

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, January 15, 2002 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
	Christine H. Myott
	(Absent) C.H. Gover, Sr.
	Garry Tudor
	Billy Vestal
	Jerry Epps
City Manager:	Brad Corcoran
City Attorney:	Thomas Medlin, Jr.
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson

Representatives from City Departments:
Representatives from News Media:

Andrea Evans, The Daily News, Leslie Brown, Greensboro News & Record

MEETING CONVENED:

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

RECOGNITION:

Mayor Price recognized the presence of former Mayor Jones Norman and former Councilman John Dyer.

INVOCATION:

Mayor Price introduced Mr. Lemuel Hardison, Pastor of the Central Church of Christ, who was present to give the invocation, followed by the Pledge of Allegiance led by Fire Chief Ronnie Overby.

PROCLAMATION:

Mr. Nelson Hairston and Mr. Roger Brown were asked to come forward to represent the NAACP. Mayor Price explained that there would be a Humanitarian Banquet on Saturday evening sponsored by the NAACP of Rockingham County to recognize individuals in the county

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who have done an exceptional job. Mayor Price noted that the city would also like to pay homage to the work and memory of Dr. Martin Luther King, Jr. Mayor Price the read the following proclamation:

**A PROCLAMATION TO
DESIGNATE JANUARY 21st
TO HONOR DR. MARTIN LUTHER KING, JR.**

WHEREAS, Dr. Martin Luther King, Jr. believed that nothing could replace a kindness rendered by one human being to another and that a good society is a result of millions of such good small acts; and

WHEREAS, Dr. Martin Luther King, Jr., through his life and his work taught that freedom of choice and respect for fellow human beings are to be sought; and

WHEREAS, Dr. Martin Luther King Jr., was tragically killed on April 4, 1968 in Memphis, Tennessee while leading sanitation workers in a protest against low wages and intolerable working conditions; and

WHEREAS, the King Holiday and Service Act of 1994, signed into a law by President Bill Clinton on August 23, 1994, designates the King Federal Holiday to be a day of national service and this year's observance will be held on Monday, January 21, 2002, a day to be celebrated by the City of Eden employees; and

WHEREAS, the King Holiday is a unique American holiday in that it challenges Americans to remember and celebrate but most importantly act to address those issues for which Dr. King and others gave their lives;

NOW, THEREFORE, BE IT PROCLAIMED that I, Philip K. Price, Mayor of the City of Eden, hereby designate JANUARY 21, 2002 be set aside as Dr. Martin Luther King, Jr. Day in the City of Eden and urge all citizens to join with me this day in recognizing the importance Dr. King has made toward peace, civil unity, and nonviolence in our lives.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of January, 2002.

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

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

Mr. Brown mentioned that on Saturday they would be honoring one of Eden's oldest citizens, his aunt, Sally Ann Broadnax, who would be 101 years old.

ADDITIONS OR DELETIONS TO AGENDA:

Mayor Price explained that the first order of business would be to add or delete items from the agenda. He then asked that the Council add Item 8 (q), Consideration of Relocation of the DMV

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offices, Item 8 (r), Establishment of New Council Committees and Assignment of Committee Members, and a Closed Session for Discussion with the Attorney in Regard to Legal Matters.

A motion was made by Council Member Grogan seconded by Council Member Tudor for those items to be added. All Council Members present voted in favor of this motion. This motion carried.

Mayor Price then explained that the Council had met last Thursday, January 10, 2002, for an Agenda Meeting at which time the items on this agenda were reviewed and discussed by Council members who were now meeting for decisions.

PUBLIC HEARINGS:

There were no public hearings.

MONTHLY FINANCIAL REPORT:

(a) Finance Departments Monthly Report.

Mayor Price noted that the Director of Finance and Personnel, Mrs. Ford, had prepared financial statements, which included notations. As there were no questions or concerns by Council, Mayor Price asked for a motion for approval.

A motion was made by Council Member Epps seconded by Council Member Grogan to approve the Financial Report as presented. All Council Members present voted in favor of this motion. This motion carried.

REQUESTS AND PETITIONS OF CITIZENS:

No one came forward to speak at this time.

