

CITY OF EDEN, N. C.

A special meeting of the City Council, City of Eden, was held on Thursday, May 3, 2001 at 5:00 PM in the 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
	Garry Tudor
	William W. Rorrer
	C. H. Gover, Sr.
City Manager:	Brad Corcoran
City Attorney:	Charles J. Nooe
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson
Representatives from staff	
Representatives from News Media:	Leslie Brown, <u>Greensboro News & Record</u> , Reid Baer, <u>Eden Daily News</u>

MEETING CONVENED:

Mayor Price called the special meeting to order and welcomed everyone.

Additions or Deletions to Agenda:

Mayor Price then asked if anyone on Council would like to add or delete anything from the agenda.

Council Member Gover commented that he would like to add traffic concerns. He noted that a letter from the NCDOT was inserted into their packet.

A motion was made by Council Member Gover seconded by Council Member Tudor to add concerns about Hwy 700/770 to the agenda. All Council Members voted in favor of this motion. This motion carried.

Consideration of reinstalling receptionist position:

Mayor Price explained that he had asked that this item be included on the agenda. He explained that it was actually a misnomer and he referred to the discussion that had occurred at the Council's Retreat. He explained that this person would be the recipient of all the city's problems, they would use the software that had been discussed and this person would be at the location of the present receptionist. He noted that this was exactly the presentation that was made to them by the City Manager and they had agreed upon it. He asked them to do this with the idea in mind that they would all like to have better service, and a quicker and more prompt response to concerns that their citizens had.

Council Member Janney commented that this was not what he thought they would end up with. He stated that when he came down with two other Council people to see the demonstration, the receptionist was only mentioned initially to get this thing up and running. Then they would move that system to another location. He stated that that was not what he thought they voted on and that was not what he thought they had agreed to do.

Council Member Gover stated that he was at the same meeting and heard the same thing.

Council Member Myott pointed out that the City Manager presented this before at one of their work sessions and Council Member Gover stated that he was game to let the City Manager handle this position.

Mr. Corcoran suggested that it might be best to go through the history of it, as most of them were not familiar with the entire history. He went back to the day of the Budget Retreat and recalled that they had discussed the possibility of a customer complaint tracking system. During the

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Retreat he had mentioned the fact that he felt that they would probably need a person to coordinate this effort similarly to what was done in some other communities that he had cited. He had also stated that perhaps that individual could be the person who used to be the receptionist. He recalled that he had stated then, which he would state today, that he did not feel, given all of the other budgetary constraints that the city was facing, that they needed a receptionist whose only responsibility was to answer the phone and direct people to various departments. He recalled that he thought he had said that day during the Budget Retreat that if they were to hire an individual to do this system, then he thought that they could also answer the phone and greet visitors. After the Budget Retreat they started the budget process. He explained that as they began the budget process it became very apparent that this was going to be a very lean year. He stated that he had set up the demonstration at the same time and invited all of the members of Council to come to the demonstration. He noted that they had three members of Council that came, Council Members Rorrer, Gover and Janney. He stated that at the same time or during the presentation, the suggestion was made that it could be done possibly in-house in order to save money. At that time the Clerk and Deputy Clerk stated that they would be willing to try and take on the responsibilities to do this, in order to save some money, if that was what the Council would want. At the conclusion of that day, there were three members of Council who stated that was what they felt they should do and there was also two individuals who were willing to take the responsibilities on. Mr. Corcoran continued in that he then sent out a weekly report with that information to the Council. He noted that there had been a meeting and a recommendation of the three members present that they do it in-house, that they proceed in purchasing the system and the system would be handled or oversight would be given by the Clerk and Deputy Clerk. He stated that shortly after that weekly report went out, he was approached by the Clerk and Deputy Clerk who informed him, based on further reflection, that they did not feel they could handle it by themselves and they would not be capable of doing it. He stated that basically within 10 to 12 days after that discussion, he was asked to put that on the agenda and that was the complete history of what has happened with this.

Council Member Janney reiterated that the City Manager went ahead and proceeded with trying to get a system in to which Mr. Corcoran replied that he had it now but it was not installed. Council Member Janney questioned that at that time, his plan was to go on with it, just using the two people that he told them that day was going to...to which Mr. Corcoran explained that they would be the oversight, correct, and that was the plan that day. He recalled that both individuals came out and said that they felt that they could handle it. He stated that after thinking about it further, they came to him and stated that they did not think that they had enough free time to take this on with all of their other responsibilities. And then like he said, roughly within a week and a half later, it was requested that this item be placed on the agenda. What he prepared for them this evening basically goes back to what he said at the Budget Retreat. If it was the desire of the Council to have someone up front, his recommendation would be that they not be called a receptionist and that they be given duties other than that of answering the telephone and greeting the visitors. If they feel that it was important to have an individual up front to answer the telephone and to greet the visitors, he would also assign them this responsibility which was similar to what they do in other communities. And then, other people could supplement their effort but this person would be the main person in charge of that position. So the reason he prepared this for them was that he wanted to go back on the record that if they want a receptionist type position, they might want to consider doing it this way versus just doing it the old way.

Council Member Tudor asked if Mr. Corcoran agreed that it would be more work than the two individuals could do, given their current duties.

Mr. Corcoran replied that both individuals could tell him, that when they initially approached him, he had told them that it was much more than they wanted. He stated that he had felt that from day one as he had seen what they do on a daily basis and they already have full-time jobs that keep them very busy.

Council Member Rorrer commented that he agreed that it was more than they could handle. He added that one thing was missing. He asked the City Manager what he had planned on doing after he ran up on that snag.

