

CITY OF EDEN, N.C.

A special agenda meeting of the City Council, City of Eden, was held on Thursday, January 10, 2002 at 4:00 p.m. in the City Council Chambers, 308 East Stadium Drive. Those present for the meeting were as follows:

Mayor:		Philip K. Price
Mayor Pro Tem:		John E. Grogan
Council Members:	(absent)	Ronald H. Reynolds Billy Vestal Christine H. Myott Jerry Epps C.H. Gover, Sr. Garry Tudor
City Manager:		S. Brad Corcoran
City Attorney:	(absent)	Tom Medlin, Jr.
City Clerk:		Kim J. Scott
Deputy City Clerk:		Sheralene Thompson
Representatives from City Departments:		
Representatives from News Media:		Leslie Brown, <u>Greensboro News &amp; Record</u>

MEETING CONVENED:

Mayor Price called the special meeting of the Eden City Council to order and welcomed those in attendance.

Mayor Price presented a proposal to be added to the agenda. He explained that the City Manager had passed out information in regard to new council committees. He noted that Mayor Pro Tem Grogan proposed this idea which was to eliminate the committees as they were set up last month, and to have eight committees composed of a Finance, Water, Sewer, Public Works, Planning and Economic Development, Public Safety, Personnel and Recreation Committee. He explained that the committees would be made up of three members each and the Mayor would serve as ex officio of all the committees. He noted that this would be a working committee composed of Council Members who had an interest level in a specific committee. Mayor Price stated that he felt it was a good idea and noted that the City Manager had used this before and it had worked wonderful. He added that it did two things, it gave the Council an opportunity to be involved in the actual business of the city on a monthly basis. The committees would be designed to meet monthly, however, if there were no work to be discussed, a meeting would not be called.

Mayor Price then asked Council Member Grogan for input to which he noted that the City Manager should be the ex officio chairman of each committee.

Mr. Corcoran also explained that there were 21 members of Council, there were seven committees, with three members of Council on each committee. He explained that afforded each Council Member to be the chairman of a committee and a member of two committees. He stated that this was the process he had used for the past 16 or 17 years. He noted that all major items would go before the Council, but they would go before the committee first. For example, he used the Street Committee or the Solid Waste Committee. Those committees would now be

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

under a Public Works Committee. He stated that next to the committee were the different areas of the city that would fall under each committee.

He stated that the goal would be to get with each Council Member to see what four committees they preferred, with the hope that they would be on at least two of the four committees they wanted. He explained that the idea was to play to their strengths. If a Council Member felt they would be a particular asset to a committee, they would have the opportunity to serve on that committee. This way, they would pick the committees they wished to serve on as much as possible. He explained that this helped build cohesiveness amongst the Council because as items came before them, they had the comfort of knowing that not only has the staff reviewed the items, but three other members of Council had also reviewed them.

Consideration of DMV Offices to the Eden Municipal Building:

Mayor Price called attention to a handout entitled "Relocation of DMV Offices to the Eden Municipal Building". He explained that there was a situation developing in regard to the building on Stadium Drive, which had been discussed in the past about the DMV office. Mr. Corcoran had received quotes on the cost of upfitting an office at City Hall and he would like to add this to the agenda.

Financial Report:

Mayor Price thanked the Director of Finance and Personnel, Mrs. Lori Ford, for her design and comments. He explained that they were going through a situation of a lot of cash coming in because of people paying taxes. The money coming into the city was still looking good although Mrs. Ford had some concerns about what may happen this spring when tax payments were in and expenses were going on. There were no questions in regard to the Monthly Financial Report.

Request and Petitions of Citizens:

Mayor Price explained that the Request and Petitions of Citizens was a time set aside for those who wanted to come to speak to the Council and had not expressed a desire to be on the agenda.

Council Member Grogan commented that he felt that if a citizen wanted to speak then they should take time to call and tell the City Manager.

Mayor Price replied that in the real world that would be right but personally he had found that people were confused about whether they could come to the Council Meeting. He stated that he has had people ask him if they could come and speak and it was confusing for people who were not involved or had never served on a committee. He stated that he would like to see it open and he asked for comments.

Council Member Gover questioned how the word would be sent out to everybody to which Mayor Price replied that it would almost be impossible.

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

Council Member Grogan asked if it could be changed to the end of the meeting to which Mayor Price asked if anyone had a preference.

