

CITY OF EDEN, N.C.

A special agenda meeting of the City Council, City of Eden, was held on Thursday, March 14, 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:		Ronald H. Reynolds
		Billy Vestal
		Christine H. Myott
		Jerry Epps
		C.H. Gover, Sr.
		Garry Tudor
City Manager:	(absent)	S. Brad Corcoran
City Attorney:		Tom Medlin, Jr.
City Clerk:		Kim J. Scott
Deputy City Clerk:	(absent)	Sheralene Thompson
Representatives from City Departments:		
Representatives from News Media:		Erica Kinnaird, <u>Eden Daily News</u>

MEETING CONVENED:

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

Additions to March 19, 2002 agenda:

Mayor Price noted that Council Member Vestal had requested that they add Consideration of Solid Waste clarifications on proposed rates to the agenda.

A motion was made by Council Member Vestal seconded by Council Member Gover to add this to the agenda. All Council Members voted in favor of this motion. This motion carried.

Public Hearings:

(a) Consideration of a public hearing for consideration of bond refunding.

Mayor Price called for a public hearing and asked Mrs. Lori Ford, Director of Finance & Personnel to come forward to address the Council.

Mrs. Ford explained that this was the next phase in their sewer bond refunding. She then read the following order:

ORDER AUTHORIZING \$5,000,000 WATER AND SEWER REFUNDING BONDS

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BE IT ORDERED by the City Council for the City of Eden, North Carolina:

1. That pursuant to The Local Government Bond Act, as amended, the City of Eden,

North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue Water and Sewer Refunding Bonds in an aggregate principal amount not exceeding \$5,000,000 for the purpose of providing funds, with any other available funds, for refunding all or a portion of the City's outstanding Water and Sewer Bonds, Series 1991B, dated December 1, 1991, and paying certain expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect upon adoption.

The City Council thereupon designated the Finance Director to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after the bond order has been introduced and before the public hearing thereon.

Thereupon, the Finance Director filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required. She noted that this was done in the February 19th meeting and this was the second reading.

She explained that this bond was estimated to save the city a quarter of a million dollars. The interest rate currently locked in was about 3.9%. They did have some flexibility to adjust that rate when they go out to the bond, so they actually may save a little more money.

Mayor Price asked if there were any questions and noticed that this was the second time they had done this in the last year as a result of interest rates being lower.

He then asked if anyone had any comments or questions about the bond refunding. As there were no comments he then declared the public hearing closed.

A motion was made by Council Member Epps seconded by Council Member Tudor to adopt the order and resolution authorizing \$5,000,000 of water and sewer refunding bonds and to allow the Director of Finance & Personnel to proceed with the bond refunding. All Council Members voted in favor of this motion. This motion carried.

Mayor Price noted that there was some clarification needed on an ordinance that should be read as Adoption of an ordinance reducing the speed limit to 25 mph from Church Street to Dameron, to Ewell to Ayden to Park Avenue, stopping at Ayden Road. He noted that no action needed to be taken on this.

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He then noted that if they could go ahead with Council Member Vestal's request to have an addition and for clarification he wanted to ask Mrs. Ford about backgrounds on solid waste rates.

Council Member Vestal commented that they had come to a consensus during the Council's Retreat on the rate structure and when he got home and did some math and they were talking about 180%, 105%, 84% and 52%. With the figures that they have already hit the public with on their water rates, he thought they needed to take a more in depth look at it. He stated that he had asked Mrs. Ford to clarify some of the questions that he had, which she did, which was where he received the percentages from, but he was also under the impression that they were going to phase this in. He stated that he might be mistaken, but he noticed on the right hand side that it was phased in at 60% in July, 70% in January and the third phase in was in July of 2003. He stated that he thought they were just going to phase in the 60%.

Council Member Gover added that he had understood it that way also. He stated that he thought that phase was 60% and that was not the way it was. He stated that it certainly had changed his views.

Mayor Price asked Mrs. Ford if she had any comment on this. He explained that Mr. Vestal was comparing the final increase to the original figure.

Mrs. Ford explained that the percentages he quoted were the effects to the individual users. Currently it was \$5.50 per month, and in the different phases of the structures, she basically gave him the percentages of how it would affect a, b, and c. She added that she was not at their meeting but her understanding was that it would be phased in at July 1, January 1, and July 1 again.

Mayor Price replied that in view of that, obviously they could not recreate the wheel, but it seemed that to make sure that everyone understood what had happened, he asked her to write up a summary clarification of exactly what was being enacted to which she agreed. He also asked that she review it with the City Manager.

Mayor Price explained that going into the meeting for Tuesday, they would be having five public hearings.

Those included the following:

(a) Consideration of request to close an unopened alley adjacent to Harvey Street. Request submitted by Larry F. Meade and others. STREET CLOSING SC-02-01

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(b) Consideration of request to close an unopened portion of Hopper lane. Request submitted by Wallace A. and Lillie Purdy and others. STREET CLOSING SC-02-02.

(c) Consideration of a zoning map amendment request to rezone property located on Highway #770/Meadow Road from Industrial-2 to Residential-Suburban. Request submitted by Charles Arthur Dick, owner of Willow Oaks Plantation, LLC. ZONING CASE Z-02-01.

(d) Consideration of amending Chapter 13, Article 111, Section 13-86 of the Eden City Code to include the extraterritorial jurisdiction in the street closing requests.

(e) Consideration of amending Chapter 6 of the Eden City Code pertaining to nuisances.

Financial Report:

Mayor Price noted that they would be discussing the monthly financial report on Tuesday, which would amount to a good summation that Mrs. Ford has done. He expressed appreciation for her comments and asked if there were any questions.

Request and Petitions of Citizens:

Mayor Price explained that there would be a couple of presentations by Dr. David Smith and Mr. Tom Barbour.

(a) Presentation by Dr. David Smith, Chairman, Park Committee

(b) Presentation by Tom Barbour, Past Chairman of Apple Festival Representative

New Business:

(a) Consideration of Budget Amendments 17.

(b) Consideration of Concession Facility Leases.

(c) Consideration of rental rates for park picnic shelters.

(d) Consideration of Historical Documents.

Mayor Price stated that Council Member Tudor had done a very good job about bringing this information to them.

Council Member Tudor explained that his letter covered everything that he wanted to say. He stated that after experiencing the World Trade Center attack on September 11th, patriotism in

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America seemed to be at an all-time high. The County had voted to do this with three members of the County Commissioners who have Eden addresses voting to erect a wall of freedom display of America's historic documents in the County Governmental Building. He noted that did not cost the County any money as the American Legion covered the expense. He stated that the American Legion would also be willing to cover the expense if the City Council were to select a place inside City Hall for a wall of freedom to display America's Historic Documents. He indicated that they could discuss with them how they would be displayed and whether they would like for them to be placed in a big case or if they wanted them framed individually. He then stated that he would like to ask the other members of Council for their vote of approval to do this.

Council Member Myott referred to his letter and noted that he had said there would be no cost to the city, however in another part of his letter he had said that the American Legion would need contributions from the Eden community.

Council Member Tudor explained that it was for tax purposes and people could decide if they want to contribute or not.

Council Member Myott asked if the American Legion would take care of that to which Council Member Tudor replied, yes they would take care of the contributions.

The City Attorney asked if there would be any legal questions asked. He explained that he would like to know, as he needed to be prepared.

Council Member Grogan commented that the one at the County was very well done. It also fit in with the décor and they have not been sued yet. He also indicated that he had referred to Stokes County, and they have not been sued yet. He stated that the Council should approve it and "hold on".

Council Member Tudor noted that he should have received the same information as the Council to which Mr. Medlin replied that he had, he was neutral, but he needed to know if he needed to be prepared to answer any specific legal questions or if they had any.

Mayor Price stated that he might want to talk with the County's Attorney.

Mr. Medlin replied that he thought there had been other people who had already covered that ground, rather than him spend the time and money to do that, if there was not going to be any concern about it, he would not go into depth with it.

Mayor Price then continued on with the next item.

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(e) Consideration of Unclaimed Property/Bicycles.

(f) Consideration of purchase of flag pole for Station 400.

Council Member Grogan commented that when Station 400 was built, he noted that it was a residential type construction. He stated that was the reason a flag pole was never erected there. He stated that he would hope that a flag could be purchased in such a way as people use and display at a residence. He stated that they maintain that fire station in that residential area and again that was the reason it was done, in keeping with the neighborhood.

Council Member Vestal agreed that he had those same concerns. He added that they also asked their Department Heads to cut back in their budgets and there would have to be a sidewalk added to it, he assumed it would cost approximately \$1500 or \$2000 and that would possibly be worth two or three sets of turn out gear that the Fire Chief had already taken out of its budget.

Council Member Myott pointed out that she noticed they were flying a flag when she came by.

Council Member Epps commented that a good deal of their neighborhoods had flag poles and a lot of residences have flag poles in their yard. He stated that they had four stations and everyone has one but that one. He explained that his intention was to get the one located at the old police department, but it had been promised to public works.

Council Member Vestal stated that he thought that the Draper Rural put their own flag pole up and the question was referred to the Fire Chief.

Fire Chief Overby replied that the flag poles were put up at Station 1 and Station 3 when they were built. Station 2, did a dedication last year to all the firemen who had served at that station over the years. They purchased the flag pole and the city paid for the sidewalk. He noted that the block company donated the block, etc., but it would cost a lot of money to place a flag pole at Station 4. As Council Member Vestal pointed out, he had to cut turnout gear and he hated to have to explain to his firemen who needed it, that they just spent \$2000 on a flag pole.

Council Member Grogan added that he did not think patriotism and a flag pole, as far as this year was concerned, was the fact that the city chose to build a fire department in a residential district and at that time, that particular Council wanted to keep it residential.

Chief Overby stated that they went to great efforts to ensure that it did not look like a fire station. He noted that the bays were around back and the fire trucks were hidden.

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Council Member Grogan commented that he was aware of that as he was the one who had suggested it. He added that one of these days, if they had to sell it, it could be sold to a funeral home.

Chief Overby stated that as Council Member Myott had alluded, they looked around the neighborhood and people were flying the flag, but they were flying them on the type of poles that are mounted on the house. He noted that they were currently in compliance with the other neighbors.

(g) Consideration of 2002 Street Contract - Request to Solicit Bids.

Council Member Grogan questioned Pierce Street. He added that he knew it was State money.

Mr. Joe Stanley, City Engineer, explained that he was not sure. He added that the City Manager had him look into it and he had also had discussions with Mr. John Hunsinger of the NCDOT. He stated that last year the State had requested a priority list from the Street Committee and Fieldcrest came first with Pierce listed second. He stated that as he understood from Mr. Hunsinger, was that they were not sure whether they spent the money to do Fieldcrest and part of the resurfacing for Meadow Road with the request to do Gildan and if that was all the money that was allotted this past year. He stated that he hoped that the State would allow an opportunity to give them another priority list.

Mayor Price commented that he had spoken with Senator Berger yesterday and he informed him of this issue. He stated that it was not dead and there had been some misunderstanding before it got to the city level.

Council Member Gover stated that from the information he received when they had Fieldcrest paved, they found other monies without having to touch the allocation to do Pierce Street. He indicated that they found the monies to finish the Gildan project, so those two streets did not have anything to do with Pierce Street. He added that he also had a letter from the Governor to the Mayor stating that they had found the money to do that street.

Council Member Reynolds questioned if anything had ever been done about Washington Street.

Mr. Stanley replied that he had been out of the loop on that to which Mayor Price asked him to look into it.

Council Member Gover commented that reminded him of another place that they were supposed to receive a study on and that was Harris Place.

Mayor Price asked that the City Clerk follow up with this information. He then asked about Oleander Drive.

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Mr. Stanley replied that he understood that this was part of The Oaks. It was a steep incline and the pavement design that went in, they have since switched from that and were putting an inch and a quarter binder and an inch of I2 on top and that was a straight I2. He noted that it had deteriorated to the point that if they waited much longer they would have to rebuild the whole thing and it would cost more money.

(h) Consideration of Solid Waste Rates.

Consent Agenda:

(a) Approval and adoption of minutes - February 14, 19, and 21, 2002.

(c) Approval and adoption of a motion to hold a public hearing and to consider an ordinance for an amendment to the Eden City Code to include the ETJ area for code enforcement.

(d) Approval and adoption of a motion to hold a public hearing and to consider an ordinance rezoning property along Boone Road, Bridge Street, Washington Street from Industrial- I to Business-General. ZONING CASE Z-02-02.

13. ORDINANCES AND RESOLUTIONS:

(a) Adoption of an ordinance establishing a No Parking Zone on Hollingsworth and reducing the speed limit to 25 mph.

(b) Adoption of an ordinance reducing speed limit to 25 mph from Church Street to Dameron to Ewell to Ayden to Park Avenue, stopping at Morgan Road.

(c) Adoption of an ordinance closing an unopened portion of an unopened street (Sixth Street) adjacent to Short Union Street. (STREET CLOSING SC-00-02)

(d) Adoption of an ordinance rezoning property on Highway #770/Meadow Road I from Industrial-2 to Residential-Suburban. ZONING CASE Z-02-01.

(e) Adoption of an ordinance amending Chapter 6 of the Eden City Code pertaining to nuisances.

(f) Adoption of an ordinance amending Chapter 13, Article 111, Section 13-86 Of the Eden City Code to include the extraterritorial jurisdiction in the street closing requests.

VOUCHERS:

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Mayor Price noted that if there were any questions that they could ask Ms. Phyllis Church of the Finance Department.

ADJOURNMENT:

A motion was made by Council Member Tudor and seconded by Council Member Epps 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