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Mr. Corcoran explained that he was actually going to network the system, putting one in Administration, one in Planning, one in Finance, and he really had not decided where the other one would go. He stated that basically each area would take care of the complaints they received. He stated that the bottom line was, they were going to do the best they could, they were not going to have a central coordinator checking on all the complaints, and they would all just kind of divvy it up.

Council Member Rorrer commented that it sounded worth a try.

Council Member Myott questioned how it would be coordinated so that all of the complaints would be together and the Council could look at them if they wanted to do so.

Mr. Corcoran explained that everything was networked and they could see when it was called in and was handled. He stated that at a touch of a button they could tell them the status of a complaint. He added that the problem was accountability and that was the main reason to have someone to coordinate it. He recalled that during the presentation they talked about how they could print a daily report, which would show any complaints or requests that had come in on Monday and if there was a three (3) day goal to take care of it, this person over it would make sure that, for instance, the Planning Department was following up on it (if it was their complaint), etc., that is what the coordinator would do, but once the information was entered on any of the terminals, it was then on all the terminals.

Council Member Rorrer commented that if he understood correctly, it would be putting them back into the department where the complaint belonged and it was their responsibility to answer it to start with.

Mr. Corcoran stated that was the plan after he discussed it with Kim and Sheralene, they really did not have someone to be the coordinator so they were going to try to divvy it up.

Council Member Rorrer stated that he did not think he could really hire someone to coordinate without creating one monster of a problem with these Department Heads, giving them answers on time, it had to be almost in the City Manager's lap, in a matter of speaking, in order to get a response like they should. He added that they had not had any answers, since he had been on the Council, until Mr. Corcoran came.

Mayor Price asked if he was saying that he would like for this person to work directly for Mr. Corcoran.

Council Member Rorrer replied no, he was not saying hire the person. He stated that they should let Mr. Corcoran go with the way he planned to try it and if it did not work, bring it back to the Council.

Council Member Tudor pointed out that it was sort of a makeshift plan. It was really not a first priority plan.

Council Member Grogan commented that he went to see this program in Lynchburg, Virginia. They started out small and what they had was an individual such as Mr. Corcoran had listed, a customer service coordinator, that fielded the calls and entered them into the system. He noted that they all saw the system, if they log it in, it notifies the department of what the problem is and where it is, etc. He added that certainly certain departments would have different time frames. He explained that was his perception and he had voted to do away with the receptionist because he could see a person coming to do this job, with a different title, to put it together. The biggest thing, of whoever did this, was going to take time for Department Heads and different people, working with that person, in helping them to gather the right information. Whoever it comes to, if it goes directly to Public Works, they need to have some idea of the information to get so that they could turn it over to the proper people.

Council Member Janney pointed out that if it went to each department it would do that, the way he understood and saw that system to work. He stated that his concern was that they go out there and they have an audit piece, it was going to put in all the information that the City Manager

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needed, and if the job was not done it was going to feed it back to him, yet they were talking about adding a job there that would cost between \$25,000 and \$33,000 to an already stretched budget. He stated that it looked like they could have the system, put it in place, let the City Manager try it with the current staff, just as he had planned, and see if it worked. He stated that he agreed with Council Member Rorrer. If it did not work, bring it back to Council.

Council Member Gover commented that in the process of developing this position, he had also mentioned to the City Manager about cross training. He noted the importance of cross training so that every time this person was on vacation, they would not have to reach out and get a temporary. He stated that they needed to keep that in mind. He added that he appreciated the Clerk and Deputy Clerk volunteering to do this on a trial basis. He noted that he realized it was too much for them to do, but the City Manager wanted to start somewhere.

Council Member Tudor pointed out that whether it was called a receptionist or customer service coordinator, he had always been of the opinion the position was needed. He noted that he was at City Hall about two weeks ago for about 45 minutes and he had to show three (3) people somewhere to go because there was no receptionist at the desk.

Council Member Rorrer suggested if they cut a hole in the wall there at the Finance Department, it would solve that problem without having to add someone on to the payroll.

Mayor Price stated that some very good points had been made. He interjected that the ultimate goal was to satisfy the citizens, who have so many concerns that have to be dealt with on a timely basis.

Council Member Rorrer stated that he was not concerned about when the Council received the budget, as long as it was accurate and he noted that they could do an interim budget.

Council Member Reynolds asked the City Manager if this was his recommendation.

Mr. Corcoran replied that if it was the Council's desire to reinstate the position that would be his recommendation, but whether or not they reinstate the position, that was up to the Council.

A motion was made by Council Member Janney seconded by Council Member Rorrer to not reinstate the receptionist position. Action on the motion was as follows: Council Members Rorrer, Janney and Gover voted in favor of this motion. Council Members Myott, Grogan, Tudor and Reynolds voted in opposition. This motion failed.

A motion was made by Council Member Tudor seconded by Council Member Myott to establish the customer service coordinator position.

Council Member Rorrer pointed out that they were going to have to pay the "fiddler" come the first of the year and it would be rough.

Council Member Janney noted that it would be adding a whole lot more to the budget and it would be from \$25,000 to \$33,000.

Mayor Price explained that this budget year was going to be in a tight position as well as all governmental units and there was going to be a lot of accountability, and this would be the first step.

Council Member Gover questioned if this was what the City Manager wanted. He stated that he wanted him to handle this and he was not interested in this Council handling the Manager's responsibilities in that field.

Mayor Price replied that it was the City Manager's statement that if they agreed to establish it then it would be along this line right here.

Council Member Gover pointed out that the motion on the floor was to not establish the receptionist position and now they were going to establish another position, as requested by the

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City Manager, to which Council Member Janney replied no, that was not what was being requested. Council Member Gover stated that if it was requested by the City Manager he would support him.

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

Public hearing for an application for a CDBG for Flint Hill:

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 for the past couple of years they have had some discussion about the Flint Hill neighborhood. She noted that the Rhode Island Mill project was now underway and as a part of that project, they made an application last year for Single-Family Rehab funds to be targeted to the neighborhood and those were granted. She added that they hoped to receive that \$300,000 in July. She noted that particular grant did not require the city to put up any matching money for that.

She explained that tonight, what they were asking for was that the Council consider making a Community Development Block Grant application that would impact a good portion of this neighborhood. She added that it had been advertised to the public and a part of that would be a request for \$52,500 in funds to be budgeted for this year and for next year, only if the grant was approved. She stated that should the Council decide today to make the application and authorize the Mayor to sign the application document, if it was then decided that the city would possibly receive the funds, then the Council at that point could still decide not to do it.

Mrs. Stultz stated that there was no neighborhood in their community in more need than this one. She explained that they were hoping to make several grant applications to try to touch the entire neighborhood over the next several years. She added that she realized that this was a big commitment and it was a tough budget year. She explained that it would try to reach out to homeowner/occupied units and to deal with landlord kind of units, but with that comes rent control. She stated that for homeowner occupied units there would be an 8-10 year deferred loan and for rental units the deferment would be a bit different.

She apologized for being late with the material that the Council received and explained that they would be having two separate public hearings today on the same subject. She recalled that last year when they applied for funding for the environmental abatement for the Rhode Island, they had to have two public hearings for the community block grant. She stated that they would allow them to do them both in the same evening but they have to do two because the application had to be turned in by tomorrow if the Council decided to do it.

Mayor Price asked Mrs. Stultz if there was anything else she would like to point out.

Mrs. Stultz explained that they knew this program was designed to target low and moderate homeowners. She stated that all assistance for them would be deferred loans for 5 to 8 years, depending on the level of assistance. For example if they spent less than \$12,000 on a rehab, the loan period was 5 years and greater than \$20,000 was 8 years. If the property was sold, other than to heirs, the owner would be required to pay a prorated amount of money, based on the length of time the house portion of the deferred loan, to the city. The landlord's funds would be low interest and their income also comes into play.

She noted that some of the other things they were proposing to do in this application was to take a look at some of the derelict vacant buildings and houses in that area and look at finding ways to have them taken down and have the lots available for development. She stated that there were several of them that have been quite a blight on that neighborhood for a number of years. She noted that this was one of the oldest neighborhoods in Eden and a quite historic one. She stated that it would certainly be her recommendation that they participate.

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Council Member Janney asked that if he lived over there and his house was all he had, and that was what most people's were over there, and he could not afford to do anything with it, he could not afford to get involved in this thing because he could not pay for it, then he was going to end up being either condemned and pushed out somewhere.

Mrs. Stultz replied that they were targeting those that were vacant and deteriorated.

Council Member Janney stated that he was talking about a deteriorated house that he lived in to which Mrs. Stultz replied that if he lived in it they planned to rehabilitate it. Council Member Janney stated that he would have to pay it back.

Mrs. Stultz replied no sir, not if he met the low and moderate income requirements and he lived there for 8 years he would never have to pay it back. If he passed away and his children inherited it, they did not have to pay it back.

Mayor Price questioned what if they passed away the next year to which Mrs. Stultz replied that the heirs get it.

Council Member Janney asked if there were no restrictions on that to which Mrs. Stultz replied, not for heirs. She explained that if he decided to sell it, it would make a profit and that was a different story, in the course of that 8 years...to which Council Member Janney posed a different question in that he lived there and he was not going to do anything with his house. He was just going to stay there just like it was.

Mrs. Stultz replied that if he decided that he absolutely did not want to participate, they could not make him.

Council Member Janney stated so people were not forced to take it to which Mrs. Stultz replied no sir.

Council Member Rorrer questioned the handout (presented at the beginning of the meeting). He noted that in that handout, it mentioned problems that could be addressed like public water, to upgrade to 6-inch lines. He stated that unless he was badly mistaken, there was nothing but 6 inch lines in the area and there were fire hydrants all over the area.

Mrs. Stultz explained that was why they were just attacking housing. She stated that the statement meant that those were things that could possibly be done with this money and in this area they did not have that problem.

Council Member Rorrer pointed out that they did not have a sewer problem over there (either). It was on such a hill that everything runs down.

Mrs. Stultz replied that was why everything proposed was housing related. She noted that there was some street paving that needed to be done but it was at the wrong end of the street.

Council Member Rorrer pointed out that there was no storm water problem over there. He asked what they were talking about on streets. He explained that he just wanted to be sure they were not just fixing to put some money out there to redo some streets for some big project that was coming into the neighborhood.

Mrs. Stultz replied that she had discussed this with the engineer and they looked at this.

Council Member Gover asked Mrs. Stultz to explain the local option of 25% outside of the project area.

Mrs. Stultz replied that they did have the option, outside the area, to do some of the funding for other places. She added that they tried that when they applied for Flint Hill before and they had done that. She stated that they were trying to get as many points as they could for this project, so the way they have it drawn up at this point, all of this was over there and now this was not going to preclude anything else that was planned to be done anywhere else in the community.

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Council Member Gover questioned how that option would be handled, if they take 25% of the \$700,000 and they could go anywhere...to which Mrs. Stultz replied that they could do that. She explained that the information in the handout was prepared just so they would all understand what any CDBG could do. She stated that they planned to focus only on this concentrated area and just those folks as far as housing.

Council Member Janney noted that it was \$52,000 in this year's budget and \$52,500 in next year's budget, to which Mrs. Stultz added, only if it was approved.

Mayor Price asked what the total amount of return to the City Of Eden would be.

Mrs. Stultz replied that they would have ended up, including that, \$105,000 of immediate dollars to spend in this area.

Council Member Rorrer asked if he understood her to say this would also include rental property.

Mrs. Stultz replied yes, but it would be rent controlled. She explained that they would offer low interest loans to a landlord, they have to keep the rent down, and they did have to pay their money back.

Council Member Gover commented that he wanted to hear the City Manager's comment about this project.

Mr. Corcoran replied that they were looking at \$105,000 but the return on their money was potentially in the neighborhood of a million dollars, not to mention the numerous families in that neighborhood that would be helped and the aesthetic improvements and the overall improvements to the city. He stated that currently in the draft budget that \$52,500 had been inserted, in the event the Council approved it this evening. He stated that he thought it was probably something that was well worth the effort.

Mayor Price asked if anyone would like to come forward to speak for or against this proposal.

Mrs. Marianne Aiken, Riverside Drive, explained that these were her neighbors and she really hoped they could do something for them. She noted that in watching the progress at the Rhode Island Mill, it was pitiful. She stated that they have people living in conditions that should not be. She noted that it was a hard core neighborhood and it had been for many generations and they needed to do what they could to help.

Ms. Gigi Corum, explained that she owned two properties in the area, 411 Lawrence Street and the other 510 Washburn Avenue. She stated that one thing, by being a landlord to those two properties, when someone calls her about rental property, when she mentions Lawrence or that area, most of the time they hang up, because they know what the neighborhood looks like and they did not want to live there. She stated that also, in regard to what Mr. Janney said, if someone lived in the conditions that he was speaking of, eventually the city would have to condemn their home, because they just could not keep on living there, she would think. She stated that she bought the home on Lawrence Street back in 1997 and it was just in horrible shape. She stated that it took them three years to bring it up to where people could live there and it took \$28,000 to do that out of pocket. She stated that this grant would help the homeowners in the area also, to bring up the living conditions over there and spruce up the neighborhood. She stated that she also felt that by giving the landlords the low interest, even if there were just a few over there, they could spruce up their property. She stated that it was a great program and she hoped it went through, if not for her but for the neighborhood there.

Mr. Steve Mahavolich, 204 Laurel Drive, explained that he was familiar with the area due to his involvement with the Salvation Army. He stated that he had been through there and seen some of the folks who were trying to improve and there may be a house right next door that needs improvement and the folks could not do it and needed some help. He noted that he was speaking in favor of the program also.

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Ms. Julie Booth, 422 Thomas Street, explained that she had lived on Flint Hill most of her life and she knew Council Member Rorrer when he lived there. She stated that Flint Hill had always been a forgotten neighborhood and it had a bad name. She stated that if you tell somebody that you lived on Flint Hill they look down on you. She stated that there were a lot of elderly people living there who could not afford to do anything. The ones who own their homes did not have the money to fix them and the ones who rent were told that if anything was done to their house the rent was going to go up. She stated that they could not go anywhere else and that was as low as you could go. She stated that as a homeowner, she had been told that her home would be worth three times as much if she could pick it up and move it somewhere else. She noted that there were a lot of houses that should be condemned and torn down that were sitting empty and nothing was being done about it. She stated that they had a house right beside of hers that burned back in the summer and it was still standing. She noted that there were a lot of drugs and they needed help. She stated that it was about time the city opened its eyes and saw this area. They really need this and she stated that she was asking from the bottom of her heart. She stated that she could fix her home, but the way it was looking now, she would rather sell it and move somewhere else because she would hate for her children to look at her neighborhood and she would hate for people from her church to come to her home because she was ashamed of it. She stated that when they have a place where children were free to stand out on the street and smoke dope, drink liquor and have sex, what kind of neighborhood was that. They needed some kind of control and some kind of help in that neighborhood. She questioned how many of Council would be willing to live there right now the way it was. She asked them to really look into their own hearts and see if they would be willing to live there and raise children or grandchildren there.

Mayor Price asked if anyone else would like to come forward to speak. As no one else came forward to speak, he declared the public hearing closed. Mayor Price reminded everyone that Flint Hill and Park Heights subdivision on the other side of the street was once THE neighborhood in their community, one of the first ones.

He then explained to the Council that they were being asked to approve a motion to make an application from the City of Eden for this community block grant.

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

Mayor Price explained that the motion to approve the application from the city has been approved.

Second public hearing for an application for a CDBG for Flint Hill:

Mayor Price explained that they were asked and required to, by this application process, to have a second public hearing. He stated that at this time he would call for a public hearing for comments.

Council Member Rorrer questioned if they could do that, back to back.

Mayor Price replied that they should have had it last time but they did not, and they had to call another public hearing.

Council Member Rorrer stated that he did not recollect them going back to back and he questioned the City Attorney if they could do that.

Mr. Nooe replied that he was not saying that it would not be the thing to do, even if they had time to consider what they were submitting themselves to. He explained that he knew that no one on the Council had any idea of what regulations they were submitting themselves to and what they were committing the city to do to comply with the regulations that were incorporated in there by reference. He stated that he had received this information right after lunch and had no way in the world to even give them a brief summary of what all was involved in it. He

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pointed out that that one thing, they were submitting the City of Eden to the jurisdiction of the

Federal court and any disputes arising out of this program would not be resolved.... If anyone filed a complaint, they would have the right to go directly to the Federal court for relief under various Federal Statutes and there was no way he could begin to inform them of that for the reasons stated. He referred to the very end of the information where they were required to adopt and enforce a policy prohibiting the use and excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and has demonstrated that it was enforcing a policy, etc., etc., so there was all sorts of things in there and they were just without a benefit of being informed of what they were committing to so he did not know that....

Council Member Gover questioned why those things were kept from the Council.

Council Member Grogan commented that he thought the thing that she had asked tonight was for it to be approved where they could make applications to see if they qualify.

Mrs. Stultz explained that even if they make an application the Council still had every right to decide they did not want to do it at that time. All we are asking for this evening is the simple ability to make the application.

Council Member Janney pointed out that they had to listen to the Attorney.

Mr. Nooe replied that they had asked him and he was just saying that he needed to inform the Council that at this point, they were taking on the possibilities and obligations that he had no way to fully inform them on how to...

Council Member Grogan asked why they would be taking on something when the application had not been approved.

Mayor Price replied that Mr. Nooe was referring to this afternoon, when he was informed that this lengthy document would have to be part of the application process and he had asked that this document be made available to the City Attorney.

Council Member Rorrer questioned why the Council did not know this, of something other than what they had.

Mrs. Stultz replied that it was just the stuff that has to go in with the application. Again, if we make the application today, and you all decide that you do not want to do it when all the stuff comes. Most of what this is requiring, and I cannot tell you all because I cannot remember off the top of my head exactly what we did, but the application is extremely similar to the one we did a year ago with the environmental abatement community development block grant funds for the Rhode Island. The privilege that Council has is still the same. If they approve us, we are doing nothing more tonight than getting your permission to make the application but you all can always refuse it. When all the documents come and Mr. Nooe has plenty of time at his disposal to go through them, we can establish the policies for how it is handled and they can decide ultimately then if they did not want to do it, this was not obligating them to take the money.

Council Member Janney commented that it did not sound exactly like that if he had this and this was going with the document.

Mrs. Stultz explained that it said "if we receive the funds" then they have to do a series of things and that was her understanding.

Council Member Gover commented that just making an application did not obligate them.

Council Member Rorrer stated that getting back to his original question, two public hearings back to back, he questioned if they were legitimate. He asked if they could hold two public hearings for the same thing, back to back, when it required two public hearings.

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Mr. Nooe replied that he had not seen anything that sets out why they were required to have the hearings. He stated that he did not have that information. He added that he did not know why they would have two hearings and not have them the same day at the same time, he just could not answer that.

Council Member Rorrer asked Mr. Nooe, to his knowledge, had he ever run up on where they were required to have two public hearings, at the same time, back to back as he had never seen it in his twenty years.

Mr. Nooe replied that he had not either, but that did not mean they could not do it, and he could not answer that question because he had not seen their requirements for the holding of the public hearing as this was all he had been provided.

Council Member Grogan asked if both public hearings had been advertised in the news media to which Mrs. Stultz replied yes sir.

Mayor Price asked if there were any additional comments to be made from the floor.

Ms. Corum commented that if they talked about the Rhode Island project, all those streets, they have to go by all those distressed properties to get to this project. They were going to renovate that project, but they would go through all those distressed properties to get to the nicer one as there was no way in or out but through those streets.

Mrs. Aiken commented that from what she understood, if the city made an application there was no obligation whatsoever to go through with that application. It was not until the time for a decision to accept what was proposed that there was any obligation.

Ms. Lizzie Hamm, 429 Riverside Drive, explained that she had lived in the Flint Hill section approximately 28 years. She noted that another thing that would help Flint Hill's improvement was for somebody in the city to make the people clean their property up. There were homes over there where people have passed away and then their heirs did not clean the property. She noted that she lived beside of two, where Sunshine and Caleb Bryant lived. There used to be hedging over there but they were trees now. The grass was to her waist, they had a chain link fence around one of the complexes and there was so many weeds that she had to pull in the road in order to pull out. That would help the Flint Hill section also.

Council Member Myott asked if the city did not have things in place to take care of that.

Mrs. Stultz replied yes and she was just making sure she knew exactly where Ms. Hamm was talking about so a Code Enforcement Officer could go there tomorrow.

Council Member Rorrer commented that he wanted to clarify a little something. He pointed out that he had lived in this place for a number of years and had a lot of friends over there. He stated that he cared just as much about them as Mrs. Aiken, but he was trying to be sure they were doing a legal process here, that was his question and he was not happy with it either as he did not think it was right.

In response to a question by Mayor Price as to if she had additional comments, Mrs. Stultz replied that she had nothing other than her understanding from the Division of Community Assistance who had to review this, that this was not their optimum of how it should be, they would have rather had it one month and then the next, but it had been done.

Mr. Nooe pointed out one further thing. He stated that he thought for the Mayor and city's protection, for them to get it in the record, there were certain certifications here and they were Federal requirements and the certifications, this was "the applicant hereby assures and certifies" and when the Mayor signed that application that the city was making, that those were the certifications the city was making at that time, so if he was going to sign it and do it tomorrow, the city or whoever was acting on behalf of the city was making those certifications. He added that they should just let the official assure the Council and the Mayor that the city has complied

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with all those things that he would be certifying that the city had done when it filed the application and then they could move on with it.

Mayor Price asked Mrs. Stultz for comment to which she replied that to be honest, she was not sure what Mr. Nooe wanted.

Mr. Nooe asked her to look at the Federal requirements to which Mrs. Stultz replied that as she understood it they had agreed to this a year ago. Mr. Nooe replied that then she should know whether she could at this time certify that it had done those things.

Council Member Janney questioned what they had to do to which Mr. Nooe asked if he did not get all this...to which Council Member Janney replied he did not have anything except a piece of paper that was laying there today.

Mr. Nooe replied that he then thought that they should go over, and this was on what was sent to him and it said that the applicant had the application here to be executed by the Mayor and it had attached to it the certifications. He noted that on page 8 it said, Part 2 - Federal requirements, (A) Certifications, "the applicant hereby assures and certifies that" and if they have had a chance to review them all, then they would put in the record that the city certifies and assures that it meets or could meet all the requirements.

Mrs. Stultz asked if he wanted her to say that this was true, that he wanted her to read them.

Mr. Nooe replied no, he thought she should simply put it in the record for the Council that those certifications, when the city, as an applicant, certifies those things to the State and Federal government that they were correct.

Mrs. Stultz replied that she believed it to be true.

Mr. Nooe stated that she believed it to be true. He asked if she believed that the city had adopted and would enforce "Q".

Mrs. Stultz read, "a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations, and has adopted and is enforcing a policy of enforcing applicable State and local laws against physically barring entrance or exits from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction and in accordance with Section 519 of public law 101-144."

Mr. Nooe asked if she thought that the Mayor could certify to the Federal government that the City of Eden had adopted this policy and was enforcing it.

Mrs. Stultz replied no sir, she thought they had done this same certification last year. She apologized and added that they could bail out if the Council chose to do so.

Council Member Janney commented that the Council needed to have all the information before them.

Mr. Nooe pointed out that they were backed into a situation now, as the application had to be filed tomorrow.

Mrs. Stultz added that if not they would just have to wait two years for another grant. She apologized again.

Council Member Myott asked Mrs. Stultz if she had seen certifications like that before and did they always come on those things that she sent in.

Mrs. Stultz replied that she had applied for community development block grant funds before. She stated that they had applied for funds with the Division of Community Assistance before, (but) she could not stand there with her hand on the Bible and swear to them that those words

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were absolutely identical, but she did know that if at such time they decided the City would receive the funds, if the city decided it could not meet them then, they simply would not take the fund.

Council Member Myott pointed out that she was asking if she had seen something similar to this before...to which Mrs. Stultz replied, yes. Council Member Myott asked if they had received the funds and gone ahead with them.

Mrs. Stultz replied that they received community development block grant money. She explained that this community has never had a concentrated need housing grant before. It was tried for Flint Hill in 1974 and failed and it was tried again in the mid 90's with Blue Creek and it failed. She stated that they have made those applications in the past and they have made a CDBG application within the last 10 years. She added that she certainly had no intention of trying to do anything to rush them and to her understanding of the situation it was a simple application and they could always decide not to participate in at a later time.

Mayor Price asked if she felt comfortable with this proposal, as it was to which Mrs. Stultz replied yes she did.

Council Member Gover commented that his main concern had been the money and the City Manager had assured them of that.

Council Member Rorrer stated that there was no way he felt comfortable from what he was hearing since the last vote. He stated that he would be more than glad to make a motion, if this was cleared up. He stated that he could not vote when he did not know what in the world they were doing and he did not see how anybody else could.

Mayor Price asked the City Attorney if he was uncomfortable with the contract as it was.

Mr. Nooe explained that he was asked and he thought it was his responsibility to inform them as a client, that this application carried with it certain certifications that he did not know to be true and he would not want them to submit that application without having benefit of the Council, if anything came up about it, why they were not informed that they were certified in certain things. He stated that as for the prior programs, he did not personally recollect them having had a program similar to this where they had the Federal certifications that were listed here. He added that they may have had one years ago, but they have been operating under so many programs under different block grants, it was kind of if they had, and it would be a little bit of a concern to think that either last year or the year before the City of Eden to get funds, filed an application, certified that it would put this policy in place, and did not, but he did not recall ever seeing that requirement before.

Mayor Price commented that they have heard from everybody and the Council people were certainly in favor of this, but there was some type of technicality and he asked the Council to continue on with their favorable thinking on this and he would work out the details with the City Attorney and proceed with making this application process. Mayor Price then declared the public hearing closed.

A motion was made by Council Member Grogan seconded by Council Member Tudor to continue to apply for the application and if we get the money appropriated, and then determine it is not in the best interest of the city to accept this money then we will decline.

Council Member Gover asked if the City Attorney would be involved.

Council Member Grogan pointed out that if it was illegal then the State and Federal Government would keep their application.

Mr. Nooe noted that he would be signing it tomorrow, it would still be filed, and he would have certified those things to be in place. He added that was fine if the Mayor was willing to sign it and he asked Mayor Price if he had read the certification.

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Mayor Price replied no, he found out about it this afternoon and he had it sent over immediately to him when he saw it.

Mr. Nooe replied that his advice would be that he read the certifications before he signed the applications to which Mayor Price agreed and stated that he went by the City Attorney's consultations. Mr. Nooe stated that he hated that it came up this way because it was not the sort of thing involving millions of dollars, a million dollars or more that they thought came up over night.

Mayor Price stated again, if he approved it, it would be upon the consultation of the Attorney...to which Council Member Grogan added, and with the comfortable feeling that the certifications could be made.

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

After the meeting was adjourned, Mrs. Stultz was advised by Mr. Nooe to submit the following:

Statement
Attachment to Minutes
Special Meeting of the Eden City Council
May 3, 2001

I, Kelly K. Stultz, do hereby certify that to the best of my knowledge the City of Eden, as a body politic an corporate of the State of North Carolina was eligible to make an application for a Community Development Block Grant for the benefit of the Flint Hill Mill Village Rehabilitation Project (C-1) for the 2001/2002 grant cycle. The application deadline was May 4, 2001.

As a part of that application a statement was required from the Eden City Council regarding compliance with various Federal requirements. The City of Eden received funding through the Community Development Block Grant Program in the year 2000. All policies and requirements for that application were met in order to receive funding. Program Policies and Administrative Guidelines for the year 2000 project were adopted by the Eden City Council on December 19, 2000. A copy of the signature page and the table of contents of the document containing these policies is attached. A signed copy of the policies and guidelines is available in the Planning and Inspections Department.

I am aware of no significant changes in the CDBG program requirements since the year 2000

This 12th day of June, 2001

s/Kelly K. Stultz
Kelly K. Stultz, AICP
Planning & Inspections Director

Also submitted by Mrs. Stultz were the following:

CITY OF EDEN
2000 CDBG
Housing Development Project

*PROGRAM POLICIES
AND
ADMINISTRATIVE GUIDELINES*

Adopted this 19th Day of December, 2000 by the City of Eden City Council.

s/Philip K. Price
Mayor

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SECTION I	PURPOSE
SECTION II	CITIZENS PARTICIPATION PLAN
SECTION III	PROJECT ADVISORY COMMITTEE
SECTION IV	COMPLAINT PROCEDURE
SECTION V	OPTIONAL COVERAGE RELOCATION PLAN
SECTION VI	PROPERTY ACQUISITION, DEMOLITION AND DISPOSAL POLICY
SECTION VII	CODE OF CONDUCT
SECTION VIII	SECTION 3 PLAN
SECTION IX	POLICY FOR EQUAL OPPORTUNITY
SECTION X	PROCUREMENT POLICY
SECTION XI	FAIR HOUSING POLICY
SECTION XII	POLICY PROHIBITING EXCESSIVE FORCE
SECTION XIII	EQUAL EMPLOYMENT AND PROCUREMENT OPPORTUNITY PLAN
SECTION IX	SECTION 504 SELF-EVALUATION AND TRANSITION PLAN

Consideration of Proclamation: Hospital Week

Proclamation

WHEREAS, the American Hospital Association has proclaimed May 6-12, 2001, as National Hospital Week with the theme, "Caring People, People Caring"; and

WHEREAS, individuals all across the country will be celebrating this time-honored event; and

WHEREAS, the hard working people that comprise our hospitals deserve universal regard and appreciation for keeping our community healthy;

Be it known that on this 30th day of April, I Philip K. Price, Mayor of Eden, do hereby declare Hospital Week in Eden, North Carolina, and urge every member of our community to put forth their expressions of gratitude and applaud the health care workers in our community.

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

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

Consideration of Solid Waste Letter:

Council Member Myott explained that there was the consensus among the Solid Waste Committee, at their last meeting, to voice their concerns about the continued increase in landfill fees. She stated that the committee decided that a letter be composed and send to the Board of Commissioners expressing their concern that Eden, along with other local governments, was subsidizing the structured revenue system. She explained that in a nutshell, they felt that the fee system was not being distributed equally to County residents.

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

Council Member Rorrer expressed concern that the letter should come from the City Manager.

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Mayor Price replied that they had put a lot of hard work into this thing and suggested that the City Manager could sign it as well.

Council Member Rorrer replied that he had no problem with two signatures on there, but the man was their Manager and they should let him manage.

Council Member Gover noted that the City Manager was at the meeting and he gave his thoughts on it at that time and Council Member Myott added that it was the group's consensus that she sign it.

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

Consideration of request to purchase an automated garbage truck:

The memorandum to Council explained that in the 2001/2002 requested budget, the Solid Waste Division has included in the C/O Vehicle Request the purchase of a New Fully Automate Garbage Truck.

Solid Waste Division Superintendent, Jerome Adams, requested that this be given special consideration for tentative purchase prior to the finalizing of the budget. The actual purchase of the unit would not be until after July 1, 2001. This request is being submitted due to the critical time frame by which the process of getting a truck in place and in operation for the next fiscal year. The projected cost of unit is \$154,000 with \$35,000 being requested under a (five-year lease purchase) for this budget year.

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

Council Member Gover asked the City Manager if it had been well placed in the budget.

Mr. Corcoran explained that this was a requested budget item for next year in advance. In the current draft budget the first year of a lease on this automated garbage truck was in there, but this was to replace the other one. In the 2000/2001 budget they had money in there and they have already made that purchase. He explained that this was a request in terms of the obligation that would be included in the 2001/2002 budget.

Council Member Janney questioned what they were cutting in next year's budget. He stated that they keep putting stuff in next year's budget already knowing that this year's budget was strained.

Mr. Corcoran noted that was a good point, to the extent that every time they put something in next year's budget it was going to mean that something else was going to be removed. He explained that the requests far exceeded the projected revenues by an astronomical figure, so there were going to be some tremendous cuts that would have to take place before a balanced budget was presented for their consideration. He stated that this was a piece of equipment that was used on a daily basis and the vehicle that it was replacing was breaking down on a continual basis. He stated that this was one item that he had intended to leave in the budget. He agreed that Council Member Janney was right, there was going to be a lot of cutting that has to take place and he stated that they were probably apart now by millions.

Council Member Reynolds questioned postponing it and Council Member Rorrer agreed, as they had no alternative.

Council Member Gover pointed out that the order was so long in coming and that was the whole reasoning behind it.

Mayor Price questioned Mr. Adams about down time and how much he was anticipating.

Mr. Adams replied that from the duration of time that the budget was normally approved (July 1), and in order to replace this unit, they were looking at approximately six (6) months or better before that unit could be acquired. They were currently looking at some major components on this unit that was going to have to have major repairs if they went for any extended length of time to operate it in the next fiscal year. He explained that this was his sole reason for coming to

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Council, to try to head off some astronomical expense associated with this vehicle. For example, they have a unit that in the past four- (4) months they have spent approximately \$9,000 on. One of the other units has a similar problem and they spent approximately \$5,000 on it. He explained that they were talking about components on a unit that was suffering from age and wear. He asked if the city wanted to prolong the use of this piece of equipment to where they have to spend astronomical amounts of money in a unit that really needed to be replaced. He pointed out that they would be double dipping if they were going to put that kind of money in a unit they have and then turn around and buy a unit. He stated that they were trying to head off some cost here that would be long term and in the best interest of the city. He stated that if he thought he could run this truck for another six months or eight months and it not give them major problems as far as down time and disruption of service he would not come to the Council, but at the same time he thought it was well worth the effort and the need.

Council Member Gover asked if he had the projected repair cost on this vehicle.

Mr. Adams replied that in the past 18 months they have spent approximately thirty-one thousand and some odd dollars on just parts alone. A new unit was \$142,000. They have already run this unit six (6) years; going into the seventh (7th) year and the average life expectancy of this unit was five (5) years.

Council Member Gover added that he also had the expense of the truck to back this one up.

Mr. Adams stated that they had worked for six (6) years with basically no automated back up system. They have just gotten to the point to actually having an automated back up system but it was one of their older units. He stated that they needed a front line unit out there where that this unit could be used as a back up.

Council Member Rorrer commented that he did not doubt anything Mr. Adams had said but the bucket was empty.

Mr. Adams replied that he could understand that but at the same time he could assure him that if they went beyond the six (6) months in the next fiscal budget as they did in this 2000/2001 budget, it would be money down the tube that could be avoided if they could move on it.

Mayor Price stated that he had spent \$31,000 on it in the last eighteen (18) months. The request was for \$35,000 for that fiscal year's payment on the five-year lease. He stated that that figure was for parts alone and they also have the labor tied up but even more importantly they have the down time of the disorganization of people lined up who did not get to do their job. He noted that there was going to be a big accountability year next year and if they were going to ask the people to be accountable they needed to give them the tools to work with.

Mr. Adams added that also if this unit was replaced, it was going offline and there would be a resale value on this unit that would be beneficial towards the purchase of a new one. He pointed out that when they started out in 1994 they did not have that option.

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

Concerns about Hwy 700/770:

Council Member Gover explained that this was an intersection on Highways 700 and 770. He stated that he had met with the NCDOT District Engineer, Mr. John Hunsinger and he had also asked the Council for help regarding the unsafe condition.

A motion was made by Council Member Gover seconded by Council Member Janney for the City Manager to continue to work with the NCDOT to open up Fieldcrest Road from North Main to West Meadow Road and implement the suggestions that the Council has had in the past and has passed on, especially that last paragraph from the Hunsinger letter of April 20th to the City Manager.

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Council Member Gover explained that he was asking the State to go in there and smooth out the rough areas and resurface that which was on the agenda that the Council had passed last month, to move the center line over and put No Parking down, and their suggestion was that they could do that. He noted that the NCDOT were recommending that the city pay for acquiring the right of way and move the utilities over on what they want to do. He noted that in the interest of the city, in the ingress and egress problems and they just passed to try to get Highway 311 from High Point all the way down to Highway 700 so this would end that if they did not continue to get this section of highway opened back up.

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

Closed Session for economic development according to GS 143-318.11(a)(4):

A motion was made by Council Member Janney seconded by Council Member Tudor to go into Closed Session for economic development according to GS 143-318.11(a)(4). All Council Members voted in favor of this motion.

Open Session:

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

Council Member Grogan left the meeting before returning to Open Session.

Resolution for CDBG Application for Flint Hill:

Resolution Authorizing CDBG Application for Flint Hill

WHEREAS, the City of Eden intends to apply for FY2001-2002 CDBG funds for the revitalization of the Flint Hill Mill Village neighborhood;

THEREFORE, be it resolved, that the City of Eden authorizes the submission for a Concentrated Needs CDBG application for \$700,000 and authorizes the Mayor to execute all documents pertaining thereto, and

WHEREAS, the City of Eden will agree to provide \$52,500 in fiscal year 2001/2002 and 2002/2003 to be expended over the two fiscal years if the City Council should agree to acceptance of the funding if approved and;

WHEREAS, the City of Eden commits the use of \$42,800 of recently awarded NCHFA Single Family Rehabilitation funds toward the rehabilitation of two houses in the project;

WHEREAS, the City of Eden commits to demolish 3 structures identified on the project map.

APPROVED, ADOPTED and EFFECTIVE this 3rd day of May 2001.

City of Eden

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

ATTEST

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

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

Adjournment:

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

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Respectfully submitted,

Kim J. Scott, CMC
City Clerk

ATTEST:

Philip K. Price
Mayor