UNFINISHED BUSINESS:

(a) Consideration of Boards and Commissions Appointments.

Mayor Price explained that at the last meeting there were those who were not ready to make appointments to the commissions within the city. He then asked Council Member Reynolds if he would like to make appointments to which Council Member Reynolds passed until next month.

Council Member Myott re-appointed Ms. Betty Turner to the Community Appearance Commission and Ms. Melinda Joyce was re-appointed to the Planning Board.

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Council Members Epps and Grogan each passed until next month. Council Member Gover was absent from the meeting.

A motion was made by Council Member Myott seconded by Council Member Tudor to approve Council Member Myott's re-appointments of Betty Turner to Community Appearance Commission and Melinda Joyce to Planning Board. All Council Members present voted in favor of this motion. This motion carried.

NEW BUSINESS:

(a) 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 the Council was asked to add to the proposal an area of study north of the Meadowood Subdivision, north and west along Roberts Road, to the Price Road section.

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

Mayor Price then explained that the city had received a proposal from the Wooten Company. He noted that \$15,000.00 had been set aside and the bid was \$22,600.00. He explained that the money would have to come out of Contingency.

He explained that the Council would now be voting to accept the Wooten Company's bid and to take the money from Contingency Fund.

A motion was made by Council Member Myott seconded by Council Member Grogan to accept the Wooten Company proposal and to take the money from the Contingency Fund.

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Mrs. Kelly Stultz pointed out that the Council also needed to add Council Member Tudor's earlier request that they include Bryant Street, Lake Street, area of Franklin Drive and Bryant Street and Bryant Street and Clarkway Drive areas to the study.

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

(b) 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 explained that this was done annually for insurance purposes.

A motion was made by Council Member Vestal seconded by Council Member Myott to approve the Annual Certification of Fireman. All Council Members present voted in favor of this motion. This motion carried.

(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.

Mayor Price explained that this proposal was to eliminate the 3% above the minimum salary restrictions when hiring new employees.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve the amendment of Section 10-3.3 "Starting Salaries" of the Eden City Code. Council Members Epps, Grogan, Tudor, Myott and Vestal voted in favor of this motion. Council Member Reynolds voted in opposition. This motion carried.

(d) 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.

Mayor Price explained that this allowed the city employees to take city vehicles home providing their residence was within the corporate territorial jurisdiction.

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A motion was made by Council Member Tudor seconded by Council Member Grogan to approve the revisions to the "Vehicle Take Home Policy". Council Members Epps, Grogan, Tudor, Myott and Vestal voted in favor of this motion. Council Member Reynolds voted in opposition. This motion carried.

(e) 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 allowed the City Manager and his Department Heads to make purchases according to purchasing guidelines, if it was approved in the budget.

A motion was made by Council Member Tudor seconded by Council Member Epps to approve the revisions to the "Purchasing Policy". All Council Members present voted in favor of this motion. This motion carried.

(f) 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 proposal specifies that on-call employees must live within 30 minutes drive time to the city and that the City Manager, Chief of Police, and Fire Chief must live within the city limits.

A motion was made by Council Member Tudor seconded by Council Member Vestal to approve the amendment to Section 10-5.9 "Residency Requirement" of the Eden City Code. Council Members Epps, Grogan, Tudor, Myott and Vestal voted in favor of this motion. Council Member Reynolds voted in opposition. This motion carried.

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(g) Consideration of appointment to ABC Board.

Mayor Price explained that the recommendation was to re-appoint Mr. C.F. Tulloch.

A motion was made by Council Member Grogan seconded by Council Member Myott to approve the reappointment of Mr. C.F. Tulloch to the ABC Board. All Council Members present voted in favor of this motion. This motion carried.

(h) Consideration of appointment of Chairman to the ABC Board.

Mayor Price explained that the recommendation was to re-appoint Mr. Bill Johnson as Chairman of the ABC Board.

A motion was made by Council Member Vestal seconded by Council Member Tudor to approve the reappointment of Mr. Bill Johnson as Chairman of the ABC Board. All Council Members present voted in favor of this motion. This motion carried.

(i) Consideration of NCDOT Bridge Inspection Agreement and Resolution.

Mayor Price explained that this was a resolution that the city had to approve every two years. In the agreement, the city pays for the inspection of bridges. He noted that the city owned two, one on Kings Highland Drive and Park Road.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve the agreement and resolution of the NCDOT Bridge Inspection. All Council Members present voted in favor of this motion. This motion carried.

COPY OF RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF EDEN, NORTH CAROLINA

A motion was made by Council Member Tudor and seconded by Council Member Myott for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the City of Eden has requested the Department of Transportation to perform certain work under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said work to consist of the reinspection and analysis of all public bridges on the Municipal Street System in the City of Eden; and

WHEREAS, the City of Eden proposes to enter into an agreement with the North Carolina Department of Transportation for said work wherein the Department of Transportation or a consulting engineering firm retained by the Department of Transportation will reinspect and prepare the necessary reports for all public bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards; and

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WHEREAS, under the proposed agreement the Federal Highway Administration shall reimburse the Department of Transportation for eighty (80) percent of the cost of the work subject to compliance with all applicable federal policy and procedural rules and regulations; and

WHEREAS, under the proposed agreement the City of Eden shall reimburse the Department of Transportation for all costs of the work incurred by the Department of Transportation not paid by the Federal Highway Administration.

NOW, THEREFORE, BE IT RESOLVED that the agreement for the hereinabove referenced bridge inspection work is hereby formally approved by the City of Eden and the Mayor and Clerk (or Manager) of this Municipality are hereby empowered to sign and execute the required agreement between the City of Eden and the Department of Transportation.

This Resolution was passed and adopted the 15th day of January, 2002.

I, Kim J. Scott, City Clerk of the City of Eden, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the City Council of this Municipality;

WITNESS, my hand and the official seal of the City of Eden on this the 15th day of January, 2002.

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

(j) 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 this meant that the city would provide the necessary utility changes that have to be done so far as the City of Eden.

A motion was made by Council Member Tudor seconded by Council Member Epps to approve the Municipal Agreement and Resolution between the NCDOT and the city for the Hamilton Street Bridge #45 Replacement Project. All Council Members present voted in favor of this motion. This motion carried.

COPY OF RESOLUTION PASSED BY THE CITY COUNCIL
OF THE CITY OF EDEN, NORTH CAROLINA

A motion was made by Council Member Tudor and seconded by Council Member Epps for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project B-3368, Rockingham County, said plans consisting of the replacement of Bridge #45 over Dan River and approaches on NC 2282 in Eden; and

WHEREAS, the said Department of Transportation and this Municipality propose to enter into an Agreement for the above-captioned project whereby this Municipality agrees; (1) to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation, and (2) to provide for the adjustment of any

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municipality-owned utilities without cost to the Department of Transportation, except that said Department will reimburse this Municipality in accordance with said Department's Municipally-Owned Utility Policy; and

WHEREAS, the Department agrees to acquire the right of way and construct the project in accordance with the approved project plans; and

WHEREAS, the Agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED that Project B-3368, Rockingham County, is hereby formally approved by the City Council of the City of Eden and the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Kim J. Scott, City Clerk of the City of Eden, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the City Council duly held on the 15th day of January, 2002.

WITNESS, my hand and the official seal of the said Municipality on this the 15th day of January, 2002.

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

(k) Consideration of Budget Amendments No. 9, 10, and 11.

	Account #	From	To	Amount
General Fund				
Fund Balance Appropriated	10-3991-91000	\$103,620.86	\$114,883.45	\$ 11,262.59
General Fund				
Fire M/R Vehicles	10-4340-25300	\$ 16,741.26	\$ 28,003.85	\$ 11,262.59

Budget Amendment #9 is to record an open purchase order missed by Budget Amendment #2. (Reallocates funds for an order that was open that was open on the city's book as of June 30, 2001. The item was inadvertently left off budget amendment #2, which was approved by City Council in September 2001.

	Account #	From	To	Amount
General Fund Revenues				
Local Law Enforcement Block Grant (1999)	10-3329-33000	\$ 20,868.00	\$ 48,674.00	\$ 24,337.00
Fund Balance Appropriated	10-3991-91000	\$ 47,850.00	\$ 103,620.86	\$ 51,810.43
				\$ 76,147.43
General Fund Expenditures				
Contingency	10-9990-99100	\$ 96,012.40	\$ 93,308.40	\$ (2,704.00)

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Capital Outlay – Equipment (LLBEG)	10-4310-57100	\$ 23,187.00	\$ 50,228.00	\$ 27,041.00
Capital Outlay – Equipment (Drug Fort)	10-4310-57200	\$ -	\$ 51,810.43	\$ 51,810.43
				\$ 76,147.43

Budget Amendment #10 is to record 1999 LLEBG and to appropriate Drug Forfeiture Funds per Auditor.

	Account #	From	To	Amount
General Fund				
Revenue				
Fixed Assets	10-3836-82000	\$ 10,000.00	\$ 19,975.00	\$ 9,975.00
				\$ 9,975.00
General Fund				
Expenditure				
Spec. Appropriations: Contrib. Cap City Park	10-9920-69821	\$ -	\$ 9,975.00	\$ 9,975.00
				\$ 9,975.00
Capital Projects – City Park				
Revenue				
Municipal Park – Grants	76-3491-84230	\$150,000.00	\$178,000.00	\$ 28,000.00
Municipal Park – Contributed Cap	76-3984-98000	\$ -	\$ 9,975.00	\$ 9,975.00
				\$ 37,975.00
Capital Projects – City Park				
Expenditures				
Mun. Park – Land Improvement	10-6120-52000	\$165,035.00	\$175,010.00	\$ 9,975.00
Mun. Park – Mcd Land Improvement	10-6120-52100	\$ -	\$ 28,000.00	\$ 28,000.00
				\$ 37,975.00

Budget Amendment #11 is to record receipt of McDonald’s Grant and receipt of Bowling Alley proceeds which were to be allocated to the City Park per Council.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve Budget Amendments #9, 10, and 11. All Council Members present voted in favor of this motion. This motion carried.

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(1) Consideration of Series B Bond Refinancing.

The memorandum explained that the Council had received a preliminary proposal regarding the refinancing of the Series B Bonds currently held by the City of Eden.

The first page outlined the sources and use of the refinancing monies. Ms. Peeler estimated the underwriter's fee at .5% which she feels is a realistic estimate under current market conditions. Cost of issuance includes the approximate \$14,000 fee for the LGC, \$20,000 for Bond Counsel, Ms. Peeler's fee of approximately \$15,000 and other miscellaneous fees associated with rating agencies and so on and so forth. It includes a fee in case the bond purchasers' desire insurance, which is likely, \$4,541,794.67 represents the payoff of the "old" bonds and the last figures represent a rounding cushion.

Page two represents the savings between the old bonds and the refinanced bonds. The LGC requires that refunded bonds have a minimum Net PV Benefit of at least 3%. With this refunding analysis the city's Net PV benefit would be approximately 5%. A delivery date of March 1 is used for the analysis, which was within the 3-month guidelines set forth by the LGC.

Page three shows the newly refund bond service schedule with an average coupon rate of about 4%. Page four shows the current rate associated with the bonds prior to refunding.

It appears that refunding these bonds is in the city's best interest. The actual savings would be somewhere around \$260,000 given the current interest rate situation. If the interest rate becomes unfavorable to the city during this process we can place the refinancing on hold. It was the understanding of the Director of Finance that Ms. Peeler did not get paid until the refunding was finalized so if the city decided to pull the refinancing, it would incur little cost (some minor cost may be incurred by Bond Counsel).

It was the recommendation of the Finance Director that Council give its approval to begin the process of refunding the bonds. This would allow the city to proceed in selecting bond counsel and make a written request to the LGC which would then allow the city to proceed with the refinancing.

Mayor Price explained that there was a potential savings of approximately \$250,000 by refinancing. He noted that the city would be responsible for some fees if they did have to back out, but if not they would proceed by giving Mrs. Ford the authority.

A motion was made by Council Member Grogan seconded by Council Member Epps to approve the Series B Bond Refinancing. All Council Members present voted in favor of this motion. This motion carried.

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

Mayor Price explained that this was to extend the First Right of Refusal on a proposed industrial park on Harrington Highway.

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A motion was made by Council Member Grogan seconded by Council Member Tudor to approve the six-month extension of the First Right of Refusal agreement for the Industrial Park. All Council Members present voted in favor of this motion. This motion carried.

(n) Consideration of vehicle replacement for Fire Department.

The memorandum explained that the Fire Department has a 1989 Crown Victoria in the fleet that was giving some serious problems. The Eden Rescue Squad has a 1993 4x4 Suburban with 53,000 miles. The asking price is \$12,000. The vehicle has a conversion kit already on it with lights, sirens, etc; that has a value of \$12,000 alone. The city could utilize the money from the surplus property auction.

Mayor Price explained that this was for the purchase of a 1993 4x4 Suburban from the Rescue Squad in the amount of \$12,000. The money would be taken from Contingency.

A motion was made by Council Member Epps seconded by Council Member Vestal to approve the request to replace the Fire Department vehicle. All Council Members present voted in favor of this motion. This motion carried.

(o) Consideration of changes to the Safety Committee.

The memorandum explained that the Eden Safety Committee would like to present two (2) items for your consideration pertaining to the city's safety ordinance of 1995.

Mayor Price explained that Fire Chief Overby has asked that the committee have 15 members appointed by the City Council and be composed of two City Council Members, a Safety Coordinator, and Deputy Safety Coordinator, one citizen that was not an employee, and ten employees of the city, including one police officer.

Council Member Grogan also wanted to point out that this was really a committee of the employees.

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

(p) 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:

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

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(q) Consideration of relocation of DMV offices to the Eden City Hall Municipal Building.

Mr. Joey Conner, Director of Parks & Recreation, was directed by the City Manager to give estimates. He indicated that he felt that this upfit could be done for \$14,000.00. Approval was asked to proceed with renovations.

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

Council Member Tudor commented that this was not something the city necessary planned to do, but it was being done for the convenience of Eden's citizens.

(r) Consideration of Recommendations considering the establishment of new Council committees for the City Council and assignment of two committee members.

Mayor Price explained that the first step was to vote rescind the appointments made to the Finance, Street and Solid Waste Committee from the December 18, 2001 regular meeting.

A motion was made by Council Member Myott seconded by Council Member Epps to rescind all appointments made to the following committees last month: Finance, Street, and Solid Waste. All Council Members present voted in favor of this motion. This motion carried.

He then explained that they needed to move to adopt the creation of seven (7) Council committees as outlined. Those committees consisted of the following:

Finance, Public Safety, Water and Sewer, Personnel, Parks and Recreation, Planning and Economic Development, and Public Works.

He explained that those committees would meet monthly as needed and be made up of members of the City Council under the direction of the City Manager. He noted that this would be responsive to meeting the needs of the citizens.

Mayor Price noted that the Finance Committee's Chairman would be Council Member Grogan; Public Safety Chairman, Council Member Gover; Water & Sewer Chairman, Council Member Vestal; Personnel Chairman, Council Member Reynolds; Parks & Recreation Chairman, Council Member Tudor; Planning & Economic Chairman, Council Member Epps; and Public Works Chairman, Council Member Myott.

A motion was made by Council Member Epps seconded by Council Member Vestal to adopt the 7 Council Committees consisting of the following: Finance Committee - Chairman John Grogan, (*Council Members Billy Vestal and Chris Myott were also appointed as members*); Public Works

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Committee - Chairman Chris Myott, (*Council Members CH Gover and Jerry Epps were also appointed as members*); Public Safety Committee – Chairman CH Gover, (*Council Members Billy Vestal and Garry Tudor were also appointed as members*); Planning & Economic Development Committee - Chairman Jerry Epps, (*Council Members John Grogan and Ron Reynolds were also appointed as members*); Water & Sewer Committee - Chairman Billy Vestal, (*Council Members CH Gover and John Grogan were also appointed as members*); Parks & Recreation Committee - Chairman Garry Tudor, (*Council Members Ron Reynolds and Jerry Epps were also appointed as members*); Personnel Committee - Chairman Ron Reynolds, (*Council Members Chris Myott and Garry Tudor*).

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

CONSENT AGENDA:

- (a) Approval and adoption of minutes – December 5, 18, 2001.
- (b) 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 (north side). STREET CLOSING SC-00-12.
- (c) 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.
- (d) 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.

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

ORDINANCES AND RESOLUTIONS:

- (a) Consideration of adoption of Resolution of Intent to Close an unopened portion of Sixth Street.

RESOLUTION OF INTENT TO CLOSE A PORTION
OF AN UNOPENED STREET (SIXTH STREET)
ADJACENT TO SHORT UNION STREET

BE IT HEREBY RESOLVED by the City Council of the City of Eden North Carolina that:

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Pursuant to the provisions of Chapter 13, Article III, Division 3 and Section 13-88 of the Eden City Code and Section 160A-299 of the North Carolina General Statutes, the City Council of the City of Eden, North Carolina, does hereby declare its intention to close the following described unopened street:

BEGINNING at an iron pipe found in the west right of way line of Short Union Street, said iron marking the intersection of the west right of way of Short Union Street with the north right of way of Sixth Street and running thence from said point of beginning along the north right of way of Sixth Street North 86° 30' West 174.30 feet to an iron pipe; thence South 3° 15' West 40 feet to a point in the northern property line of Stewart; thence along and with said property, South 86° 30' East 174.30 feet to a point in the west right of way line of Short Union Street; thence along and with said right of way North 3° 15' East 40 feet to the POINT and PLACE OF BEGINNING.

BE IT FURTHER RESOLVED that the City Council does hereby call for a public hearing on the said closing to be held on the 19th day of February 2002, at 7:30 pm.

BE IT FURTHER RESOLVED that this Resolution shall be published once a week for four (4) successive weeks prior to said hearing, a copy of said Resolution shall be sent by registered or certified mail to all owners of property adjoining said street as shown on the Rockingham County Tax Records, and prominently posted in at least two (2) places along the street.

BE IT FURTHER RESOLVED that the Planning Board is hereby requested to submit its recommendation on the proposed closing of said street for consideration of the City Council at the time of said public hearing.

ADOPTED AND EFFECTIVE THE 15th day of January, 2002.

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

ATTEST:

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

(b) Consideration of adoption of Resolution regarding designation of an official to make recommendations to the NC Alcoholic Beverage Control Commission on ABC Permit Applications.

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

RESOLUTION OF THE CITY OF EDEN, COUNTY OF ROCKINGHAM, REGARDING DESIGNATION OF AN OFFICAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS G.S. 18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the City of Eden, County of Rockingham, wishes to notify the NC ABC Commission of its designation as required by G.S. 18B-904(f);

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BE IT RESOLVED that Brad Corcoran, City Manager, is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Eden, County of Rockingham, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED THAT notices to the City of Eden, County of Rockingham, should be mailed or delivered to the official designated above at the following address:

Mailing address: 308 E. Stadium Drive

Office locations:

City: Eden, NC

Zip: 27288

Phone #: (336) 623-2110

This the 15th day of January 2002.

s/Philip K. Price
Mayor

Sworn to and subscribed before me this the 15th day of January, 2002.

Kim J. Scott
City Clerk

VOUCHERS:

Mayor Price explained that the vouchers were the expenditures of each check written by the city.

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

CLOSED SESSION:

Mayor Price explained to those present that there would be a closed session with the City Attorney. He noted that the Council would convene again on Thursday, January 17, 2002 at 5:00 p.m. in the Council Chambers regarding personnel.

A motion was made by Council Member Grogan seconded by Council Member Myott to go into Closed Session according to the State Laws of North Carolina for Attorney Client Privilege. All Council Members present voted in favor of this motion. This motion carried.

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OPEN SESSION:

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

ADJOURNMENT:

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

Respectfully submitted,

Kim J. Scott, CMC
City Clerk

ATTEST:

Philip K. Price
Mayor