Council Member Tudor commented that he felt that they should cater to the citizens and make it as easy for them as possible. He noted that a lot of citizens did not want to sit through a three-hour meeting. He also noted that if a citizen was not 100% sure they wanted to speak and Council day rolled around and they decided they would speak, if they had to be put on the agenda he thought that in a way it was pushing the citizen aside. He stated that it would appear that the Council was trying to prevent them from speaking and he did not feel that the Council would want to convey that message.

Unfinished Business:

Consideration of Boards and Commissions Appointments:

Mayor Price noted that for Unfinished Business, they had on the agenda the Planning Organization Appointments. He called attention those on the last page, "Expirations and Vacancies". He explained that they would need an appointment for the Board of Adjustment for Council Member Epps; Community Appearance for Council Members Reynolds, Myott, and Epps; Historic Preservation for Council Member Reynolds; Planning Board for Council Members Reynolds and Myott and from the Tree Board, Council Member Grogan.

New Business:

Consideration of a proposal to engage a consultant to prepare an annexation feasibility study:

The memorandum explained that last fall, at the direction of the City Manager, the department sent out a request for proposal for an annexation feasibility study. Such a study is research into areas that might be considered for annexation to determine whether or not they can be qualified for annexation under North Carolina law and it is also research into costs associated with annexing the various areas.

This information is designed to give the City Council the information necessary to decide if it wants to proceed with the annexation of any or all of the proposed areas.

The city received a proposal from The Wooten Company in an amount not to exceed \$22,600. Funds were appropriated in the amount of \$15,000 for the study in the 2001-2002 budget. It was recommended that the remaining \$7,600 be taken out of contingency funds if necessary.

The Director of Planning & Inspections recommended that the city engage The Wooten Company for the study and that it begin as soon as possible.

Mayor Price explained that up for consideration was a proposal from the Wooten Company and also maps showing proposed annexations. He then asked Mrs. Stultz for clarification on the maps.

Mrs. Stultz explained that she took all the areas that the Council, over the course of the years that she had been with the city, and the other annexation studies that they have done, and included

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

those general areas for the consultant to look at, plus some others that had been mentioned and some that she and the City Manager had looked at before they sent the RFP out for this proposal. She added that the areas were not specifically defined because until they looked more closely, they could not really pin down exactly what might be looked at. She explained that these were just general areas that have been considered, areas around businesses in the perimeter, and strong neighborhoods that have been talked about by Council. She added that there were some other areas that have they knew had a history of water and sewer problems and issues, which the Council had looked at before. She noted that a couple of those were near Cascade Avenue, in that particular area.

She stated that she would like for the Council to take a look first at all of the general areas that have been discussed. She felt that there were two or three that would not qualify to be annexed and the study size would decrease. She explained that they wanted to give the Council the opportunity that if there was a general area they wanted to look at that was not included, to let her know. She added that she felt this was pretty wide sweeping and took in most everything that they would be interested in.

Mrs. Stultz explained that the colors did not designate anything and when the consultant was finished, the maps would be a lot more specific. She not that at this point she had made them as broad as possible.

Council Member Tudor asked if they should mention an area that should be shown and was not to which Mrs. Stultz replied in the affirmative, as she needed to know before the Council meeting on Tuesday so she could get the information together.

Councilman Tudor explained that he was interested in the Bryant Street, Lake Street area between Franklin Drive and Bryant Street; and the area between Bryant Street and Clarkway Drive, on the other end of Bryant Street, before the cemetery, turning off of Bryant Street and there was a development there that goes back down to Clarkway Drive.

Mrs. Stultz replied that she would look at it.

Mayor Price noted that Mrs. Stultz had requested that they hire The Wooten Company for the study and not to exceed \$22,600. He noted that there was \$15,000 in the budget for this study and she was asking that \$7,600 be taken out of the contingency fund.

Consideration of Annual Certification of Firemen:

The memorandum explained that the Annual Certification of Firemen was a certified list that determined eligibility for the \$25,000 line-of-duty death benefit as well as eligibility for Pension Fund credit.

Mayor Price asked Fire Chief Ronnie Overby if this was not mostly for insurance purposes to which Chief Overby indicated that was correct.

