

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, September 17, 2002 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meetings were as follows:

Mayor:	(Absent)	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:		S. Brad Corcoran
City Attorney:		Tom Medlin, Jr.
City Clerk:		Kim J. Scott
Deputy City Clerk:		Sheralene Thompson
Representatives from City Departments:		
Representatives from News Media:		Lisa Doss, <u>Eden's Own Journal</u> , Steve Lawson, <u>Eden Daily News</u>

MEETING CONVENED:

Mayor Pro Tem Grogan 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.

INVOCATION:

Mr. Dennis Seaver, Pastor, Immanuel Friends Church, was present to give the invocation.

Special Note of Change to the Process of Request and Petitions of Citizens:

Mayor Pro Tem Grogan noted that at the entrance to the Council Chambers, there was a notice along with a sign up sheet for those wanting to speak at the Council meeting. He noted those individuals would be recognized later in the meeting (under Request and Petitions of Citizens). He stated for those wanting to address the Council and did not sign the sheet tonight, they were welcome to come back next month and sign the sheet to be recognized at that meeting.

PROCLAMATION:

(a) Mayor Pro Tem Grogan read the following proclamation in recognition of older workers.

September 17, 2002

City of Eden, N. C.

Minutes of the regular September 17, 2002 meeting of the City Council, City of Eden, continued:

**PROCLAMATION
EMPLOY AN ORDER WORKER WEEK**

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.

NOW, THEREFORE, I John E. Grogan, Mayor Pro Tem of the City of Eden, North Carolina, do hereby proclaim September 22nd through September 28th, 2002 as

“EMPLOY AN OLDER WORKER WEEK”
In the City of Eden

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

Witness my hand and corporate seal of the City of Eden, North Carolina, this the 17th day of September, 2002.

s/John E. Grogan
John E. Grogan
Mayor Pro Tem

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

(b) Mayor Pro Tem Grogan read the following proclamation to be presented to the local Chapter of the Daughters of the American Revolutions (DAR) in recognition of Constitution Week.

PROCLAMATION

WHEREAS, it is the privilege and duty of the American people to commemorate the two hundred and fifteenth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States designating September 15 through 21 as Constitution Week,

NOW, THEREFORE I, Mayor Pro Tem Grogan as Mayor Pro Tem of the City of Eden do hereby proclaim the week of September 15 through 21 as

CONSTITUTION WEEK

September 17, 2002

City of Eden, N. C.

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And urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Eden to be affixed this 17th day of September of the year of our Lord two thousand and two.

s/John E. Grogan
John E. Grogan
Mayor Pro Tem

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

ADDITION TO AGENDA:

9(f) Approval to call two (2) public hearings relating to signs, one for a text amendment and one for a map amendment. The public hearing for the text amendment will be held first. ZONING CASES Z-02-06 and Z-02-10.

A motion was made by Council Member Epps and seconded by Council Member Gover for approval. All Council Members voted in favor of this motion.

4. PUBLIC HEARINGS AND ADOPTION OF ORDINANCES:

(a) Consideration of a zoning text amendment request to amend Sections 11.29 and 11.31 of the City of Eden Zoning Ordinance and to add Section 11.14(q) concerning sign regulations. Request submitted by City Council. ZONING CASE Z-02-06.

The memorandum presented to Council explained that the City Council initiated an amendment to the City of Eden Zoning Ordinance concerning signs. Particularly there was a concern about billboards. A moratorium was enacted regarding billboards that permitted staff and the Planning Board to prepare an amendment.

Mayor Pro Tem Grogan stated that he would like to remind those in attendance that the Planning and Zoning Board, whose members are appointed by the City Council spends a great deal of time looking at the different ordinances and such before sending them to the City Council.

Mrs. Kelly Stultz, Director of Planning and Zoning, explained that this was an amendment that the Council initiated several months prior. She stated that the first issue that was to be discussed had to do with billboards or outdoor advertising signs. She stated that when the issue went to the Planning Board, the Board felt very strongly that in addition to dealing with billboards, the City needed to take a look at the entire sign regulations. She advised that in the mid 1990's, the Planning Board and the City Council had begun a process to deal with signs and had appointed a separate sign committee. She

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stated that the committee worked for about a year and a half at which time the Planning Board made some recommendations of which some were not approved. Mrs. Stultz explained that the section before the Council was based on what was commonly used in a number of communities within the basic area. She stated that at present the sign regulations in the city ordinance were not as in depth as the Planning Board and many in the community would like to see them. She stated that one of the first issues could be found on the second page at number four dealing with computations. She advised that presently the zoning ordinance did not dictate how the zoning administrator or employees of the Planning Department were to deal with computations of sign face or how to determine the issue. She stated that since 1989 it had been done the same way but that did not mean as the regulations are now, if there were a different Director of Planning and Zoning, it would be done the same. She stated that this was the opportunity for the Council to choose how the regulations should be done. She told the Council that they could then rest assured that the staff was enforcing the regulations as set by the Council. Mrs. Stultz noted that they talked about signs that were prohibited and signs that were exempt from needing a permit. She cited the banners for the Eden Apple Festival and stated that according to the present regulations, the banners were not permitted. She stated that the new regulations said the City Council could choose to endorse such signs in the right of way. She explained that many signs, such as flags, historical and memorial signs, identification signs, and information boards that lots of churches have, that would not require a permit to be issued but would be regulated. She stated there were some tables in the section to make it user friendly. Mrs. Stultz explained that there would be a regulation of square footage for signs in various zoning districts. She stated that she and (Council Member) Mr. Vestal had a conversation that afternoon and he had brought up a point that struck home with Mrs. Stultz regarding Business-Central. She stated that the Business-Central District was the district that applied to the traditional downtown areas. She advised that in talking with (Council Member) Council Member Vestal, she realized that perhaps the percentage that the Planning Board and she had recommended might not be great enough for those kind of buildings because of the amount of glass they had. She stated at this point, the Planning Board had recommended four percent and she advised that she was now in favor of increasing that a bit because it might be more prohibitive for those businesses in Business-Central than some of the other districts. She stated that the proposal did recommend regulating height of signs, which the City did not regulate at present. She stated that one of the most clear things recommended, which was based on the same principle that they had years ago, concerned billboards. She explained that all the court cases had begun to call them outdoor advertising. She stated they were using that terminology to stay as close to what was going on in the courts as possible. She said that the Planning Board had recommended that for anything that qualified as outdoor advertising signs or a billboard, a new one would have to be located in the outdoor advertising overlay district. She advised that this meant there would never be anymore billboards that are in the community and in the planning jurisdiction as of this evening. She stated that the Planning Department had gone out and inventoried the signs and the Planning Board had reviewed them all and found twenty-four in the Planning jurisdiction. She explained that the proposal said that there would never be more than twenty-four, unless deemed so by the City Council. She explained that if someone wanted to put up a

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sign in the overlay district, which the City Council can adopt in October, they would first have to remove a billboard from an area where the billboard was inappropriately placed, such as residential areas. She stated that the proposal examined signs in the right of way and a sign encroachment agreement for signs, such as neighborhood signs, that needed to be in the right of way. She stated that such signs would require an agreement that would be prepared by the city attorney. She explained that in preparing the proposal, they tried to stay close to what other communities had done.

Council Member Gover inquired if a map was needed showing the overlay districts.

Mrs. Stultz replied yes, they would. Later in the agenda there would be an item calling for a map amendment for next month. She explained that they knew the text had to be in place for the district before the Council could consider the overlay, so the City Council was being asked at the meeting to adopt the district regulations. She advised that the Planning Board would then send a map the following month with a proposed map amendment that would encompass the overlay. She emphasized that this was just text and that a map had not yet been done. She advised that the Planning Board was working on the map but would not present it until the matter of the text was resolved.

Council Member Vestal asked regarding abandoned or deteriorated signs, he stated he hoped they were not planning to create another position, asking what the title Development Administrator involved.

Mrs. Stultz answered that the position referred to her and stated that it was just the zoning officer.

Council Member Vestal said that he and Mrs. Stultz were talking earlier as she had alluded to. He stated that he had some property downtown and he, as well as other people who had businesses downtown, did not have a freestanding building, they do not have a hundred foot frontage. He said that his building was twenty-two to twenty-five feet. He explained that eliminating the glass, he had about ten feet above and twenty-two feet which would limit him to about a two by five sign on the whole front of the building. He stated that that was why he was questioning Mrs. Stultz about the four percent recommendation. He advised that he thought they should go up on that.

Mayor Pro Tem Grogan called for the public hearing and asked for those wishing to speak in favor or in opposition to this proposal. As there were none, Mayor Pro Tem Grogan declared the public hearing closed.

Council Member Vestal explained that on the sign area, permitted signs not in the outdoor advertising overlay district, two square feet per one hundred frontage and below that four percent on Business-Central. He stated that he would like for the Council to consider a motion to change that to ten percent, which would allow larger signs on the front of the buildings in the Business-Central district only. He stated that it would give

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probably a three by eight sign on the building instead of a two by five sign on an average downtown building.

Council Member Vestal made a motion to adopt the changes (*permitted signs not in the outdoor advertising overlay district, two square feet per one hundred frontage and below that four percent on Business-Central. He stated that he would like for the Council to consider a motion to change that to ten percent, which would allow larger signs on the front of the buildings in the Business-Central district only*) to the sign ordinance. The motion was seconded by Council Member Gover. All members voted in favor of this motion.

(b) Adoption of an ordinance amending Sections 11.29 and 11.31 of the City of Eden Zoning Ordinance pertaining to signs. ZONING CASE Z-02-06.

A motion was made by Council Member Epps seconded by Council Member Myott for adoption. All Council Members voted in favor of this motion.

MONTHLY FINANCIAL REPORT:

(a) Financial Report.

Mayor Pro Tem Grogan stated that Mrs. Ford had been on vacation but still got the monthly financial report out. He said that as Mayor Price often said, and he concurred, with the notations that Mrs. Ford placed on the financial report about where the city was, where it should be, and what the city might expect in the future.

A motion was made by Council Member Gover seconded by Council Member Vestal that the monthly financial report be approved. All Council Members voted in favor of this motion.

REQUESTS AND PETITIONS OF CITIZENS:

Mayor Pro Tem Grogan asked the citizens who were speaking to keep their remarks to about five minutes.

Ms. Billie Jean Freeman stated she would like to address the Council on the issue of the old city park. She stated she presented a petition to the committee on July 16th, 2002. She stated that the citizens would like to know if the Council has reconsidered leaving it open. And the last count of the citizens she had been in contact with was eight-hundred and fifty residents. She stated that those residents, along with herself, do not like the new park because it is directly in the sun, around the factories, there's no shade, and has only one shelter. The children that play there, that try to play there, get their legs and arms burned from the equipment being in the sun. She stated they knew that the old city park needed some cleaning, but if they could all work together in the community and get the wonderful scout troops involved, they could make that park beautiful again. She added that she had wondered if they had reconsidered since she presented it on July 16th.

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Mayor Pro Tem Grogan replied that it had not been discussed formally. He added he was sure it would be and when it was that she would be one of the first to know and to let her group know. He added that he wished he could tell her more, but it had not been discussed as of yet.

Ms. Freeman replied she knew the Council had been busy, but that this was a heartfelt thing of all the residents in the community. She then thanked the Council and presented a copy of her comments made tonight.

Dr. David Smith, Chairman of the Eden Freedom Park Committee was present to announce that the committee members had been hard at work and had planned a “day of the park” on Saturday, October 12th. He added that since this was the traditional Columbus Day, they have designated their slogan for the day to be “Discover the Park”. He stated that they were inviting all citizens to come out and discover what good amenities the park has now and what great possibilities the park will have.

Dr. Smith stated that in response to the earlier person (Ms. Freeman) speaking, they have about \$15,000 in their budget that is earmarked for landscaping. They were waiting for the right time with Mother Nature to help in order to put in the shrubbery, the trees around the park, around the shelter, and around the playground area. He stated that not only was the shelter from the sun but also as a shelter from the eventual ball fields they will have to help protect from wayward balls that might come that way. He added that all City Council members are invited. It will a day for the formal opening of our park. They would have it complete with ribbon cutting ceremonies and, hopefully, a speech from Mayor Price. He added they would have something for everybody that day. They will have bands, face painting for the kids, kite flying contests, bicycle inspections, and a cheer factor with acrobatics. This will be from 1:00 p.m. to 7:00 p.m. with a 5:00 p.m. concert by a band called Real Country. Dr. Smith extended an invitation to each of the Council Members to show them their appreciation for their hard work, dedication, and foresight for helping fund this park.

(a) Raymond Wilson - request to address Council.

Mr. Wilson did not appear to address the Council.

UNFINISHED BUSINESS:

(a) Consideration of final approval for street closing for Hopper Lane.

Information provided to Council explained that earlier this year a Street Closing request was issued for Hopper Lane off Caleb Street. The night of the City Council meeting, the Council decided to table the request until an easement was acquired and recorded on behalf of North Carolina Gas. This has been accomplished and is now ready for final consideration and approval for this request.

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Mrs. Stultz advised that this was a street closing for which the City Council held a public hearing several months prior. She stated that at that time, the Council had tabled the final decision until such time that they were able to acquire, and Mr. Medlin record, an easement on behalf of North Carolina Gas Company. She stated that the easement had been obtained and she was requesting the Council pull this request off the table and finalize it at the meeting.

A motion was made by Council Member Vestal seconded by Council Member Gover to pull this request off the table. All Council Members voted in favor of this motion.

A motion was made by Council Member Vestal seconded by Council Member Gover to approve this request to approve this request to close Hopper Lane. All Council Members voted in favor of this motion.

(b) Consideration of Washington Street Public Space.

Information provided to Council explained that the City Council, Community Appearance Commission and the Old Leaksville Merchants have been discussing the creation of a public space at the corner of Washington and Henry Streets for some time.

There are three (3) lots at this corner. The city acquired two (2) of them in a condemnation action and the merchants acquired the third lot from the owner.

The basic plan is to have the merchants deed their lot to the city with restrictions that the property remain a public space. They want to put an electric service for holiday decorations, simple landscaping, and possibly benches. Some of the plans are on hold until the City, NCDOT, and Mohawk agree on a resolution to the drainage issues at the rear of the properties.

Mrs. Stultz advised that this was a project that the Leaksville Merchants and the Appearance Commission had been working with for some time. She stated that they had some Council Members play a pretty good role in it. She explained that at present, the city owned two lots and the merchants owned one. She stated that in order to make the space work as one unit, the merchants would like to get Mr. Medlin's assistance, and give their lot to the city with the restriction put on the deed that the property remain a public space. Mrs. Stultz explained that the plan was for the garden clubs to landscape the lot. She stated that electric service would have to be put in for the Christmas tree that is placed there to be legal. She advised that one of the items to be worked on, which was fairly serious, was a drainage issue in the Washington-Henry Street area that involved city staff, NCDOT, and Mohawk. She relayed that there was a meeting set for next Wednesday to begin the process of getting those corrected, but in the meantime she would like to go ahead and get this part done so other work could be done.

Mayor Pro Tem Grogan stated that it seemed to him that they were "getting the cart before the horse". He advised that he thought NCDOT and Mohawk and all of the drainage problems should be corrected first. He stated that he thought this could provide problems for the property that was up front if they did not find out what needed to be done.

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Mrs. Stultz agreed with Mayor Pro Tem Grogan and stated at this point, they have no intention of putting anything permanent there, planting trees and such. Really all they want to begin to do is to put electric service near the front where it would not be impacted by the drainage area. Mrs. Stultz explained that if anything was planted, it would be in pots that could be moved out of the way because they knew that there was going to be some serious moving around on the lot.

A motion was made by Council Member Tudor to approve this item.

Council Member Vestal stated that as written in the last sentence, the Community Appearance Commission planned to share other responsibilities. He questioned who would be responsible for the grass cutting and weeding.

Mrs. Stultz answered that presently the merchants were hoping that they could do all of the weeding and planting and such. She stated that the city may have some grass cutting responsibility but that they already had that on more than three quarters of the lot. She explained that it was a tiny strip that the merchants owned so the city would not be taking on much that they haven't been.

Council Member Gover questioned what kind of money was involved on the city's part by accepting the lot.

Mrs. Stultz stated that the expectation was that the merchants and the Appearance Commission had their revenue money and money they were going to use. She advised that there was presently no plan to ask the city for money. She stated that there may be issues with the drainage problem but that it was a whole separate ballgame. She said as far as the public space, there was none.

Council Member Gover questioned Mrs. Stultz if she was saying that the Appearance Commission would take care of the drainage problem with their money.

Mrs. Stultz answered that they would not have money for that. She stated that she was referring to the public space that would go in after that. She stated that the only thing might be when the electric service was completed, that small amount might be.

Council Member Vestal questioned City Manager Brad Corcoran whether he thought the Council should proceed with this item or table it until the next meeting as suggested by Mayor Pro Tem Grogan.

Mr. Corcoran answered that DOT's response when they met with the city had been if the merchants and the city were going to do anything, they not do anything that would later entail the DOT to come in and the city have to tear it up. He stated that the merchants were desirous to put up a Christmas tree at Christmas. He advised that the tree was run by DOT and they had no problem with a temporary tree with lights on it. He stated if any

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potted plants were placed there, they could be moved. He said that he thought it was okay. He indicated that he did not see any problem with the city proceeding as long as they did not make any permanent improvements on it until the drainage issue had been resolved.

Mrs. Stultz stated that once all three lots were under control of the city, no final plans could be done without coming through the Council.

Council Member Tudor made a motion to approve this item with the understanding that no permanent work, other than the running of an electric line to the front side of the lot, would take place and that any work the Appearance Commission or garden clubs would do would be in pots or something that could easily be moved out of the way. He stated that the motion was to allow the area that was not involved in the drainage circumstance to be made a community space. He stated that nothing permanent would be done but the area would be allowed to be decorated with a Christmas tree at Christmas which was more attractive for the businesses that were directly impacted. This motion was seconded by Council Member Epps with the addition that the city accept the deed. Council Member Tudor stated to add the acceptance of the deed to his motion also.

Mr. Medlin stated that his concern on this was that he had not seen any of the proposed restrictions. He explained that he did not anticipate a problem but he had not seen the restrictions. He stated that if this were a concern, then if they want to make their motion subject to approval of those conditions either by some members and himself or something along those lines, he would like for the Council to consider that. Mr. Medlin stated that he was concerned about how long the restrictions would remain on the property because intended use fifty years down the road may not be what was most appropriate for the area.

Mayor Pro Tem Grogan stated that they were talking about it remaining a green space forever. He then asked Council Member Tudor to amend his motion for approval subject to review by (Council Member) Mr. Vestal and the city attorney.

Council Member Tudor stated that he would be happy to do that.

Mayor Pro Tem Grogan stated that the motion would be that they accept the deed for this piece of property subject to the approval of (Council Member) Mr. Vestal and the city attorney being satisfied with the deed that's being prepared.

Council Member Gover questioned how large the lot was.

Mrs. Stultz answered that it was about twelve feet by twenty feet, forty feet.

Council Member Gover questioned if the only responsibility of the city would be for drainage.

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Mrs. Stultz explained that the city already owned most of it. She stated that what the city was considering accepting from the merchants was a tiny sliver on the edge of the right out of way.

Action on the motion: All Council Members voted in favor of this motion.

(c) Consideration of appeals from Nuisance Violation on Highway 14.

Information provided to Council explained that earlier this year the city began enforcement actions on two properties on Highway #14. One is the former Brenda's Home Center property owned by Charles and Patsy Rumbley and the other is the property adjacent to the Rumbley property to the south, owned by Jill Brittni Evetts.

The city received formal appeals as per the nuisance provisions of the city code on these actions. Staff was of the opinion that the situation do constitute nuisances on both sites and stands firm in their assessment of the situations.

This item was pulled from the agenda.

Mayor Pro Tem Grogan commented on the unsightliness of this violation and stated that he hoped it would be cleaned up.

Mrs. Stultz answered that it was almost cleaned up, with the exception of a few items. She stated that both the property owners had appealed to give themselves more time to clean.

(d) Consideration of ordinance regarding trucks on residential streets.

Mr. Medlin stated that the proposed ordinance had previously been before the Council and that the Council had already taken action on the public hearing and approved it. He stated that there was just the matter of submitting the ordinance for approval by the Council. Mr. Medlin stated that he had wanted the opportunity to rewrite the ordinance and had done so which was what the Council had before them.

A motion was made by Council Member Epps seconded by Council Member Gover to adopt the ordinance. All Council Members voted in favor of this motion.

NEW BUSINESS:

(a) Consideration of legal action on building located at 1305 Carolina Avenue.

Information provided to Council explained that the Codes Inspector from the Planning & Inspections Department declared that a building at 1305 Carolina Avenue be condemned based upon the North Carolina State Building Code.

This department has completed the administrative enforcement proceedings and the owner has failed to comply with the inspector's order to take corrective action to abate the violation.

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The department requested that the City Council authorize the City Attorney to initiate legal enforcement proceedings to correct the unsafe building.

