

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, November 20, 2001 at 7:30 p.m. 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 Janney
	Christine H. Myott
	Garry Tudor
(absent)	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 News Media:	Leslie Brown, <u>Greensboro News & Record</u> ;
	Angela Evans, <u>Eden Daily News</u>

MEETING CONVENED:

Mayor Philip K. 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.

Mayor Price then asked Fire Chief, Ronnie Overby, to lead in the Pledge of Allegiance.

INVOCATION:

Mayor Price called on Mr. Sam Spire, Pastor, First Church of the Brethren, who was present to give the invocation.

RECOGNITION:

Mayor Price pointed out that former Council Members Dan Squires, Bill and Hazel Price were present and he noted that Mr. Price had a very special birthday this week.

ADDITIONS OR DELETIONS TO AGENDA:

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A motion was made by Council Member Gover seconded by Council Member Grogan to delete item 8(d). (*Consideration of Budget Amendments 7 & 8*). All Council Members present voted in favor of this motion. This motion carried.

PUBLIC HEARINGS:

There were no Public Hearings scheduled for November.

MONTHLY FINANCIAL REPORT:

Mayor Price informed the Council that Mrs. Ford, Director of Finance and Human Resources, had been ill and was admitted into the hospital. He noted that her report had been submitted and it was very thorough.

A motion was made by Council Member Grogan seconded by Council Member Tudor to accept the report as presented. All Council Members present voted in favor of this motion. This motion carried.

REQUEST AND PETITIONS OF CITIZENS:

(a) Linda Jeffries to address Council.

Mrs. Linda Jeffries, began by congratulating Council Member Myott on the election. She thanked Mrs. Myott for her cards and encouragement that she had shown her. She also thanked Council Member Janney for the many years that he served on Council and she hoped that he and Mrs. Janney would enjoy the time that they have together. She also congratulated Mayor Price on the Mayoral election.

Mrs. Jeffries then asked Mr. Benny Sexton, Municipal Services Director, to come forward and explained that he had no idea what she wanted. She stated that many years ago, before moving into the new City Hall building, she had an office with no thermostat and she was hurting and was cold. She explained that she did not know at the time, the reason for that pain. She stated that Mr. Sexton had been to a Department meeting that day, and she had no idea what was said, but he came back into her office and told her that he could not bear the thought of somebody not wanting to take care of their employee's needs. She stated that Mr. Sexton climbed onto her desk and began measuring. She explained that at that time, Mr. Sexton was across town at Public Works. She stated that Mr. Sexton told her that he would come back when he got out of work and he promised he would fix it for her. She stated that he did, not knowing at the time what was wrong, but he gave her a few more years to be able to pick up her grandchildren, out of simple acts of kindness. She stated that he did things like this many times for employees. She then proceeded to tell Mr. Sexton how much she appreciated it.

She continued by mentioning a letter that she had written the Council over a month ago, even after she had asked Ms. Blackstock, several months before that, to do it. She noted that many of

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the Council Members were aware of her problem of not being able to see. She stated that she was denied many times what she needed to do her job. She stated that she very seldom asked for anything. She noted that her typewriter broke and she was told to go ahead and buy a typewriter, but Mrs. Stultz told her that she had one she could have and rather than to spend city money, that was what she did. She stated that she needed to be able to see. She asked how many bookkeepers would they want who had a 13" monitor, 11" viewable, and could not see it, but she was denied it again. She added that it was denied several times. She pointed out that it was not unreasonable, because there were monitors throughout the building, much bigger. She stated that when she became sick, and had to leave, she did not want to, but she had no idea what her health was at that time. She stated that she was hurt so much, she never received a flower, a card, except from Mrs. Myott. She stated that every letter she did receive had on the bottom that it had to be run by Mr. Nooe. She stated that Mr. Nooe was a lawyer and she was sure that he was not an expertise in just actually proofing letters and such. She stated that she had received many letters from the State, cards, from the Institute and no one made any mention of a lawyer.

Mrs. Jeffries stated that when her mother died, as many times as she had done for other people, she did not receive as much as a card, and then people wonder why the morale of the employee was like it was. She stated that they were the center of this community and what made it go. Without them, there would be no need for any of them (Council). She stated that she knew what Mrs. Ford's job was, and that was a full-time job, and when they have no Human Resource person, they have no programs going for the employees....she paid city and county taxes. The county has a banquet once a year to recognize their employees, to tell them how special they were, with the years of service they have had, and they invite back the retirees. One time, they (city) invited their retirees back and that was because she insisted, and they were so glad to be there. They were people, just like LaVada Chatham, 40 years of service, Mary (Lambert) over half of her life, and yet the city does not have time to invite them back and to let them know that without them, this city would not be what it was today.

