

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, September 18, 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 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 News Media:	Leslie Brown, <u>Greensboro News & Record</u> ; Reid Baer, <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.

PROCLAMATION IN OBSERVANCE OF THE TRAGEDY SEPTEMBER 11, 2001:

Mayor Price read a Proclamation in observance of the tragedy that occurred on September 11, 2001.

PROCLAMATION

WHEREAS, On Tuesday morning, September 11, 2001, terrorists attacked America in a series of despicable acts of war.

WHEREAS, the citizens of Eden grieve along with our nation at this unspeakable tragedy and send our heartfelt support and gratitude to those involved in the rescue efforts in these different locations, and

WHEREAS, we mourn with those who have suffered great and disastrous loss. We pray for healing and for the strength to serve and encourage one another in hope and faith.

WHEREAS, in tribute to the memory of our fellow citizens who lost their lives in the tragedy that occurred in New York, Washington, D.C., and Pennsylvania, and to honor their families and friends,

NOW, THEREFORE, BE IT PROCLAIMED that the month of September be set aside to honor all victims, families and friends of those affected in Tuesday's attack and ask for guidance and understanding among the citizens of our community and call on every citizen to observe the month of September to honor the memory of the thousands of victims in these brutal attacks and comfort those who lost loved ones.

Given under my hand this 18th day of September, 2001.

Mayor Price asked Fire Chief, Ronnie Overby to come forward to lead in the pledging of allegiance to the flag. The City Council, staff and citizens then observed a moment of silence in memory of the lives that were lost on September 11, 2001.

INVOCATION:

Mayor Price called on Mr. Roy Ward, Pastor of the First United Methodist Church, who was present to give the invocation.

PROCLAMATIONS:

Mayor Price read the following proclamation honoring the older workers in the City of Eden:

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**EMPLOY AN OLDER WORKER WEEK
PROCLAMATION**

WHEREAS, the fastest growing segment of the population are those people under 55 years and older; and

WHEREAS, the older workers will play an increasingly important role in our work force in the months and years ahead; and

WHEREAS, older workers bring a variety of skills and knowledge to any job, are reliable, dependable, loyal; and

WHEREAS, it is fitting that a period of time be set aside to honor these men and women.

THEREFORE, I Philip K. Price, Mayor of the City of Eden, North Carolina, do hereby proclaim September 23rd through September 29th as

“EMPLOY AN OLDER WORKER WEEK”

and commend this observance to all citizens in our local community and urge the employment of older workers by area businesses.

Witness by hand and corporate seal of the City of Eden, North Carolina, this the 18th day of September, 2001.

By: s/Philip K. Price
Philip K. Price, Mayor
City of Eden

ATTEST:

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

Fire Prevention Week:

Mayor Price asked Fire Chief, Ronnie Overby, along with “Blaze”, to come forward for the recognition of Fire Prevention Week Proclamation:

MAYORAL PROCLAMATION

WHEREAS, cooking, heating and electrical fires represent three of the nation’s leading causes of home fires, and are collectively responsible for nearly half of all home fires and almost one-third of the associated fire deaths; and

WHEREAS, the vast majority of home cooking, heating and electrical fires can be prevented by taking simple safety precautions; and

WHEREAS, developing a home fire escape plan and practicing it at least twice a year are critical to escaping a fire safely; and

WHEREAS, proper installation, testing and maintenance of smoke alarms are part of a thorough home fire escape plan; and

WHEREAS, by preventing the leading causes of home fires, and by developing and practicing a thorough home fire escape plan, people can greatly reduce their risk to fire; and

WHEREAS, the Fire Prevention Week 2001 theme, “Cover the Bases & Strike Out Fire,” teaches the public how to prevent cooking, heating and electrical fires and encourages people to develop a home fire escape plan that includes working smoke alarms; and

WHEREAS, the fire personnel of Eden Fire Department is dedicated to the safety of life and property from the devastating effects of fire; and

WHEREAS, the members of the fire service are joined by other concerned citizens of the City of Eden, as well as other emergency service providers and safety advocates, businesses, schools, service clubs, and organizations in their fire safety efforts;

I Philip K. Price, Mayor of the City of Eden, do hereby proclaim the week of October 7-13, 2001 as Fire Prevention Week. This week commemorates the great Chicago Fire of 1871, which killed more than 250 persons, left 100,000 homeless and destroyed more than 17,400 buildings.

I call upon the people of Eden to participate in fire prevention activities at home, work and school, and to take the steps needed to make their homes and families safe from the leading causes of home fires, which include cooking, heating and electrical.

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In witness hereof, I hereunto set my hand this 18th day of September, the year of two thousand and one.

By: s/Philip K. Price
Philip K. Price, Mayor
City of Eden

ATTEST:

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

ADDITIONS OR DELETIONS:

A motion was made by Council Member Rorrer seconded by Council Member Gover that a Closed Session be added to the agenda for Attorney-Client privilege according to G.S. 143-318.11(a)(3). All Council Members voted in favor of this motion. This motion carried.