Mrs. Stultz explained that this property was more familiar to those in attendance as Hickory Square Apartments. She stated that this situation had taken a long while due to the number of people that had to be dealt with to get it thus far. She stated that the condemnation had proceeded to the point that it was ready for legal action. She stated that all the requirements had been met and she was asking that the Council authorize Mr. Medlin to proceed.

A motion was made by Mayor Pro Tem Grogan seconded by Council Member Gover to approve this item. All Council Members voted in favor of this motion.

(b) Consideration of legal action on building located on Price Road.

Information provided to Council explained that the Codes Inspector declared that a building on Price Road be condemned based upon the North Carolina State Building Code.

This department has completed the administrative enforcement proceedings and the owner has failed to comply with the inspector's order to take corrective action to abate the violation.

The department requested that the City Council authorize the City Attorney to initiate legal enforcement proceedings to correct the unsafe building.

Mrs. Stultz explained that the building had been "doing its very best to commit suicide for a number of years". She advised that the property owners had refused to get the building all the way down. She stated that they had come thus far in the process and would like permission from the Council to proceed.

Council Member Vestal asked if this was the building in the curve.

Mrs. Stultz replied that it was and had at one time been a dance hall.

A motion was made by Council Member Gover seconded by Council Member Epps to approve legal action. All Council Members voted in favor of this motion.

(c) Consideration of recommendation for a Planning Board appointment for the extraterritorial jurisdiction.

Information provided to Council explained that staff has recently received a letter of resignation from Betty Matthews, extraterritorial jurisdiction appointee to the Planning Board.

Please make a recommendation that can be forwarded to the County Commissioners. The term of office for the new member will expire on December 31, 2002.

Mrs. Stultz advised that she did not have a recommendation at present. She advised that of the Planning Board and ETJ people from west, one had resigned and one was in an

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area that was most likely to be annexed. She stated great care would be needed to choose someone.

Mayor Pro Tem Grogan advised that this item would be tabled until the next meeting.

9. CONSENT AGENDA:

- (a) Approval and Adoption of minutes – Aug. 15, 20, and 29, 2002
- (b) Approval and adoption of a motion to hold a public hearing to consider an ordinance for a zoning map amendment request to rezone property on Bridge Street from Business-Central to Business-General. ZONING CASE Z-02-08.
- (c) Approval and adoption of a motion to hold a public hearing on Tuesday, October 15, 2002 at 7:30 p.m. for the purpose of receiving comments and suggestions as to how the 2002 Local Law Enforcement Block Grant money should be spent
- (d) Approval and adoption of a motion to consider naming the City of Eden Police Firing Range.
- (e) Approval and adoption of a motion to approve the Local Firemen's Relief Fund Directors.
- (f) Approval to call a public hearing for the outdoor advertising overlay district as initiated by the Planning Board. ZONING CASE Z-02-10.
- (g) Approval and adoption of Waiver of Competitive Bidding for the purchase of a Street Sweeper.

A motion was made by Council Member Myott seconded by Council Member Tudor to approve the Consent Agenda items (a through g). All Council Members voted in favor of this motion.

10. VOUCHERS:

Mayor Pro Tem Grogan advised the Council Members to call the City Manager if they had concerns about the voucher list and go over it with him on a personal basis to get the answers.

OTHER BUSINESS:

Council Member Gover stated that there had been no chance to add to the agenda. He stated that he would like to ask about 1001 Sharpe Street since it was in condemnation.

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Mr. Medlin replied that the matter had been approved for legal action and there were numerous people who had been identified and one or two had not been located. He explained that they were looking at hiring a detective or some agency to locate those people. The failure to locate would mean a service of process of publication would have to be done. He stated that before the publication could run, the city would have to show that they diligently, as a constitutional standard, tried to locate those persons and were unable. He stated they were trying to locate those lost people and then proceed with the filing of the papers.

Council Member Gover stated that he had been on the Council for three years and had asked that question pretty much every other month.

Mr. Medlin replied to Council Member Gover that he should continue to do so because it would help.

Mayor Pro Tem Grogan stated that he thought Mr. Medlin was saying that once all the people were signed on the document ...

Mr. Medlin stated that they would not get them all signed because they could not locate them but would have to do a legal action.

ADJOURNMENT:

A motion was made by Mayor Pro Tem Grogan seconded by Council Member Epps to adjourn. All Council Members voted in favor of this motion.

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

John E. Grogan
Mayor Pro Tem