She stated that she was really ashamed. There was a time when people in this town wanted to work here. But, when they stop listening to employees, when they see employees being abused, being hurt, and they do nothing about it, and Mr. Corcoran did try, she did not blame him, this was wrong. When they do not appreciate the ones that have been there for years, the people that were the most dedicated, that work the hardest, were the ones that were pushed aside. There was something somewhere that needs to be done. She pointed out that they had boards for everything else, why not have a board for employees. Why not have programs like they used to have, why keep pushing them to the rear. She stated that they have given the county so many of their good employees, the city paid for all of their education, and she was glad because at least they were at the county. But, it was time to start looking and appreciating what they have, down from little Jerry Dickerson and all of the others, and treating them like humans and not hurting them. She stated that she was sure that many have been hurt like she had, and probably none of them would come and tell them what it felt like. She stated that she was really really sorry. She stated that she worked two jobs for them, but yet still nobody seemed to care. Every letter she received was not really caring whether she was getting well or what kind of condition she was in. She added that she knew they have read her letter and it came from her heart. She stated that this was her

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hometown, and she had said that to the man that abused her constantly, day after day, and he reminded her each day that he was being paid three times what she was being paid and she was being abused horribly by him, as well as some of the other employees.

She explained that she had polio when she was a child, but what triggered her illness was, a serious accident or extreme stress. She asked what did they think caused it. She stated that she had dreams just like everyone else, to be able to do things, when she retired. She stated that she had limitations now, but she would make a difference. She stated that God put her there for a purpose and those employees need to know that they were appreciated everyday, instead of being used as examples. She closed by saying that it was time to do for the employees or the city was not going to be here.

She stated that she would be back tomorrow, as the City Manager has asked, to speak with them, whatever, and she would tell them exactly the truth. She added that there was very little she could do now except read, and she had a defect in her right eye. She asked and she got no response from any of the Council, not the first one. She stated that she thought of all the years of the special things that she did for them was important, but she saw that it probably was not, or maybe they did not realize just how much they had hurt somebody, but she forgave them all and she hoped that in the future they would maybe learn from her and be better to those people that give so much everyday and this they spend more time at work, but they need to be appreciated. She closed by thanking them for letting her speak.

Mayor Price thanked Mrs. Jeffries for coming and then asked if anyone else would like to speak to Council. As no one else came forward to speak, he then continued on to Unfinished Business.

UNFINISHED BUSINESS:

(a) Consideration of water problem addressed by Mr. Bobby Stratton at October 16, 2001 meeting.

The memorandum presented to Council explained that during the City Council meeting on October 16, 2001, Mr. Bobby Stratton addressed the City Council for the second time in less than six months. During that meeting Mr. Benny Sexton, Municipal Services Director, was requested to look deeper into this situation to see what could be done. It was noted that the cost estimate to install a new six-inch line on Forest Road to the intersection of Smith River then down Smith Street to loop the water in the system to prevent dead end water and also install a fire hydrant at the intersection of Forest Road and Smith Streets for fire protection was \$50,000.

Council Member Gover commented that he for one did not want anyone out of water or low pressure, but he would like to know, when they deleted Front Street, Burgess Street, Maryland, and all of those streets, unless this was a dire emergency, why was it not in the priority list or where did it fit in the priority list. He noted that this was not talked about during the budget.

Mr. Benny Sexton, Municipal Services Director, explained that there were worse areas in town. In fact about a year ago he came before this Council and asked them to move Cascade Road up on the priority list because of the leaks that they were having. It was moved up on the list but

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then it was cut when they cut the 2" line replacement program. He stated that Cascade Road was one of the areas that really needed some attention and the water that the residents were getting over there, was showing on an average of about 50 pounds of static pressure and he would love to have that at his home.

Council Member Gover replied that he was not talking about Cascade Avenue. He was talking about the priority list that they were following during the budget, that they kicked all those other streets out.

Mr. Sexton explained that was one of them. He stated that he came to the Council and asked if they could move it up to the top of the list.