PUBLIC HEARINGS:

- (a) Consideration of a zoning map amendment request to rezone property on Dixon Road in the city's extraterritorial jurisdiction from Residential-20 to Residential-4. Request submitted by Charles and Diana Bullins and amended to include two additional lots. ZONING CASE Z-01-08. (Kelly Stultz, Director of Planning & Inspections)

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

Mrs. Stultz explained that at their August 28, 2001 regular meeting, the Planning Board voted to recommend that the City Council approve this request as amended.

The subject property containing approximately 3.12 acres is located on Dixon Road in the extraterritorial jurisdiction. All of the property in this area was zoned R-20 at the time of the original zoning of the ETJ on January 1, 1979.

The area surrounding this property is characterized by single-family site-built and manufactured dwellings. In the 1980's the city initiated a large rezoning of much of the surrounding area to R-4. Two adjacent parcels 0160 and 8037 were split lot zoned R-4 and R-20 as a part of this rezoning.

Based upon the character of the area and the changes to the zoning pattern approved by the City Council, staff is of the opinion that the R-4 zoning is appropriate for the subject property; however, if parcel 8519 is to be rezoned then 0160 and 8037, which currently contains a single wide manufactured home would have to be rezoned as well. Therefore, staff recommends that the request be amended to include parcels 0160 and 8037 and that it be approved as amended. She noted that both of those parcels, currently the portion closest to Martinwood Road, was zoned R-4. The rear portion was zoned R-20. At the time that the large rear portion was zoned, the city just came through there and rezoned a certain distance back from Martinwood Road. She explained that she and the Planning Board both believed that this would assist in cleaning the zoning pattern. They have also asked that they take a look at some of the rest of that area later on.

Mayor Price asked if the owners of 0160 and 8037 were notified to which Mrs. Stultz replied yes, they have signatures where they received certified mail notices. She has also talked to several neighbors in the area after the property was posted. To date, she had not heard any objection. She stated that one of those recommended properties already had a manufactured home on it.

Council Member Gover expressed concern with the depiction of the road on the surveyor's map.

Mrs. Stultz explained that the road looked really different on the tax map than it did on the surveyor's map. She stated that from inspections on the ground and conversations with the surveyor, the road was where it was shown on the survey. She explained that they were going by the surveyor's map.

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Council Member Janney asked if the portion already R-4, 0160, was where the mobile home was at to which Mrs. Stultz replied yes. He stated that really she was not rezoning anything here, except just a portion of 0160 and 8037 to which she replied that was correct. He asked how much property she was rezoning.

Mrs. Stultz replied that the Bullins owned about three (3) acres, 0160 was about six (6) acres and 8037 was about 1.2.

Council Member Janney pointed out that 0160 was 4.1 acres to which Mrs. Stultz agreed that was correct. He stated that he was really not happy with this at the beginning, because they were looking at rezoning something without someone's permission, but after going out there and talking with one of the residents that live there, he did not have any problems with it.

Mayor Price asked if anyone would like to speak in favor of this request.

Ms. Diana Bullins, 179 Dixon Road, explained that they would like permission to put a manufactured home on that property.

Council Member Rorrer noted that a Mr. Morris lived on the left, going in, on Dixon Road and he thought that the whole section should be changed.

Mr. Wayne Wyatt, 132 Dixon Road, explained that he was in favor of it, but he also had some property on the left hand side, on down the road and it adjoins the Morris's property, and he would like for them to look at rezoning that too.

Mayor Price asked if anyone would like to speak in opposition of this request and as no one else came forward, there was some discussion by Council.

In response to a request by Mayor Price regarding the request by the neighbors, Mrs. Stultz replied that she spoke to Mr. Morris, after the public hearing had been advertised and after the Planning Board meeting was held. She stated that oddly, at the evening of the Planning Board meeting, they were really interested in trying to make a little more consistency in the zoning pattern in that area themselves. They have planned to take a look at that this winter. She added that if the City Council wanted to initiate a land use study of that area, they could certainly do that. She agreed that some changes needed to be made to accommodate what the real development on the ground was in that area.

Mayor Price asked in her opinion, if they should do that tonight.

Mrs. Stultz replied that she did not think they could, however they could ask Mr. Nooe, but there was no public hearing advertised.

Council Member Reynolds asked if they should table it and do it all at one time.

Mayor Price replied that it could be months to which Mrs. Stultz added that at this point, if the Council decided to do a larger area, they could initiate that. She stated that she thought that the Bullins' were under some sort of time issue. She suggested that if the Council would like to initiate the land use study they could go ahead and begin working on it.

Mayor Price declared the public hearing closed.

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

A motion was made by Council Member Rorrer seconded by Council Member Reynolds to initiate a land use study for the other lots on this road to bring them all into consistency. All Council Members voted in favor of this motion. This motion carried.

