

## CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, January 16, 2001 at 7:30 p.m. in the Council Chambers, 338 East Stadium Drive. Those present for the meeting were as follows:

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

Representatives from City Departments:

Representatives from News Media:

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

MEETING CONVENED:

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

INVOCATION:

Pastor Jim Boles, Leaksville United Methodist Church, gave the invocation.

PROCLAMATION:

Mayor Price asked Ms. Elretha Perkins and Mr. Nelson Hairston, representatives of the local NAACP to come forward for the reading of a proclamation honoring Dr. Martin Luther King, Jr.

**A PROCLAMATION TO  
DESIGNATE JANUARY 15<sup>th</sup>  
TO HONOR DR. MARTIN LUTHER KING, JR.**

**WHEREAS**, Dr. Martin Luther King, Jr. believed that nothing could replace a kindness rendered by one human being to another and that a good society is a result of millions of such good small acts; and

**WHEREAS**, Dr. Martin Luther King, Jr., through his life and his work taught that freedom of choice and respect for fellow human beings are to be sought; and

**WHEREAS**, Dr. Martin Luther King Jr., was tragically killed on April 4, 1968 in Memphis, Tennessee while leading sanitation workers in a protest against low wages and intolerable working conditions; and

**WHEREAS**, the King Holiday and Service Act of 1994, signed into a law by President Bill Clinton on August 23, 1994, designates the King Federal Holiday to be a day of national service and this year's observance will be held on Monday, January 15<sup>th</sup>, 2001, a day to be celebrated by the City of Eden employees; and

**WHEREAS**, the King Holiday is a unique American holiday in that it challenges Americans to remember and celebrate but most importantly act to address those issues for which Dr. King and others gave their lives;

**NOW, THEREFORE, BE IT PROCLAIMED** that I, Philip K. Price, Mayor of the City of Eden, hereby designate JANUARY 15, 2001 be set aside as Dr. Martin Luther King, Jr. Day in the City of Eden and urge all citizens to join with me this day in recognizing the importance Dr. King has made toward peace, civil unity, and nonviolence in our lives.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal this 16<sup>th</sup> day of January, 2001.

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

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ATTEST:

S/Kim J. Scott  
Kim J. Scott  
City Clerk

INTRODUCTION OF NEW CITY MANAGER:

Mayor Price explained that the Council had been looking diligently for a new City Manager for the last six months. He stated that they have decided on that individual and he then introduced Mr. Brad Corcoran as Eden's new City Manager.

He explained that Brad was the current City Manager of New Market, Virginia. He noted that he had worked for the Town of Narrows, Vinton, and also Wytheville, Virginia. He noted that Brad had spent eight years in New Market.

Mayor Price stated that Brad had a tremendous track record and would do a wonderful job for the City of Eden. He noted that he would be coming to Eden on February 5<sup>th</sup>. He stated that Brad and his wife Cindy have three children and they would be moving to Eden in the spring.

Mr. Cocoran stated that he first wanted to thank each member of the City Council for the opportunity to serve as Eden's next City Manager. He stated that he and his family were very excited and he was anxiously looking forward to being there on February 5<sup>th</sup>. He stated that he had been in the business for fifteen years. He added that he had always had an open door policy and he invited everyone to stop by at any time if there was anything that he could do to help.

PUBLIC HEARINGS:

There were no public hearings for January.

MONTHLY FINANCIAL REPORT:

- (a) Finance Department Monthly Reports.

Mayor Price noted that there were no Financial Reports available; however they would be mailed to Council Members later.

REQUESTS AND PETITIONS OF CITIZENS:

- (a) Senior Citizens to address Council reference Senior Center.

Ms. Shirley Austin, 1458 Town Creek Road, explained that she was present representing a group of citizens in Eden who presently have their meetings and activities at the Senior Center on Early Avenue. She explained that they were there today asking for the city's help and support in finding a larger facility. She pointed out that if they could get a building with at least 4,000 square feet, they could become a State Certified Senior Center, which could help them to obtain additional grant money. She explained that their goal was to have a place that would better serve the needs of the seniors and allow expansion with room for more members and allow them to have more than one activity going on at a time, with a room to secure the computers and also they needed storage very badly.

Ms. Austin noted that they visited the American Legion building last week. She stated that it was large with a lot of extra room and it would certainly meet their needs. She stated that she was told that the American Legion owned the building and still had meetings there. The police (Fraternal Organization of Police) had also leased it for one year. She stated that they would find

out how much of the building they could use if the American Legion and FOP okayed it. She explained that the problem was that if they still had to rent it out, the large room and kitchen, then they would not be able to keep their equipment and supplies in that same large room.

Council Member Gover suggested the current City Council Chambers (West Stadium Drive). He asked that the Council consider this building, as the Council would be moving to a new location.

Mayor Price commented that Ms. Austin had several supporters present at the meeting. He asked them to stand to which approximately seven (7) citizens stood in support of Ms. Austin's request.

Mayor Price thanked them all for coming and stated that they had picked a perfect time in the year of the city because in a couple of months they would be getting into their budgeting process.

(b) Presentation by David Cain of Finkbeiner, Pettis & Strout.

Mayor Price welcomed Mr. David Cain of Finkbeiner, Pettis & Strout, the city's engineering consultant, who wished to make a presentation. He also asked Dr. David Smith (City Park Committee) and Mr. Joey Conner (Parks & Recreation Director) to also come forward.

Mr. Cain explained that Finkbeiner, Pettis & Strout had been in business now for 100 years. He stated that they thought that was a pretty sizeable accomplishment. He stated that to commemorate their 100<sup>th</sup> anniversary they had decided to make donations to the communities that had helped build their company over the years. He stated that certainly, in North Carolina and their Greensboro office, the City of Eden had been a tremendous part of their success. He stated that after talking with Mayor Price, it was suggested that the donation in the amount of \$500 be made to the City of Eden on behalf of the Eden City Park.

Mayor Price thanked Finkbeiner, Pettis & Strout on behalf of the City of Eden for their donation.

(c) Mrs. Jackie Chandler addressed Council:

Mrs. Chandler explained that on Sunday, January 7<sup>th</sup>, she went down in her basement to cut her son-in-law's hair. She noted that she had a beauty shop in the basement. She stated that when they started down the steps they smelled a horrible odor. She stated that they found raw sewage in her basement. She stated that she thought it was her problem, therefore she called a plumber. She explained that the plumber told her that there was no way that this much sewage came out of her house. He told her that it had to be coming from the city's line. She stated that she finally got the city workers there and sure enough the line was stopped up, therefore it was backing up into her house.

She stated that the sewage got six inches deep in her basement. She stated that when they unstopped it the water went out, but the rest of the mess was still there. She presented the Council with some photographs of the basement. She then explained that on Monday morning Mr. Sexton (Public Works Director) came out and told her not to worry that it was a city problem and they would take care of it. She stated that on Wednesday morning the city's insurance adjuster came in and then it was changed. She stated that it was an about face and they said it was not the city's problem and the city would not do anything about it.

She explained that she just needed to be treated fairly. She asked that the Council think about having six inches of sewage in their basement and how they would feel about it. She stated that they also had to move out on Sunday night because of it. She stated that today, the odor was coming back into her house. She added that it was not as bad as it was that Sunday night, but it was still there. She stated that she was told by the people from Disaster One that when the sewage gets in the wood it never comes out, so she wondered if the stench was coming from the wood paneling in her basement.

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Mrs. Chandler explained that she and her husband live on Social Security and she had to work to make ends meet and she could not work because her beauty shop was in the basement. She also noted that her husband had been ill and it was left up to her to do it all.

Council Member Janney asked who had said it was not the city's problem.

Mrs. Chandler replied that Mr. Sexton told her on Wednesday that it was not the city's fault.

Council Member Janney explained that he was not trying to confuse her but she had said earlier that Mr. Sexton had said...to which Mrs. Chandler replied that he had said it was the city's fault on Monday and the city would take care of it. She added that he was kind and he did call the disaster team. She stated that when the insurance adjuster came from Raleigh, Mr. Sexton turned around and said that it was not the city's fault. She questioned whose fault it was.

Council Member Gover asked if the basement had a concrete floor.

Mrs. Chandler replied that it was concrete with tiles over it.

Council Member Tudor asked if she was given any explanation for the statement that it was not the city's responsibility on Wednesday.

Mrs. Chandler replied no, she was so floored and so taken back that she did not ask any more questions.

Mr. Nooe commented that the representative was present from the city's Risk Management and it would really be more appropriate to hear from them later about this claim as opposed to having extended discussion of it.

Mrs. Chandler's daughter spoke up and stated that right was right and wrong was wrong. Her mother was 71 years old and paid her sewage bill on time. She stated that they expect those lines to run clear and not to back up in the house. She stated that when the responsibility comes, yes it was the city's responsibility to make sure those lines were free and clear and not to back into a house.

UNFINISHED BUSINESS:

(a) Consideration of City Hall Renovations Project, Change Order No. 3.

Mayor Price asked Mr. Archer Joyce, McRae-Bell, and Mr. Joe Stanley, City Engineer to come forward.

Mayor Price asked Mr. Joyce if he had any comments or questions.

Mr. Joyce noted that the page that itemizes each one of those (changes) has at the bottom a net estimated total. He pointed out that item #35 and explained that they had an allowance in the contract price of \$25,000 for a fenced sallyport entrance for the police cars and at the time this was done they had a \$33 credit coming back on that allowance so the estimate was pretty good but they may be able to save a little more than that hence the estimated total with the numbers they currently have, it would not be any more than the \$25,597 and that was why it was listed as estimated total.

Council Member Reynolds questioned #32, the extra grading in the new parking lot. He asked if that was the one directly behind City Hall to which Mr. Joyce replied that was the newest parking lot that had been built.

Council Member Tudor mentioned the hump to which Mr. Joyce explained that there was a hump or little rise or hill that was in the middle of the parking lot that did not show up on the

topographical survey, so the sub-contractor had to take out more dirt than anticipated when he bid the job. He explained that he bid the job based on the topographical information. He stated that he came back initially with a quantity that was way out of league and they went back and refigured it with him and this was the total that the sub-contractor, the project manager and he (Joyce) all agreed on.

Council Member Tudor stated that so when the job was done it was done correctly and they did not have to go back and redo the job to which Mr. Joyce replied no he just had to do more than he had anticipated.

Council Member Gover questioned who furnished the topographical map to which Mr. Joyce replied the city.

Mr. Stanley explained that it was a wooded area and when the topo was done, he assumed that they probably did not get as many shots out there in that area and when it was interpolated it probably did not recognize the hump.

Council Member Gover also questioned #31 and wanted to know what extra work was done on the new stair tower.

Mr. Joyce explained that that work was due to a dimensional error, actually a dimensional oversight on their (architect's) part. It did not show up until they started erecting the structural members on that stair. He stated that they went back and looked at the drawings and that was when he discovered they had a continuing dimensional problem on their part and not the contractor's part. He stated that when it was discovered he had to literally redesign the structural support for the stair, which meant that the contractor's erection crew had to undo what was done and reassemble the stair. He explained that they had to add different and additional structural components to get the stair built. He noted that he had originally tried to eliminate as many columns as he could since that area was fairly cluttered. He explained that would mean that they had cantilevered members for a lot of the structural support and because of that they had to be deeper. The dimensional error that they had carried forth resulted in two of those deeper members creating head height problems. He stated that in going back and redesigning the stair they had to shorten those structural members but also had to add some additional columns so there was a lot of labor involved as all of this was welded construction. He explained that they literally had to undo the stair and get some new structural components, but they did not throw away the old ones as they were able to reuse those in other ways, primarily standoff brackets, connecting the springers to the columns. He added that they did have to get some additional columns and new horizontal support members.

Council Member Gover asked how he happened to catch that they were short.

Mr. Joyce replied that the former Interim City Manager, Peter Bine, realized that something was wrong. He explained that he knew the stair would be real tight anyway, floor to floor so he knew the head heights were going to be minimum. He stated that the superintendent called him and recognized that they had a problem so he immediately came over and that was when they discovered they had it.

Council Member Gover pointed out that the city made a \$6,540.00 error in the parking lot and he (Joyce) made a \$10,000.00 error in the staircase. He asked if that was correct.

Mr. Joyce replied that he made what he thought was a \$3,000 mistake because if they had done the stair properly to begin with, the city would have ultimately paid for the additional steel. What he created was the additional labor it cost to undo the stair to get it corrected. He asked if the Council had his letter identifying that to which several indicated that they did. Mr. Joyce explained that he thought since they (architect) had created the error, they should certainly assume the responsibility for it.

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Council Member Janney commented that he understood that he changed the structure, but he wanted him to explain exactly what he did to add the height to it.

Mr. Joyce replied that they decreased some horizontal support members to give them...to which Council Member Janney asked how. Mr. Joyce explained that they did it by putting columns on the outside instead of having that member cantilevered. He stated that there were five (5) columns currently in that stair that originally were not going to be there. He added that they had the same dimension, floor to floor, or the old dock level, from that level up to the intermediate landing, but the support members carrying that landing were shallower, thus allowing more head height.

Council Member Rorrer questioned the load capacity.

Mr. Joyce replied that he had the structural engineer involved in the whole process.

Council Member Janney asked if the construction workers went in there with a torch and cut out enough room on an I-beam in order to make it the right size and then weld the support back up to it at a higher level.

Mr. Joyce explained that they originally had a 12" channel supporting an intermediate landing. That 12" high member was what was giving the problem in one of the places and in another place there was a similar circumstance. They took that member completely out, resized it and put in a shallower channel size.

Council Member Janney asked if he did not do what he said on any member...cutting part of the member out and welding it back and reinforced it to which Mr. Joyce replied no.

Mr. Stanley explained for clarification that essentially the I-beams or the channel members were too deep and would hit your head. They took those completely out and brought in a smaller one that would not allow the support, but added columns on each side of the structure to compensate for the beam being taken out. Nothing was cut on and modified, if anything was done the steel was removed and new steel was replaced.

Mayor Price asked if he had the same load carrying capacity to which Mr. Stanley replied yes.

Council Member Gover commented that in essence they just changed the "c" channel and just put in, for instance if they had a 3" in there they took it out and put a 1 1/2" or whatever.

Mr. Joyce replied that they had a 12" and he thought they changed it to a 6" or 8" to give them the required height, but in doing so that member lost its ability to carry other members that it was originally intended to carry. So they had to put in some additional columns to carry those members.

Council Member Gover asked Mr. Stanley if he had witnessed all of that to which he replied not every second or minute of it but he was informed and understood the process.

Council Member Janney asked if he saw the beam in there before it was covered to which Mr. Stanley replied yes. They torched the cross beam out completely and put in an entirely new one and then brought in additional columns on each side and in the middle for additional support.

Council Member Janney (referring to #30) noted that back some time ago, when they started the project, there was some sprinkler head work that was required by the Fire Marshall. He asked if that was back when they had to put some people out there to watch everything and was that part of that cost or was that an additional cost. He explained that when they got into the system they had to cut the sprinklers off and they had additional cost because of that.

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Mr. Joyce replied that he did not think that the fire watch that had to be posted was part of the additional cost.

Council Member Janney stated that he thought the city paid that fire watch. He stated that was what he was told that the city paid that in addition.

Fire Chief Ronnie Overby commented that they should not have because he and Mr. Carter (Fire Inspector) did the fire watch.

Council Member Janney stated that they paid him to fire watch did they not, to which Chief Overby replied that they did it while they were at work.