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

Consideration of an Ordinance Amending Section 10-3.3 “Starting Salaries” of The Eden City Code:

The memorandum explained that the proposal was to eliminate the 3% above minimum salary restriction which is currently in place when hiring new employees. This change would give additional leeway to the City Manager when hiring new employees.

There were no questions in regard to this proposal.

Consideration of Revisions to “Vehicle Take Home Policy” of Administrative Policies and Procedures Manual:

The memorandum explained that the proposed revision would allow patrol officers and on-call collection and distribution personnel to take their vehicles home as long as they live within the corporate limits or ETJ. Currently, these employees are only allowed to take their vehicles home if they reside within the corporate limits.

Council Member Gover questioned the legal possibilities involving insurance for taking the vehicles home.

Mayor Price replied that he had a good point and they would have the attorney take a look at it. He then asked that the City Manager consult with the City Attorney on this matter.

Consideration of Revisions to “Purchasing Policy” of Administrative Policies and Procedures Manual:

The memorandum explained that the main revision deals with the addition of the section entitled “Purchases and Purchase Contracts Contained in Current Fiscal Year Budget”. Currently the items that have previously been debated and subject to a public hearing must be brought before the Council again prior to proceeding with the project/purchase. If it is an item that must be bid they have to get permission to accept bids and then bring the matter back again to seek authorization to accept the bids. This is a cumbersome process and one which the City Manager or the Director of Finance & Personnel have ever dealt with. The proposed revision would eliminate these steps of approval as long as the item is included in the budget and funds are available to proceed.

There are other minor revisions dealing with the statutory limits for informal and formal bids (\$20,000 to \$30,000) and (\$50,000 to \$100,000) which have been included to bring this policy into compliance with the North Carolina General Statutes. In addition, the proposal reduces the amount of money (\$500 to \$200) that can be spent by a department head without obtaining an approved purchase order.

Mayor Price explained that this was an administrative policy that would allow the City Manager, once the budget was passed, to make purchases under normal guidelines. He pointed out that on the last sentence, the “In addition to proposal”, reduces the amount of money from \$500 to \$200 that could be spent by a department head without obtaining an approved purchase order. He then asked Mrs. Ford what it was currently to which she replied that it was presently \$200.

Mr. Corcoran called attention to a handout and explained that prior to Tuesday, they would update the policy. He also added that there were some other minor revisions dealing with the Statutory Limits for Informal and Formal Bids. He explained that the city’s current policy shows \$20,000 and \$50,000 and the current State Law was actually \$30,000 and \$100,000. He stated

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

that he received an E-mail from the Institute of Government informing him that Senate Bill 914 that was just passed had increased those limits even more, from \$100,000 to \$300,000 and up to \$90,000 on the apparatus. He stated that they would actually go in before Tuesday and put in those new Statutory figures and they would receive a new copy of those policies and procedures.

Consideration of an Ordinance Amending Section 10-5.9 "Residency Requirement" of the Eden City Code:

The memorandum explained that the proposal was to eliminate the residency requirement, which was currently in place for all employees, and to replace it with a residency requirement that would only apply to the City Manager, Chief of Police and Fire Chief. This change would mandate that the City Manager, Chief of Police and Fire Chief live within the corporate limits and would allow all other employees to live wherever they desire.

Mayor Price explained that this in essence would change the policy so the City Manager, Chief of Police, and Fire Chief would be required to live in the corporate limits and allow other employees to live wherever they desire.

Council Member Gover asked if this would affect incentives for industries coming in.

Council Member Vestal questioned this in regard to emergency personnel and response time. There was some discussion about time limits on emergency personnel.

Mr. Corcoran replied that currently the present restriction was that they live in Rockingham County.

Council Member Tudor commented that the way it was now, they could have a firefighter that lived east of Reidsville, but they could not have a person who drives a dump truck living a mile over the Virginia line. He stated that it did not make sense that they could not hire someone who lived three miles away on the north side of Eden, but they could hire someone who lived 21 miles away on the south side. He noted that if the City of Eden was located in the center of the county, the policy might have some logic to it.

Council Member Grogan commented that if he were a department head, he was going to hire someone who could help him in his department rather than to hire someone who lived in, say, Summerfield. He stated that he would hire people who could meet the needs.

Council Vestal stated that he agreed, but what if they decided to move to Summerfield after they have been hired. There was nothing in place to prevent this. He stated he agreed with Council Member Tudor regarding the emergency personnel who could live anywhere also.

Mr. Corcoran suggested that they might want to consider the farthest point in Rockingham County from the City of Eden now which was a point where they were currently allowed to live. As an example, he used 20 miles. He stated that that they could amend the ordinance to say that all emergency personnel shall reside within 20 miles of the corporate limits. That way they

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

could be consistent with what they already have and someone could live that far away, but it would also open other possibilities of living just over the state line.

Council Member Vestal stated that just like they have snow removal, if they have someone that lived far away, they were not going to be able to get there. He stated that he did not have a problem (with changing the ordinance), as long as they could get there within 30 minutes.

Chief Overby pointed out that it would only pertain to full-time fireman. He stated that he would not take anyone (part-time or volunteer) who was 20 miles away.

Mr. Corcoran stated that this would only apply to full-time employees, so it would be fire and police personnel.

Mayor Price asked who would draw the circle to which Council Member Vestal replied that was why he said that if they go by time, they would not have to have a change.

Mr. Corcoran asked if they were comfortable with 30 minutes.

Mayor Price commented that he understood where everyone was coming from, but they needed to look at the Department Heads. They were going to be obligated to get the job done and they would be the one to make the decision of where they want their employees to be and how soon they want them to respond.

Councilman Gover questioned why they brought this up and if there have been problems.

Council Member Grogan explained that it would be wonderful if everybody lived in Eden and paid city taxes, but (the residency requirement) eliminated a lot of skilled people who might come to work for the city.

Council Member Vestal reiterated that if they opened it wide open, once a person was hired, he could move wherever he wished.

Council Member Grogan stated that if an employee could not perform and come to work, he would not work for him long.

Mayor Price asked Mr. Corcoran to express his feelings on the management aspect of it.

Mr. Corcoran replied that he thought that the big thing was that the people that they hire right now, even though they live in Rockingham County, they also look at where they live in Rockingham County because there was concern about that response time. He suggested that what they might want to do, rather than just emergency personnel, to make sure that no one falls through the cracks, was to say "any personnel required to be on-call". Then that would take care of any position that was subject to being called back in an emergency situation. He stated that 30 minutes was probably a fair way to proceed and that would take care of what Council Member Tudor wanted to do and get people who just lived across the state line.

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

Council Member Gover commented that he thought that 30 minutes sounded reasonable.

Chief Overby added that he had four part-time firemen who live in Eden but work in Reidsville. He noted that the City of Reidsville's requirement was that they could live anywhere they want as long as they could get there in 30 minutes.

Consideration of appointment to ABC Board:

Mayor Price explained that there was an expiration of a board member, C.F. Tulloch. He recommended that Mr. Tulloch be re-appointed.

Consideration of appointment of Chairman to the ABC Board:

Mayor Price explained that this was an annual appointment and he recommended that they re-appoint Mr. Bill Johnson.

Consideration of NCDOT Bridge Inspection Agreement and Resolution:

Mayor Price explained that this was an agreement that the city paid for the inspection of bridges. He noted that the city owned two, one on Kings Highway and the other on Park Avenue and they were inspected every two years.

Consideration of Municipal Agreement and Resolution between the NCDOT and the City of Eden for the Hamilton Street Bridge #45 Replacement Project:

Mayor Price explained that the NCDOT were proceeding and relay that next month they will be buying the appropriate property and they were in essence asking if the city agreed to do this. He explained that the agreement and resolution noted that the city would agree to the relocation of streets and sidewalks and any widening to be done, as well as the moving of utilities, etc. This would be a big addition to the city and they have also agreed to make some changes in regard to the bridge itself to accommodate the needs of citizens.

Council Member Vestal asked if those plans were in stone to which Mayor Price replied that this had been going on for about four or five years. He added that a lot of people have brought up the fact that they need to think about going across the Smith and he had talked to the DOT recently about building a bicycle path as part of the new bridge project. He also added that they called back this week and stated that they would have to designate a bike path somewhere in Eden for that to be considered at this time.

Mayor Price stated that he had asked Council Member Vestal to take part in that and he has spoken with others. He stated that if it were desired, it would need to be on next month's agenda. He noted that if it were not done, it would be 50 years before they would have a bicycle path dedicated across the river.



January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

Council Member Vestal stated the bridge was part of the NC Bike Route #4 which was a 400 mile stretch coming through Eden; therefore, they did have a North Carolina bike route through Eden. He added that funds have been allocated through NCDOT for that.

Mayor Price stated that he believed that there was a walking area on that bridge (on Dan River).

Mr. Stanley replied in the affirmative and that he had the plans in his office.

Consideration of Budget Amendments No. 9, 10, and 11:

Mayor Price noted that #9 was for taking care of some bookkeeping entries. Budget Amendment #10 was the drug forfeiture funds and #11 was recognizing the grant from McDonalds for the park.

Consideration of Series B Bond Refinancing:

Mayor Price asked Mrs. Ford for an explanation. She explained that this was the second series of bonds. In 2000, Series A was refunded. They were now eligible to refund Series B. She stated that interest rates were favorable to do this and the financial advisor estimated savings over the long term as \$260,000. She added that it would not increase the term of the debt, which would end in 2009. She noted that the big concern was what would happen if the interest rates turn around, the financial advisor did not get paid unless the city finalizes this. She stated that the most the city would incur would be some legal cost bond counsel to represent the city starting off with legal expenses, etc., so the city could get out of it. The estimated cost at that point would be \$5,000 or so.

Consideration of six month extension of First Right of Refusal Agreement for the Eden Industrial Park:

Mayor Price noted that this agreement was already in place.

Consideration of vehicle replacement for Fire Department:

Mayor Price explained that the information was in regard to the proposal from the Eden Rescue Squad. He stated that it was a 4x4 Suburban with 53,000 miles on it.

Council Member Myott questioned why the rescue squad was disposing of the vehicle.

Council Member Gover explained that they have multiple people operating vehicles so they could not keep one as long. He stated that they looked at replacing vehicles at around 50,000 miles. He stated that it was in good shape. He added that the \$12,000 was only covering the conversion.

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

Consideration of changes to the Safety Committee:

Mayor Price noted that Chief Overby asked that they add two people and also break in the sub-committees.

Council Member Vestal asked if another Council Member on the committee would intimidate others on the board.

Council Member Gover stated that it would be an enhancement. He stated they needed input from everyone. He stated that they needed to get their city in a more safe condition.

Council Member Myott asked if the recommendation from the City Manager would cover all of that.

Mr. Corcoran replied that the Safety Committee would be a separate committee. It was really an internal committee, which was mostly employees with one representative now from the public, Dr. McLeod, and one representative from Council, Mr. Gover. He explained that it was not really a Council committee as much as it is a staff committee. He explained that his thought regarding Public Safety was Fire related issues and Police Department related issues. If the Public Safety committee felt that there needed to be some other general safety issues, they could look into that.

Mayor Price stated that this was a good idea and a good committee and they were to be commended as this would result in savings to Eden. He asked that they get summary minutes of the committee meeting rather than detailed minutes as it cut the size and preparation down.

Consideration of NCDOT request to rescind the 45 mph speed zone on NC 700 (Fieldcrest Road) from Meadow Road (NC 770) to New Street (SR 1953). The speed zone will revert to a statutory 35 mph speed zone:

Mayor Price noted that this was a request from the State and was not negotiable.

Consent Agenda:

Mayor Price noted several items for the Council to look over. They included the following:

Approval and adoption of a motion to hold a public hearing and to consider an ordinance to close an unopened street adjacent to Short Union Street; Approval and adoption of a motion to hold a public hearing to amend Section 4, Article I of the Eden City Code to establish standards for vacating and closing a structure; Approval and adoption of a motion to hold a public hearing to amend Section 4 Article VI of the Eden City Code to establish a Non-Residential Maintenance Code; Consideration of adoption of Resolution of Intent to close an unopened portion of Sixth Street; and Consideration of adoption of Resolution regarding designation of an official to make recommendations to the NC Alcoholic Beverage Control Commission on ABC Permit Applications.

January 10, 2002

CITY OF EDEN, N. C.

Minutes of the January 10, 2002 meeting of the City Council, City of Eden, N. C.

Mayor Price explained that the last item has to do with the ABC form that still has the former City Manager's name on it and it should be approved with the new City Manager's name.

CLOSED SESSION:

A motion was made by Council Member Grogan seconded by Council Member Gover for a closed session for personnel according to General Statute 143-318.11. 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 Gover to return to open session. All Council Members voted in favor of this motion. This motion carried.

ADJOURNMENT:

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