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MONTHLY FINANCIAL REPORT:

The Council had before them a copy of the City of Eden's Financial Statements for the month of August. This packet included Summarized Revenue Statement by Fund; Summarized Expense Statements by Department by Fund; Fund Summary comparison for August 2001 versus August 2000; Specific Fund comparison for August 2001 versus August 2000; and Cash comparison for August 2001 versus August 2000.

Mayor Price commented that Mrs. Lori Ford, Director of Finance and Personnel had done an excellent job of making notations on the financial report and he noted that she had made a presentation to the Finance Committee.

A motion was made by Council Member Grogan seconded by Council Member Tudor to accept the Financial Report as presented.

Council Member Janney commented that he thought they should hear from Mrs. Ford. He explained that at this time of years, the numbers really look better than what they really are.

Mrs. Ford stated that the only thing she would caution, obviously their numbers were pretty good and they could see that they have reached the 25% of the General Fund that was recommended by the auditor. She added that if she was not mistaken, they were in fact a little better this month than last. She pointed out that typically, September, October, November and December were heavy tax collection months, so their revenues look pretty good. When things come into line in January, February and March, their revenues were going to slow tremendously and their expenses probably were not, so obviously that she and the City Manager were cautioning the departments heads to watch their expenditures.

Council Member Janney asked that on the contingency, was there some way to go ahead and get that money in line, even if there was a separate sheet, so they would know what they had. They keep going with grants and different things and they knew they owed some money on City Hall that had to come out of contingency, and they only had \$100,000 when they budgeted, so they keep digging into that and pretty soon that was going to be gone. He asked if there was any way they could show that on an ongoing basis.

Mrs. Ford replied that she could include a separate notation for contingency items that she thought they were going to use. She added that obviously a little less than \$30,000 she would recommend, through the City Manager, that they move into the Capital Projects Fund. She noted that if they would look at their report they could see that was approximately how far that fund was in the hole. The only reason she had not brought it to Council was that they were going through an audit and she wanted to ensure that there were no additional corrections or charges placed in there. She added that she could start including what she knew would eventually come out. She stated that any items that she knew might affect contingency she offered to include as a notation to the Council.

Council Member Janney explained that he was not saying it to do anything with the audit report or mess up anything now. It did not have to be immediate, because he knew what it was; however it would be nice if they could look at that number and that number would be right when they were taking money out. They were going to get a lot of requests for grants.

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

REQUEST AND PETITIONS OF CITIZENS:

No one came forward to speak.

UNFINISHED BUSINESS:

(a) Consideration of Fairway Drive buffer

The memorandum presented to Council explained that the City of Eden retained ownership of a strip of land 100 feet wide and 1341 feet long between the residential property on Fairway Drive and the site of the Gildan facility. A plan

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for a proposed buffer on city property was designed to compliment the buffer installed by Gildan and to offer further screening to the Fairway Drive residents. In May of this year, the City Council postponed installation of the proposed buffer until fall planting time.

Bid packages were sent to all landscape contractors with an Eden privilege license and ran a notice requesting bids in The Daily News.

The lowest responsible bidder was Sides Contracting Company, Inc., of Winston-Salem. Their bid was in the amount of \$11,888. It was the recommendation of the Director of Planning & Inspections that the city engage Sides Contracting Company.

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

Council Member Janney expressed concern as to why they overlooked J&S Landscaping for \$10,500.

Mrs. Stultz replied that they did it because the requirements set forth was that it be a licensed and registered landscape contractor. She explained that they (J&S) did not have a valid North Carolina Landscape Contractor's License and she added that was the communication that she had received from Mr. Lewis.

Council Member Janney asked why they would allow him to bid to which Mrs. Stultz replied that he turned it in after they ran an ad in the newspaper. She noted that Sides Contracting was the lowest bid.

Action on the motion was as follows: All Council Members voted in favor of this motion. This motion carried. (Sides Contracting Company - \$11,888)

(b) Consideration of financing for new garbage truck.

The memorandum presented to Council explained that an attached quote sheet for financing on the new garbage truck was included. This truck is expected to arrive at the end of October or first of November. The terms of the contract would be 5 years with payments to be made annually. The amount budgeted for the first payment was \$35,000. It was the recommendation of the Director of Finance and Personnel that the city accept the quote given by Wachovia leasing. Under this payment plan the initial payment would be \$30,697.66, which was within the city's budget.

Quote for Automated Garbage Truck
Solid Waste Department – P. O. Box 10348

**1st Payment to begin this year
**Expected time of delivery: mid to late Oct.

Purchase Price: \$141,891.00
Term: 5 years
Annual Payments

1. Wachovia Leasing – Bill McCarthy
1st payment due @ closing
Payment: \$30,697.66
Int. Rate: 4.09%
2. BB&T – Chandra Andujar/Louis Loyd
Payment: \$32,024.93
Int. Rate: 4.69%
3. First Citizens
Payment: \$32,492.90
Int. Rate: 4.69%
4. Bank of America
Payment: No Quote

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

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(Wachovia Leasing - \$30,697.66)

(c) Consideration of Replacement of PD 66.

The memorandum presented to Council explained that several months ago Police Car 66 was wrecked and totaled. Recently, \$9,500 was received from the insurance company. At the last Council Meeting, the Finance Department requested permission to use the money to buy a used car to replace 66 and that was approved.

In the 1999 Federal Block Grant, \$27,041 has not been spent. (The money was not actually received until 2001). Another 2001 Federal Block Grant of \$23,187 will soon be received. Previously, the 1999 grant was planned to be spent for in-car video cameras. There are currently no plans for the 2001 money.

The Police Chief requested permission to replace 66 with a new State Contract Police Package car. It was anticipated that the price would be around \$23,000, but \$9,500 could be used toward the purchase and the rest would come from one of the Block Grants, leaving sufficient money to buy the video cameras.

As the Council had already voted to purchase a used car a motion was made by Council Member Janney seconded by Council Member Rorrer that this item be tabled until the City Manager completes the study, to see what equipment is needed for the city.

Council Member Grogan asked the City Manager if he recommended that.

Mr. Corcoran replied that the Council voted at the last meeting to go ahead and use the insurance proceeds (\$9,500) to buy a used vehicle. He explained that the Police Chief asked if he could proceed with the purchase of a new vehicle. He stated that the Police Chief was told that if he wanted to submit such a request he could place it on the agenda for the Council to decide.

He noted that the Council was aware that they were in the process of doing a staffing assessment. That assessment would have recommendations from each department in terms of needed work force. He explained that there were some feelings that if there was any potential for reduction in the Police Department, why go out and buy another brand new police car.

Council Member Gover expressed concern that if it were tabled, they would lose their grant money.

Mr. Corcoran replied that this grant money had already been received.

Council Member Myott asked when this study was to be done.

Mr. Corcoran replied that during the budget message, it was hoped that by both he and the Finance Director, that they would have the staffing assessment to them by January or February of 2002.

Council Member Reynolds asked why the Police Chief was asking the City Council for permission to buy this car when he came out on September 7th with a ride along policy, that this Council had to get permission from him to ride along in a police car.

Chief Benthin replied that they have never had a ride along policy. He explained that what they had was anyone other than the Chaplain of the Police Officers needed to get permission, he did not mention the City Council.

In response to a question by Council Member Janney as to a Council Member could ride in a police car if they so chose, Chief Benthin replied that was correct.

Council Member Reynolds commented that he could put that in his memo and he would ride in one anytime he wanted to and if the Police Chief did not understand that he would make it clear to him.

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

(d) Consideration of water tank overflow installations recommendations.

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The memorandum to Council explained that Utility Service Company, Inc., submitted proposals for installation of overflow drains on the Grove Street and Byrd Street water storage tanks.

The City Council appropriated \$15,400 for this work in the Water Construction Fund in account number 71-8120-24603. The proposals total \$12,362.

A motion was made by Council Member Rorrer seconded by Council Member Gover to approve this request. All Council Members voted in favor of this motion. This motion carried. (Utility Service - \$12,362)

(e) Consideration of General Statute 160A-226.1 Discounts Authorized, and Consideration of Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Roll, and Setting Time and Place for Public Hearing on Preliminary Assessment Roll, General Statute 160A-227. (NC 14 and Mebane Bridge Road).

The memorandum presented to Council explained that items 7(e) and 7(f) are the consideration of resolutions declaring costs and ordering preparations of the preliminary assessment rolls for NC 14 and Mebane Bridge Road and NC 14 and Harris Place. In addition, the Council would need to set a time and date for the public hearings.

It was also noted that before this was done, according to General Statute 160A-226.1, Discounts Authorized, the City Council would need to consider whether or not discounts would be offered.

Mayor Price asked the City Attorney if the City Council authorized discounts in the past.

Mr. Nooe replied that he did not recall any discounts.

A motion was made by Council Member Rorrer seconded by Council Member Grogan for no discounts and to go along with the regular procedure. All Council Members voted in favor of this motion. This motion carried.

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF
PRELIMINARY ASSESSMENT ROLL, AND SETTING TIME AND PLACE FOR
PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL

WHEREAS, the extension of the sewer system at NC 14 and Mebane Bridge Road Outfall property was ordered by Resolution of this City Council duly passed on the 18th day of April, 2000 and has been completed in accordance therewith; and

WHEREAS, the total cost of the project has been computed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eden that:

1. The total cost of the above described project is hereby declared to be \$229,758.18.
2. The City Clerk is hereby directed to prepare a Preliminary Assessment Roll showing the individual assessments upon the benefited properties.
3. The City Clerk is hereby directed to make available during regular office hours, in the clerk's office, the Preliminary Assessment Roll for public inspection from this day through the 16th day of October, 2001.
4. The City Council will hold a public hearing at 7:30 p.m. on the 16th day of October at the City Council Chambers, 308 E. Stadium Drive, for the purpose of hearing all interested persons.
5. The City Clerk is hereby directed to publish the required notice of the public hearing and, no later than 10 days before the public hearing, to mail by first class mail copies of the notice to the owners of real property listed on the Preliminary Assessment Roll.

