

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, May 15, 2001 at 7:30 p.m. in the new City Council Chambers, 308 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
City Manager:	S. Brad Corcoran
City Attorney:	Charles J. Nooe
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson

Representatives from City Departments:
Representatives from News Media:

Leslie Brown, Greensboro News & Record; Reid Baer, Eden Daily News

MEETING CONVENED:

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

INVOCATION:

Council Member Tudor gave the invocation in the absence of Pastor Joel Long.

RECOGNITION:

Mayor Price recognized Mrs. Clayton Nation's fourth grade class.

ADDITIONS TO AGENDA:

A motion was made by Council Member Grogan seconded by Council Member Gover to discuss city owned property under New Business item "g". All Council Members voted in favor of this motion.

A motion was made by Council Member Grogan seconded by Council Member Myott to add to new business the job description for the Customer Service Coordinator. Council Members Reynolds, Grogan, Myott, Tudor, Janney, and Gover voted in favor of this motion. Council Member Rorrer voted in opposition. This motion failed, as it needed to be a unanimous vote.

A motion was made by Council Member Gover seconded by Council Member Tudor to add a request by the Fire Department's Auxiliary for permission to have a yard sale on city property (city parking lot). This item would be under New Business, item "h". All Council Members voted in favor of this motion.

PUBLIC HEARINGS:

- (a) Consideration of a zoning text amendment request to amend the City of Eden Zoning Ordinance to allow "Bed and Breakfasts" as a special use in the residential zoning districts. Request submitted by Linda and Aubrey Light. ZONING CASE Z-01-03.

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

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Mrs. Stultz explained that on April 17, a public hearing was held to consider amending the zoning ordinance to allow bed and breakfasts. At that time the Council asked the Planning Board to reconsider this particular issue and to look toward presenting this to them in the form of a special use permit process. At their April 24 meeting the Planning Board voted to recommend that the City Council approve the request to allow bed and breakfasts as a special use in residential zoning districts and that approval was unanimous.

She noted that she had sent them an earlier amendment and after some discussion, the City Attorney had prepared it with the standards the same, but in a slightly different form. She stated that they thought it would serve that section of the ordinance better and she hoped to amend the other special use permit section to be in this same format.

She also noted that she had placed a copy of how the City of Reidsville handled special use permits for tourist homes or bed and breakfasts. She stated that they had discussed the standards that were involved in this earlier and the ones that were important that the Planning Board discussed were: That prior to such petition the building had been used as a single-family residence; that the use meets all applicable district requirements including but not limited to lot coverage, yard requirements, height limitations and development standards; the location of the use with respect to the location of other bed and breakfasts, that it must be at least 400' from any rooming house, boarding house or bed and breakfast; the character of the area for which the permit is applied; that the homeowner who is making the application must reside on the site; that the bed and breakfast shall contain only one kitchen and the meals served on the premises should be only for overnight guests and residents of the facility; that the use of this facility by any one person shall be limited to no more than 15 days per 60 day period; that all parking for the bed and breakfast shall be on the site with the minimum of one parking space for each room to be rented; and importantly the permit issuing authority (Board of Adjustment) may impose such other appropriate conditions as may be reasonably necessary to protect the public health, safety and general welfare and the character of the area.

Mayor Price apologized for the information that Mrs. Stultz handed out, as the new information was something that came out that day and she had no control over that. He explained that he and Mrs. Stultz had discussed some of the requirements that other cities have used and they just picked Reidsville. He noted that some of Reidsville's requirements were intriguing. He stated that this followed along with adding parking in the rear, that the applicant must have a plat showing where the buildings, parking was going to be, it required buffers in recreational areas, and had special conditions about signs.

Council Member Gover asked for clarification on number nine.

Mrs. Stultz explained that what was discussed at Planning Board level and staff had recommended was that all parking be on the site. Neither staff nor Planning Board thought that it was appropriate for parking for a bed and breakfast to be anywhere other than on the property with the bed and breakfast. She explained that with this particular kind of use, considered as a special use permit, the Board of Adjustment would consider all of those factors. The person would come in and make the proposal, file a special use permit application and staff would make a recommendation. As with any other special use, based upon the site condition, the Board of Adjustment could take staff's recommendation or suggest alternatives of their own for standards that might be applied for that particular permit. She explained that the reasoning behind a special use permit was just that, when someone comes and asks for a special privilege it gives them a little more control over the use of how it was applied.

Council Member Rorrer asked that whatever the zoning was, if they applied it could be a bed and breakfast to which Mrs. Stultz replied only for residential zoning.

Council Member Grogan commented that he would not mind seeing the sign issue addressed.

Council Member Tudor asked if they could add Reidsville's requirements to their own.

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Mayor Price noted that those requirements involved four (4) items of parking and loading. He pointed out that parking had to be identified and in the rear yard, buffering for recreational areas had to be planned, there had to be a planning stripped and the signs to be no more than two square feet. He then explained that they were in a public hearing and asked if anyone would like to speak for or against this proposal.

Ms. Linda Bledsoe Light, 421 Boone Road, explained that she was the one who was interested in doing this. She stated that she felt it would be an asset to the community. She stated that they lived in an old historical home, they already have the parking in the back, and she just hoped they would support them in doing this.

Mrs. Stultz added, in reference to the sign issue, the city's residential zones limit accessory signs to two square feet.

Council Member Myott noted that they were discussing changing the parking to the rear only. She questioned what if she had a big side yard, but not much back yard.

Mrs. Stultz replied that was why they left it so that if someone was going to make the application for a special use permit then the Board of Adjustment would take a look at where they plan to put their parking. She added that if the Council wanted to require that they all be in the rear then they could certainly add them.

Council Member Janney commented that as the ordinance was written, the city already had a sign ordinance in place. He stated that if the bed and breakfast owner wanted to use a sign they already had to meet that requirement anyway, he saw nothing wrong with what they already had without requiring parking anywhere else.

Mr. Charles Knight, 551 Monroe Street, explained that he had a vested interest in the passage of this ordinance as his house was on the market. He explained that it was a large house and not everyone wanted or needed a large house. He noted that this type of ordinance, which was fairly common across the country, allowed this particular use for older houses and they were typically larger houses, where otherwise they might just be allowed to go down hill. He stated that he hoped that the Council would support the change in the wording of the ordinance. He stated that he agreed with Mr. Janney in that he thought that they could become too specific with their requirements and that may have an unintended consequence. He noted for example, parking only in the rear, which might curtail some otherwise good opportunities for a house.

As no one else came forward to speak in favor or against this proposal, Mayor Price declared the public hearing closed.

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

Mayor Price pointed out that by Mr. and Mrs. Light having to go forward with this, they have gotten themselves into a position where they have to reapply and pay again for the special use permit.

Council Member Grogan recalled that he thought that was the reason they had asked the question at the last meeting and that they tabled it, so they would not have to pay another fee.

Mrs. Stultz replied that they did it so they would not have to pay another fee to request a zoning text amendment, but as it was right now, with it being a special use permit, they would have to pay \$150 to apply for the special use permit and she did not have the ability to waive that fee.

A motion was made by Council Member Reynolds seconded by Council Member Rorrer to waiver the \$150 fee (special use). All Council Members voted in favor of this motion.

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(b) Consideration of a request to close an unopened alley adjacent to the east side of The Boulevard. Request submitted by Eden Baptist Church and Dr. and Mrs. Daryl M. Law. STREET CLOSING SC-01-01.

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

Mrs. Stultz explained that at their regular April meeting the City Council adopted a Resolution of Intent and at their April 24 regular meeting, the Planning Board voted to recommend approval of the Street Closing request.

She explained that this request was to close an unopened portion of an unopened alley off of The Boulevard that was approximately 10' wide and 215.98' long. She noted that the city had received a petition signed by 100% of the abutting property owners requesting that an unopened right of way be closed. The subject portion of the alley has never been opened and the land abutting the unopened right of way has primary access onto The Boulevard and Clifton Street. She noted that the Eden City Code, Chapter 13, Article III, Division III and North Carolina General Statutes 160A-299 authorize the City Council, upon recommendation from the Planning Board, to consider the closing or vacating of a street in accordance with the rules and procedures set forth therein. She stated that furthermore it permitted the City Council to close the street provided that after a public hearing had been held and it appeared to the satisfaction of the Council that closing the street or alley was not contrary to the public interest and that the city had no interest in preserving the dedication of such street or alley for municipal purposes and that no individual owning property in the vicinity of the street or alley would thereby be deprived of reasonable means of ingress and egress to the property. She stated that it was their custom and a requirement that they have also sent notices to all of the public service corporations and had seen no indication of any problems from any of them with this particular closing.

She stated that in regard to the required findings the department issues the following comments: Contingent upon comments from the public service corporations the staff was of the opinion that the street was not required for public utility service for the area; based upon the fact that the street had never been opened nor was the street in the city's thoroughfare plan or any other transportation improvement plan, the staff was of the opinion that the street was not necessary to the general public and traffic circulation in the area. Based upon the fact that all properties in this area have their primary access off The Boulevard and Clifton Street, the staff was of the opinion that no one would be denied reasonable means of ingress and egress because of the closing. In conclusion, she stated that the staff recommended, based upon those stated findings, that the alley be closed as requested.

Mayor Price asked if anyone wanted to come forward to speak in favor or in opposition of this request.

Pastor Darryl Law explained that he was Pastor of the Eden Baptist Church. He stated that his church had outgrown their present facility needed to expand. The unopened alleyway binds them because there was an alleyway to the east of them and also one behind them. In order to add on they need to have this alleyway closed on the east side or to the rear. He stated that they did not want to move outside the city and that was why they have petitioned the Council to close that alleyway. He explained that when they bought the existing building fourteen years ago, they were the ones who graveled it and started using it to get into the parking lot behind the church. Other than that no one had even attempted to use it to his knowledge.

As no one else came forward, Mayor Price declared the public hearing closed.

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.

(c) Consideration of an amendment to Division 6, Section 2.92 of the Planning Organization.

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Mayor Price called for a public hearing and asked Mrs. Stultz to come forward for a report.

Mrs. Stultz explained that the Preservation Commission has met all the requirements to be established as a certified local government for historic preservation purposes. She noted that has some national significance as well as statewide significance and among other things makes them eligible for additional grant funds they would not have been eligible for and also gives them greater input in anything the Department of Transportation or any other state agency might do in and around the city's jurisdiction. She explained that one of the things they had to do was to send them a copy of the city's ordinance. In reading that they felt that the language in the section about what happened if a member moved outside the planning jurisdiction was not clear enough. They had asked that the city change the wording to: "If a member moves outside the planning and zoning jurisdiction of the city, that shall constitute a resignation from the commission, effective immediately." She noted that the existing ordinance said, "effective upon the date a replacement is appointed."

Mayor Price asked if anyone would like to speak in favor or in opposition to this proposal. As no one came forward to speak, Mayor Price declared the public hearing closed.

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

MONTHLY FINANCIAL REPORT:

(a) Finance Department Monthly Reports.

Mayor Price explained that the City Manager had informed him that the financial information had gotten to him late that afternoon and he was not prepared to make a presentation.

REQUESTS AND PETITIONS OF CITIZENS:

Mr. Tommy Underwood addressed Council:

Mr. Tommy Underwood, Eden Fire Department, Station 2, explained that about a month or so ago, the Leaksville, Spray and Draper Rural Fire Departments invited the Department of Insurance up to look at pursuing outside areas that lie outside the City of Eden as a tax district. He explained that it concerned the city because if those three departments decided to go as a tax district, it could have a large impact down the road. He stated that the city also had this option.

He explained that they would like to come before the whole Council in a special called meeting so that they could present the information to them all at one time. He stated that once a decision was made, it would take at least a year to get it into play. If the city did not want to look at this option then they were going to pursue it as volunteers. He noted that their relationship with the city had been great and the city had done a lot for them. He noted that the city also got something in return by having access to the trucks if needed on a large-scale fire. He stated that he did not want to ruin that relationship at this time. He stated that it would be a large impact on the city down the road if those three departments went tax and there was a lot of crucial information that the Council needed to be aware of. He stated that Mr. Steve Hale was the man to get the information from and it would be best to go in a special meeting and let everybody hear what he had to say and that way he could answer questions and go from there.

Council Member Rorrer commented that he had no problem with Mr. Underwood's suggestion but he did want all the available information passed out to Council beforehand.

Mayor Price added that they were very valid comments and the city did have a wonderful relationship with them. He noted that their whole environment and demands for fire service was growing daily. He stated that he had a good valid point about presenting it to the Council as a whole. He noted that it was difficult to have the eyes and ears of the City Council with him for a year period of time and that was why there was the suggestion to form a committee. He stated

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that he thought it was appropriate tonight to appoint that committee and he had asked Council Member Reynolds to chair that committee and that Council Members Gover and Tudor serve on the committee. He stated that the Council was certainly open and wanted to participate, but it would require a lot of thought. He asked Mr. Hale for comments.

Mr. Steve Hale, Rockingham County Fire Marshall, explained that Mr. Underwood asked him to come to be able to answer questions. He agreed with Mr. Rorrer in that they needed information put together. He explained that in putting that information together they would also need some input from Administration, as well as some legal input, because they would be looking at legal matters and to see exactly where the city was in some of their past occurrences as far as annexation and future thoughts as all those would play an important part of what they would discuss in that committee and those meetings.

Council Member Grogan stated that he thought they needed to go back to the original question about having a full Council meeting to discuss that issue. He stated that he thought it was safe to tell him that yes they would have that at the time the committee and that group comes up with the information to hold that meeting.

Council Member Tudor added that initially it would be great, even though they want to appoint a committee, if initial information could be presented to the Council as a whole, so every body would have an idea of where they were starting, and over the course of a year as it transpired, they would have the committee to work on that. He added that he was sure every member of Council would like to have additional information to understand what it was the committee was undertaking. He also noted that when Mr. Underwood mentioned tax district, his understanding was that when you have a tax district, that affects insurance rates. Insurance rates should go down, so citizens should not be alarmed that it will cost them more money.

Mr. Underwood noted that it depended upon what the fire department was rated at and some of those ratings did not affect insurance rates. He added that if they did not have an insurance rating at all, then that affected it, but there were classifications. He explained for clarification that the tax districts, those were outside the city, for those people's benefit. He explained that classifications went from 1 to 9. If the city went out there in some areas where they have the water supply, those people would be getting a 5 rating. If those rural departments go out there, which was rated 9S, then they would not get an insurance break.

Mayor Price asked if the information was prepared to which Mr. Underwood replied pretty much so.

Mr. Hale added that as far as the rules and the law, that would be no problem to present. But, he added that as he had said, there were certain issues dealing with letters of intent for annexation for outside properties. If they were not in place then that would directly effect the city and their future proposals. Also as they look at some other considerations in this it could benefit the city fire as well as the insurance rate or ISO rating inside the city, when they were looking at equipment and manpower.

Mayor Price asked that for the first presentation to the Council, to talk about the big picture, some of the real big issues and benefits of the system to the city and to the community as a whole, how close were they with that information.

Mr. Hale replied that they could be real close to putting that information in the Council's hands, but again, they did have to have what agreements were out there now with those properties that were set outside. He stated that he knew they had agreements with industry outside. He asked if they were just agreements for protection or have there been any letters of intent filed for annexation in those areas. Without knowing that information he did not know that they could give them a full picture.

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Mayor Price stated that he thought the first contact should be with the City Manager and let him have discussion with the group, sit down at his recommendation and at a point in time they would call a special meeting for a presentation to the Council. He stated that they would keep the committee enforced to be a liaison as they went through the entire procedure.

Council Member Reynolds asked if they should not have the County Commissioners in on this too, to which Mayor Price replied that it was not a bad idea.

Dr. David Smith addressed Council:

Dr. David Smith, College Street explained that he was currently the Chairman of the Park Committee. He explained that he was there with good news, a brief update, and he also had a couple of petitions and requests. He stated that the Council had an agenda item before them that they would consider later tonight, for the release of funds for the first structure for the new park, the shelter.

He stated that he also had some good news. They were receiving donations from various groups throughout the city and he then called Ronnie Overby, City of Eden Fire Chief, the current president of the Eden Day Lion's Club, for a presentation.

Mayor Price asked Parks and Recreation Director, Mr. Joey Conner to also come forward.

Chief Overby explained that the Eden Lion's Club decided to work on a special project and at that time came up with a successful event to raise money for the park. He then presented a check from the Eden Lion's Club to Dr. Smith, as head of the Park Committee, for \$8,313.93.

Dr. Smith accepted the check on behalf of the City of Eden. He stated that he was sure it would find its way into the Park Fund.

Mayor Price thanked the Eden Day Lion's Club for their efforts.

Dr. Smith added that he wanted to ask the City Council for consideration for their committee to act autonomously within the bounds of their current money that they have so that when they were ready to purchase equipment for the park, that they would be able to do that in an expeditious way, without coming back to the City Council on a monthly basis, for each individual item as necessary.

He also noted that there were a group of citizens who have volunteered their time and energy and who have faithfully attended the committee meetings for the past two years. He noted that they had no voting power. He explained that he was hesitant to bring their names before the Council because a few of them reside outside the city limits. He stated that he would like for the Council to consider those names when they were presented and just because they lived outside the city limits, that they still be considered.

Mayor Price explained that these items would be discussed at a later date.

UNFINISHED BUSINESS:

- (a) Consideration of proposed buffer between Fairway Drive residents and Gildan on City Property.

The memorandum presented to Council explained that the City of Eden retained ownership of a strip of land 100 feet wide and 1341 feet long between the residential property on Fairway Drive and the site of the Gildan facility. A plan for a proposed buffer on city property was designed to compliment the buffer installed by Gildan and to offer further screening to the Fairway Drive residents.

Bid packages were sent to all landscape contractors with an Eden privilege license and a notice was run requesting bids in The Daily News. The lowest responsible bidder was Sides Contracting Company, Inc., of Winston-Salem, NC., with a bid of \$11,888.

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A motion was made by Council Member Tudor seconded by Council Member Myott to approve and grant this contract to Sides Contracting Company (\$11,888). (No vote was taken)

Council Member Janney asked if this was in this year's budget.

Mr. Corcoran replied that it was not a line item, but it was discussed at a previous meeting and adopted their intent to do this. He asked Mrs. Stultz when she received the bid.

Mrs. Stultz replied that they came last fall and the Council decided to go out for bids and at that time they had an Interim City Manager. When the bids came back there was another Interim City Manager who wanted to wait until a permanent City Manager was hired. That was why it had taken so long for it to come back.

Council Member Gover asked that she refresh his memory on the \$16,000 to which she replied that this was it, it was just lower than the estimate.

Council Member Janney pointed out that they had already stripped the budget this year. He asked the City Manager where this money would come from.

Mr. Corcoran replied that if the Council did this, it would have to come out of the Contingency Account, which was dwindling down to basically nothing. He explained that at the end of the year they were going to have to make a series of adjustments with a large bulk of the money they have left needing to be transferred in to cover the concluding cost on the City Hall.

Mayor Price asked if they had not committed to do this.

Mrs. Stultz replied that she was given the authorization to have the plan done and go out for bid and bring it back before Council.

Council Member Janney explained that he was not trying to wiggle out of the commitment. He stated that he thought it needed to be done, but should they put this in the upcoming budget, rather than to keep on digging into the current budget.

Mayor Price asked if they would be planting in the fall to which Mrs. Stultz replied that they had said they could go ahead and plant it now, it was not the most optimum time, as generally the most optimum time was fall or early spring. Mayor Price agreed that Council Member Janney had a good point.

Council Member Tudor agreed, but those citizens have been distraught over what they have endured. The Gildan people have done an excellent job putting in their buffer and the citizens deserve their concern about their property values and the aesthetics around their homes. He stated that one thing they could do in good faith was to let them know the city was concerned about their welfare and property values. He stated that if they had to wait until the fall, that was reasonable.

A motion was made by Council Member Grogan seconded by Council Member Tudor to add this to the upcoming budget and to wait until fall of the year to plant the buffer.

Council Member Grogan asked if the bid would still be good to which Mrs. Stultz replied that she could not guarantee that. She may have to go out for bid again.

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

(b) Consideration of PD telephone system proposal.

The memorandum presented to Council explained that the Police Department found an obscure State contract for telephone systems. This contract was administered by the State of North Carolina Office of Information Technology Services. It is a contract for State agencies, but municipalities may use it for a fee paid to the State. For the fee of

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\$2,244.74 (ITS Admin. Fee) the State sends a State employee to your site along with a representative from the vendor (Sprint) to discuss your system needs with you. A State employed communications engineer then plans your system for you and prepares the proposal. This has already been accomplished. The fee is paid later as part of the contract and is not due unless a contract is signed. Once the proposal is approved, the State engineer contracts with the vendor on our behalf and supervises the project.

There are two proposals from Spring, one for the equipment and labor and a second for wiring. It is customary for the wiring proposal to be separate. The State representative from ITS told the Police Chief that because of the State contract, Sprint's wiring proposal will be the cheapest they would find. He was also told that most problems could be prevented by allowing Sprint to do the wiring and the installation of the equipment.

Mayor Price noted that the total amount was \$29,477.16.

Council Member Janney asked if this was money already set aside to which Mr. Corcoran replied yes, there was \$40,000 in the current budget.

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

NEW BUSINESS:

(a) Consideration of trucks on Mill Avenue.

The memorandum explained that citizens have expressed concerns regarding trucks traveling through the residential areas of Mill Avenue. The City Code provides that through trucks can be prevented from using such streets after the City Council has enacted an ordinance specifically prohibiting such traffic.

Council Member Gover explained that trucks were having problems with North Main and Fieldcrest Road and were going out Mill Avenue. He stated that he found that when those trucks come in, on their bill of lading, they were told to turn right at the first light there. He explained that what they really meant was to veer to the right at the next light and the truckers were getting confused. He noted that even by putting a No Thru Truck sign there would not prevent them from cutting to the right there if their bill of lading said to. He stated that there was a directional problem of which they were trying to alleviate by getting Fieldcrest opened back up to the traffic and they were in that process. He noted that at the last meeting they voted to have the City Manager continue with the Fieldcrest problem and he hoped that when the Fieldcrest problem was resolved, those bill of ladings would read differently, but in the meantime they needed some type of directional sign out there for the truckers.

Council Member Grogan questioned where they were going to begin with to which Council Member Gover replied that they were trying to get to Hwy 770 from Hwy 700 and the bill of lading was telling them to turn right at that light.

Council Member Janney pointed out that if that was the case, why did they not put the No Thru Trucks sign on the corner so they could see it.

Council Member Gover replied that No Thru Trucks meant no through trucks, but delivery trucks were picking up a product so they would not be going through.

Council Member Janney stated that was a good point and what happened was that when they make that turn they end up way out on that street before they realized where they were and then they had a hard time getting back.

Council Member Gover added that it had been an ongoing problem for some years and they really needed the traffic officer to get a directional sign there until they could resolve the Fieldcrest Road issue.

A motion was made by Council Member Gover seconded by Council Member Grogan to request a study to be done for truck traffic on Mill Avenue. All Council Members voted in favor of this motion.

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(b) Consideration of a lease agreement for Boone Road community parking lot.

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

(c) Consideration of traffic study of Harrison Street.

The memorandum presented to Council explained that a request was received from the City Council to assess Harrison Street for consideration of posting a No Thru Truck sign. Previous recommendations were suggested in 1997 and 1998. The recommendation was to post No Thru Trucks, reduce the speed limit to twenty-five miles per hour and establish a No Parking Zone from Meadow Road a distance of 700 feet to prevent vending trucks unloading in the travel lane.

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

(d) Consideration of application for massage parlors, health salons and related business.

The memorandum explained that Ms. Kathleen M. Goins has made a request for permission to change location of her business.

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

(e) Consideration of bulk chemical bid results recommendation.

The information presented to Council explained that Eden participated in the countywide bulk chemical bidding process again this year. It was recommended by Treatment Plants Director, Dennis Asbury, to accept the following bids for the 2001/2002 fiscal year.

Aluminum Sulfate - \$157.80 per ton – vendor, Alchem, Inc.
Sodium Hydroxide - \$431.00 per ton – vendor, Jones Chemical, Inc.
Copper Sulfate - \$55.22 per 100 lbs. – vendor, Harcros Chemical
Fluorosilicic Acid - \$129.70 per ton – vendor, Harcros Chemical
Sodium Bisulfite - \$6.84 per 100 lbs. – vendor, General Chemical Corp.
Calcium Hypochlorite - \$127.00 per 100 lbs. – vendor, Prillaman Chemical Corp.

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

(f) Consideration of picnic shelter at new city park.

A memorandum was presented to Council that explained that as a continuous step to purchase the needed facilities for the first phase of a Raleigh 40'x 68' picnic shelter. After collecting bids for the shelter, the Parks & Recreation Director, Joey Conner, recommended that the city purchase the shelter from IFT, Inc., for the price of \$30,580.

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

Council Member Rorrer requested that the Council receive a figure of how much they have spent on the City Park.

Mayor Price replied that the information would be mailed out to the Council.

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

(g) Consideration of city owned property.

Council Member Grogan explained that he was thinking of the property that the city owned on Washington Street, the two small lots. Also other real estate that the city owned, i.e., the Police Department, the former Council Chambers, etc., and any piece of real estate that the city had. He

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suggested that the City Manager and City Attorney come back to the Council with a recommendation as to how this property could be disposed of and then they could move forward to sell it.

Council Member Janney commented that he would second that motion with the understanding that they get through the budget session first.

Council Member Grogan agreed, but he thought they should get on and dispose of them. They could go ahead and order appraisals, as it would be after the budget before they received any. Council Member Janney agreed to that.

Mayor Price noted that they would want to identify those properties before they requested appraisals.

Council Member Grogan replied that it would be the former City Hall, former Police Department, and 28 acres behind it.

A motion was made by Council Member Grogan seconded by Council Member Janney to have the City Manager and City Attorney to inform the Council on how to sell all property and to get appraisals on the property and present to Council after fiscal year.

Mr. Nooe pointed out that once before the Council had considered the park up on Hwy 14 and went so far as to ascertain that it could be sold. It had been done with grant money and the restrictions on that had now been rescinded and they could consider selling that.

Council Member Rorrer commented that personally he did not want to sell that piece of property. He thought it appeared to be a fine industrial site.

Mayor Price asked how the Council felt about not considering the park at this time.

Council Member Rorrer suggested that they let Mr. Don Moss (Economic Development) know that it was available, or anyone else who had the potential of bringing in an industry.

Council Member Janney asked how many acres was in there to which Council Member Rorrer replied he thought it was about 122 or 123 acres. He added that part of it was used as a landfill.

Council Member Myott questioned it being rezoned to which Mrs. Stultz replied that it would.

Council Member Rorrer stated that would not be a problem and Council Member Grogan commented that he would like to leave that piece of property alone until they were further along with another park, with the exception of if an industry was interested in it, and wanted to go there, they could talk about rezoning it.

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

(h) Consideration of request made by Fire Department Lady's Auxiliary.

Mr. Corcoran explained that the Fire Department Lady's Auxiliary has requested the use of the City Hall parking lot to hold a yard sale on Saturday, June 2, from 7:00 a.m. to 2:00 p.m. She specifically requested the portion of the parking lot where the Dale Earnhardt Memorial was held earlier in the year. He stated that he had spoken with Mr. Nooe and he suggested that it be put on the agenda for Council's consideration.