Council Member Gover questioned #36 and pointed out that the stair tower was costing them and costing them.

Mr. Joyce explained that this was his recommendation and the Council did not have to accept it. He stated that the project included reroofing the entire building. They were, of course, going to put a new roof on the stair tower anyway. When they got to the roofing, there had been an asbestos survey done on the building back when the city first moved in. However, they discovered that it did not include any of the roofing materials. They did an asbestos survey on just the roof and found out that there was some material in the roofing that contained asbestos. In order to tear off the old roof to replace the entire system with a new roof would have cost the city somewhere between \$15,000 to \$16,000 to just get rid of the asbestos containing material. The contractor and roofer recommended that they utilize an overlay so they would overlay the existing roofing materials, providing a new roof, better slope to the drainage, and added a little less than one pound per square foot to the roof structure, which the structural engineer calculated that it was more than adequate to support. In doing that they got back an \$8,000 credit because they did not have to do as much roofing work. Because they used the overlay system on the main roof, the same crew put the same type roof on the stair tower. Unfortunately, he did not realize until it was over with that the screws penetrating the steel deck to hold the roof down, this was a mechanically fastened roof system, the screws were visible from the underside. He stated that he felt that might be visually offensive so he asked the contractor to consider some options about putting a finished ceiling in that stair tower to cover those screws. He added that it was not necessary, as the stair would work just fine, it was just a matter of appearance. He stated that they looked at several different ways to install the most economical material in there and this price was for some drywall, exterior sheetrock to cover those screws. He added again that this was just a recommendation on his part.

Council Member Janney asked if he had read it right in that it was going to add 50 days to the total cost of this project.

Mr. Joyce replied that Change Order #1 added 29 days, Change Order #2 added an additional 15 days and Change Order #3 would add an additional 50 days. The original substantial completion date was October 30. If Change Order #3 were approved, the substantial completion date would be February 1<sup>st</sup>.

Council Member Rorrer asked if this would take care of all the problems, other than the driver's license office.

Mr. Joyce replied that they were in their last 3 to 4% of being completed. They still have subcontractors coming to them with some miscellaneous here and there. He stated that he was positive that the majority of the large items have already been approved or identified with this change order. He added that he thought that there would still be some smaller items yet pending.

Council Member Rorrer asked what the status was on the podium to which Mr. Joyce replied that he had two things that he was currently discussing with the contractor to see if the problem could be remedied. He added that it was not all of the seats but just the ones on the front middle.

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Council Member Rorrer disagreed and stated that they could go all the way to the back and they could still not see. Mayor Price added from left rear to right rear one could not see. Council Member Rorrer also mentioned the platform that the Council's seats were on. He stated that they had a high dollar thing and it sounded like a ten-cent floor.

Mr. Joyce replied that he had also discussed that with the contractor.

Council Member Janney asked if that was designed like the specifications to which Mr. Joyce replied yes. Council Member Janney asked if that would cost more money to go back and change, to which Council Member Rorrer replied no, they fouled that up.

Council Member Gover questioned #30 regarding the Fire Marshall. Why would they cover a sprinkler head up to start with.

Mr. Joyce explained that some of the resulting sprinkler heads were ultimately located over the duct work and not under and it was required that the sprinkler head be under it because it would not allow the spread of the sprinkler to cover.

Council Member Gover questioned that it took the Fire Marshall to tell him that and it cost the city \$2,000 more to make that correction.

Mr. Joyce replied that he thought those were the ones that were in the evidence storage room.

Mr. Richard Lewis, project manager for Lomax, commented that those were existing sprinkler heads that had to be relocated because of the size of the duct. Mr. Joyce added that they would have had to be moved anyway.

Council Member Rorrer pointed out that it said "additional".

Mr. Joyce explained that it said "additional sprinkler head work".

Mayor Price commented that they were there, and the duct work blocked it and it had to be moved. He stated that he thought Council Member Gover's question was that they knew the duct work was obviously coming through there, why was that not a part of the original.

Mr. Joyce explained that in all honesty he did not know if this was some of it, but some of the duct work was rerouted from the original drawings so that they could leave existing steam piping up in the ceiling area and he thought they received some credit back for leaving that up. Unfortunately they did not realize it would affect the sprinkler heads.

Council Member Gover commented that his point was, the city assumed its responsibilities but it did not look like they wanted to assume the responsibility for their mistakes.

Mayor Price asked Mr. Joyce if he would be evaluating that further to which Mr. Joyce replied that he would. Mayor Price asked if there were other questions.

A motion was made by Council Member Tudor to approve Change Order #3 with the exception of item #30. The motion died for lack of a second.

Council Member Janney commented that he would like to go back and get some more answers. Council Member Gover stated that he would like more clarification because he had been shown different situations.

A motion was made by Council Member Gover seconded by Council Member Janney to table Change Order #3 for further clarification of the issues. All Council Members voted in favor of this motion. This motion carried.



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(b) Consideration of City Hall Renovations Project, Budget Construction Cost for Driver License Examiner's Office.

Information provided to Council explained that the Project Architect has provided a budgetary construction cost estimate to provide a usable space for the Department of Transportation Driver License Examiner's Office. The usable space would be located within the vacant room that is located directly in front of the boiler or mechanical equipment rooms. Please refer to the enclosed floor plan for the location of this proposed space. The budgetary construction cost has been estimated to be approximately \$12,500.

If Council approves to provide a usable space for the Driver License Examiner's Office, a formal change order cost will be obtained from the contractor. This formal cost will be amended into the construction contract by change order so that the contractor can begin construction of this usable space.

Mayor Price explained that there were some concerns among Council Members about this office staying here (in Eden). He stated that everyone had the issue of wanting the citizens of Eden to have the convenience of getting their driver's license here rather than going to Wentworth. He stated that frankly there was no clear directive from Raleigh as to which direction they were going to take.

Council Member Janney stated that as much space as they have on the top floor at City Hall he thought that they could use that and not go through all that additional cost. He stated that there should be some room that was fairly accessible to the front door. He asked if that would not be a whole lot cheaper. He stated that he was also concerned with the congestion on the lower side.

Mayor Price agreed that there would be a lot of traffic and they were going to have to have a waiting room. He stated that the last discussion that Peter Bine had with the license examiner, it would give them a sizeable waiting room with privacy for testing.

Council Member Rorrer pointed out that they did not commit to how long they would remain.

Mayor Price agreed and stated that they kind of seesawed back and forth. A few years ago they were going to move to Wentworth and then decided not to. He stated that then they ran out of money. He suspected that if they looked at the State's budget they would not be moving any time soon, but by the same token, he agreed and wished they had some type of commitment.

Mr. Cox, Interim City Manager, commented that he understood that if the license bureau would move, their choice was to have it in Wentworth, and basically the State was allowing it to remain here because the State (Division of Motor Vehicles) was not incurring any cost for having an office here. He stated that there was no money being expended by the State for any offices or facilities and basically it was being provided through the City of Eden.

Mr. Stanley agreed that it was his understanding that as long as the city was willing to give them a space they would remain in Eden.

Council Member Rorrer commented that he had read in the paper that they were going to move in a few years. He stated that he wanted them to stay in Eden as bad as anyone, but he did not want to spend a bunch of money and then they leave anyway.

Council Member Janney stated that there was a room there that was completely open, coming straight in. He noted that Linda Jeffries (Accounting Coordinator) formerly occupied it. He asked what was in that room. He pointed out that there were four or five handicapped spaces located at the front and there would be no problem getting in. He stated that they could probably do that and not spend this money, if they (DMV) wanted it.

Council Member Gover asked how large of an area did they have marked off to which Mr. Joyce replied that he thought it was 2,000 square feet.

Council Member Grogan asked that if it was done and they did move, could the Police Department utilize it.

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Council Member Gover pointed out that there were two large storage areas on each side of it for future growth and Council Member Rorrer stated that it could be used but it would have to be remodeled again.

Mayor Price commented that the requirement was for a separated area. They wanted to have one area for testing and one area for waiting.

Mr. Joyce stated that it would fill up about two thirds of that empty room that was between the boiler room and the hallways.

Council Member Gover asked what they would be doing for \$12,500.

Mr. Joyce replied that they would have to put in a ceiling and some duct work would have to be routed. He added that originally they were going to have to cut a door through from this space to the new lobby, so that people could find it. He added that was not totally necessary. The price also included flooring, painting, and a little bit of drywall partitioning work, and probably some insulation overhead, possibly against the boiler room as it was noisy.

Council Member Janney pointed out that they had just about all of that in the room he suggested, if they wanted it.

Council Member Rorrer asked if Chief Benthin was involved in this to which Chief Benthin replied no. Council Member Rorrer asked if he knew where it was going.

Chief Benthin replied that originally, he was told that it was going on the south side of the hallway, but he thought there may be some problems and he was not sure which side it was currently going on.

Council Member Gover commented that they were asking for something that the Council was not getting much information on.

Council Member Janney asked if they should go back to the examiner or the State or whatever. Council Member Rorrer asked Chief Benthin if that would have any affect on him to which he replied no.

Mr. Joyce asked Council Member Gover if he had asked anything of him that he had not answered to which he replied that they were asking for dimensions and he could not give that...Mr. Joyce stated that he could give them the sizes that they have asked for. He stated that he could give him the areas and that was what the contractor based his estimate on.

Mayor Price stated that there was some confusion on all sides and he suggested that they continue on to the next item.

Council Member Janney asked if the Council would consider putting them upstairs. Council Members Rorrer and Gover both agreed that they would look at it as an option.

Mayor Price asked Chief Benthin about how many folks would be coming in there daily to which he replied that the most he had ever seen in the waiting room was three and sometimes there was no one at all.

Mayor Price asked if it would not take a big waiting room to which Chief Benthin replied that 100' would be sufficient.

Mayor Price suggested that they get an accurate comment from the State regarding the license examiner's office and get the accurate figures and then discuss it at another meeting.

(c) Consideration of City Hall Renovations Project, Architect's Additional Fee Request.

Information provided to Council explained that the city received a contract amendment from the project architect, Archer Joyce, with MacRae-Bell Associates, PC, for approval by Council. The contract amendment is for a minimum of three (3) additional months of construction administration (CONA) services for November and December of 2000 and January of 2001. Mr. Joyce also states an additional month's fee may be needed for February of 2001 if the construction contract extends through February.

Mayor Price explained that the Council had received a letter from Mr. Joyce explaining the extension and the rationale behind it. He asked Mr. Joyce if he had some comments.

Mr. Joyce asked if he could recommend that they put that on hold until those other issues were rectified. He also asked to make one more statement. He stated that in response to Council Member Gover's comments, he knew coming into the end of a project like this and seeing the changes they were seeing initially it listed a negative reaction, in any kind of renovation or upfit project such as this that he had ever been involved with in 30 years, there were going to be unexpected things that they would run into. There would be changes that they would have to make during the project, resulting from unanticipated conditions, conditions that occur during construction, that occur when the owner requests additional work, which mushrooms over into other areas, especially when there was a timeframe. He stated that as far as the stair tower work, or any of the other work that he deemed they had any responsibility on, he assured them that they would assume anything that they felt they were responsible for as they were not trying to shirk that at all. He explained that in most changes in construction work they look for what would have been the owner's position had this oversight not occurred or the mistake not been made in the first place, and usually it results in the owner (City of Eden) would have ultimately had to pay for it anyway and they were getting some value for what they have paid. He assured them that they were not trying to shirk any responsibility, or they would not have received the letter regarding that work on the stair tower.

Council Member Gover replied that if he gave that impression, he did not mean for it to go over that way, but he certainly wanted him to assume any responsibility or any mistakes that he made as long as he was on the Council. He added that he had asked for a briefing four times on this project and they have not received anything. That was why he was screening Mr. Joyce as close as he was.

Mr. Joyce replied that the request did not get to him.

(d) Consideration of Planning Organization and Reappointments.

Board of Adjustment:

Council Member Reynolds nominated Ken Ellis; Council Member Myott nominated Giles Hunnings, III; Council Member Janney nominated Billy A. Vestal and Council Member Gover nominated Diana Biggs.

A motion was made by Council Member Gover seconded by Council Member Grogan to appoint the above nominations to the Board of Adjustment. All Council Members voted in favor of this motion. This motion carried.

Community Appearance Commission

Council Member Reynolds left his appointment vacant; Council Member Tudor nominated Mary Collins; and Council Member Gover nominated Dorrie Coleman.

A motion was made by Council Member Tudor seconded by Council Member Gover to appoint the above nominations to the Community Appearance Commission. All Council Members voted in favor of this motion. This motion carried.

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Historic Preservation Commission

Council Member Grogan nominated Shirley Allen; Council Member Gover nominated Harold Francis; and Mayor Price nominated Joy Toms.

A motion was made by Council Member Gover seconded by Council Member Tudor to appoint the above nominations to the Historic Preservation Commission. All Council Members voted in favor of this motion. This motion carried.

Planning Board

Council Member Tudor nominated Dr. Charles H. Kinney; Council Member Grogan nominated James I. Moore; Mayor Price nominated Carol Helms and in ETJ he nominated Eric Barker.

A motion was made by Council Member Gover seconded by Council Member Myott to appoint the above nominations to the Planning Board. All Council Members voted in favor of this motion. This motion carried.

Tree Board

Council Member Myott nominated Mary Ruth Martin; Council Member Rorrer nominated Paul Dishmon; and Council Member Grogan nominated Larry Turner.

A motion was made by Council Member Gover seconded by Council Member Grogan to appoint the above nominations to the Tree Board. All Council Members voted in favor of this motion. This motion carried.

(e) Consideration of Street Committee Appointment.

Mayor Price stated that he would like to nominate Council Member Ron Reynolds for appointment to the Street Committee.

A motion was made by Council Member Gover seconded by Council Member Grogan to appoint Council Member Ron Reynolds to the Street Committee. All Council Members voted in favor of this motion. This motion carried.

(f) Consideration of deed restrictions on the bowling alley property on Fieldcrest Road.

The information provided to Council explained that at the last regular meeting, there was continued discussion about the Fieldcrest Road Bowling Alley property. Subsequent to that meeting, Mr. Nooe, Mr. Cox, and Mrs. Stultz met to discuss the potential uses that they would recommend be restricted on the property when it was sold. Those restrictions were: Lounges, Pool Rooms, Coin Operated Amusements, Private Clubs and Recreation Facilities, Taxi Stands, Automobile Repair.

A motion was made by Council Member Grogan seconded by Council Member Rorrer to accept the recommendation of the Interim City Manager. All Council Members voted in favor of this motion. This motion carried.

Council Member Rorrer commented that he would like to see information or a recommendation at the next regular meeting on how the city would be disposing of this property.

Council Member Grogan asked the City Attorney what they would need to do.

Mr. Nooe replied that they would need a resolution declaring it surplus, and which statutory method they would want to use for the sale of it. He stated that he would be sending them that resolution with that option.

(g) Consideration of City's Water Distribution System Minimum Waterline Size Requirement.

The information provided to Council explained that based on the current North Carolina Administrative Code for Rules Governing Public Water Systems the minimum pipe diameter size requirement for a waterline is two (2) inches. But a two (2) inch waterline is limited to serving no more than 20 residences, or the equivalent water demand of 20 residences. If the two (2) inch waterline is a looped connection, it may serve no more than 40 residences, or the equivalent water demand of 40 residences. A two (2) inch waterline cannot exceed 1000 feet in length. Fire hydrants cannot be connected to a two (2) inch waterline. Presently, the city has been accepting two (2) inch waterlines that meet these minimum state requirements.

Current state regulations require that fire hydrants shall not be installed on waterlines of less than six (6) inches in diameter. Therefore, any two (2) inch waterlines that are accepted within the city's water distribution system cannot provide fire protection.

Based on this information, the Engineering Department is requesting Council to approve that the minimum allowable waterline size that can be installed or accepted into the city's water distribution system shall be at least six (6) inches in diameter.

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

(h) Consideration of purchase of vehicle - Police Department.

Council Member Janney asked why it was that they hear about a lot of things, but they never receive any information when a vehicle was totaled. He stated that they never received anything from the Safety Committee.

Council Member Rorrer pointed out that they received some minutes (this week).

Mayor Price asked Council Member Gover if that would be a continuing thing to which he replied (as Chairman of the Committee) that they would be getting them in the future.

A motion was made by Council Member Grogan seconded by Council Member Rorrer to approve the purchase of a Crown Victoria for the Police Department. All Council Members voted in favor of this motion. This motion carried.

(i) Gildan incentives payment.

Mayor Price asked Council Member Grogan for comments.

Council Member Grogan explained that the city's only obligations were \$148,754.04.

A motion was made by Council Member Grogan seconded by Council Member Gover to approve, by resolution to declare that the items appearing on 7(i) (budget for the Gildan Building Renovation) were eligible for economic incentive payments under the City of Eden Performance Agreement. All Council Members voted in favor of this motion. This motion carried.

(j) Consideration of replacement of roofing system - Bridge Street Community Building.

The memorandum presented to Council explained that in 1985 the City of Eden built the Bridge Street Community Building for the Council of Aging Nutrition Program and usage by the community. The building was constructed with a flat roof with a tar and gravel roofing system.

In 1999, a local roofing contractor repaired the drains and the perimeter of the roof in an attempt to prolong the life of the system. In the past 2 months, problems with the roofing system have begun to escalate. Presently, leaks have developed in the kitchen area as well as the middle of the assembly area. After thoroughly examining the roof, it has been determined that the system needs immediate replacement.

Quotes have been collected from 3 contractors to repair the flat roof with a thermoplastic, heat welded system. This is the same system used to repair the Bowling Alley roof on Fieldcrest Road and has proved to be an excellent replacement system.

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In order to meet the emergency roof replacement, the money may be derived from the Parks and Recreation Department Bridge Street Gymnasium Floor replacement project budgeted and approved at \$40,000.

It was recommended by the Parks and Recreation Director, Joey Conner, that the contract be awarded to Sunrise Roofing at the cost of \$10,500. This contract includes a 15 year material and labor warranty.

A motion was made by Council Member Rorrer seconded by Council Member Gover to approve this recommendation (Sunrise Roofing for \$10,500). All Council Members voted in favor of this motion. This motion carried.

NEW BUSINESS

(a) Consideration of a Resolution of Intent to close an unopened portion of An Unnamed Street East of Highway #14 South.

RESOLUTION OF INTENT TO CLOSE AN UNOPENED PORTION OF AN UNNAMED STREET EAST OF HIGHWAY #14 SOUTH

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

Pursuant to the provisions of Chapter 13, Article III, Division 3 and Section 13-88 of the Eden City Code and Section 160A-299 of the North Carolina General Statutes, the City Council of the City of Eden, North Carolina, does hereby declare its intention to close an unopened portion of an unnamed street east of Highway #14 South which is described below.

BEGINNING at the intersection of the east right of way line of Van Buren Street, NC Highway No. 14, by the south right of way line of an unopened street, said beginning point being the northwest corner of that 8.44 acre tract conveyed by JS of Eden Enterprises, Inc. to C&C Ventures, LLC by deed recorded in Book 917 at page 2346; thence with the right of way line of Van Buren Road, North 0 deg. 31 min. 53 sec. West 60.00 feet to the southwest corner of a 7.35 acre tract conveyed to John Smith & Sons, Inc., by Mary J. Smith and W.T. Combs, Jr. and wife, Sarah S. Combs, said 7.35 acres being Tract No. 1 in the Deeds recorded in Deed Book 692 at page 617 and Deed Book 740 at page 305; thence with the south line of the 7.35 acre tract, North 89 deg. 30 min. East 400 feet to an iron, a corner in the west line of Lot 9, The Oaks, Reference: Deed Book 809 at page 947 and Map Book 27 at page 13; thence with the west line of Lot 9, The Oaks, South 0 deg. 29 min. 58 sec. East 60.00 feet to the northeast corner of the aforesaid 8.44 acre tract; thence with the north line of the 8.44 acre tract South 89 deg. 30 min. 02 sec. West 400.00 feet to the PLACE OF BEGINNING.

BE IT FURTHER RESOLVED that the City Council does hereby call for a public hearing on the said closing to be held on the 20<sup>th</sup> day of February, 2001 at 7:30 p.m.

BE IT FURTHER RESOLVED that this Resolution will be published once a week for four successive weeks prior to the said hearing, a copy of said Resolution be sent registered or certified mail to all owners of property adjoining said street as shown on the county tax records, and prominently posted in at least two places along said street.

BE IT FURTHER RESOLVED that the Planning Board is hereby requested to submit its recommendation on the proposed closing of said street for consideration of the City Council at the time of said public hearing.

APPROVED, ADOPTED AND EFFECTIVE, this the 16<sup>th</sup> day of January, 2001.

City of Eden

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

Attest:

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

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

(b) Consideration of authorization to purchase pump parts for Mebane Bridge Wastewater Treatment Plant.

The information presented to Council explained that the Treatment Plants Director requested authorization to purchase the parts listed below for one of three Worthington brand pumps in Return Activated Pump Station

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Number Two at the Mebane Bridge Wastewater Treatment Plant. This station has been in continuous service for eight years. These parts were replaced on the other two pumps in the station previously. The indicated prices were provided by Pumps, Parts & Service, Inc., PO Box 7788, Charlotte, NC 28241. This company is the sole supplier of replacement parts for Worthington brand pumps in this area.

The items to be purchased include: 1 Impeller at \$3,719.10; 1 Wear Ring at \$985.60; 8 Ring Bolts at \$1.43 each; 1 Shaft Sleeve at \$685.30, totaling \$5,401.44.

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

(c) Consideration of purchase of utility pickup truck for the City Shop.

The information presented to Council explained that the Fleet Maintenance Superintendent along with the Public Works Director recommended that the city replace a 1977 Chevrolet truck used by his division. This vehicle is in bad need of repairs and is unsafe. This truck is budgeted in this year's budget and if purchased under the State Contract pricing, it will come in under the budgeted amount.

Council Member Janney commented that this vehicle should be pulled off the line immediately to which Mayor Price agreed.

A motion was made by Council Member Grogan seconded by Council Member Tudor to approve this purchase.

Council Member Rorrer asked what was hauled on this truck to which Mr. Sexton replied that it had a lift tail gate and they hauled tires, etc.

Council Member Janney asked if they were using that truck now to which Mr. Sexton replied that they had been but he would pull it off line because it was unsafe.

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

(d) Consideration of purchase of photocopier for Police Department.

The information presented to Council explained that the Police Department has \$8,000 in their budget for a new photocopier and has received informal bids on 3 copiers. Those bids were: Canon GP210S \$6450.00 with annual maintenance of \$1252.80; Lanier \$8555.00; and a Richo copier \$6100 with an annual maintenance of \$1252.80. Richo would give a \$300 trade in on the current copier. Richo also has all the features needed and it was recommended by the Police Chief that the city purchase the Richo copier and the annual maintenance agreement.

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

(e) Consideration of handicapped parking spaces on Henry Street next to the Leaksville United Methodist Church.

The information presented to Council explained that Mr. Bob Hardin of the Leaksville United Methodist Church has requested two handicapped parking spaces to be located on Henry Street next to their church.

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

Council Member Janney commented that they approve handicapped parking spaces and the people that want them, they were not designated in a way that the law could be enforced on them if he understood the law. They were not marked.

Mr. Sexton replied that the police had brought it to their attention and it was being corrected. He added that the only thing that was required by the State was just the sign and the fine for it. He stated that the Police Department was having a hard time enforcing it so they were going back and started marking those handicapped places.

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

CONSENT AGENDA:

(a) Approval and adoption of minutes – December 2, 13, 19, 28, and Jan. 4.

(b) Consideration of request for authorization to seek RFP's for the financing of a new garbage truck.

Mr. Cox explained that item (b) was a request for authorization for the city to prepare what was called a Request for Proposals (RFP) to send out to the various banks for the financing of the garbage truck that the Council had approved at the last meeting. This was basically just to obtain the best financing quotes for the truck.

A motion was made by Council Member Grogan seconded by Council Member Myott to approve the Consent Agenda items (a) and (b). All Council Members voted in favor of this motion. This motion carried.

ORDINANCES AND RESOLUTIONS:

(a) Adoption of a Resolution of Intent to Close an Unopened Portion of an unnamed street East of Highway #14 South.

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

VOUCHERS:

There was no discussion on vouchers.

BREAK:

Mayor Price called for a short break.

HIRING OF BRAD COCORAN, CITY MANAGER:

A motion was made by Council Member Gover seconded by Council Member Grogan to approve the hiring of Brad Cocoran as City Manager. All Council Members voted in favor of this motion. This motion carried.

CLOSED SESSION:

A motion was made by Council Member Myott seconded by Council Member Janney for a closed session according to GS 143-318.11(a)(3) to consult with the City Attorney concerning the handling or settlement of a claim. All Council Members voted in favor of this motion. This motion carried.

OPEN SESSION:

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



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INTERIM FINANCE DIRECTOR:

A motion was made by Council Member Grogan seconded by Council Member Gover to contract with Mr. Larry Fisher to be the new Interim Finance Director. All Council Members voted in favor of this motion. This motion carried.

OSBORNE BILL:

A motion was made by Council Member Grogan seconded by Council Member Tudor to pay the Osborne Company \$75,000. All Council Members voted in favor of this motion. This motion carried.

OTHER BUSINESS:

Council Member Janney mentioned that information was previously requested that the Council had not received on the following: (1) Sewer problems – dumping sewage in the river, go back to Meadow Greens and Covenant Branch, etc., and give numbers. (2) A decision needed to be made on Hopkins Court. (3) Chief of Police to write a pursuit policy and the Council had not received it.

ADJOURNMENT:

A motion was made by Council Member Janney seconded by Council Member Grogan 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