ADOPTED this 18th day of September, 2001

s/Philip K. Price
Philip K. Price
Mayor

ATTEST:

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

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A motion was made by Council Member Grogan seconded by Council Member Rorrer to approve the resolution declaring cost and ordering preparation of preliminary assessment roll, setting time and place for a public hearing (October 16th, 2001 at 7:30 p.m.) on preliminary assessment roll, General Statute 160A-227 NC 14 and Mebane Bridge Road. All Council Members voted in favor of this motion. This motion carried.

- (f) Consideration of General Statute 160A-226.1 Discounts Authorized, and Consideration of Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Roll, and Setting Time and Place for Public Hearing on Preliminary Assessment Roll, General Statute 160A-227. (NC 14 and Harris Place).

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF
PRELIMINARY ASSESSMENT ROLL, AND SETTING TIME AND PLACE FOR
PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL

WHEREAS, the extension of the sewer system at NC 14 and Harris Place Outfall property was ordered by Resolution of this City Council duly passed on the 18th day of April, 2000 and has been completed in accordance therewith; and

WHEREAS, the total cost of the project has been computed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eden that:

6. The total cost of the above described project is hereby declared to be \$128,779.88.
7. The City Clerk is hereby directed to prepare a Preliminary Assessment Roll showing the individual assessments upon the benefited properties.
8. The City Clerk is hereby directed to make available during regular office hours, in the clerk's office, the Preliminary Assessment Roll for public inspection from this day through the 16th day of October, 2001.
9. The City Council will hold a public hearing at 7:30 p.m. on the 16th day of October at the City Council Chambers, 308 E. Stadium Drive, for the purpose of hearing all interested persons.
10. The City Clerk is hereby directed to publish the required notice of the public hearing and, no later than 10 days before the public hearing, to mail by first class mail copies of the notice to the owners of real property listed on the Preliminary Assessment Roll.

ADOPTED this 18th day of September, 2001

s/Philip K. Price
Philip K. Price
Mayor

ATTEST:

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

A motion was made by Council Member Tudor seconded by Council Member Gover to approve the resolution declaring cost and ordering preparation of preliminary assessment roll, setting time and place for a public hearing (October 16th, 2001 at 7:30 p.m.) on preliminary assessment roll, General Statute 160A-227 NC 14 and Harris Place. All Council Members voted in favor of this motion. This motion carried.

- (g) Consideration of addendum to auction list.

The memorandum presented to Council explained that the following items were to be added to the auction list:

1981 GMC Pickup 1GTDC14D8BB516514 (W04) – poor condition
(2) Industrial Scientific HMX271 Gas Monitors – poor condition
S/N 9009067-024
9011068-081
Brother 980M Fax Machine S/N B51187295 tag 3367 – poor condition
Hansol E15AC Computer Monitor S/N C9706003467 – poor condition
Everview EVCM4528NI computer monitor S/N KJ04165 – poor condition
1985 Chevrolet Pickup 2GCCC14N5F1192013 (BC02) – poor condition
Micro Design/Copy Microfiche tag 2818 – fair condition
Topper CTR 14 Microfiche tag 0305 – fair condition

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- MR2 Microfiche S/N 42082373D4711 – fair condition
- Brother M1924L printer – poor condition
- Table Saw – Craftsman 3 Horsepower Model #113298843 and Serial #94019P0266
- Ricoh FT3060 Copiers – 2 (Given to city by Moorefields)
- Desk – Tag #0051
- Two Glass Doors and Frame from City Hall
- 2-Portable Partitions
- 1-Rocking Chair
- 1-Orange Chair
- 11-Metal Door Partitions
- 3-Sinks
- 1-Commode

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

(h) Consideration of Block Grant 2001.

The memorandum presented to Council explained that the Police Chief was in the process of applying for a federal block grant, Block Grant 2001. The federal grant amount will be \$20,868 and the city’s matching share will be \$2,319.

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

NEW BUSINESS:

(a) Consideration of informal auction proposals.

The memorandum presented to Council explained that informal proposals were received in regards to the city’s auction. They were all based on the city’s request for a buyer’s premium auction. The city is required by State Statute to advertise for the auction two (2) times in the local paper. It was assumed the auctioneer would include his advertising cost as part of the premium percentage. It was the recommendation of the Director of Finance & Personnel that the city go with Jesse Meeks Auction Company. This would provide the city with additional advertising and a “rebate” on the premium making the total estimated buyer’s premium 7%.

A motion was made by Council Member Grogan seconded by Council Member Gover to approve this proposal. All Council Members voted in favor of this motion. This motion carried. (Jesse Meeks Auction Company - 7%)

(b) Consideration of Budget Amendment No. 2.

The memorandum presented to Council explained that this budget amendment was to allocate a fund balance for items authorized to be purchased in the fiscal year 2000-01, which had not arrived in the city as of June 30, 2000. There were 12 purchase orders outstanding that year-end. The Council was provided a brief summarization of the PO’s outstanding at year.