Council Member Gover replied that he was willing to stay with that priority list, but here they come and take a street that was not budgeted or anything and were placing it on high priority. He stated that if they were without water, that was fine, as he did not want any citizen not to have water or water pressure, but he would like for them to follow the priority list that had been established.

Mayor Price interjected that this was a question of not only water pressure but also clean water.

Mr. Sexton explained that was the problem. They put a filter on Mr. Stratton's and left it there for two weeks, the filter was clean as it could be when they removed it. He added that during that period they also have had two leaks on the line. The filter stayed in, they repaired the two leaks, and no rust or anything got in the filter. He explained that for this recommendation, he was asked what it would take to improve or to fix the problem over there. He said that to replace the line would be the only way to solve it. He stated that it was not really moving it up on the priority list, as he was not recommending that they do anything, he was just telling them that was what it would take to solve the problem.

Council Member Gover replied that if it was an emergency he wanted those people to have water, but if they have high pressure or if something was causing their water to get dirty, they did not need to be getting dirty water.

Mr. Corcoran asked that the Council recall that Mr. Stratton addressed the Council on two different occasions over the last 6 months. He noted that after the last time he addressed the Council the Council asked them to check further into it, to come up with what needed to be done to address this problem. He stated that they put the filter on and it was on there for two weeks, there were two breaks, and the filter remained clean, but there have been two instances in the last several months where Mr. Stratton has had extremely muddy water and he brought jars of water to his office on both occasions. He noted that it was the type of water that no one would want to have at their home, but again, what they have before them was not an effort to circumvent the priority list, it was in response to the fact that he appeared before the Council and the staff was asked to bring back what needed to be done to correct the problem.

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Council Member Tudor asked Mr. Sexton, for clarification, he put a new filter in and replaced his filter, the one that he had that was dirty....to which Mr. Sexton replied no, his filter was installed within his home and the city's filter was installed at the water meter. He explained that they took the meter out and installed it where it comes into his line, where his responsibility begins. He stated that in his home he was getting dingy, dirty water and at the meter he was not.

Council Member Tudor asked if he was saying there was a possibility that the dirt was getting into the water on his side of the meter.

Mr. Sexton replied that according to his filter it was. He explained that the city's filter was clean after two weeks when it was removed and Mr. Stratton's was removed and it had dingy water in it. He added that he was not the one to tell a person that his line was bad or anything like that, but he was just saying the city's filter was clean and Mr. Stratton's was not.

Council Member Tudor stated that having understood that repeated that once again, the filter on the city's side of the meter was clean and the filter on Mr. Stratton's side was not. He asked if they should move this ahead of those streets on Council Member Gover's side of town.

Council Member Gover replied that he did not want Mr. Stratton or anyone else to have dirty water. He explained that he was not saying to not put Mr. Stratton's line in. He explained that he was saying that if they have a priority list he would like to see them follow the priority list unless there was an emergency and if they check the water pressure out there and the cleanness of the water did not meet the standards they should have, then they should have the water, but just to put a water line in, they were going to open up Pandora's box for everybody to come in and complain about their water.

Council Member Janney added that there was also another point to it. He noted that according to this letter from Mr. Sexton, there was no fire protection from the north end of Forest Road and nobody has said anything about that, that was another issue.

Council Member Gover stated that they should have said that in the budget.

Council Member Janney replied that he understood, but there were a lot of things that should have been said in the budget, but they could not get everything in there. He explained that he meant that for some reason or another they did not get them in there, but he was just pointing out the fact that there were three problems there.

Mayor Price added that actually there was another problem. He referred to the memo and the term that Mr. Sexton used in the loop that they have down there where he said they would have dead end water. He asked if that was the same problem they had in the Chadwick Apartment area where they had some water going into an area that they were having the same problem with smelly, discolored water, that type of thing.

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Mr. Sexton replied that it seemed like all the discolored water washed to the end of the line and coming off of 6" to a 2" and the 2" goes up and dead ends.

Council Member Gover asked how long it had been that way.

Mr. Sexton replied that it was as long as he could remember. He stated that he was not there when it was put in. They did not get that many complaints about dingy water in that area. He stated yes, they did not have fire protection in the Smith Street area and he did note that in his letter because he thought that was important, having hydrants there for that fire protection and there was not one in that area.

Council Member Tudor asked if there were other areas in the city that they could make the same statement concerning fire protection to which Mr. Sexton replied, definitely.

Mayor Price added that Mr. Sexton and the Fire Chief had mentioned the need for the city to upgrade those lines on numerous occasions. He stated that Council Member Gover had raised an interesting question and it was going to come down to what this City Council decided to do with regard to this situation.

Council Member Janney pointed out that the last paragraph in there above where it was already marked on his sheet was important to this whole situation. He stated that it was an old galvanized line and it dead ends, it allowed muddy water to be flushed to dead end. That line served approximately 25 to 35 homes and the volume supply by it was not enough when every resident was using water so they really contradict themselves when they say they have enough water out there...

Mr. Sexton replied that he was not saying that at all. The volume was low, no doubt. He had good static pressure. When they tested it, it was about 10:00 in the morning and if they went out there at 5:00 or 6:00 in the afternoon and check those homes, they probably did not have anything.

Council Member Janney asked that if they had a dishwasher it probably would not work.

Mr. Sexton replied true, if they turn on one fixture it robs it from the other. He explained that the volume was not out there and by putting the 6" line in they loop it and stop the dead end water plus gain fire protection, plus it would give them more volume, not more pressure, but more volume, that way if they were using one fixture it was not going to affect the other, by giving it more volume in the area.

Council Member Gover asked by what he was proposing, would that clean the water up to which Mr. Sexton replied yes. Council Member Gover stated that he was a little confused as to whether it was on his side or their side.

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Mr. Sexton explained that it would not clean up on his side, it would clean up on the city's side. He stated that they did remove a couple of the meters when he ran his test. They took a couple of meters out and flushed the lines and there was some discolored water that came out for a few minutes before they installed the filter, but it was on the upper side (Mr. Sexton was referring to a couple of houses on the other side of Mr. Stratton). When he removed Mr. Stratton's there was not any discoloration in his water.

Mayor Price asked if that was close to Smith Street to which Mr. Sexton replied, actually on Robin. Mayor Price asked if the dead end line was on farther down to which Mr. Sexton replied that it was on Forest.

Council Member Gover stated that he had no problem with cleaning his water up.

Council Member Janney added that he understood where Mr. Gover was coming from. He stated that they did not have to look at all of them, but he thought they needed to look at this situation and if there were ones out there that were equally as bad with all the criteria that this one had then they need to look at them too.

A motion was made by Council Member Janney seconded by Council Member Reynolds to pursue this problem and get the residents a fire hydrant installed in this area. All Council Members present voted in favor of this motion. This motion carried.

(b) Consideration of NCDOT proposed widening of Summit Road (SR 1714) to 3 lanes from 400' North of Meadow Road to 400' North of Industrial Drive.

Council Member Janney commented that there were some people there who had questions with regard to this. He stated that Mr. Stanley, the City's Engineer, could answer their questions.

One of the gentlemen from the audience, Mr. Walter Wade, stated that he understood it and had read it in the paper, but he was looking at another thing where it said, long range program, if they do that today, sometime in the early future, then they may go on and want to widen the whole thing up because they had to live up there. He stated that he understood that when they started, they were not supposed to run that road. He stated that he could not understand why they could not change that and make a ruling that the trucks use the truck route instead of using that narrow road. He explained that what he was saying was that he just did not know how far this was going.

Mr. Stanley replied that it was going 400 feet north of Miller's turn off industrial drive. He added that he could give him the District Engineer's (NCDOT) name and number. He explained that essentially DNI Trucking submitted in for an entrance for their company and the only way that the State would grant them the entrance was for the State to widen that road. They found the money to do this and they were asking the city if it agreed to do it, but the city would have to pay for the utility relocation.

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Mr. Wade commented that they would be surprised how much trouble they would have up at the other end negotiating that curve, and then the truckers come back and ask to have the whole thing widened. There they (property owners) were, hung out on a limb.

Mr. Stanley stated that he was not sure the right of way, he thought it was 50', but they could probably get three lanes in if they wanted to pursue that. He added that part of the truck traffic up through there, there was a trucking facility between Friendly and the Virginia Road.

Mr. Wade stated that the truck route went around the city, up Highway 14 and up Virginia Avenue, where they did not have to stop and change gears. He stated that he did not see why in the world they did not use that route.

Mayor Price stated that Mr. Wade had brought up an interesting question. He asked the City Manager to address that in one shape, form or fashion on this truck traffic and get it identified so that those folks who have built their homes on that road could have some understanding of what it would be and what was going to be enforced.

Mr. Wayne Parlier spoke up and stated that another concern was the timetable because it went on up the road, it eventually got to their church and there would be problems.

Council Member Tudor asked Mr. Stanley, that if they wanted to vote "no", would that kill it. Mr. Stanley replied yes. Council Member Tudor asked if a new trucking facility was planned that would enter in the area that was proposed to be widened.

Mr. Stanley replied that he was not aware of any. He explained that the request came about from the existing DNI trucking facility for a proposed better entrance than what they currently had.

Council Member Tudor asked if that was a safety concern to which Mr. Stanley replied that he believed so.

Council Member Janney asked if that would kill the Thoroughfare Plan and that was what he was talking about in the future.

Mr. Stanley replied that was his understanding.

A motion was made by Council Member Grogan seconded by Council Member Gover to approve this request and also to ask the City Manager, through the State to define the Thoroughfare Plan and Truck Traffic. Council Members Grogan, Gover, Janney, and Myott voted in favor of this motion. Council Members Reynolds and Tudor voted in opposition. This motion carried.

(c) Consideration of Consultant for 2000 Single Family Rehabilitation Program.

The memorandum to Council explained that as a part of the overall project for the rehabilitation of the Flint Hill Mill Village, the City of Eden applied for and received \$300,000 in housing rehabilitation funds designated specifically

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for the area This grant, with no matching funds required, is a part of the Housing Financing Agency's commitment to the neighborhood following their participation in the Rhode Island Mill project.

The city has also applied for \$595,000 in Community Development Block Grant funds and for \$225,000 in assistance for the residents of this area with heating, window replacements and other emergency repairs.

The Department sent out a request for proposal for a consultant to assist in administering the Single Family Rehabilitation program. The request was advertised in the newspaper and sent out bid packages to firms from a list received from the North Carolina Division of Community Assistance. A bid received from The Wooten Company specified in an amount not to exceed \$35,620. This is more than \$6,000 less than what was approved by the Housing Finance Agency in the application for such services.

This firm has assisted the city in all of the above referenced applications and thus far has proven to be both capable and reliable in their work. It was recommended that the city award this contract to The Wooten Company.

A motion was made by Council Member Grogan seconded by Council Member Myott to approve this request. (The Wooten Company) All Council Members present voted in favor of this motion. This motion carried.

NEW BUSINESS:

(a) Consideration of traffic study for Martin Street.

The memorandum presented to Council explained that Sgt. Tommy Griffin examined the street per Council Member Reynolds' request. Martin Street runs North and South, parallel to S. Hamilton Street. Currently the pavement was sixteen feet wide in the first block from Washington Street to Burton Street, then increased to seventeen feet. The area was primarily residential with one business located at the intersection of Martin Street and Washington Street on the North end of the street. The focus was bi-fold, with controlling the increased traffic volume with Patrick Henry Bank and reducing the inconvenience to the residents living on the street. The bank averages approximately four hundred thirty vehicles daily. Certainly like any other business, there were a peak and low time that affects the volume at any given time. There seems to be more of a sight restriction when entering Washington Street from Martin Street due to a brick wall and grade in the pavement. The accident volume continues to remain low with only four traffic collisions in the proximity of Washington Street, Hamilton Street and Martin Streets. The increased traffic volume with the construction of the bank has not changed the normal accident volume.

All indicators reflect that congestion was the primary problem, however; the physical barriers probably increase the risk factors of near collisions that were not measurable at this point. Sgt. Griffin and Ms. Gloria Griffin, manager of Patrick Henry, discussed the matter and they expressed concerns of exiting on Washington Street, but since the problem has not developed significantly they would prefer to leave the street a two-way traffic pattern. Sgt. Griffin concurred, however, if the Council decided to make Martin Street one-way, it was recommended that it should enter from Washington Street and exit on Burton Street or Harris Street.

A motion was made by Council Member Reynolds to make this a one-way street South, from Washington Street to Burton.

Council Member Grogan asked what that did to the bank traffic.

Council Member Reynolds explained that people trying to turn in from Washington, there was not really room enough for two cars there.

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Council Member Grogan seconded the motion.

Council Member Tudor asked if there were any other reasons other than what was mentioned in the memorandum.

Council Member Reynolds replied that it was just what people have told him and he had also watched traffic from across the street.

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

(b) Consideration of Massage Therapy license refunds due to a change in the General Statutes that includes a provision that Massage Therapist be licensed by a state agency.

The memorandum explained that the City Attorney recommended that the license fees paid for the current fiscal year (01-02) be refunded provided the therapist submit a copy of their state license. This was due to a change in the General Statutes that includes a provision that Massage Therapists be licensed by a state agency.

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

(c) Consideration of Health Insurance.

The memorandum explained that in an effort to control the city's cost associated with Health Insurance, retiree insurance will only be offered to employees who retire with 25 years of service. The city will also discontinue its policy of paying the employees' complete insurance premiums if they retire under worker's comp disability unless they have 25 years of service. COBRA will be available as prescribed by law to all employees who leave the city with less than 25 years of service.

A motion was made by Council Member Tudor seconded by Council Member Reynolds for approval. All Council Members present voted in favor of this motion. This motion carried.

(d) Consideration of Budget Amendments 7 & 8.

This item was pulled.

(e) Consideration of Changes to Section 16-106 of the Eden City Code relating to the responsibility of unclogging, repairing, or replacing the sewer service line between the sewer main and property line.

Mayor Price explained that this was a request by Council Member Janney.

Council Member Janney explained that he had worked on this with Mr. Sexton, Mr. Stanley, the City Manager and Mr. Nooe, and they were trying to clear up a lot of the misunderstanding about

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property lines and right of ways. Also, he added that it helped their people on the first call, they did not have to have a licensed plumber in order to get service from the city, so it was a two-fold thing. He stated that he thought it was the way they needed to go in order to help their citizens and also to clear up the misunderstanding of where the city's responsibility was and where the property owner's responsibility was.

Council Member Gover commented that he agreed and thought it was written better than the one they currently had.

A motion was made by Council Member Janney seconded by Council Member Grogan for approval. All Council Members present voted in favor of this motion. This motion carried.

(f) Consideration of safety policies and issues.

Mayor Price noted that Council Member Gover requested this item.

Council Member Gover explained that as chairman of the Safety Committee, they needed to re-establish and define their policies so they would be more automatic, the filing procedure, the accountability. He stated that he just wanted to empower the City Manager to go through it and whatever would put them in perspective, and to come back with a refined ordinance, policy.

A motion was made by Council Member Gover seconded by Council Member Grogan to empower the City Manager, to put all safety policies and issues within the city in perspective.

Mr. Corcoran commented that he thought that one of the things that they discovered over the last several months was that the city has a safety manual that was put together pretty well, but unfortunately a lot of documents get put on the shelf and were seldom looked at. He stated that they had a renewed importance on safety, with some subcommittees now in place. The city now has an Accident Investigation Subcommittee that had not been functioning for quite some time, they have a Safety Subcommittee with some energetic employees who were on there. There would be required safety training for all departments, four times a year, citywide, on safety issues that were generic enough for all employees to take the same training. The other eight months there would be department specific. He noted that they were moving in the right direction. He pointed out that as some of them saw in the proposed budget amendments and some of the discussion that our worker's comp claims were significantly higher last year than they had been in the previous years and the result, the premiums they were being charged were being charged were substantially higher than what was expected. He stated that was probably a direct correlation to the safety practices and training and some of that, so hopefully with some of the things they were instituting, he thought they were moving in the right direction.

Mayor Price added that they had a Safety Committee in the City of Eden that was made up of representatives from all across the operation of city government. They have been involved for quite a while talking about safety issues and looking at them very closely and it was very

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important that they respect the lives and health of their city employees as well as others within the community.

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

(g) Consideration of air packs for volunteer firefighters.

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

Council Member Reynolds asked that when they got the new air packs, and then they had those old air packs on the rural trucks, did not something come up that they were not up to par and they had them pulled. He asked if they met standards, as he did not want to give them something that....

Mayor Price asked Fire Chief Overby to come forward.

Chief Overby replied that there was nothing wrong with the air packs. He stated that as a matter of fact they were still using some of them in confined space and as back up on their one and only reserve pumper. The other air packs have been checked thoroughly and bled, so that no air stayed in them while they were in storage.

Council Member Reynolds stated that he knew there was some reason they were pulled.

Chief Overby replied that Mr. Nooe mentioned liability issues up and that was a concern that they had. That was why it was recommended that if they sell them, that may take the liability off the city, if they became owners.

Mr. Nooe commented that he did not think the city should sell substandard air packs to anybody. He stated that from his recollection, the problem was that those air packs could not be traded in on new ones because they could not be sold to fire departments.

Chief Overby replied that they could be sold, they were being sold every day and the going rate was \$350 to \$400, according to Drager.

Mr. Nooe asked why they would not trade them in and get new ones then.

Chief Overby replied that when they bought them they were bought as a package deal with their air system and they kept some of them.

Mr. Nooe explained that if they went back and read the minutes, it would show that there was a request about the liability of those air packs and the city needed new air packs. There was no way to really dispose of them in a safe, practical manner so they were just going to let the

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volunteers have them. He stated that in his opinion if it was not good enough for their fire department to have it was not good enough to give to their volunteer firemen and they should buy new ones for them as well. He stated that was his opinion then based on what was said and that remained his opinion.

Council Member Grogan commented that he was no longer, but he also thought that they had a commodity that could be used or sold and sold at a reasonable price and it would help their volunteer fire department, as long as there was an arms length transaction whereby the city would not be held responsible but it was still a good deal. He stated that it was a win win for both. He stated that he did not see where the city could afford to buy new air packs for all of the volunteer firemen.

Council Member Gover added that there was also a statement made that they were to be tested to make sure they were safe.

Chief Overby stated that they had all been checked out.

Mr. Nooe explained that his point was that there was a great difference between selling them and trading them in or selling them back, what they did with them, that would be their responsibility.

Council Member Grogan asked if he saw it as a liability of the city selling them to volunteer firemen.

Mr. Nooe replied that he was concerned about the negativity that was said about them before and the Council would then turn around and sell them as if they were safe. He stated that it was already in the record.

Council Member Reynolds asked if that was what was brought up to the Council, that they needed new ones as those were no good.

Mr. Nooe replied that maybe if they just have the City Clerk go back to the minutes and read what was said before.

Chief Overby stated that they tried to find those minutes.

Mayor Price asked if this motion could be tabled until next month to allow time for this to be researched.

Council Member Grogan replied that he would be happy to do that, however the City Council changed just like the wind, from four years to two years to one meeting, whatever.

A motion was made by Council Member Grogan seconded by Council Member Tudor to table this item until the next meeting in order to research the minutes. (Note: Chief Overby later informed Administration Department that this would not go before the Council)

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Council Member Tudor stated that he recalled numerous conversations with Chief Overby in which they talked about a device on the air packs that could fail or needed to be replaced, and the problem with the trailer when the packs were refurbished or new air was put in, the problem was not necessarily the packs, it was the little device that could be replaced and a new one could be purchased to go in them that was expensive, and the problem with the trailer putting oil into the packs, but the problem was not in the packs themselves. He asked if that was not correct.

Chief Overby replied that he was correct.

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

(h) Consideration of grant acceptance, division on aging.

Mayor Price explained that this was an acceptance of a grant from the Division of Aging for the Garden of Eden Senior Center. This marked a number of years that this grant has been accepted and it required a matching amount of \$631.00, which was a budgeted amount from the Recreation Department.

A motion was made by Council Member Myott seconded by Council Member Reynolds for acceptance.

Council Member Grogan suggested that it become a center of merit because the center of merit would get twice or three times the amount of money. He encouraged them to look into it.

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

(i) Consideration of request for waterline extension along NC14 to existing business from Mebane Bridge Road to the Roll-About Property.

Mayor Price explained that this would have to come through the Water Contingency.

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

CONSENT AGENDA:

(a) Approval and adoption of minutes – October 16, October 29, and November 13, 2001.

(b) Approval and adoption of a motion to hold a public hearing and adopt an ordinance amendment to the City of Eden Zoning Ordinance, Section (c)3(3)(a), the Board of Adjustment section pertaining to setback requirements for recreation uses. ZONING CASE Z-01-09.

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(c) Approval to hold a public hearing and to consider an ordinance to close an unopened street adjacent to Short Union Street. STREET CLOSING SC-00-02.

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

ORDINANCES AND RESOLUTIONS:

a) Consideration of PTCOG Resolution.

RESOLUTION
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WHEREAS, Lead Regional Organizations have established productive voluntary working relationships with municipalities and counties across North Carolina; and

WHEREAS, the 2001 General Assembly recognized this relationship through the appropriation of \$935,000 for each year of the biennium to help Lead Regional Organizations assist local governments with grant applications, economic development, community development, and to support local industrial development activities as deemed appropriate by local governments; and

WHEREAS, these funds are not intended to be used for payment of member dues or assessments to a Lead Regional Organizations or to supplant funds appropriated by the member governments; and

WHEREAS, in the event that a request is not made by the Eden City Council for release of these funds to the Lead Regional Organization, the available funds will revert to State's general fund; and

WHEREAS, in Region G, funds in the amount of \$55,000 will be used to carry out the 2001-2002 Program of Work.

NOW, THEREFORE BE IT RESOLVED, that the Eden City Council requests the release of its share of these funds, \$965.16, to the Piedmont Triad Council of Governments at the earliest possible time in accordance with the provisions of state law.

Witnessed this the 20th day of November, 2001, by:

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

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

A motion was made by Council Member Grogan seconded by Council Member Gover for approval. All Council Members present voted in favor of this motion. This motion carried.

(b) Consideration of ordinance for 6 additional handicapped parking spaces on S. Main Street in front the United Methodist Church. (Approved Oct. 16, 2001).

A motion was made by Council Member Gover seconded by Council Member Tudor to adopt.

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Mr. Dan Squires, Fieldcrest Road, explained that he brought this item up. The Administrative Board at the church asked for this to be done and passed it on to the Board of Trustees. He explained that he was on that Board, and the Chairman had asked him to present this about two or three months ago. He explained that he had presented it to the City Manager and unless it had been changed since then, it was supposed to be for three spaces, as they did not have room for six. He stated that they already had three on the south side and they wanted three on the north side. He added that something may have come up different from that.

Council Member Gover commented that he met with Mr. Gillie and they requested six spaces. He added that he did not know Mr. Squires had requested anything, so that was why he brought it to the Board. The Board down there called him and he met with the Board and they showed him the spaces and the traffic study was made and approved.

Mr. Nooe pointed out that the ordinance had a total of nine parking spaces to which Council Member Gover added that was what they had asked for.

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

(c) Consideration of No Parking zone on Caleb Street. (Approved Oct. 16, 2001)

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

Mr. Nooe added the following from item 8(c) and item 8(e):

(d) Consideration of Changes to Section 16-106 of the Eden City Code relating to the responsibility of unclogging, repairing, or replacing the sewer service line between the sewer main and property line.

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

(e) Consideration of Health Insurance – Ordinance

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

VOUCHERS:

There was no discussion on vouchers.

CLOSED SESSION:

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The City Attorney requested a brief Closed Session to preserve the Attorney-Client privilege.

A motion was made by Council Member Tudor seconded by Council Member Grogan to go into Closed Session for Attorney Client Privilege. All Council Members present voted in favor of this motion. This motion carried.

OPEN SESSION:

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

RESIGNATION OF CITY ATTORNEY, CHARLES NOOE:

Mayor Price explained that the Council had before them a proposal to accept the resignation of the City Attorney, effective November 30th, with regret. He congratulated and thanked Mr. Nooe for his many years of service to the City of Eden. He stated that they could not say enough about his diligence to every department and every detail and the many numbers of things that he has done for this city.

A motion was made by Council Member Grogan seconded by Council Member Janney to accept the City Attorney's resignation.

Council Member Grogan commented that Mr. Nooe had put in an extra 3 or 4 years because they had talked about retiring a good while ago. He stated that he for one was thankful that he did stay, and it was certainly not a snap decision on his part. Mr. Nooe has reached a point in his career that he could step back and enjoy children and grandchildren, and still practice a little law. He stated that he for one, had worked with him over the years and there had been times that they disagreed, but at the same time he thought their friendship was as strong as it ever had been and it would continue to be that way. He added that they would still have times where they would disagree on things in the future. He also added that was another thing that he thought about Mr. Rorrer and Mr. Janney, the many good things that were done in this city, through that leadership.

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

MOTION TO CONTRACT NEW CITY ATTORNEY:

A motion was made by Council Member Grogan seconded by Council Member Tudor to contact Mr. Tom Medlin and work out a contract for employment to offer him the job as City Attorney. All Council Members present voted in favor of this motion. This motion carried.

ADJOURNMENT:

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

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor