-3326 Set and fund all construction dollars for the widening of US 29 Business (Freeway Drive).

**PRIORITY REQUESTS**

- B-3368 Move up the schedule for replacement of Bridge No. 45 on N.C. 87 in Eden. Listed as the N.C. 87 realignment in the Eden Thoroughfare plan, which includes realigning this road with Hamilton Street.
- R-2413 Set and fund construction for widening multi-lane connector, on new location from NC 68 to US 220 and Multi-lane US 220 to NC 68.
- Reaffirm support for the widening of N.C. 14 from Meadow Road in Eden to US 220 in Virginia.
- Reaffirm support for the widening of N.C. 87 from Reidsville to Burlington.

**SAFETY CONCERNS**

- B-4622 Move up the schedule for the replacement of Bridge No. 45 on NC 65 @ Rock House Creek.
- B-4252 Aligning of Island Drive (SR1169) with Lindsey Bridge Road (SR 1138) during reconstruction of Bridge No. 95 and Bridge No. 67 in Madison.

Feasibility Studies for:

- Harrington Highway Extensions: North to Westerly Park Road and East to Quesinberry Road.
- Realigning of Chief Martin Road and Piedmont Drive and extending it to Island Drive in Madison.
- Stop Light for feasibility study for intersection of Hwy 311 and Island Drive.

Adopted this 21<sup>st</sup> day of November, 2000 by the City of Eden.

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

Attest:

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

Mayor Price presented each Council Member a copy of this resolution and explained that a meeting would be held with DOT representatives in Greensboro next Tuesday. He explained that this was a resolution from the county of an agreement of what all would be done, critical, priority, safety and feasibility concerns listed in that order.

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

CONSENT AGENDA:

- (a) Approval and adoption of minutes – Oct. 17 and 26, 2000.

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- (b) Approval and adoption of a motion to solicit bids for lawn care services.
- (c) Approval to hold a public hearing and to consider an ordinance rezoning property on NC 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.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve the Consent Agenda (items a,b,c). All Council Member voted in favor of this motion. The motion carried.

ORDINANCES AND RESOLUTIONS:

There were no ordinances or resolutions approved.

VOUCHERS:

There was no discussion on vouchers.

CLOSING COMMENTS FROM MR. BINE, INTERIM CITY MANAGER:

Mr. Bine addressed the Council and explained that first of all he wanted to thank the City of Eden, its City Council, the Mayor and the staff, for the opportunity afforded in providing a montacum of service to the city.

He stated that he had checked with his peers and profession association to determine if it was wise, and indeed prudent and ethical for him to articulate some observations that he had made over the most recent five months. He noted that some said that he was foolish while others said that it could be treated as a consultant's report given at the conclusion of services rendered. He stated that he chose as a format for this comment the traditional SWOT (strengths, weaknesses, opportunities and threats) format. He explained that was a standard analysis format in management.

He began with strengths. He stated that the city had the potential for substantial economic expansion as a result of vacant industrial sites and a skilled work force. The city has abundant water and wastewater capacity for its industrial development. The city has the proximate location to a booming economy and the city has competent professional staff to address the service level expansions, which accompany growth.

Mr. Bine pointed out the weaknesses. He stated that the city lacked the long range planning necessary to bring its assets to bear on the functional reasons for inaction. The Council seemed to be divided between those who were looking toward the future and its uncertainties and those looking backward to maintain the status quo.

He noted that internally the city needed to hire a seasoned professional manager and let him/her do the job they were hired to do. He also noted that there was entirely too much contact between employees and elected officials. This undermined the ability of the senior staff to team build, lead and manage.

He stated that there seemed to be more interest in blaming someone for a mistake than moving to adopt a vision for the city for the next 20 years or even 5 years. He stated that as best he could tell there were no Capital Improvement Programs for any function. There was not a Long Range Revenue Plan for either the General or Utility Fund. He noted that there was not a Schedule of Capital Replacements and no plan for a future bond issue necessary to fund improvements.

He stated that a city the size of Eden needed an experienced Finance Director that was a CPA. It also needed a central purchasing function with inventory control. The city needed to pay its

employees a wage that was competitive in the area and the city needed to abolish the arcane restriction of residency.

Mr. Bine moved to opportunities. He stated that there was an ebb and flow to the development in cities and counties. Eden needed to be prepared physically and fiscally to take advantage of the opportunities when they present themselves. Those opportunities would not be available forever and Eden was not in that position now. He stated that the city had depleted its financial reserves and did not have the long range plans in place to require the developers to develop with currently accepted standards.

The city needed to go through the Strategic Planning Process from the start. When this was done with the assistance of a true professional and involving many members of the community, a clear picture would emerge as to where Eden could and would go and who could lead them there. Until an effort like that was undertaken, successive elected officials and managers would take turns rearranging the chairs on the deck.

He noted that with the development of an Economic Development Strategy that would come out of the Strategic Planning Process, the city would have the opportunity to take advantage of its location and assets rather than the serendipity that occurred at the present time.

The schedule of fees and charges needed to be made current so that funds could be collected to pay for the infrastructure which that project consumed. He also noted that when the elected officials stepped back from the almost daily intrusion into management's responsibility the staff would function more effectively and without the fear under which many operate today.

Mr. Bine closed in noting the threats. He explained that threats were usually not readily observable. They were rather incremental or insidious. He stressed that the main threat was that Eden would not grow. Cities that do not grow in a state that was experiencing rapid growth were closer to dying than being stable. He stated that status quo in the Piedmont Triad was not good.

Another threat was not recognizing the potential for Eden in the new economy and that could be disastrous. Also, the lack of active participation of the citizens of the City of Eden would seal its future. He thanked them again for the opportunity to serve them.

Mayor Price thanked Mr. Bine and stated that they appreciated his thoughts and what he had done for the City of Eden.

CLOSED SESSION:

- (1) Closed Session to consult with the City Attorney in order to preserve the attorney-client privilege concerning the handling of a claim according to GS 143-318.11(a)(3).
- (2) Closed Session to consider releasing the Closed Session minutes pertaining to the billing of the property owners for a portion of the costs of the installation of sewer lines in the Charlie Hairston Subdivision, and the releasing of the legal memorandums pertaining to the billing of the costs and the refund of amounts paid by the property owners toward the costs of the sewer line according to GS 132.1.1.

A motion was made by Council Member Gover seconded by Council Member Grogan to go into closed session to consult with the City Attorney in order to preserve the attorney-client privilege concerning the handling of a claim according to GS 143-318.11(a)(3) and also to consider releasing the Closed Session minutes pertaining to the billing of the property owners for a portion of the costs of the installation of sewer lines in the Charlie Hairston Subdivision, and the releasing of the legal memorandums pertaining to the billing of the costs and the refund of amounts paid by the property owners toward the costs of the sewer line according to GS 132.1.1. All Council Members voted in favor of this motion. This motion carried.

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OPEN SESSION:

A motion was made by Council Member Myott seconded by Council Member Reynolds to return to Open Session. All Council Members voted in favor of this motion. This motion carried.

MOTION TO OPEN CLOSED SESSION MINUTES

A motion was made by Council Member Gover seconded by Council Member Janney to open the Closed Session Minutes and Legal Memorandums involving Charlie-Gracie Street. All Council Members voted in favor of this motion. This motion carried.

CONTRACT INVOLVING INTERIM CITY MANAGER, JERRY COX

Mr. Nooe explained that he had Mr. Cox's draft contract and he thought it was in order for the city to execute it as long as the Council approved of it.

A motion was made by Council Member Grogan seconded by Council Member Myott for approval of the contract of Mr. Jerry Cox as Acting City Manager. 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 Gover to adjourn. All Council Members voted in favor of this motion. This motion carried.

Respectfully submitted,

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Kim J. Scott  
City Clerk

ATTEST:

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Philip K. Price  
Mayor