This is the second Budget Amendment for the year.

Budget Amendment #2	Account #	From	To	Amount
General Fund				
Revenue				
Fund Balance Appropriated	10-3991-91000	\$ 42,000.00	\$ 47,850.00	<u>\$ 5,850.00</u>
				<u>\$ 5,850.00</u>
General Fund				
Expenditures				
Engineering Contracted Services	10-4350-3940	\$ 9,000.00	\$ 13,500.00	\$ 4,500.00
Recreation M/R Building	10-6120-35100	\$ 36,000.00	\$ 36,450.00	\$ 450.00
Fire M/R Building	10-4340-35100	\$ 7,500.00	\$ 8,400.00	<u>\$ 900.00</u>
				<u>\$ 5,850.00</u>
Emergency Communications Fund				
Revenue				
Fund Balance Appropriated	24-3991-99200	\$190,500.00	\$219,977.16	<u>\$ 29,477.16</u>

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				\$ 29,477.16
Emergency Communications Fund				
Expenditures				
Emergency Comm C/O Equip.	24-4330-57000	\$130,000.00	\$159,477.16	\$ 29,477.16
				\$ 29,477.16
Water Fund				
Revenue				
W/S Fund Balance Appropriated	30-3991-99100	\$1,066,000.00	\$1,100,856.85	\$ 34,856.85
				\$ 34,856.85
Expenditures				
W/S Filter Plant C/O Equip	30-7120-57000	\$ 10,500.00	\$ 14,875.35	\$ 4,375.35
W/S Waste Treatment M/R Equip	30-7130-25700	\$ 116,000.00	\$ 116,687.50	\$ 687.50
W/S Waste Treatment C/O Equip	30-7130-57000	\$ 40,200.00	\$ 69,994.00	\$ 29,794.00
				\$ 34,856.85
Fleet Maintenance				
Revenue				
F/M Fund Balance Appropriated	31-3991-99100	\$	\$ 7,015.00	\$ 7,015.00
				\$ 7,015.00
Fleet Maintenance				
Expenditures				
F/M C/O Vehicles	31-4210-55000	\$	\$ 7,015.00	\$ 7,015.00
				\$ 7,015.00
Water Construction Fund				
Revenue				
W/C Fund Balance Appropriated	71-3991-99100	\$	\$ 8,550.00	\$ 8,550.00
				\$ 8,550.00
Water Construction Fund				
Expenditures				
W/C Professional Service	71-8120-19500	\$ 31,600.00	\$ 35,200.00	\$ 3,600.00
W/C M/R System	71-8120-24600	\$ 30,000.00	\$ 34,950.00	\$ 4,950.00
				\$ 8,550.00
Capital Projects – Municipal Park				
Revenue				
Mun Park Fund Balance Approp	76-3991-99100	\$304,700.00	\$335,280.00	\$ 30,580.00
				\$ 30,580.00
Capital Projects – Municipal Park				
Expenditures				
Mun Pk Building Improvement	76-6120-54000	\$ 51,400.00	\$ 81,980.00	\$30,580.00
				\$30,580.00

Adopted and effective this 18th day of September, 2001.

A motion was made by Council Member Tudor seconded by Council Member Grogan to approve Budget Amendment #2. All Council Members voted in favor of this motion. This motion carried.

(c) Consideration of SRT Truck donation.

The memorandum provided to Council explained that the SRT currently utilized a 1983 Ford window van (PD21). Miller Brewing Company has offered us their SRT truck. To the best of my knowledge, it is in good shape. They just prefer to use a trailer pulled behind a bobtail.

This truck is a 1985 step van with approximately 99,000 miles on it. It is much larger and much better suited to the task of hauling SRT equipment. If the Council accepts the donation, Miller would like to have a small ceremony with press coverage when they turn it over.

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

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A motion was made by Council Member Rorrer seconded by Council Member Tudor that the PD21 1983 van be included in the city's upcoming auction. All Council Members voted in favor of this motion. This motion carried.

(d) Consideration of Raw Water Pump Station - Roof Replacement.

The memorandum to Council explained that a recommendation was made by the Treatment Plants Director for approval of a proposal to replace the roof on the Raw Water Pump Station at 846 South Bridge Street. The roof began leaking this summer. One leak was located directly over the electric cabinets that house the station's switch gear and motor controls. As an interim measure to protect personnel and equipment a plastic tent has been erected over the equipment to keep water out of the electric cabinets.

Paul Dishmon, Parks/Facilities Maintenance Supervisor procured two proposals to install a new membrane type roof:

Sunrise Roofing, Stoneville - \$6,060.00

Affordable Roofing, Eden - \$6,184.00

Mr. Asbury reviewed the proposals with Mr. Dishmon and they recommend that the City Council accept Affordable Roofing's bid of \$6,184.00 for installation of a Duro-Last membrane roof system. It was noted that Affordable Roofing's fifteen year warranty was well worth the extra \$124.00 when compared to Sunrise Roofing's ten year warranty.

A motion was made by Council Member Rorrer seconded by Council Member Gover to approve this request. All Council Members voted in favor of this motion. This motion carried. (Affordable Roofing - \$6,184.00)

(e) Consideration of Annual Certification of Firemen.

A motion was made by Council Member Grogan seconded by Council Member Gover that this item be approved. All Council Members voted in favor of this motion. This motion carried.

(f) Consideration of Meadow Green, Merriman Street & Long Street Sewer Outfalls Repair, Rehabilitation and/or Replacement Project Approval to Submit Rural Center's Supplemental Grant Application.

The memorandum provided explained that the Engineering Department requested the City Council's approval to submit the Sewer System Rehabilitation Grant Application under the Rural Center's Supplemental Grant Program for the above referenced project. The deadline for submittal, September 28, 2001.

Council Member Janney asked for an explanation of the new memorandum that the Council received.

Mr. Stanley explained that the first sheet was only based on the Meadow Greens Project, which they have in the budget \$400,000 for construction and engineering.

He continued to explain that what they were going to submit was based on the estimate that they have done after they have done their sewer evaluations, smoke tests, and infiltration/inflow on the three outfall lines. He added that the total project cost \$749,000 of which they were going to try to obtain \$400,000 in grants. He explained that the city would be providing the remainder of the cost of the project, which was \$369,000. He noted that \$525,000 was budgeted, which was for \$405,000 for the Meadow Greens sewer construction and engineering and \$122,500 in the budget for the Merriman Street/Long Street engineering only. He explained that they were just showing the matching amount of \$369,000 and the \$525,000 they were going to spend in the budget regardless, so they were taking the \$525,000 and hoping to get \$400,000 out of it. They were not committing \$369,000 to the project, but essentially, if they did not get the funding, they would spend \$525,000 anyway.

Council Member Janney commented that they needed to get that grant money.

A motion was made by Council Member Grogan seconded by Council Member Gover that this item be approved. All Council Members voted in favor of this motion. This motion carried.

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(g) Consideration of completion of City Park picnic shelter.

The memorandum presented to City Council explained that in order to complete the Picnic Shelter at the new Eden City Park, bids have been collected from C.J. MacIsaac and Paul Evans Construction Company. Mr. Joe Stanley, City Engineer, and Mr. Joey Conner, Parks & Recreation Director, met with both companies to explain the needs and view the blueprints for the shelter construction.

The construction will consist of the addition of a Men's and Women's Bathroom, Storage, and Concession Room, Plumbing and Concrete Flooring. Electrical Service was bid by C.J. MacIsaac and Tredway Electric.

The funding to complete the shelter has been budgeted under the Eden Park Fund and is part of the Parks and Recreation Trust Fund for Phase I.

In comparing the two quotes, C.J. MacIsaac indicated the split face block was to be purchased by the city whereas Evans Construction Company included the cost of the block in his quote. The estimated cost of the block at \$3,000 would be included in the MacIssac bid.

The bids were as follows:

Paul Evans Construction Company - \$39,890
C.J. MacIsaac - \$43,900 (includes block addition of \$3,000)

Electrical bids:

Tredway Electric - \$7,967
C.J. MacIsaac - \$8,400

It was recommended that the city award the bids to Paul Evans Construction Company at \$39,890 and Tredway Electric at \$7,967.

A motion was made by Council Member Grogan seconded by Council Member Tudor to approve this recommendation (Paul Evans Construction Company \$39,890) as well as the electrical bid (Tredway Electric \$7,967). All Council Members voted in favor of this motion. This motion carried.

Council Member Rorrer questioned what they would do about the water and sewer line.

Mr. Corcoran explained that the water and sewer line was part of that Phase I project.

Council Member Rorrer asked when Council approved it.

Mr. Corcoran replied that the initial bid was less than \$5,000, which meant that it did not have to come before the City Council.

Council Member Rorrer questioned if it was not in excess of \$5,000 to which Mr. Corcoran replied that when it started it was not.

Mr. Corcoran explained that they hit very large rock this week. He asked Mr. Conner if he had an updated cost of where they were currently at.

Mr. Conner stated that in the beginning, the city was going to do some of the work. Coming off of Stadium (Drive), they ran into rock and Mr. Sexton had to give up on it. The city had to bring in Sam W. Smith, who had a laser. He noted that in laying that sewer line, it was going to be very tight. He stated that as they kept going, they ran into rock, and then they had to bring in some large equipment.

Council Member Rorrer pointed out that they knew the rock was there to start with.

Mr. Conner explained that the city did not have the equipment to get through it.

Mayor Price asked if he had a rough idea of the expense.

Mr. Conner replied that they were probably talking about \$7,000. He added that a lot of it was due to the rock.

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Council Member Janney asked who was paying Mr. Sexton's group. If they were down there with all those trucks and equipment then they should be getting some reimbursement.

Mr. Conner replied that they were not there very much.

Council Member Janney noted that they were there now.

Mayor Price asked if he had included in the cost the work that the city's services had done.

Mr. Conner replied that if the city charged them, they would definitely pay for it.

Council Member Rorrer asked if there were any intentions to be charged.

Mr. Conner replied that they did favors for each other. He explained that the Parks & Recreation Department did some mowing for the Streets Department.

Council Member Rorrer stated that he recalled that the Council had requested that they would be keeping an accurate figure on what this would cost.

Mayor Price agreed and asked Mr. Conner to instruct his people to keep a record so they would have an accurate account of where they were.

Mr. Conner replied that he would have to get the figure from Public Works.

Mayor Price suggested that he would know the time and he would have to ask them what was to be billed out, which was really no different than the garage.

Council Member Janney commented that Sam Smith had been down there a while and he had received his question the first of last week.

Mr. Conner replied that the city had a contract with Mr. Smith for \$4,200 to spread dirt. He explained that initially they were going to crown the fill that they had, because the dirt that they ended up with out there was just completely shale rock. They have already gone out there and planted grass once, and it is very sparse. He stated that they had received some free dirt from DNI and Bill and Jay Pace. He stated that they went back in and tried to get at least 3" to 6" of good top soil because it was going to be impossible to grow grass with what was out there.

Mr. Corcoran added that last Wednesday morning; he went out to the site. It was an open ditch; there were three very large rocks. Sam Smith was there, and it was at that time that he was informed that they were going to go in excess of \$5,000. He stated that at that time, he told them they had to continue the project, they obviously had an open ditch and had to get it done. Mr. Corcoran stated that as he understood it, Mr. Smith was going to finish the project as soon as Mr. Conner received a bill on that.

CONSENT AGENDA:

- (a) Approval and adoption of minutes – August 21, 2001.
- (b) Approval and adoption of a motion to hold a public hearing and to consider an ordinance amending Section 11.24(1)(3), (1-a)(3) and m(3) and Section 11.29 of the City of Eden Zoning Ordinance as it applies to buffers. ZONING CASE Z-01-07.
- (c) Approval and adoption of a motion to hold a public hearing for the 2001 Block Grant.
- (d) Approval and adoption of a motion for authorization to bid the commercial solid waste contract.

A motion was made by Council Member Grogan seconded by Council Member Tudor that the Consent Agenda (items a, b, c, and d) be approved. All Council Members voted in favor of this

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motion. This motion carried.

ORDINANCES AND RESOLUTIONS:

- (a) Adoption of an ordinance rezoning property on Dixon Road in the city's extraterritorial jurisdiction from Residential-20 to Residential-4. ZONING CASE Z-01-08.

A motion was made by Council Member Grogan seconded by Council Member Rorrer that the adoption of the ordinance (Zoning Case Z-01-08) be approved. All Council Members voted in favor of this motion. This motion carried.

VOUCHERS:

Council Member Gover questioned item #25512 (C.E. Robertson & Associates).

Mr. Corcoran explained that was the Willow Oaks easement. He noted that Mr. Nooe, Mrs. Stultz and Mr. Stanley have been working with the owners out at Willow Oaks and that was where the city had some line in the ground for quite some time without an easement, and as each of them were aware, that property was put up for sale. The owner had come to the city prior to that.

Mr. Nooe commented that the line was put in before the Sanitary District was even created. It was put in by the mill (Marshall Field & Company). They had written an agreement with Mr. Smith, but nobody had an easement record. When Mr. Stanley brought up the matter of the line on the Knob Tract, he (Nooe) approached the owners of the Willow Oaks Farm and asked them to agree that it would be in their best interest and the city's to have the city in writing acknowledge ownership and responsibility of the line and in exchange they give the city a 30' permanent, perpetual easement along the line and they agreed to that. He added that the conditions were that the city would survey the centerline of the existing outfall so that a map and easement would be on record before the farm was sold.

Council Member Janney asked whose budget that would come out of.

Mr. Stanley replied that was an unbudgeted item that came up this year and it was placed under Professional Services, where there was Contingency money in the Water & Sewer.

CLOSED SESSION:

A Closed Session was added to the agenda at the beginning of the meeting for Attorney-Client privilege according to G.S. 143-318.11(a)(3).

A motion was made by Council Member Rorrer seconded by Council Member Reynolds to go into Closed Session for Attorney-Client privilege according to G.S. 143-318.11(a)(3). All Council Members voted in favor of this motion. This motion carried.

OPEN SESSION:

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

Mr. Corcoran informed the Council of the letter he received on Monday from Mr. Tommy Fleming alleging improper action from an incident that occurred several months ago. The letter stated that they were willing to consider an offer from the city in order to avoid proceeding further; therefore, he left that letter for the Council's consideration.

A motion was made by Council Member Grogan seconded by Council Member Myott to deny the request and that all data be sent to the insurance company (claims). All Council Members voted in favor of this motion. This motion carried.

ADJOURNMENT:

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

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor