

## CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, October 17, 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:

Rhonda Cranford, 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:

Pastor Michael Zumpf, St. Lukes Episcopal Church, was present to give the invocation.

PROCLAMATION:

Mayor Price read the following proclamation in recognition of Veterans Day

A PROCLAMATION TO DESIGNATE NOVEMBER TO HONOR  
ALL VETERANS OF ROCKINGHAM COUNTY

WHEREAS, residents of Rockingham County have served our country in all conflicts during our Nation's History, and

WHEREAS, they salute their service, express appreciation for supporting the Nation and honor their sacrifices, and

WHEREAS, the Armed Forces of the United States still protects all our homes and families and enables us to enjoy peace, freedom and prosperity.

NOW, THEREFORE, BE IT PROCLAIMED that the month of November be set aside to honor all veterans of Rockingham County and will call upon our citizens of Rockingham County to join us in becoming more aware of the sacrifices of our county residents.

Given under my hand this 17<sup>th</sup> day of October, 2000.

s/Philip K. Price  
Philip K. Price  
Mayor

PUBLIC HEARINGS:

- (a) Consideration of a zoning map amendment request to rezone property on Blackstock Street from Residential-12 to Residential-12S/MH. Request submitted by Luther Broadnax. ZONING CASE Z-00-12.

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 at their regular meeting in September, the Council scheduled this public hearing to hear comments regarding a zoning map amendment request filed by Luther Broadnax. The request was to rezone property on Blackstock Street from Residential-12 to Residential-12S/MH.

The Planning and Inspections Department recommended approval of the map amendment request. At their September 26, 2000 regular meeting, the Planning Board voted unanimously to recommend that the City Council approve this request.

The request was to rezone a lot in the Blue Creek neighborhood from R-12 to R-12SMH. Both the R-12 and R-12S zoning districts are medium density residential districts. The R-12S district is slightly more restrictive in that it does not permit multi-family development. The addition of the manufactured home overlay permits the erection of a single family site built or a Class A manufactured dwelling. A Class A manufactured home is defined by the City of Eden Zoning Ordinance as a manufactured home constructed after July 1, 1976 that meets or exceeds construction standards in place at the time, that has a length not exceeding 4 times its width, has 1000 square feet of heated living area, whose roof has a minimum vertical rise of two and two tenths feet for each 12 feet of horizontal run and is finished with common residential shingles, has at least a 6 inch roof overhang, is set up according to North Carolina State Building Code on a permanent masonry foundation, has all transport equipment removed and is oriented toward the street.

In 1997, the City Council rezoned much of the surrounding area to R-12SMH. At this time the R-12SMH district was considered to be in keeping with the single family residential development in the area. The lot immediately to the east of the subject parcel was rezoned to R-12SMH in 1999. The property now under consideration adjoins the existing R-12SMH zoning.

Based upon the character of the area and the existing mixture of site built and manufactured dwellings in the area, staff recommended in favor of the request.

Mayor Price asked if the Council had any question for Ms. Stultz. He asked if there was anyone to come forward to speak in favor or in opposition to this request. As no one came forward, he declared the public hearing closed and asked the Council for their comments or decision.

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

MONTHLY FINANCIAL REPORT:

- (a) Finance Department Monthly Reports.

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

Mayor Price asked Mr. Ray Sharp, Finance Director, to come forward for his report.

Mr. Sharp presented the monthly financial statement and explained that they have before them the financial reports for September of 2000. The summary is on Page 2 of 14. The cash in the bank had fallen \$287,091 but the investment in North Carolina Cash Management is up \$930,040 for a net increase of cash \$642,949. The three-month reserve set as a goal for the city fell \$223,551. The revenues were there. The computation of the Undesignated Fund balance was shown on Page 3 of 14 and he noted a difference been this month and last month. The biggest difference was budget amendments that took place, which increased the three-month reserve by \$43,091. They received the Powell bill, which was \$569,279. The encumbrances went up to \$265,000 and the reserve estate statue \$193,000. That meant that the goal of Undesignated Fund Balance fell by \$223,551.05 for the month.

On the next page, the Undesignated Fund Balance for the Water and Sewer Fund went up \$340,065. The next page was a summary of the departments and revenue. He explained that September was the third month of the quarter and anything over 25% should be good. The goal was 25%, what they should have, revenue with 33% for the General Fund. On Page 6 of 14 was a summary of all of the operational funds, they were saying that 27% of the revenue and 25% of the expenditures. The next page was the Internal Service Funds, which was the Garage, Self-Insurance and Debt Service. They were at 10% of the revenues and 11% of expenditures. The biggest expenditure in this fund will be coming up December 1 when they pay the bond payment. The payment in December will be for the interest.

The next set of numbers was the Trust Fund. They were looking at 23% of the revenue and 25% of the expenditures. The next group was Project Funds. This was Capital Reserve, Construction, Water & Sewer Construction and City Hall. They were at 83% of the revenues and 39.61% of expenditures.

On page 10 of 14 was the grand summary for all the funds. He reported being at 32.34% of the revenue and right at 25% of the expenditures. He stated that 25% was where they should be.

The next statement was cash flow to which he provided a comparison between this year and last year at the same time. The next one was a year-to-date summary starting July 1, 2000 versus July 1, 1999 coming forward to September 30. The summary of cash was shown on Page 13 of 14, where it was, what fund it was in, and the institute it was in. The last page was the temporary investments. The investments were up \$339,000.

Mayor Price asked if anyone had any questions for Mr. Sharp. He thanked him for his service and his extra efforts given to the City of Eden. He mentioned that he had been an honored employee of the City and Mr. Sharp will be concluding his service at the end of October.

Mr. Sharp thanked the Mayor and the people that worked for him. He noted that they had done a real good job, the departments heads had been wonderful and the City Managers that he had worked with have been outstanding. He added that he could not have asked for anything more.

Additions to agenda:

Mayor Price asked if the Council Members wanted to add or subtract anything from the agenda. Council Member Gover wanted to add an item to the unfinished business which would be a statement about the banking services.

Council Member Rorrer wanted to add an item to unfinished business concerning handicap parking on the Cook Block. He stated that it had been passed about six to eight months ago and was never acted on. Council Member Gover also wanted to know the status of the truck route.

A motion was made by Council Member Gover seconded by Council Member Rorrer to add these items to the agenda. All Council Members voted in favor of this motion.

REQUESTS AND PETITIONS OF CITIZENS:

Ms. Debra Madison, 722 Taylor Street, stated that she was there to speak on behalf of the residents of Chadwick Apartments, which was located on Highway 87 North. The reason she was speaking on their behalf was her mother and two great aunts live there.

She explained that since November of 1992, the residents of Chadwick Apartments have had to deal with little to almost no water pressure. It was in November 1992 that the upgrade and replacement work was done on Short Union Street, one block from their apartments. The residents have complained to everyone they could find that they had a problem, but so far, nothing had been done. She asked how they would feel if they were standing in the shower, shampooing their hair and their water quit and they have no water to wash the shampoo out. They have to stand there and wait and hope that the water came back on. She asked what if they were in the bathroom and went to flush and then did not have enough water pressure to flush the waste down the commode. She noted that some apartments had two levels and they could not use one bathroom because there was not enough water pressure to use the commode. In addition to the water pressure problem, the water was dirty and the odor was so bad at times that it would actually make them sick to their stomach.

Ms. Madison noted that since 1992, the City of Eden has had many expenditures that were not a necessity to the citizens of this community. She added that she knew those expenditures were important; however, if the citizens that were living within the city limits were not being given the services that they deserved, then why continue to spend money to bring additional people into this City. She questioned that it did not make sense and to look at it on a smaller scale; if they have small businesses and they could not take care of the customers that were currently coming into their store, why consider enlarging that store or enlarging the merchandise until they make internal changes to look after their existing customers.

She stated that she had spoken to some Council Members herself and had personally spoken to several employees of the City without any results.

She noted that the residents have called City employees, Council Members and the Mayor until she knew all of them were tired of hearing their complaints, but nothing has been done to help them. When the prior City Manager was with the City, he continually told the residents he would check into it. She stated that they did not know whether he ever visited the apartments to look into the water problem. When he left, they wanted to know who to call next. She commented to them that there would be another City Manager, City Engineer, and to just give him time. They called him and he said he had a number of things to do but he would check into it. She stated that they did not know whether he checked into it or not as no one had ever heard from him. Recently, at least one City employee and one City Council Member have been so bold, forthright and honest (she did not know the right word) to tell the residents that they knew there was a problem, but the City did not have the money to fix it. She stated that was a pitiful excuse for not taking care of the citizens of this town.

She stated they had enough money to do other things. Since this problem started, they have bought a parking lot, a ballpark, land for a City Park, and they have taken action to build the park. Last month, they voted to look into buying an industrial park which was outside the city limits and would mean more water lines for more people. They also voted last month to look at other properties for industrial parks, and there were many other things.

As if all of this was not bad enough, the citizens have recently seen an enormous jump in the water and sewer bills. The service was worse than ever and they were paying more money than ever.

She stated that it was also her understanding that other citizens in Eden were having water problems. She asked what they needed to do to have those problems corrected. She asked Council to think about what they would do if they were standing in the shower and all of a sudden they do not have any water. She stated that those people need some help and they were not getting anything.

Mayor Price stated that he and Mr. Sexton had discussed this issue by letter a couple years ago.

Mr. Benny Sexton, Municipal Services Director, stated that Chadwick Apartments was right outside a pressure zone. They have known there was a problem for a long time. They hired Finkbeiner Engineering Firm (Finkbeiner, Pettis & Strout) to come in and look at the area. They looked at the area and some booster pumps were installed under the Dunn Street water tank and created a pressure zone to increase water pressure in that area. They did not have a great problem with Chadwick until the old Fieldcrest Pumping Plant was off-line. They have lost water pressure from the top of Church Street hill; there was not enough pressure to push it up the hill. They have a two feeder lines; one 12-inch going up Church Street hill and 10-inch that comes through the Public Work area in the Leaksville section, back up Cedar Street to feed the Dunn Street water tank.

Mr. Sexton explained that there was just not enough pressure in that area. He stated that he and Mr. Asbury had been working together. They have called David Cain with Finkbeiner and Mr. Cain was looking at increasing that pressure area to include the Chadwick Apartments. He stated that they recently received some information concerning this problem. They were asking Mr. Cain to look at the possibilities of including Chadwick and other areas around Oakland Avenue and include them in the high-pressure zone in order to give them better water pressure. He added they have been facing this problem for about five years or longer.

Mayor Price asked Mr. Sexton if Mr. Cain's proposal had to do with upgrades of the systems or some type of engineering change.

Mr. Sexton replied that Mr. Cain gave the City three options back in 1996 and the City elected to go with creating the pressure zone. He recommended several solutions to the problem. He recommended that a trunk line be run up to the area to increase the water pressure. He gave the City three or four options and the City elected to go with high-pressure zone. The Council at the time, according to Mr. Cain's information, elected to go with the second option which was to create the pressure zone and Chadwick was not included in that pressure zone. A lot of the other areas were also not included in the pressure zone. Parkdale Mills and Dan River Water were feeding off the same line that feeds Chadwick Apartments. There was an 8-inch line that feeds Dan River Water, Chadwick Apartments and also the family care home and there was not enough pressure in the area. He stated they have a negative pressure and fire flow conditions outside the pressure zone, but inside the pressure zone there was a fire pump located under the tank that would cut on for large water usage and increase the pressure for fire protection. Chadwick Apartments, Brian Center and some of those were located outside the pressure zone and it would not help them at all.

Council Member Janney asked Mr. Sexton if he was saying that they did not meet state requirements to which Mr. Sexton replied he did not say that.

Mayor Price commented that Mr. Cain had already recommended that the pressure line be put in and asked if that was correct.

Mr. Sexton replied that Mr. Cain gave the Council four different options if he remembered correctly. He read a letter (received today) and explained that he was not aware of any of this until he received this memo.

Mr. Sexton explained that there were three options. One option was a trunk line to that area. He stated that he could not recall the other two, but one was to create a pressure zone. He drew up the map and they would have to go in and cut valves off and create a zone to install pumps to build pressure within that zone and Chadwick Apartments was not included in that zone.

Mr. Bine added that one thing that Council needed to understand was how a pressure zone occurs. He compared a water system to a fabric of cloth, all pieces of fabric were all woven interconnected with one another. If water was pushed into the system from one direction, it would network out through the lines, but if there was a heavy user at one end that would tend to draw the water more centrally through the system and not feed out in the outlying lines. The consultant was recommending that the City was turn off some valves along the line to create pressure by not letting that water escape throughout the rest of the network. So what Mr. Sexton said was correct and they have talked about this in staff before. Those folks and others were outside those valves that hold the pressure on the inside, but did not have any water on the outside. The consultant's recommendation on October 28, 1988 was the lower cost option. The higher cost option would be to run another line up there and provide more water to the system. The City opted at that point not to do that.

Council Member Grogan asked if they ran a water line, where would they run it from to which Mr. Sexton answered they were planning on feeding off Kings Highway's 30-inch line going up Highland Drive and feeding into the Boulevard area up to the Oakland Avenue.

Council Member Gover asked if this was same area that Dan River Water was talking about expanding there to have a pressure zone. He asked if they were contemplating plans to do that.

Mr. Sexton replied that they were talking about Morgan Road. He stated that he had addressed Council several times about water pressure in this town. He mentioned Morgan Road, Holland Street, and Oakland Avenue. He noted he had recommended several times that they get someone and they (this Council) have hired an engineer to come in and look, but nothing had been done. The City chose to go one option and Chadwick Apartments was not included in that option. He stated he had asked Mr. Cain to take a look at it and include Chadwick Apartments and Brian Center within this pressure zone. That would help tremendously if they could do that.

Mayor Price stated that it looked like it would be pretty obvious to do that. He asked if it were possible.

Mr. Sexton replied that they have to look at the pump size. It was just three small pumps, if the pumps would take on the amount of water used. He stated they were looking at that and if it could be done with Mr. Cain; they would go in and rewrap the pipes or whatever they have to do to get them some more pressure.

Mr. Bine added that one of the issues was that they could put in all the pumps they like, but if they did not have water, it was not doing any pumping. One of the issues was that it was not any one individual's fault; it was the way the system grew like old "topsy". The lines were not planned for going way out there and having an 18" or 24" feeder like a trunk line going out. The water was fed out through networks of 6's and 8's. Those 6's and 8's could only carry so much water. He added that an 8 could twice as much as a 6 and a 12 twice as much as an 8. As they go up, it goes up expediently. The water has to be there to have the pressure.

Council Member Janney stated that no matter what they do, if they do not get the water there, they are not going to solve the problem.

Mr. Sexton agreed that was true and everyday when they replace those old two-inch water lines they were increasing it to six-inch water lines. Again, that takes water away because they were feeding a larger line under a smaller line. They have to look at getting some feeder lines

throughout the City. They have to have them up Highway 14 and they have already addressed this problem on Summit Road as they have installed a pump over there. They have addressed it on Oakland Avenue and Dunn Street by trying to build a pressure zone. That was not the answer. The answer was; they have got to have some large trunk lines. They have them feeding east of this town. They have a 24 and 16 going down on the East End of town but they have nothing. They have a 10-inch line feeding a 14-inch line there at old City Hall when they went off line running across the river. He asked what they did for the water system. When they took them off line, there were no plans at all to get water into that area or trunk lines which they have got to have that to be able to service the northwest end of town.

Council Member Myott told Ms. Madison that she lived on the corner of Church Street and had received a lot of complaints from Chadwick. She also had terrible water pressure. She agreed that something did have to be done there. She added that she could not run two machines of any kind at the same time.

Mr. Sexton agreed by saying he knew what it was like. It was the same way at his house.

Mayor Price stated that it would obviously take a lot of engineering to run a big trunk line. He added he was sure this was something everybody wanted to look at but in the interim, he asked if there was anything that Mr. Cain was working on that would help them have some relief.

Mr. Sexton replied, yes, if they could be included in the pressure zone, they would try to redo the pipes or whatever they have to do to try to get Chadwick and those on Oakland Avenue within the pressure zone if anyway possible. He stated that to address the smelly water issue, anytime they have an apartment complex, they run a six-inch line; it dead-ends and they were feeding two-inch or three quarter taps off of it, they were not drawing the dead water off the line. After a while they continually open the hydrants and bleed it off. He added it was nasty water because it was a dead-end line and a low-pressure line. There was not enough pressure to keep it pushed out and cleaned out so he could understand the problem they have.

Mayor Price asked Mr. Sexton if this was a regular maintenance thing that his department did and was it on their calendar to do.

Mr. Sexton replied that they bleed off dead-end lines every so often. If he did not have the manpower to do it, they try to get to it whenever possible. The last complaint he received, according to his calendar, he did bleed it off the same day he received the complaint.

Council Member Janney asked if the study was a valid study other than price and if the options were not the same.

Mr. Bine explained that it was not because the system has grown since then to some degree. Some of the constraints, by constraints meaning the end of the system, do not apply any more. The volume of water being taken out by Dan River was substantially larger than it was 10 years ago. The concept was still valid, numbers were not valid and the study pressures were not valid.

Council Member Janney asked Mr. Bine if he was saying they needed to get Mr. Cain back into this, look at it to see what it was going to take and fix the problem.

Council Member Gover stated those people needed and deserved a time frame.

Mayor Price explained to Council Member Gover they were going to try to do something immediately to give some remedy to it, and he asked if he was correct.

Mr. Sexton replied they were working with Mr. Cain on that now.

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Mayor Price asked the Council if they needed to have some information from the consultant to give them an idea of what they need to do and Council Member Janney agreed that they did need the information.

Council Member Grogan stated he understood they have already talked to him and asked him to get the information.

Mayor Price asked Mr. Sexton if he would have something by next month to which Mr. Sexton replied they have not asked him to look at the three recommendations. He had only asked if they could include Chadwick and the others along Oakland Avenue into the pressure zone. He added if the Council wanted a study update, Mr. Bine would have to authorize the engineering firm to do that.

Mayor Price asked Mr. Sexton if he could get some information by the November meeting as to the realm of the study and so forth but in the interim provide some relief to those folks.

A motion was made by Council Member Grogan seconded by Council Member Janney to give the Interim City Manager permission to ask the consulting firm to do an updated study. Spend the money to get the study updated.

Council Member Rorrer asked what the study concerned to which Council Member Janney replied a study of the water system.

Mayor Price stated a motion was on the floor and wanted to know the date of the study.

Mr. Bine replied the letter from Mr. Cain was November 7, 1988 and Mayor Price asked if that was when the study was done. Mr. Bine replied it was the Dunn Street Booster Station.

Council Member Janney pointed out that it did not mean just Chadwick, it meant the pressure problems in that area.

Mr. Bine stated in that area and asked for clarification from the Council. Council Member Grogan replied in that section of town.

Mr. Sexton asked that the Morgan Road area be included in this study. Council Member Janney replied it was. Mr. Sexton stated it would take a different solution for the problem on Morgan Road compared to Oakland Avenue. They may be looking at one trunk line to solve the problem on Oakland Avenue but they were looking at another trunk line possibly up Highway 14 to solve the Spray section.

Council Member Janney stated they were looking for the answers to both problems.

Action on the motion: All Council Members voted in favor of this motion.

UNFINISHED BUSINESS:

(a) Consideration of water filtration plant – Polymer Mixing System.

The memorandum provided explained that the FY 2000-2001 Water Filtration Plant Budget contained \$7,000 for a polymer feed system. The funds were budgeted on line 30-7130-5700c – Capital Outlay Equipment. The recommendation from Mr. Asbury was to request authorization to purchase the “Polymer Missing System” offered by IMG Corporation at the quoted price of \$5,800.00.

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



(b) Consideration of option to purchase land.

Council Member Janney explained that he placed this on the agenda and wanted to clarify what kind of option they had. When the Economic Development Director, Don Moss presented the information about the Whitt property, he (Janney) did not know his intent, which was why he put it back on the agenda. He stated that he did not know whether they have an option to purchase, a deed of trust, and a contract for deed or offer to purchase contract to sale. He explained that he had no idea which one they have and felt that no one else sitting there knew.

Mr. Bine explained to Council Member Janney that it was not his understanding that any of the foregoing was authorized to be executed. He stated that it was his understanding that they were to proceed with contacting an engineering firm to do preliminary engineering which then would lead to a point where information would be brought back to the Council to make a decision whether or not to go forward with one of those manners of purchase.

Council Member Janney stated that whichever one they pick, they need to know what it was all about because everyone of them was different to which Mr. Bine agreed.

Council Member Janney pointed out that there was a big difference in any of them. They needed to know all the terms and condition of those options because they were setting themselves up, if the City did not go through with it, after they took the options of possibly losing some money.

Mr. Bine replied that as he indicated it was not his understanding that was the direction of Council at that point. He explained that they were to do the preliminary engineering, bring the preliminary engineering back to the Council, review that and make a subsequent decision as to whether or not they were going to proceed with acquisition of this parcel of property of parts of it or whatever.

Council Member Janney pointed out that it was \$15,000 to which Mr. Bine explained that it was for engineering services. He added there had been no offer for the acquisition at all.

Council Member Janney stated that was not the way the motion read (or) he thought the motion read...to which Mr. Bine said that was his understanding of the matter. Council Member Janney asked if the Council thought they took an option on some land. He asked if he was the only one...

Council Member Grogan pointed out that they were not going to do an option until they get their engineering done. Then an option would be negotiated and agreed upon as far as a price per acre of the first, second, and third stage which would be presented to the Council at the same time that they would get their engineering study to determine what the delineated wetlands were; how many acres they wanted to buy; and the first portion of how much they want to option; 50 acres, 25 acres or 100 acres. All that information would be forthcoming.

Council Member Janney asked if everything that was under the terms and conditions of an option would be brought back to the Council. Council Member Grogan replied sure and Mr. Bine commented he stood to be corrected, but that was their understanding.

Council Member Janney stated that he would tell them that it was a whole lot when they were making an option to purchase. There were a lot of details and differences in that which could cause some problems.

Council Member Grogan stated the City Attorney would have an opportunity to review those or whomever the City Attorney might be at the time. There would be several attorneys to look at it. Council Member Janney stated he would hope the attorney would look at it.

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Mr. Bine pointed out that he had never been involved in an acquisition of parcel of property when he looked at a standard form contract, which was generally used in real estate acquisition, to take that offer as it was decided by the Council and then written on the standard form and he would take that to the attorney first to make sure that understanding was conveyed in the option before being submitted to potential seller.

Council Member Janney wanted it to be on record that they were not taking the option at anything at this point.

Mr. Bine pointed out that they have not done it in staff and they never understood from the Council that was their wishes.

Council Member Grogan stated that this Council had agreed that as it was presented in the Executive Session that would be the number one spot for an industrial park in the City of Eden. He noted that it was voted on 4 to 3.

Council Member Janney pointed out that they needed to be careful when they go into this thing. He added that he believed if they went back and looked at the motion that was made, it was made to take an option to purchase this land.

Council Member Grogan stated at a proper time that was right.

Council Member Janney stated it was on record that they did not have an option at this point to which Council Member Grogan added not an executed option. Council Member Janney stated that the Board would have to agree to all points of that option before it could be executed to which Council Member Grogan replied, at least four.

(c) Consideration of Water and Sewer Fund shortfall.

The memorandum provided explained that the shortfall incurred in the City of Eden Water and Sewer Fund was due to the following withdrawals from the fund:

1. \$2.152 million was never received by the fund due to incorrect billing to four major customers. Accounts that should have been reconfigured each year were never adjusted upward each year to accommodate rising costs of production. These undercharges occurred between the years 1992-1999.
2. \$1.7 million was spent on buying the present City Hall property and other properties and for upfitting it for use.
3. \$3.669 million was transferred from the Water/Sewer Fund over a period of eight years (1990-1999) to reimburse the General Fund for expenses incurred on behalf of the water/sewer operation.
4. \$3.0 million was spent in 1990 on improvements in the water/sewer operation rather than borrowing money in the bond market.

Mayor Price explained that he had asked that the Council add this for explanation and review. He asked if there were any additions, corrections or anything on this information they would like to question or ask or to change.

Council Member Rorrer asked what it represented. He explained that he did not see anything but what they have already been through before.

Mayor Price stated that they talked about it and he wanted to know if there were questions about it and if this information was validated in their minds. He stated that they talked about giving the public an explanation of the shortfall and he wanted the Council to look at.

Council Member Rorrer asked if that was the starting point for producing that information.

Council Member Grogan stated that this information was in the newspaper before to which all Council Members agreed. Council Member Rorrer stated this was nothing for an explanation for the public.

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Mayor Price explained that they had to validate the figures first and asked if everybody was happy with the figures to which Council Member Rorrer stated he could not argue about what he had.

Mayor Price asked, other than (the fact) it had been in the papers and had been discussed, did they have any ideas or recommendations as to how they would like this presented.

Council Member Janney replied no, because two questions had never been answered for the Board. He asked if the auditor should have caught this when he was auditing the books and should the state auditor have caught it. He stated that no one had begun to answer those two questions.

Mayor Price stated that it was a valid question.

Council Member Janney stated that the Mayor did not know.

Mayor Price replied that they talked about providing information in some public fashion and they needed to present those numbers in some shape, form or fashion.

Council Member Janney stated that in his opinion, they were not doing what they said they would do if they did not get all the answers and put them out there. He agreed with Council Member Rorrer in that they have had this information for months. He also added that it had been in the newspaper.

Mayor Price asked Council if they felt it had enough public representation and if the Council was happy with how it had been presented.

Council Member Gover replied that they had the whole report a month ago and it spelled out the same thing except for the valid questions Council Member Janney had. They needed a safety valve somewhere to catch all those things and somewhere down the line it should have been caught.

Mayor Price explained that at the last meeting the Council had talked about this and indicated they would get the numbers together and present them to the Council. The purpose of getting the numbers before was to make sure that everybody, as a group, agreed with the numbers. His second question was, if they thought it needed any further presentation to the public since it had already been in the paper.

Council Member Tudor replied that he would like it clarified to the public one time that this was one issue and residential water bills and the increase in residential water bills was another. He stated that residents have to pay their water bill, which was higher now than it was before, and that they were not paying any of this bill. He asked if that was not correct.

Council Member Janney replied that was not correct and Council Member Gover added that they pointed out a \$2.1 million dollar deficit and that was...

Mayor Price explained to Council Member Tudor that it opened the door to reevaluate it and in looking at this problem, when the revenues were so low, particularly with the Pluma project, it opened the door and they had the consultant to come in and it pin pointed the problems. They recognized the fact there was a shortage. They recognized when they talked about having money for new water lines that they talked about a few minutes ago, that the money had to come from somewhere. He stated he did not think it was ever pointed out that \$900,000 payment on the bond debt ran out two years ago and that was something that had to be accounted for. He stated that it would be hard to answer that question. He thought that the shortage and the increase in rates certainly had something to do with them not having enough money in the till right now.

Council Member Tudor asked if residential water rates should have been going up at the same time as contract water rates should have been going up.

Mayor Price replied that Mr. Cain of Finkbeiner had indicated that he felt that a municipality of Eden's size should have a water increase every two years.

Council Member Tudor asked that if it was indicated, as an example in 1993 residential rates should have gone up and they did not and contract rates should have gone up and they did not, then they may end of up coming together, but they were still two different matters.

Council Member Rorrer stated that to address the 1993 matter. There was plenty of money in the kitty and there was no need for any water rate in 1993. When they started pulling this other money out, there behind 1993, that was what put them in the spot they were in.

Council Member Janney agreed and asked them to look at the paper to see how much had been taken out of the Water and Sewer Fund for other things other than associated cost for water and sewer and there was the answer. It was simple, other than not increasing the rates on the contract customers.

Mayor Price disagreed with that assessment. He stated that agreed to the fact that there was a lot of money there and could be used for a number of different things and some choices were made as to what to do with the money. He stated that it still went to line with having their revenues and expenses in line. He noted that expenses go up every year and they have had one increase in 20 years. He asked if that was correct . . .

Council Member Grogan replied one increase in 10 years and prior to that he thought it was 30 years. Council Member Rorrer pointed out that was something to be proud of.

Mayor Price explained that the city's rates had nowhere kept up with the expense increase. He stated that Mr. Cain had told them that they should evaluate those rates at least every two years. Mayor Price agreed that they should do that to get their costs and revenues in line.

Council Member Tudor stated that he had this same conversation with the Finance Director who had agreed with him. He stated that now, all of them (Council) were disagreeing with him, but the man who had been doing the numbers for the city, agreed with him, that one was not the other.

Council Member Grogan replied that he did not disagree. He thought it was two separate situations. He explained that he thought they had \$2,152,000 was money that was never collected. It was not money that they had in their pockets and pitched out; it was money that was not collected. He stated that another \$3.0 million was money that the city had left over from a bond issue, of which the City Council at that time, which three of the present City Council Members were on there then, agreed at that time to put it aside to help pay ...they could not put it in the bank and earn interest on it, it was not legal, the only legal thing they could do with it was to help reduce the bonds. That money helped pay off the bond issue. That money ran out and that was when they had to take \$400,000 a year out of the General Fund to help pay interest on those bonds. They talked about looking at water and sewer rates, but they did not do it. He stated that there again, it goes back to the budgeting thing and it would happen again this year. They were going to take \$400,000 plus out of the General Fund to pay a recurring cost on water and sewer bonds. He pointed out that this would happen at least another eight years.

Council Member Gover noted that the former City Manager used that \$2.1 million to ask for that water rate increase on their citizens.

Council Member Grogan explained that what started the whole thing and he hated to say it, but a water contract customer went bankrupt and all of a sudden they knew that they did not have that income coming. Then they asked for a study because they lost that income of which supposedly was going to help pay those bonds. Money was coming out of the General Fund to pay those bonds. He stated it was scary, if those people had not gone bankrupt, they would probably still be sitting there doing the same thing they were doing before. The Council probably would not have voted to do a water/sewer study while they watched the sewer lines deteriorate. He pointed out that a thing that they made a mistake on in the past was not borrowing the money when they bought the real estate. He recalled that he had asked the audience one night at a Council Meeting, how many paid cash for their house. He noted that most everybody borrows money to pay for their house and when they do that, they pay a thing called interest. He stated that normally they pay about twice whatever the purchase price was to buy the house. The city could have done the same thing and could have gone out and borrowed money, but what they did was borrow the money from the Water and Sewer Fund and never paid it back. This kept the city from paying interest on the purchase of the real estate that they bought.

Council Member Gover stated that the former City Manager used the \$2.1 million to get the water rate increased when they should have held off because that was money they never had to start with.

Council Member Janney stated that he mentioned the money that was taken out. \$1.7 million was spent on buying the present City Hall. He stated that the best that he remembered, it was said it was water and sewer's part of the City Hall, if he remembered the minutes at that particular time. They ended up getting in a little trouble with the State auditors over that. When they started transferring money for services rendered from the Water and Sewer Fund to the General Fund, it was so far out of kilt; it did not come close to paying...He explained that as a Board, they tried their best to get that thing back in line where it ought to be and never could. He could not really tell them how much that \$3.66 million should have never come to the General Fund to start with. It should have stayed in the Water and Sewer Fund. He added that he understood what he was saying about the \$1.7 but the State auditor did not take too kindly to that either when the money was taken out. He stated he understood the thing about interest and all that because he had paid it all his life.

Council Member Myott referred to a statement Council Member Gover made and stated that she thought Mr. Thomas (former City Manager) was using the \$400,000 that they would have to take out to pay a bond payment as a reason to raise rates.

Council Member Gover asked Council Member Myott if she remembered when Mr. Thomas said they had a \$2.1 million deficit now, they never had that money from the start. They never had it, so how could they miss it. They did not know they were missing it.

Council Member Grogan stated that monies that were transferred from the Water and Sewer Department to cover each department, the Local Government Commission in their accounting, put it in where a City had to allocate those expenses back out to different departments. That way it comes back into the General Fund to which Council Member Janney agreed.

Council Member Janney explained that this was not an answer to the public unless they explain everything.

Council Member Grogan stated that he had said this from the very beginning, if they wanted to go and play 20/20 hindsight, he asked who was responsible, the City Council to which Council Member Janney agreed. Council Member Grogan also added that the City Manager and the City Attorney was responsible.

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Mr. Nooe disagreed with Council Member Grogan. He explained that he had nothing whatsoever to do with that. He did not even get a vote.

Council Member Grogan asked if he did not draw the contract to which Mr. Nooe replied that he drew the contract but it was not his responsibility to adjust rates.

Council Member Rorrer asked what they were going to do now.

Mayor Price replied that he had asked but could not get a representative idea from the City Council. He asked how they would like to present this and everybody felt like it had been in the paper already, they felt like it was...to which Council Member Rorrer stated that he was not talking about this. He was talking about beyond this point. He wanted to know if this was the end of it to which Mayor Price replied there would never be the end of it, there would be questions forever about it.

Council Member Rorrer suggested to the Mayor to proceed with the meeting and he would put it on the agenda when he wanted to.

(d) Consideration of leaf machine.

The memorandum explained the Municipal Services Director, Mr. Benny Sexton, recommended that the bid be awarded to ODB in the amount of \$20,200.00 for the purchase of a leaf machine. He noted that the last leaf machine the city purchased came from this company and they were satisfied with their service.

A motion was made by Council Member Grogan seconded by Council Member Myott to purchase the leaf machine from ODB. All Council Members present voted in favor of this motion.

(e) Consideration of three police cars.

The memorandum explained that the Police Department budgeted \$63,000 for the purchase of three police cars. The state contract was out and it was time to order the cars. The Police Chief was seeking permission to buy one police package Jeep Cherokee 4x4 for \$21,890.65 and two police package Crown Victorias for \$20,452. The price for all three would be \$62,794.65, leaving \$205.35 to apply to striping one vehicle.

Council Member Janney wanted to know how many police cars they had to which Chief Benthin replied approximately 50.

Council Member Janney stated they should find out before adding to it, how many they have.

Mayor Price replied they budgeted for this...to which Council Member Janney stated it did not make any difference.

Mr. Bine asked Chief Benthin if those were replacement vehicles to which he replied in the affirmative.

Council Member Tudor asked if they were budgeted to which several replied in the affirmative.

Council Member Janney explained he would say contingent on the Council knowing...

Mr. Bine replied that he would get Council Member Janney an inventory list on the number of cars.

Council Member Janney disagreed with buying a Jeep as they were stepping on grounds they should not be stepping on by changing the equipment around that could only serve one purpose.

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He did not mind making a motion to buy three contingent on the fact that this Board knew how many police cars they have within a week.

Mr. Bine replied that they would get the information...

Council Member Janney stated three Crown Victorias.

A motion was made by Council Member Janney seconded by Council Member Tudor to purchase three new police cars (contingent on receiving a list of vehicles within a week).

Council Member Grogan wanted to hear a statement from Chief Benthin regarding purchasing a Jeep.

Chief Benthin explained that they have had several weather conditions in the last few years that have kept them from getting places they needed to go and Kennedy Street was a prime example. The last time they had a big snow, they had great difficulty, as there were several wrecks on that street and they jeopardized their (patrol) cars trying to get to those wrecks. They also have floods regularly and they just need the four-wheel capacity from time to time.

Council Member Gover asked if this vehicle could stand in for a patrol car to which Chief Benthin answered they sure could.

Council Member Gover asked if the safety stats on that, that it would turn over at 35 mph in a sharp curve. He was concerned about the safety of the employees. He stated that was why he was against buying a Cherokee Jeep or anything small like that, because of the possibility of it turning over in a chase.

Council Member Rorrer asked Chief Benthin if he got the three cars, would he turn in three cars to which Chief Benthin answered in the affirmative.

A substitute motion was made by Council Member Rorrer seconded by Council Member Myott to purchase the Jeep and two Crown Victorias.

Council Member Reynolds pointed out that this Jeep would be assigned to Captain Johnson and he did not think he worked at night. He asked how they would get it when they needed it.

Council Member Janney agreed with Council Member Gover's point about the safety aspect of this vehicle. He noted that all SUV's have safety problems.

Council Member Gover commented that they were restricting their usage and they needed to get people water and here they were going out and buying something out of the ordinary and unsafe at that, he stated that if they needed police cars then get police cars.

Mr. Bine explained that other municipalities around the State, at the Coast, in the Piedmont and in the mountains they have one and even a full fleet of Jeeps. He pointed out that a town in Wake County had a full fleet of Jeeps. He noted that they had one four-wheel drive in Garner simply because of hurricanes, tornadoes, low water areas and they were handy.

Council Member Janney asked how many four-wheel drives they already had in other departments, not in the Police Department. He stated that they had a lot of them to which Mr. Bine replied that they have trucks and Mr. Sexton also had one. Council Member Janney stated that he had contended all along that any vehicle did not belong to that employee, it belonged to the city and was available.

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Council Member Grogan asked if all four vehicles were budgeted or just three to which Council Member Janney, Mr. Bine and Mayor Price all agreed three.

Mayor Price agreed that a four-wheel drive would be well used for the city. He noted that there had been a number of times where they have had bad weather, there have been floods and a couple of years ago there was a situation where someone had to be rescued. He noted that the city was not flat; it was up and down and they were prone to have bad storms. He noted that those people were out in the night and the day rescuing people and he thought it would be a wise choice to have this.

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

Mayor Price informed Council Member Rorrer that his request concerning the previous discussion and the additional information on water and sewer would be on the agenda next month.

Mr. Bine commented that he would still provide the Council with the number of police cars at the earliest possible date.

(f) Consideration of Communications and RMS System Rentals.

The memorandum explained that the Mayor had asked the Police Chief to expedite the acquisition of communications equipment for the new police facility.

Mayor Price noted that Chief Benthin had given several options that the Council needed to consider. He stated that they all knew that ultimately they were looking at a major expense to this community to provide radio coverage. He asked if this fell into the 800-mega hertz or was it a normal upgrade.

Chief Benthin replied that he thought that the normal upgrade would be about \$1 million.

Mayor Price asked if this would include the web transfer into the machines, ultimately, they could use e-mail, and so forth.

Mr. Bine asked the Mayor if he was referring to the CAD system.

Mayor Price replied no. He noted that the communication in the larger cities was going to a data trend system to which Chief Benthin replied no, it was a different matter. Mayor Price wanted to know if they were going to spend \$3 or \$4 million and still not get all of it.

Chief Benthin recommended that they not spend that much. He explained that to upgrade and have a system like they have, it would probably cost \$1 million, but it would add the capability of the Fire Department, Police Department, Public Works and everyone else in the city, being that they would be able to speak to each other on one frequency. He noted that because of that price tag; he did not recommend they do that at this time. He stated that they have had continuous problems with their radio system, it was 28 years old and they definitely needed a radio system. He stated that he was only asking that Council think about purchasing a new radio system two or three years down the road and plan for accumulating the money to do that.

He explained that the second part of this proposal was their computerized dispatch system was over 11 years old. He noted that it was DOS and now everything was Windows. He stated that it did not interface with their records management software and it did not mesh with their 911 software. He stated that they basically have three separate systems. He stated that when they moved to the new building, he would like to upgrade hardware and software, but he would like



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to rent a solution and not buy equipment. He stated that the person they would be renting from would continually upgrade it. He explained that this system would use one computer system to control their radios through a console, answer telephones, dispatch calls, take the information from the 911 system and automatically put it on the CAD system eliminating the need for a dispatcher to do it manually, transfer information from the CAD to the records management system to keep statistics and begin reports, and it even had the capability of doing surveillance within the police station for an extra \$200 per camera, if they wanted to do that, throughout the computer system. He stressed that they needed this because nothing currently worked and everything was separate. This would integrate everything and bring them into the 21<sup>st</sup> Century.

Mr. Bine clarified that they wanted to do this when they move the police operation over to new building.

Council Member Janney asked how much it was going to cost to rent.

Chief Benthin replied that they would have to negotiate a price. The prices they have were probably 18 months old and they have brought some of the equipment since then to make them Y2K compatible compliant. He stated that his estimate was about \$5,000 to \$6,000 per month to rent it. That was about what it would cost to buy it or maybe less to buy it.

Council Member Janney asked if it would cost between \$1 million and \$4 million to upgrade the systems down the road.

Chief Benthin replied that was the indication that he received from the consultants that were hired.

Council Member Janney stated that when he got that report from the consultants, he really did not think they got out of that report what they had really asked for. He stated that he thought they were supposed to get a comparison between what it was costing now to do it and what it would cost to upgrade, along with a comparison of moving it to 911 or C-com.

Council Members Rorrer and Gover both agreed that they understood the motion to be the same way.

Council Member Janney continued that unless they get that information, he was not willing to change courses.

Chief Benthin explained that they were really talking about two different things. He was no longer talking about upgrading their radio systems, he was talking about their records management and their computer aided dispatch, which was really a separate item.

Council Member Janney asked the Chief if he was telling him that in addition to radio dispatch, the computer-aided stuff was going to cost that kind of money to upgrade to which Chief Benthin replied, about \$5,000 per month.

Council Member Janney pointed out that was to rent it. He asked if they were saying it would take about \$1 million to \$4 million to...Chief Benthin replied no, \$5,000 per month. He explained that this was why they were getting the 911-surcharge money, that was the original intention when they got the 911 system.

Mayor Price informed Chief Benthin that the Council was a bit confused. He explained that they were talking a few seconds ago about the total cost of communication down the road and the whole system and then they dropped back to what they needed to change from this building to the next and upgrade that records management, dispatch and that type of thing.

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Chief Benthin stated that he recommended that they keep their current radio system and make it work for another two or three years and then two or three years down the road consider upgrading their radio system.

Mayor Price clarified that was one of the issues. He stated that the second issue was what they would need to move the records management and dispatcher to which Chief Benthin replied that was correct.

Council Member Janney pointed out that they needed to get some answers on what they hired Mr. Frederick Griffin...to which Mayor Price replied that they hired Mr. Frederick G. Griffin but that was more of the communications...

Mr. Bine commented that they were currently working on getting those answers from the consultant. He explained that this was an interim step to move the operation center from the old police department across the way over to City Hall when it was completed. He stated that it would be the exact same radio system over there and there was no sense in moving it unless they get it to work with the rest of the system and that was what they were suggesting would about the \$5,000 per month.

Council Member Janney explained that he understood all that but what if they find out that all of this was hogwash and they would be better off to go another route, then they would have that much more money tied up in this system.

Mayor Price stated that they knew that what they have was just about in the trough. He stated that he thought it was one of the oldest systems in the market.

Chief Benthin added that he had been told that it was 28 years old.

Mr. Bine asked if the 800-megahertz system would interface with the new software to which Chief Benthin replied in the affirmative.

Council Member Gover asked what was happening to the monies that the city was getting, \$60,000, which was supposed to be the \$5,000 per month off the .75 per phone usage in the...to which Chief Benthin replied nothing, as it had been building up in the bank, they had not spent much.

Council Member Gover asked if it had been applied to this to which Chief Benthin replied that he thought some of it was used to pay the consultant and some for the Y2K upgrades but it was basically sitting in the bank doing nothing.

Council Member Gover stated that he thought that money was to help alleviate some of the cost on that to which Chief Benthin replied that this had not come up when they started the 911 surcharge. The original intent of the 911 surcharge was to buy computer software and hardware so they could continue their records management at an accurate level as things were breaking down. He explained that no one used DOS anymore and it was hard to get people to work on it.

Council Member Gover pointed out that it had to be spent on dispatch and what have you to which Mr. Bine and Chief Benthin both replied in the affirmative and Mr. Bine added that it was stated that was where this money was coming from.

Council Member Grogan commented that Mr. Griffin came and made a presentation to the Council. They said they had "x" number of dollars in the budget and discussed 911 money and he thought they had said that the City Manager, working with those people because he said he might be able to negotiate a price of even less to do the study. Council Member Grogan asked if that study had been completed.

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Chief Benthin replied that the study had not been completed.

Council Member Grogan stated that he did not think that it had. He stated that the study they had asked for had not been done and now they were talking about leasing some equipment until a study could be done or finalized.

Chief Benthin replied, not exactly. He explained that the equipment that they needed did not have much to do with the study at all. He stated that it was so that they could write their reports and answer the phones, and screen where their officers were and what they were doing. He stated that it really did not have that much to do with radios other than it had the capability of interfacing with any radio system they might have or get in the future. He stressed that they needed it whether they get radios or not.

Mayor Price stated that again, this was completely separate to which Chief Benthin replied, two separate issues, however they would work together when they get the radio system.

Council Member Grogan asked if the \$5,000 per month to rent this equipment was included in his budget.

Mr. Bine replied that this money would come from the 911 surcharge monies.

Chief Benthin explained that after expenses for the upgrades and consultant fees, they had accumulated about \$138,000 in the bank from 911 surcharges. He stated that they were bringing in about \$6,900 per month that they were not spending. He stated that he was only asking to spend between \$5,000 to \$6,000 a month of that and they would continue to grow the \$138,000 to be used for other things in the future, plus every year they would get a lump sum from wireless 911. He noted that last year they got \$52,000, not to mention monthly income for wireless. He stated that he could not give them any exact figures, but they were bringing in approximately \$9,000 per month that they were not spending and the intention was to upgrade the computers.

Mayor Price asked what the lead time was on this equipment. If they ordered it tonight when would they get it to which Chief Benthin replied that it would be 90 days.

Council Member Grogan asked what the anticipated move date was to which Mr. Bine replied that he asked the architect a week ago and he stated he would have substantial completion by the end of November. Mr. Bine added that he would be happy if they were in by the first of the year.

A motion was made by Council Member Grogan seconded by Council Member Tudor to lease this equipment. Council Members Rorrer, Reynolds, Myott, Grogan, Tudor, and Gover voted in favor of this motion. Council Member Janney voted in opposition. This motion carried.

(g) Consideration of 1997 Local Water Supply Plan.

The memorandum explained that the city had received a letter from the North Carolina Department of Environment and Natural Resources, Division of Water Resources stating that the subject plan meets the requirements of NCGS 143-355(1). The plan was now ready for adoption by the City Council.

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

BREAK:

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

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NEW BUSINESS

- (a) Consideration of buffer between industrial development on Meadow Road and the residences on Fairway Drive.

The memorandum provided explained that during construction, portions of the natural buffer on the city's property had been removed. A proposal was made to replace the buffer on the city's property and was designed to complement the buffer that Gildan was required to install along their property line.

The landscape architect estimated the cost of the buffer on the city's property to be approximately \$16,000.

Council Member Rorrer asked who owned this property to which the Mrs. Stultz replied that the city did. Council Member Rorrer then asked if they cut the buffer off of what they let Gildan have.

Mr. Nooe replied that was correct and explained that they held back 120 feet between the residences and the Gildan site.

Mrs. Stultz stated that it was going to be two buffers and Gildan had to put one place on the 50 feet where their property starts and right behind the resident's properties, the property that the city owned.

Mr. Nooe pointed out that it was up to the Council what it did with it to which Mrs. Stultz agreed. She stated that was up to them. She explained that when it was looked at, one of the things that they knew needed to be done, was to make sure that when Gildan's buffer was planted and if the Council chose to do one, that they replaced the stuff right behind the resident's homes, that they make sure that they companion well and they did not have too many of the same species in case they get a blight in one spot and everything got wiped out. She stated that they have seen this mistake made in other communities were they used too much of one plant.

Mayor Price explained that Mrs. Stultz's request to the Council was for permission to go and bid for this. The cost would be about \$16,000.

Council Member Janney asked if he was saying that if Gildan put up their buffer and it was sufficient; did the city have to put up a buffer.

Mrs. Stultz explained that the Council could choose not to. The way the construction was done, a lot of trees were removed from a portion of the property that was right on the city's property line that adjoins the residences.

Mayor Price stated that they could go back to the minutes where there was some discussion in that the city would put that buffer in there.

Mrs. Stultz replied that that discussion was what prompted her to get this work done and bring it before the Council.

Council Member Tudor stated that he had always been for the doing the buffer but he also wanted to do a berm. He asked if that was in her figure and if they were able to get anybody to volunteer to provide dirt or anything.

Mrs. Stultz replied no, and if the Council wanted to do that they would have get the engineer to look at it and what it would take to build that up, which would be an additional cost.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve this request.

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Council Member Janney asked if this was something else coming out of the reserve money.

Council Member Tudor stated that he had discussed this with Mrs. Stultz. He asked if she had some money that would pay just for the study.

Mrs. Stultz replied that there was a line item that they provided in the Department's budget that paid for the landscape plan.

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

(b) Consideration of traffic survey from City Hall reference Country Club Drive.

The memorandum explained that the city received a request from a citizen of Country Club Drive who was concerned about traffic exiting Stadium Drive onto Country Club Drive north bound. Most of this traffic was making a left turn onto Country Club Drive. The intersection was not marked for exit lanes from Country Club Drive onto Stadium Drive. It used to be marked for right and left turn lanes prior to paving years ago.

Sgt. Tommy Griffin recommended that the city mark Country Club Drive for south bound traffic, creating right and left turning lanes at the intersection of Stadium Drive. This would give motorists entering this street from Stadium Drive a clearer area to enter and would reduce the vehicles entering on to Country Club Drive in the center of the road, almost resulting in head on collisions.

Council Member Grogan explained that if they look down there they could see where Country Club Drive came into Stadium Drive and it was large and sufficient enough to do it and the recommendation was that the City fix a turn lane to go to the left as well as the right. He and Sergeant Griffin felt that with the traffic going in and out of there, it would be a safer situation for the city to do that.

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

(c) Consideration of Block Grant 2000.

The memorandum provided explained that the Police Department has applied for and has received approval for a federal block grant in the amount of \$20,863. The money may be spent to purchase "basic" police equipment for which they did not have budgeted funds.

In order to receive the funds, the city must provide a match in the amount of \$2,318.

The Police Chief noted that their most immediate need was for more in-car video records and a dual antenna radar for their radar instructor to practice with and train others.

Mayor Price asked Chief Benthin if he had that money to which Chief Benthin replied that he did but he did not know whether they could use existing budget money.

Mr. Bine added that it had to be new money and Chief Benthin stated that they could not supply money that they already had, it had to be new money.

Mr. Bine explained that it was six of one and six of the other. What they did not want them to do was to take unused salaries or not buy a piece of equipment in order to match a grant.

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

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(d) Consideration of budget amendment #3.

This is the third budget amendment for the year.

Budget #3	Amendment	Account #	From	To	Amount
Water & Sewer Revenue	Balance	30-3991-99100	\$410,018.00	\$473,018.00	\$63,000.00
Fund Appropriated					
Water & Sewer Expenditures	W/S Assessment	30-9920-98323	\$ -	\$ 63,000.00	<u>\$63,000.00</u>
Refund					<u>\$63,000.00</u>

Budget Amendment #3 is to budget reimbursement of Charlie/Gracie St. Assessments.

The following reimbursements were made: Account #148, Adkins Chambers Post, 836 Jarrett Road, \$2,769.79; 147, Ronald Brown, 207 Gracie Street, \$2,823.40; 146, Ronald Brown, 211 Gracie Street, \$2,799.12; 143, James Graves, Charlie St., \$1,569.49; 141, Lawson McCollum, Gracie/Sharp, \$2,203.73; 139, Michelle Jackson, 302 Gracie St., \$216.27; 138, Henry Dillard, 215 Charlie Street, \$1,143.40; 137, John Dyer, Georgia Avenue, \$2,757.21; 136, Adelaide Strange, 218 Charlie Street, \$2,740.38; 135, Robert Pass, 203 Charlie Street, \$1,681.39; 134, Betsy Wright, 202 Gracie Street, \$2,741.13; 133, Malina Pass, 313 Gracie Street, \$595.16; 132, Virgie Woods, 202 Charlie Street, \$1,147.10; 131, Emma Tucker, 207 Charlie Street, \$1,743.63; 130, Mamie Strange, 836 Carpenter Road, \$1,062.19; 129, John Jasper Sims, 210 Gracie Street, \$1,680.03; 128, Linda Ray, 306 Gracie Street, \$1,953.15; 127, Josephine Neal, 219 Charlie Street, \$2,805.14; 126, Charlie Mills, 306 Charlie Street, \$306.96; 123, Lawson McCollum, 803 Carpenter Road, \$2,377.52; 122, Eliza Hairston, 832 Carpenter Road, \$2,802.65; 120, Margaret Harris, 307 Gracie Street, \$1,522.73; 119, Dewey Hairston, Charlie Street, \$2,755.85; 118, Baunard Hairston, 203 Gracie Street, \$2,761.60; 117, Tommy Gunter, 219 Gracie Street, \$1,756.81; 115, Jerry Graves, 311 Gracie Street, \$1,498.72; 114, James Graves, Charlie/Carpenter, \$1,563.77; 113, Vivian Garland, 307 Charlie Street, \$1,397.73; 112, James Nelson Galloway, 215 Gracie Street, \$2,794.28; 111, Lonnie Dillard, 828 Carpenter St., \$1,311.03; 110, Douglas Dillard, 210 Charlie St., \$2,496.47; 109, Marcella Dickerson, 302 Charlie St., \$205.78; 108, Benny Broadnax, 206 Gracie St., \$1,126.88; 107, Vivian Artis, 303 Gracie St., \$1,864.43. Totals: \$62,974.92.

Council Member Janney asked if the only part that had to come out of the budget was the interest to which Mr. Bine replied in the affirmative.

Mr. Bine explained that once revenue was received, it was a revenue as opposed to the General Revenue account of the utility fund and so in order to generate an amount for repay, they would have to have a budget amendment to allocate monies to do that. Theoretically, it may be the same monies that were received but it had all become mixed up with the rest of the vegetable soup and they could not distinguish them. They were accounted for separately but not maintained separately.

Council Member Janney stated that it was money they have but could not spend for anything else. It was in the budget, it was shown in the budget's revenue to which Mr. Bine replied yes, the money that was received were revenue items.

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

(e) Consideration of Budget Amendment #4.

This is the fourth budget amendment for the year.

Budget #4	Amendment	Account #	From	To	Amount
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Sewer Construction Fund Revenue					
S/C Fund Balance	72-3991-99100	\$541,200.00	\$561,200.00	<u>\$20,000.00</u>	
Appropriated					<u>\$20,000.00</u>
Sewer Construction Fund Expenditures					
S/C C/O System	72-8130-5500	\$471,200.00	\$491,200.00	<u>\$20,000.00</u>	<u>\$20,000.00</u>

Budget Amendment #4 is for contingency for Hwy 14 Sewer Project.

Mr. Bine explained that this was unfortunately overlooked at the time the Highway 14 Project account was set up, the contingency account was overlooked. In order to meet the actual number that the engineer reported as being the full cost of the project, it has to be admitted to increase the contingency amount of \$20,000.

Council Member Janney stated that they said earlier, people were paying what they were going to pay based on \$471,000.

Mr. Bine replied they were always contingencies in there for rock and other issues that come up.

Council Member Janney asked if they were going to pay based on \$491,000.

Mr. Bine replied they were based upon actual billing amount. A project of that size, they need to have a contingency account and that was not set up. They felt it was better to have it there rather than coming back to the Council with an overrun.

Council Member Gover commented that this was another case and point where a project system needed to be set up. They would not have this if they set up the project system that they badly needed. Those monies would be there and they would not have to be taking money from here and there if they have the project system set up and in place.

A motion was made by Council Member Grogan seconded by Council Member Gover to approve budget amendment 4. All Council Members voted in favor of this motion. This motion carried.

(f) Consideration of Budget Amendment #5.

This is the fifth budget amendment for the year.

Budget #5	Amendment	Account #	From	To	Amount
General Revenue	Fund				
Fund	Balance	10-3991-99100	\$172,367.45	\$237,167.45	\$64,800.00
Appropriated					
General Expenditures	Fund				
Planning Services	Contracted	10-4910-39900	\$12,000.00	\$76,800.00	<u>\$64,800.00</u>

Budget Amendment #5 is to budget clean up cost for Drewey Pulliam Properties.

Council Member Janney stated that he was under the impression that they would get a report telling them the exact details of the cost. He asked if this was the report.

Mr. Bine replied that this was what it cost and Mayor Price stated they did not get the report.

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Mr. Bine explained that they would not find a report on the tonnage and amount that was credited for the selling of the metal and that sort of thing.

Mayor Price stated that the Council had asked for a report of the summation of everything.

Council Member Janney added that he brought this up in one of the meetings. He stated that he was sure they had said they would use semis to haul this stuff on and he asked if that was correct to which Council Member Rorrer replied that was correct.

Council Member Janney stated that he had made a comment that he had seen several flatbed dump trucks on the road coming from there and Council Member Rorrer added that he saw many.

Council Member Janney stated that he had asked the question, if they were going to pay \$700 per truck for those and the answer he got was, yes which was and that was a yes and a no answer.

Council Member Rorrer pointed out that he saw numerous tandems, quads, and tris and Council Member Janney stated that if they videotaped everything that went out of that place...

Mr. Nooe pointed out that they monitored everything that was going out. This was on the calendar for next Monday to have the cost declared the judgment against Mr. Pulliam. He stated that in his opinion, the records were in order. He stated that if the Council wanted a copy of what all had been done, he would provide a copy of it for them, but he did not know they had not been provided a copy.

Council Member Janney asked if anyone had a copy to which Mr. Nooe replied that they did. He stated that Mrs. Stultz had it.

Mrs. Stultz stated that she was waiting until they got the final stuff for the next court appearance. She apologized for not sending it sooner and would get it to them.

Mayor Price explained that the Council was asked to approve the money and they did not have the report they asked for. He asked if she could get the report to them to which Mrs. Stultz agreed to do so.

A motion was made by Council Member Grogan seconded by Council Member Tudor to approve budget amendment #5.

Council Member Janney asked if this came out of contingency and did they not have any money in the budget for that to which Mrs. Stultz replied that they had a small amount that they spend for cutting grass and those kinds of things, but when the money comes back to the city; it would obviously go back into the funds and not into the Planning Department's budget.

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

(g) Consideration of Budget Amendment #6.

This is the sixth budget amendment for the year.

Budget #6	Amendment	Account #	From	To	Amount
General Revenue Fund	Fund				
Fund	Balance	10-3991-99100	\$237,167.45	\$239,485.45	\$ 2,318.00



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Appropriated				
Federal	10-3329-33000	\$ -	\$ 20,000.00	<u>\$20,000.00</u>
Grant/LLEBG				
General	Fund			
Expenditures				
Police	C/O 10-4910-39900	\$ 12,000.00	\$ 34,318.00	<u>\$ 22,318.00</u>
Equipment Grant				

Budget Amendment #6 is for FY 2000 Local Law Enforcement Block Grants (LLEBG) Program.

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

Council Member Janney encouraged everybody to look at the Financial Report that they received. He stated that they continue to take money out to do things that were not in the budget, they already knew they were going to be up the creek without a paddle next year, and they keep on doing this, they were just digging a deeper hole for themselves that they were not going to get out of.

He noted that if they look back at every September back, they would have to go all the way to the top of the sheet about four years back to find one any better. He stated that they keep on going down in their temporary investments and that was where their money was.

(h) Consideration of Hwy 14 Sanitary Sewer Improvements. Contracts 2000-01 and 2000-02 Project Change Orders.

Mr. Bine commented that those were change orders. He explained that the City Engineer, Mr. Stanley, and his inspectors have reviewed and was found to be in order. He stated that they recommended that those orders be approved.

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

(i) Consideration of residency requirement for employees.

Mr. Bine explained that they were getting ready to move forward and hire two major department heads for the city. He explained that this, along with the issue, he had heard from department heads all along was about the availability of qualified personnel for jobs pretty much vacant throughout the ranks. He stated that they just did not have a pool of applicants from which to choose. He explained that one of the major reasons for that was the limit they have put themselves on, which was the residency requirement. The residency requirement required that the employee lived within the County in order to work for the city.

He noted that Eden was a little more than a stones throw from Virginia, and it cuts off a full third of their attraction area from the North. He stated that he had lunch at Wendy's today, and he did a count at 12:20 p.m., there were 34 cars in the parking lot and there were 11 from Virginia. He noted that this was not counting drive-thru traffic. He stated that a lot of folks worked here and lived there and some folks he was familiar with lived here and worked there. He stated that it was just a fact of life today that that happens and he thought that in order to provide the quality of employees that, even as Interim Manager, he would like to see this city have, and to give an opportunity to select from qualified employees, that they ought to not require everybody in the County.

He explained that in his memorandum, he pointed that it was certainly reasonable to expect certain offices and individuals like the City Manager and Fire Chief to live within the corporate limits, but beyond that, if a person was going to work at Public Works, the Water Department, or in Planning and they were better able to get a better quality employee and they happened to live

across the line in Virginia, Guilford County or wherever; it was the best interest of the city itself in the quality of service they try to provide to the citizens, that they get the best qualified people. He stated that they were not able to do that because a person may not move here for the kind of wages that they would pay, they may drive here but they may not relocate here. He stated that they were off their nose despite our face. He stated that was the reason he had brought this idea forward and hopefully, they were going to be moving forward to advertise for those two important positions of Human Resource Director and Finance Director. He stated that they would be better served if they did not restrict themselves to people who lived inside the County. This was his presentation, very straightforward.

Council Member Reynolds commented that he saw where Mr. Bine was coming from, but the people of Eden were paying city taxes. Those people from the outside coming in, they were taking that tax payer money and not paying any city taxes. He asked Mr. Bine if he understood where he was coming from.

Mr. Bine replied that he saw his point but if he felt that was what...to which Council Member Reynolds stated that if they wanted to work here, they should want to move here.

Mr. Bine pointed out that the Council needed to accept the consequences then, that was the issue.

Council Member Gover asked what was the policy now and who had to live here in the city.

Mr. Bine replied that everybody had to live within the County, it was stated in the first paragraph of the memorandum, Section 10-5.9 of the Eden City Code provides that all employees shall be residents of Rockingham County, etc.

Council Member Janney pointed out that some employees had to live within the city. He noted that they lost an employee because he wanted to live in Guilford County and work in Eden but they would not change this policy for it. Then they hired an employee in his place, who was living in Virginia. He came here so what he was saying was not always true. He relocated and he assumed he was happy.

Mr. Bine replied that that may well happen, but he was saying that today; with some many two income families, to expect someone to move here when the other person in the household may then be disadvantaged by that relocation, it made it very difficult.

Council Member Janney stated that he was sure at times, it may be, but they had both discussed this and the people that he talked with felt they should live inside the city.

Mr. Bine replied that they did not currently require them to do that, they would have to change the policy to do that to which Council Member Janney agreed not all of them but their key positions needed to live in the city.

Council Member Myott commented that it was three positions, the City Manager, Police Chief...to which Council Member Janney replied that it was more than that. Council Member Myott wanted to know who else had to live in the City.

Council Member Janney replied the City Engineer and Council Member Rorrer commented that he personally felt that anybody who was responsible for the top end of the money should be inside the city to help hold cost down. They have six or seven top people that should be inside the city, but he realized that was not the policy.

Council Member Tudor commented that he wished all of their employees lived inside the city but they had positions they could not fill, so there were people inside the city that were not

willing...Council Member Rorrer suggested that they stop spending all this money to bring in industries if they could not fill positions.

Mr. Bine commented that the industry did not care where they live. The industries bring them in from outside the corporate limit and outside the County. If they would walk or drive through the parking lot of Miller and the hospital, probably a good third of the license tags in the employee parking area probably came from Virginia.

Council Member Janney replied that was a bad example using the hospital because his mother had been in three hospitals. Two of the three get nurses from Canada to come in. Those people were scarce.

Council Member Grogan pointed out that it was like when Council Member Janney worked at DuPont. He stated that down deep gut and good simple thinking says people that live in Rockingham County to help pay County and city taxes. He stated that on the other side of the coin, if they could hire competent people to do the job that needed to be done in this city, that they could get a savings from that quality employee, to help offset some of that. He stated that industry was a prime example. They could go look at National Textiles, Santee, Rexam and any industry in this town and they would see a lot Virginia tags. On the other hand, several years ago, of course he realized this was a public thing being a government, and there were differences in public and private, but if they looked at other municipalities and they did not have to do what other municipalities did, he thought Mr. Bine was talking about trying to get a labor pool to get the best qualified person other than just one person applying for a job.

A motion was made by Council Member Grogan seconded by Council Member Tudor to approve the recommendation.

Council Member Tudor commented that in the school system, they have numerous employees that did not reside in Rockingham County. They have principals of schools in Rockingham County who reside in Guilford County and Henry County, Virginia. He stated that was not private, that was state money. He stated that they carry it from Rockingham County to Guilford County and one of the four high schools in this county, the principal lived in Ridgeway, Virginia.

Council Member Grover questioned what they were going to do about the people that were required to move in now, were they going to reinvent the wheel again to which Council Member Janney replied they would move out.

Council Member Grogan commented that at least they would have the opportunity of where they wanted to live.

Council Member Grover pointed out that the City of Eden was a city of "pride and progress" and they should be proud to be living in the city. He stated that he was and he agreed with the rest of them in that he would like to see them live inside the city.

Council Member Tudor stated that he was also proud to live in the city and he chose to live in the city. He stated that four or five years ago, he lived in Martinsville, Virginia and his wife was from there. They chose to live in Eden over Henry County over Martinsville. He stated that Eden was a better place to live. It was a better place to live than out in the County; it was a better place to live than Henry County. It was a better place to live than Martinsville but people have a right to choose. He stated that they needed to hire the best employee they could hire. He added that he would hope they would make the right decision and move to Eden.

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

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CONSENT AGENDA:

- (a) Approval and adoption of minutes – September 5, 14, 19, 25, 27 and Oct. 3, 2000.
- (b) Approval to hold a public hearing and to consider an ordinance to amend the City of Eden Zoning Ordinance to allow “automobile towing and temporary storage” as permitted uses.” ZONING CASE Z-00-09.
- (c) Approval of a variance on a preliminary plat for North Aiken Village located on E. Aiken Road. SUBDIVISION CASE S-96-01.
- (d) Approval of a final plat for North Aiken Village, Phase 2 located E. Aiken Road. SUBDIVISIONS S-96-01.

A motion was made by Council Member Grogan to approve the consent agenda seconded by Council Member Gover. All Council Member voted in favor of this motion. The motion carried.

ORDINANCES AND RESOLUTIONS:

- (a) Adoption of an ordinance rezoning property on Blackstock Street from Residential-12 to Residential-12S/MH. ZONING CASE Z-00-12.

Mayor Price explained that this was a Section 1 change from Residential–12 to Residential 12S/MH that described the tract. The official zoning map of the City of Eden was hereby amended to conform to this ordinance. This ordinance amending the zoning ordinance up to the City of Eden.

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

VOUCHERS:

Mayor Price asked Council if they had any questions about any vouchers.

Council Member Gover commented that they did not finish Unfinished Business to which the Mayor apologized.

Banking Services:

Council Member Gover explained that they had a complaint on their bidding process of the service monies that they passed last month.

A motion was made by Council Member Gover seconded by Council Member Janney to instruct the City Attorney to investigate the bid process on awarding the banking services.

Council Member Grogan questioned why they were they doing this to which Council Member Gover replied that one of the banks questioned the procedure that they used in the bid process. They also had a meeting with Mr. Bine and they wanted clarification. He explained that was why he was asking the attorney to investigate it.

Council Member Grogan asked if the City Manager could not have answered it to which Council Member Gover replied obviously not. They were not happy with the answer that Mr. Bine or Mr. Sharp gave.

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

Handicap Parking on the Cook Block:

Council Member Rorrer explained that over a year ago, they had asked the DOT about putting a handicap spot in front of the DAV Headquarters on the Cook Block on Morgan Road. He stated that to his knowledge nothing had ever been done. He stated that he had checked a time or two and thought something was being done but in the meantime he had not seen where anything had been done. He stated that he was ready to put the sign up without DOT being involved.

Mayor Price commented they certainly deserved that. He stated that they were meeting up there regularly and they have a lot of members who technically could not get into the building.

Council Member Rorrer pointed out that they were also fortunate enough that the sidewalk had a place to roll a wheelchair. He asked Mr. Bine to compose a letter so he could take it to them.

Truck Route:

Council Member Gover stated that the Council voted to implement part of the truck route. The Police Chief wanted to study the other part until after the budget. He stated that they were now months away and he did not know of any movement on the truck routes unless Mr. Bine could fill them in on it.

Mr. Bine replied that it was his understanding that it was taken to the Planning Board in the October session. He stated that he was unable to attend that meeting and he did not know the outcome.

Mayor Price asked why would it go to the Planning Board to which Mr. Bine replied that it was because it had some effect on land uses.

Council Member Gover stated that if it were a matter of taking the signs down at this place and let the traffic flow, it was unreal and it was an unsafe condition they have.

Council Member Janney commented that he had looked at it and talked with Mr. Jason Julian from the State about that. He stated that he had never heard anybody say anything about land use changing that truck route.

Mr. Bine replied that it did not change it, it has an effect on land uses. He explained that it had an effect on the desirability of the use property.

Council Member Gover asked if it usually took eight or nine for just a study of something like that when the Traffic Control Officer made it within two weeks.

Council Member Grogan wanted to know if the request had gone to the State, as it was a State highway.

Council Member Janney commented that he had talked with Jason Julian about it.

Mayor Price stated something was amiss and surely they could get a fast response on this.

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American Legion Building:

Council Member Grogan stated that he did not ask for this to be put on the agenda but he had a question about an item that he felt sure that the Mayor and the City Manager could answer. He stated that it was about the American Legion. Somebody said they wanted to give it to the city and they declined it. He stated that if they did decline, they needed to write a letter telling them why they did so. He stated that he had heard they were offering it to the city with the option they could still meet there.

Council Member Rorrer commented that was the way it was presented to which Council Member Gover agreed Council Member Grogan replied then that was the answer to give them.

Mayor Price stated that frankly he thought an answer had been given to them.

Council Member Myott asked if they decided not to accept to which Council Member Janney replied yes. Council Member Grogan added, at that time. He stated that he understood that the Fraternal Order of Police was currently renting it.

Osborne Company Bill:

Mayor Price stated that the city received a bill from Osborne Company for the clearing of the park. He read that it was the "cost for clearing, erosion control design, erosion control implementation, seeding, to accept dirt from Gildan site, it includes respirating plus/minus six inches of contour shown on the Woolpert plan. The final grade to be adjusted uniformly based on the amount of actual dirt on site." He stated that this was the amount of \$75,000. He stated that they had agreed to up this but he wanted everybody to understand that part of this contract price that came to the city was a credit of about... \$35,000 to \$40,000.

Mr. Bine commented, referring to the credit that he did not remember. He asked Mr. Stanley if he remembered that. He questioned that it was for reduction in the cost per acre for clearing and grubbing.

Mr. Stanley replied yes. He stated that it was a past due cost to date, a lot of timber companies would normally take in to offset their cost. The actual savings per acre total...

Mr. Bine asked if it was about \$3,500 per acre for normal clearing and grubbing and they dropped it down to about \$1,200 to which Mr. Stanley replied that was correct.

Mr. Bine stated about \$2,000 per acre.

Mayor Price wanted everybody to be aware of the fact that the bill was come as presented and there was a credit involved for the sell of the timbers. That amount of money was in addition to what the figure was right here.

Council Member Rorrer asked if they had in stake in the timber to which Mr. Bine and Mayor Price replied that they owned it. Mayor Price explained to Mr. Rorrer that they gave a price.

Mr. Rorrer asked if they owned the land at the time the timber was cut to which Mayor Price replied yes. There were several ways they could look at this. He stated that he had several conversations with the Manager and others. They could look at it as part of price of the clearing and so forth, a normal and reasonable deduction or credit given for what they referred to as grubbing or they could look as it the other way, as the \$75,000 fee or bill was \$105,000.

Council Member Gover commented that he thought they were supposed to have a wash on that to which Mr. Bine replied that it was a wash down to \$75,000.

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Council Member Rorrer asked if Mr. Nooe had looked at this to which Mayor Price replied no and Council Member Rorrer replied that it needed to be.

Council Member Tudor questioned if this was what they said they would spend \$50,000 of next year and then half of it...to which Mayor Price replied no. He explained that this was an amount they agreed to do in erosion control, flattening the land out, seeding...

Council Member Tudor stated that when they said they would do that, they said that \$50,000 that they appropriate to the park every year, this would be that money. It would be all of it for the next budget and half of it for the following budget. He stated that in fact he believed Council Member Rorrer suggested that it be done that way.

Mayor Price agreed and asked if the Council wanted to get the opinion of the attorney before it went out to which everyone was in agreement.

Mr. Nooe commented that he would like to be provided copies of all documents that pertain to it.

Sprint Dinner Mentioned:

Before going into the Closed Session, Mr. Bine wanted to remind Council that at the last meeting he announced there was a dinner provided by Sprint to be held next Tuesday, October 24 at 6:00 p.m.

CLOSED SESSION:

Closed Session for negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease according to GS 143-318.11(a)(5); and personnel according to 143-318.11(a)(6).

A motion was made by Council Member Grogan seconded by Council Member Gover to go into closed session for negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease according to GS 143-318.11(a)(5); and personnel according to 143-318.11(a)(6). All Council Members voted in favor of this motion.

OPEN SESSION:

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

A motion was made by Council Member Rorrer seconded by Council Member Gover for a public hearing to be held on November 7, 2000 at 5:00 p.m. in the Council Chambers on economic development for a new industry. All Council Members voted in favor of this motion. (Note: this date was later changed to November 9, 2000)

Council Member Rorrer noted that he had a request from the City Manager concerning a personnel issue and he (City Manager) refused to release the information. The City Attorney had said the Council was entitled to the information. He stated he was sitting there requesting the only place he could tonight, he asked where he went from there. He understood that one way would be to go to the person and get a signed statement, but that was not what he was supposed to do, he was supposed to, in his personal opinion, receive the information. He asked what he could do other than that.

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Mr. Nooe noted that he would be glad to discuss this with Council Member Rorrer further. He stated it was his opinion that it would be in the best interest of the City of Eden to ask the person in question to agree to release the document that the Council has benefit of.

Council Member Rorrer stated he could have done that, but he felt that he was entitled to a little information as he was elected to represent the people. He added he could not represent the people if he did not have the information he needed to do it. He stated he did not think that he should have had to go out the back street (to obtain the information) as that would be micromanaging, and that was why he went through the manager. He added that now he would do his own managing.

Council Member Janney asked who would ask the person for a waiver to which Mr. Nooe replied anyone that wanted to.

ADJOURNMENT:

A motion was made by Council Member Gover seconded by Council Member Myott 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