Council Member Gover questioned if it would be any different than utilizing some of the open spaces that was located inside City Hall.

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Mr. Nooe replied that it was a public vehicular area and they were shutting off an area where the public was accustomed to having opened.

Council Member Rorrer questioned if they would be opening up a can of worms to which Mr. Nooe replied that anytime a public street was barricaded for any worthwhile organization, it did tend to generate other requests, but this would not be like they would be blocking off access to any business.

Council Member Janney asked where this would be held to which Mayor Price replied in the back parking lot.

Chief Overby added that they did not want to block the road. He explained that it would be where they had the Dale Earnhardt memorial and that was in the new parking lot, out of the way and the road would stay open.

Council Member Rorrer clarified his question and stated that he did not have a problem as far as this was concerned. He asked that if they did allow it, would they be setting themselves up for something undesirable to happen the same way.

Mr. Nooe replied that they would have a problem if they start letting some organizations use it and others not, however Council Member Grogan pointed out that this was an auxiliary that supported the local fire department that the city operates.

A motion was made by Council Member Grogan seconded by Council Member Tudor to approve this request (permission to allow Fire Dept. Lady's Auxiliary to hold a yard sale on city parking lot). All Council Members voted in favor of this motion.

CONSENT AGENDA:

- (a) Approval and adoption of minutes – April 4 and 17, 2001.
- (b) Approval and adoption of a motion to hold a public hearing to consider rezoning property on Strutton Lane off Hwy. 87 in the city's extraterritorial jurisdiction from Residential-20 to Residential-Suburban. ZONING CASE Z-01-04.
- (c) Approval and adoption of a motion to hold a public hearing and to consider an ordinance rezoning property at the southeast corner of Kennedy Avenue and Stadium Drive from Business-Highway #1 to Industrial-1. ZONING CASE Z-01-05.
- (d) Approval and adoption of a motion to hold a public hearing (June 17, 2001) on the proposed FY 2001/2002 budget.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve the Consent Agenda items a,b, c, and d. All Council Members voted in favor of this motion.

ORDINANCES AND RESOLUTIONS:

- (a) Adoption of an ordinance rezoning property on NC 700 West in the city's extraterritorial jurisdiction from Residential-20 to Residential-20/MH. ZONING CASE Z-01-01.
- (b) Adoption of an ordinance to amend the City of Eden zoning ordinances to allow "Bed and Breakfast" as a special use in the residential zoning districts. ZONING CASE Z-01-03.
- (c) Adoption of an ordinance amending Section 16-108 of the Eden City Code.

Mr. Nooe noted that the bed and breakfast ordinance was in three parts. He stated that the minutes should reflect that they were approving the adoption of three ordinances relating to the staff's recommendation as to the adoption of the bed and breakfast ordinance.

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A motion was made by Council Member Grogan seconded by Council Member Tudor to approve and adopt ordinances a and b. All Council Members voted in favor of this motion.

Mr. Nooe noted that he had an ordinance that had to do with an ordinance that was intended to take care of the situation that arose about a local institutions wanting to cover up one of our outfalls. The City Engineer came up with standards that any person who owned the property that wanted to cover any of the city's utility lines would have to meet and would protect the line and with no objection it would be well to go ahead and get it into affect.

Mr. Nooe read the ordinance to the Council. *(A copy of this ordinance is in the office of the City Clerk and will be placed in the City's Code Book).*

A motion was made by Council Member Grogan seconded by Council Member Rorrer to approve and adopt ordinance (c). All Council Members voted in favor of this motion.

There was some brief discussion about Pleasant View Baptist Church's request from the meeting of March 2001. It was noted that the city did not refund them, as they were never sent a bill for the pipe.

VOUCHERS:

There was no discussion on vouchers.

CLOSED SESSION:

Closed Session for discussion of personnel according to GS 143-318.11(a)(6).

A motion was made by Council Member Grogan seconded by Council Member Gover to go into Closed Session for discussion of personnel according to GS 143-318.11(a)(6). All Council Members voted in favor of this motion.

OPEN SESSION:

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

ADJOURNMENT:

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

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor