

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, April 15, 2003 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meetings 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:	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:	Steve Lawson, <u>Eden Daily News</u> , Scott Michaels, <u>News & Record</u> , Lisa Doss, <u>Eden's Own</u>

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.

INVOCATION:

Bob Trogdon, Pastor, Emmanuel Baptist Church was present to give the invocation.

RECOGNITION:

Mayor Price introduced Ms. Teresa Harmon of the Red Cross for Blood Drive Achievements.

Ms. Harmon explained that she was present to recognize the city and its employees for its participation in their 2002 blood program. She explained that they have divisions all over the county. Division I is made up of 100 employees or less and Division II is 101 employees or more. She explained that the City of Eden is in Division II.

The city's percentage of goal for this year was 260%. That was a great accomplishment. She noted that Public Works hosts six (6) drives per year and average 30-40 donors every 56 days.

She then presented the City Manager, Mr. Brad Corcoran, and Public Works Director, Benny Sexton with the following trophies: A traveling trophy, from 1995-2002 the City of Eden has kept this trophy except for one year. Another trophy, number one in the entire county, for Division II, and the City of Eden has kept this trophy since 1995. She also presented the Most Improved trophy for 2002, which meant that the city did a higher percentage than any other group in Rockingham County.

Ms. Harmon also noted that the city collected 208 pints in 2002, which touched 832 lives.

ADDITIONS OR DELETIONS TO AGENDA:

Consideration of adding Pierce Street Resolution to New Business.

A motion was made by Council Member Epps seconded by Council Member Reynolds to add a Resolution regarding Pierce Street to New Business. All Council Members voted in favor of this motion.

Consideration of adding Appointment to Park Committee to New Business.

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Minutes of the regular April 15, 2003 meeting of the City Council, City of Eden, continued:

A motion was made by Council Member Tudor seconded by Council Member Gover to add Appointment to Park Committee to New Business. All Council Members voted in favor of this motion.

PUBLIC HEARINGS AND ADOPTION OF ORDINANCES:

(a) Consideration of an ordinance annexing property located at 441 Mebane Bridge Road pursuant to a request submitted by Howard Tate.

The memorandum presented to Council explained at their regular March meeting, the Council scheduled this public hearing to hear comments regarding an annexation of property requested by Howard Tate. The request is to annex property located at 441 Mebane Bridge Road.

At their March 25, 2003 regular meeting, the Planning Board voted to recommend that the City Council approve this request.

Mayor Price asked Mrs. Stultz to come forward with a report.

Mrs. Kelly Stultz, Director of Planning and Zoning, explained that this request was submitted by Mr. Tate for a piece of property that sits just to the south of the existing city limits. He has plans for this particular piece of property and would like to have it annexed. The Planning Board voted unanimously to recommend approval of this request.

Mayor Price called for a public hearing and asked if there were those who wished to speak in favor or in opposition to this request.

Mr. William Clapp, explained that he owned the adjoining property. He questioned what was to be built on this piece of property.

Mrs. Stultz replied that she understood that he planned to build a very large fine dining restaurant.

Mr. Clapp asked what the capacity would be to which Mrs. Stultz replied that she could not because she had not seen the plans. Mr. Clapp questioned approving a plan that was not there.

Mrs. Stultz explained that at this point they were considering the approval to annex the property into the city at his request. The next public hearing would be to consider zoning that piece of property and then he would have to submit plans and go through the normal process.

Mr. Clapp questioned if the property was big enough to build a very nice restaurant. He added that of course it would be a nice restaurant from the area, since he had a piece of property right beside it that overlooks the river and the golf course, but his question was, what kind of restaurant this was. He asked if this was an eating restaurant that was going to serve alcoholic beverages and was it going to stay open until after 1:00 or 2:00 in the morning. He proposed that if he were to build a house there would he have to listen to the noise. He then asked that if the restaurant went out of business and Mr. Tate sold the property, he could have a disco club right beside of him if they converted it to a disco club or a strip joint. He asked what would prevent this from happening.

Council Member Grogan asked if he thought it might be a strip joint.

Mr. Clapp replied he did not know they did not have any plans, all they know it could be a nice restaurant and Hooters could be a nice restaurant.

Mrs. Stultz explained that she was not sure she could answer all of his questions. Mr. Tate had asked for Business-General. As in any other time that the Council considered a zoning case, they had to consider everything that was allowed in Business-General. She explained that it was within a thousand feet of a residence, so therefore it could not be an adult establishment. The City of Eden does not currently limit the operating hours of a restaurant. She stated that she understood that Mr. Tate was going to consider selling alcoholic beverages as a part of the restaurant and not a bar. She explained that none of that was an issue here because this was an annexation request. Next would be the zoning request and then he would have to submit plans

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Minutes of the regular April 15, 2003 meeting of the City Council, City of Eden, continued:

and he would have to get them approved through all the normal channels and he would have to get approval from the State of North Carolina to sell alcoholic beverages.

Mayor Price asked if any of those explanations helped him to which Mr. Clapp replied if he had a crystal ball it would probably tell him exactly the size and everything he wanted to know but evidently it did not. He stated he could understand Mr. Tate wanting to build a restaurant there. He questioned a large restaurant, as it was actually a small area. He pointed out that it looked like he was bringing in dirt to either build it up or add more parking area. He stated that he did not want them to start parking on his side. He stated that he did not want to build a house four or five years later and then contend with the hoodlums drinking or being rowdy. He questioned not having any police force as it was outside the city limits.

Mrs. Stultz pointed out that it would not be outside the city once it was annexed and that was the whole point.

He questioned that if it did not make it Mr. Tate might decide to sell and then someone converts it to a dance club.

Mrs. Stultz replied that the City of Eden did not have conditional use zoning. They did not have the ability to negotiate the kinds of things Mr. Clapp was talking about. If they chose to annex it and then apply a zoning district then Mr. Tate would have the right to do any of the uses by right that you can do in the Business-General. She added that it was impossible, with land use regulations, to be able to see 40 years down the road. She pointed out that there were a lot of pieces of property now that was different than what they were when she was a child. She stated that she really did not know how to answer the question other than once it was inside the city, should the Council decide to annex it, it would receive the care and concern that any other business received.

Mr. Clapp stated that if there were only 100 or 200 people, then maybe converting it to a disco or something later on, that would not probably be a great thing to do, but if there were a capacity of 500 then that would possibly be difficult to sell later on to make a good profit.

Mrs. Stultz explained that in order to meet the setback requirements and the number of parking spaces he would have to have, 500 to her mind would be impossible. She stated that she did not think it could ever reach that magnitude but they did not know how many it would seat until plans come in, if Council annexed it.

Mr. Clapp stated that he would personally liked to have seen some kind of plan stating what type of restaurant it was going to be.

Mrs. Stultz pointed out that even if he did, the city could not hold him to it. They did not have conditional use zoning and this Council, should they decide to do all of this, did not have the ability to hold him to that at this point. All they could do is make him adhere to the regulations that were in that zoning district.

Mr. Clapp stated that he guessed it answered none of his questions.

Council Member Grogan commented that he thought it did answer his biggest question, which was before anything was done, at a later date, there would be another public hearing. He asked if that was correct.

Mrs. Stultz replied no that at this point if it got zoned by right, then he would have to submit plans and specifications that would go to their technical review committee at a staff level and building inspections and all those kinds of things.

As no one else came forward to speak in favor or in opposition to this request, Mayor Price then declared the public hearing closed.

A motion was made by Council Member Grogan seconded by Council Member Reynolds to approve this request. All Council Members voted in favor of this motion.

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Minutes of the regular April 15, 2003 meeting of the City Council, City of Eden, continued:

(a)(1) Adoption and approval of ordinance annexing property located at 441 Mebane Bridge Road pursuant to a request submitted by Howard Tate.

A motion was made by Council Member Grogan seconded by Council Member Reynolds to approve this ordinance. All Council Members voted in favor of this motion.

(b) Consideration of an ordinance rezoning property at 441 Mebane Bridge Road from Residential-Agricultural (county zoning) to Business-General pursuant to a request submitted by Howard Tate. ZONING CASE Z-03-03

The memorandum explained that at their March regular meeting the Council scheduled this public hearing to hear comments regarding a zoning map amendment request filed by Howard Tate. The request was to rezone property at 441 Mebane Bridge Road from Residential-Agricultural (county zoning) to Business-General.

The Planning & Inspections Department recommended approval of the map amendment request. At their March regular meeting, the Planning Board voted to recommend that the City Council approve this request.

Mayor Price asked Mrs. Stultz to come forward with a report.

Mrs. Stultz explained that the piece of property was located in Rockingham County, just outside the city limits and the ETJ. She explained that the property owner has requested to make commercial use of this property. At their meeting, the Planning Board voted unanimously to approve that request.

Council Member Tudor asked if she could name five type businesses that would go in the Business-General.

Mrs. Stultz explained that Business-General allowed everything that was permitted in Business-Central, which was a whole host of retail type uses. It would allow an animal hospital, cabinetry and woodworking shop, a greenhouse, a golf course, any kind of retail sales and equipment and those types of things.

Mayor Price called for a public hearing and asked for those wishing to speak in favor or in opposition to this request.

Mr. Joe Maddrey, explained that he represented Mr. Tate. He pointed out that he thought they all knew where the site was and he could sit there and read all the allowable uses. This was a very small tract of land; it had a 68' Duke Power easement running through it and there was very limited possible usage. In response to the questions about the restaurant, because you do not have conditional use, you cannot have contracts on it, so therefore, he did not say anything when they started talking about the restaurant, because he could not come forward and tell them that this was what was planned there. He added that he would simply say to it has a very limited possible usage because of the lay of the land and the Duke Power easement and the extreme drop off from the boat landing road down to this. So if they look through the allowable uses on Business-General, they were not going to find hardly anything that it could be used for except the one that he just mentioned.

As no one else came forward, Mayor Price then declared the public hearing closed.

A motion was made by Council Member Reynolds seconded by Council Member Grogan to accept this request. All Council Members voted in favor of this motion.

(b)(1) Adoption and approval of an ordinance rezoning property at 441 Mebane Bridge Road from Residential-Agricultural (county zoning) to Business-General pursuant to a request submitted by Howard Tate. ZONING CASE Z-03-03.

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

(c) Consideration of an ordinance amending Section 11.31(h) Signs – of the City of Eden Zoning Ordinance to modify a section dealing with maximum total sign area per zoning lot pursuant to a request submitted by City of Eden Planning Board. ZONING CASE Z-03-05.

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Minutes of the regular April 15, 2003 meeting of the City Council, City of Eden, continued:

The memorandum explained that at their meeting in March, the Council scheduled this public hearing to hear comments regarding a zoning text amendment request filed by the City of Eden Planning Board. The request was to amend Section 11.31(h) – Signs- of the City of Eden Zoning Ordinance to modify a section dealing with maximum total sign area per zone lot.

The Planning & Inspections Department recommended approval of the text amendment request. At their February regular meeting, the Planning Board voted to recommend that the City Council approve this request.

Mayor Price asked Mrs. Stultz to come forward with a report.

Mrs. Stultz explained that for the past year they have had a lot of discussion about signs. When the Council adopted the ordinance last fall that significantly amended their sign regulations, all during that time both the Planning Board and the Planning Department both knew that there were going to be some things that would need to be tweaked in the ordinance. She noted that they realized fairly quickly that the provision that talks about 4% of the square footage of the building face for signs, excluding the window or glass area, it had been punitive to several folks trying to put a sign up to get one of even adequate size and not to allow them to be overlarged.

The Planning Board discussed this and initiated the amendment and last month they voted to approve this amendment request.

Mayor Price declared a public hearing and asked anyone who wished to speak in favor or in opposition to come forward. As no one came forward to speak, he then declared the public hearing closed.

A motion was made by Council Member Tudor seconded by Council Member Myott to approve this request. All Council Members voted in favor of this motion.

A motion was made by Council Member Grogan seconded by Council Member Tudor to adopt this ordinance amending Section 11.31(h) Signs – of the City of Eden zoning ordinance to modify a section dealing with maximum total sign area per zoning lot pursuant to a request submitted by City of Eden Planning Board. All Council Members voted in favor of this motion.

MONTHLY FINANCIAL REPORT:

(a) Financial Report.

A motion was made by Council Member Epps seconded by Council Member Tudor to accept the Monthly Finance Report. All Council Members voted in favor of this motion.

REQUESTS AND PETITIONS OF CITIZENS:

No one came forward to speak.

UNFINISHED BUSINESS:

(a) Consideration of video surveillance upgrades at Morehead High School.

The memorandum presented to Council explained that the Principal at Morehead High School, Andy Thacker, has asked for financial assistance to upgrade the existing video surveillance system. He wants to add cameras and a software package that would allow our dispatchers to monitor the cameras via an Internet connection. They already have the capability, but the school needs the upgrades. The upgrades would benefit the Police Department in that the school could digitally record crimes that occur. The ability to monitor the cameras via the Internet could benefit as we respond to alarms or crimes in progress.

The Police Department has \$8,115.01 remaining in a LLEBG. This would be an eligible project under grant guidelines.

It was the Police Chief's recommendation that the Council approve the expenditure of \$2,000 of the LLEBG to enhance the Police Department's ability to solve crimes at the school and to enhance the safety of officers responding to crimes in progress or alarms at the school.

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

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Minutes of the regular April 15, 2003 meeting of the City Council, City of Eden, continued:

NEW BUSINESS:

- (a) Consideration of an ordinance for the demolition of a structure at 131 N. Fieldcrest Road.

The memorandum to Council explained that the Council would find a section of the Non-Residential Maintenance Code relating to the steps to be taken when an owner fails to comply with an order to repair or demolish and a report from staff on the subject action. The City of Eden Non-Residential Maintenance Code permits the City Council upon adoption of an ordinance to order the demolition of the structure. Once the demolition is done at the city expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

The Planning Department was asking that Council adopt an ordinance for the demolition of the subject property 30 days from April 15, 2003.

A motion was made by Council Member Gover seconded by Council Member Grogan to approve the ordinance as presented. All Council Members voted in favor of this motion.

- (b) Consideration of request for legal action for a building at 124 Short Morgan Street.

The memorandum provided to Council explained that the Codes Inspector declared that a building at 124 Short Morgan Street be condemned based upon the North Carolina State Building Code.

Administrative enforcement proceedings have been completed and the owners have failed to comply with the inspector's order to take corrective action to abate the violation.

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

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

- (c) Consideration of Pierce Street Resolution.

Mayor Price explained that very strong efforts were being made by the city staff as well as State Legislators and he commended them for what they were doing.

RESOLUTION
OF THE EDEN CITY COUNCIL
FOR THE IMPROVEMENT OF PIERCE STREET

WHEREAS, Rockingham County has been designated as a 21st Century Initiative community by the Governor of the State of North Carolina and the North Carolina Department of Commerce; and

WHEREAS, the City of Eden is a municipality in Rockingham County; and

WHEREAS, Pierce Street is a major roadway corridor in the City of Eden; and

WHEREAS, Pierce Street now serves to provide access to traffic for Meadow Greens Shopping Center, Morehead Memorial Hospital, the Rockingham County Library, Morehead High School, James E. Holmes Middle School, Central Elementary School, Eden City Hall and other uses that generate high traffic counts; and

WHEREAS, additional traffic and economic development in the Pierce Street area will result from proposed improvements to real property adjacent to Pierce Street; and

WHEREAS, many students of the various schools and others walk along the public right-of-way of Pierce Street without the benefit of a sidewalk; and

WHEREAS, Pierce Street is in need of major improvements and repairs including the grading and resurfacing and the installation of sidewalks and curb and gutter estimated to cost approximately \$600,000; and

WHEREAS, The Eden City Council does hereby request that the North Carolina General Assembly and the City's State Legislators together with the North Carolina Department of Transportation assist the City of Eden in the funding necessary for this project from any appropriate available resources; and

NOW, THEREFORE BE IT HEREBY RESOLVED; that the Eden City Council makes this request on behalf of the citizens of Eden;

This 15th day of April, 2003

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CITY OF EDEN

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

ATTEST:

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

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

(d) Consideration of Appointment to Park Committee.

A motion was made by Council Member Tudor seconded by Council Member Grogan to approve the appointment of Patrick Joyner to the Park Committee. All Council Members voted in favor of this motion.

9. CONSENT AGENDA:

(a) Approval of minutes: February 27 and March 18, 2003.

(b) Approval and adoption of a motion to hold a public hearing to consider an ordinance to amend Section 11.24(f)(1) – the Business-Central zoning district of the City of Eden Zoning Ordinance to permit buildings to be used solely for housing. ZONING CASE Z-03-06.

(c) Approval and adoption of Budget Amendment No. 11.

Budget Amendment #11	Account #	From	To	Amount
General Fund Revenue				
Fund Balance Appropriated	10-3991-99100	\$ 49,522.00	\$ 149,522.00	<u>\$ 100,000.00</u> <u>\$ 100,000.00</u>
General Fund Expenditures				
Contribution to the Self-Insurance Fund	10-9920-75000	\$ -	\$ 100,000.00	<u>\$ 100,000.00</u> <u>\$ 100,000.00</u>
Water and Sewer Fund Revenue				
Fund Balance Appropriated	30-3991-99100	\$ 336,700.00	\$ 411,700.00	<u>\$ 75,000.00</u> <u>\$ 75,000.00</u>
Water and Sewer Fund Expenditures				
Budget Holding Acct.	30-9920-98115	\$ -	\$ 75,000.00	<u>\$ 75,000.00</u> <u>\$ 75,000.00</u>

To Cover the Self-Insurance deficit for the previous two audit years as recommended by the City Auditors.

Adopted and effective this 15th day of April, 2003.

Attest:

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

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

(d) Approval and adoption of Government Acquisition, Inc. Grant Proposal.

(e) Approval and adoption of amendment to the City Drug Testing Policy.

(f) Approval and adoption of the Debt Set-Off Program – Collection type agency agreement sponsored by NCLM.

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NC Local Government Debt Setoff Program

Whereas, NCGS Chapter 105A, Setoff Debt Collection Act, authorizes the North Carolina Department of Revenue to cooperate in identifying debtors who owe money to local governments and who qualify for refunds from the Department of Revenue; and

Whereas, the law authorizes the setting off of certain debts owed to local government against sales tax refunds; and

Whereas, the North Carolina Association of County Commissioners and the North Carolina League of Municipalities have jointly established a clearinghouse to submit debts on behalf of the City of Eden, as provided by law;

Now Therefore be it Resolved by the Eden City Council the City of Eden will participate in the debt setoff program and hereby designates Lori L. Ford, CPA, Director of Finance and Personnel to hold hearings and conduct the necessary proceedings.

The Mayor and the City Manager are hereby authorized to execute such documents and agreements as necessary to participate in the debt setoff program.

Adopted by the Eden City Council on the 15th day of April, 2003.

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

Attest:

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

(g) Approval and adoption of an ordinance to make the southbound portion of Monroe Street between the intersection of Taylor Street and Monroe Street a No Parking area and restrict the speed limit for the entire location of Monroe Street by Posting the speed limit of 25 mph. – approved March 18th, 2003 Council Meeting.

(h) Approval and adoption of awarding 2003 Street Contract.

The memorandum presented to the Council stated that bids were received on March 18, 2003 at 2:00 p.m. A total of five (5) responsive bids were received on this project. The low bidder for this project was Dalton Enterprises Asphalt Paving in the amount of \$337,143.10. Based on the bids received, the recommendation was that the contract be awarded to Dalton Enterprises Asphalt Paving at the total bid amount listed above.

(i) Approval and adoption of policy GA-11 – Document Duplication Fees from 5 cents to 10 cents.

(j) Approval and adoption of a Resolution Designation of Applicant's Agent as well as the State – Applicant Disaster Assistance Agreement from the NC Division of Emergency Management.

Resolution
Designation of Applicant's Agent
North Carolina Division of Emergency Management

Organization Name (hereinafter named Organization) <u>City of Eden</u>	Disaster Number: <u>1457</u>
Applicant's State Cognizant Agency for Single Audit Purposes: _____	
Applicant's Fiscal Year (FY) Start <u>2002</u> Month: <u>7</u> Day: <u>1</u>	
Applicant's Federal Employer's Identification Number: <u>56-896097</u>	
Applicant's Federal Information Processing Standards (FIPS) Number: _____	
Primary Agent:	Secondary Agent:
Agent's Name: <u>Billy Shipwash</u>	Agent's Name: <u>Brad Corcoran</u>
Organization: <u>City of Eden</u>	Organization: <u>City of Eden</u>
Official Position: <u>Street Superintendent</u>	Official Position: <u>City Manager</u>
Mailing Address: <u>1050 Klyce Street</u>	Mailing Address: <u>308 E. Stadium Drive</u>
City, State, Zip: <u>Eden, NC 27288</u>	City, State, Zip: <u>Eden, NC 27288</u>
Daytime Telephone: <u>336-627-7783</u>	Daytime Telephone: <u>336-623-2110</u>
Facsimile Number: <u>336-627-9189</u>	Facsimile Number: <u>336-623-4041</u>
Pager or Cellular Number: <u>336-932-2554</u>	Pager or Cellular Number: _____

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain

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state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available.

BE IT FURTHER RESOLVED that the above named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof.

BE IT FINALLY RESOLVED that the above named agents are authorized to act severally.

PASSED AND APPROVED this 15th day of April, 2003

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

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

(k) Approval and adoption of Supplemental Agreement B-3368 from the North Carolina Department of Transportation for Bridge No. 45 over the Dan River on SR2282.

(l) Consideration of awarding three-year audit contract.

A motion was made by Council Member Epps seconded by Council Member Tudor to approve the Consent Agenda items a,c,e,f,g,h,i,j, and l. All Council Members voted in favor of this motion.

The following were pulled from the Consent Agenda for discussion:

(b) Approval and adoption of a motion to hold a public hearing to consider an ordinance to amend Section 11.24(f)(1) – the Business-Central zoning district of the City of Eden Zoning Ordinance to permit buildings to be used solely for housing. ZONING CASE Z-03-06.

Council Member Vestal stated that in the last several years the city had proceeded in trying to recruit businesses and their downtown merchants have strongly pushed getting more businesses downtown, and this program would eliminate the possibility.

He explained that if you put a home in one of those structures, which would totally eliminate the possibility of a business going into that location, thereby eliminating anywhere from one to ten jobs for our citizens. He stated that he wanted to voice his opposition to this.

Council Member Tudor asked if this referred to hotels or permanent residences.

Mrs. Stultz replied that Mr. Audie Land submitted this request. He has a piece of property in Draper Village. He wanted to make it into apartments, but of course you cannot do that in this business district. He applied to have the text of the ordinance changed to allow that as use by right. She noted that their department has been working on this amendment all week and what they planned to recommend to the Planning Board, if it was approved, that it be put in as a special use process and that each individual application be considered independently and that a lot of controls be put in place to make sure that it continues to look like a commercial building so it would not impact the character of that neighborhood.

Council Member Gover commented that he was opposed it strictly for the parking.

Mrs. Stultz agreed that was one of the issues that they addressed. She noted that lots of jurisdictions across the country were beginning to allow this, but they would have to be able to provide their own parking.

A motion was made by Council Member Grogan seconded by Council Member Myott to approve the request to call for a public hearing.

Council Member Myott commented that in a lot of the material that she had read about downtown revitalization, it did say it allowed people to live downtown, especially elderly people and enabled them to be able to walk to the drug store or to get their hair done.

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Action on the motion was as follows: Council Members Myott, Reynolds, Epps and Grogan voted in favor of this motion. Council Members Vestal, Tudor and Gover voted in opposition. This motion carried.

(d) Approval and adoption of Government Acquisition, Inc. Grant Proposal.

Mayor Price stated that this item was in regard to selling advertisements to go on police cars. He stated that personally, it seemed they spend a lot of money well in excess of three million dollars here in the city. He stated he knew money was tight, but this was just not the type of thing they would like to have on a city police car. It did not seem to be an image they would like to project on Eden's finest people who give so much and offer their lives for safety. Mayor Price asked that this not be approved.

Council Member Grogan commented that as a taxpayer, he would like to see it approved. He stated that would think that if it was really derogatory to a local, county or state government that it would fly, but that whole premises he thought should be up front. He added that he stood to be wrong and if they were going to advertise Budweiser beer he was opposed, but if it was Miller, he did not know if he would be opposed. He noted that a buck a vehicle with what the city's budget was, he would much rather pay a dollar than \$20,000.

Council Member Epps stated that he understood that with this program you have to go after the advertising yourself. He stated that he talked with another government doing this and they found that you have to do your own advertising legwork. He added that he thought it was taking away from the authoritative look of a police car to have advertising on it. He pointed out that it was an impressionable vehicle and McDonalds or Budweiser or whatever would not look that good as it was a car of authority and not a billboard.

Council Member Tudor agreed with both Councilmen and explained that he had asked the City Manager to investigate this solely because of the finances. It just seemed unbelievable that they could get a police car for one dollar. This would be quite a windfall if they could get five or six police cars for five or six dollars. There were two types of cars they could get. One type of car has conservative advertising and the other type was not quite as conservative. He explained that the windfall would make him willing to accept a car that he might not be willing to accept otherwise. He added that he also understood that this company has not delivered any cars.

Council Member Grogan asked the City Manager what his opinion was.

Mr. Corcoran recalled that they had actually talked about this a couple of times in the weekly report. It was the staff's recommendation in those reports that they proceed with this program.

Council Member Myott asked Captain Reece Pyrtle what his feelings were on this.

Captain Pyrtle replied that he agreed that there would be a lack of professionalism with advertisements. He stated that he understood that there could be no advertisements of alcohol, tobacco and firearms. He stated that they were getting to a point where they needed to start looking at replacing cars and if this was the step that they needed to take to have safe cars, it was a consideration, but yes, he thought they would take a dent in professionalism. He added that it would be difficult recruiting advertisements for the cars and they would have to get out and do the legwork for that.

Mr. Corcoran pointed out that if they went out and purchased six cars today it would be over \$132,000.

Council Member Myott asked if he really thought they would get six cars.

Mr. Corcoran replied that they would not know unless they try. Unless they proceed with going through the process they would never know.

Council Member Grogan commented that they had seven elected officials. If each official sold enough ads for one car, they could get their allotment.

April 15, 2003

City of Eden, N. C.

Minutes of the regular April 15, 2003 meeting of the City Council, City of Eden, continued:

Council Member Epps asked if anyone knew of a city that actually got the car to which Council Member Vestal replied Fort Lauderdale (Florida).

A motion was made by Council Member Tudor seconded by Council Member Grogan to approve this request. All Council Members voted in favor of this motion.

(k) Approval and adoption of Supplemental Agreement B-3368 from the North Carolina Department of Transportation for Bridge No. 45 over the Dan River on SR2282.

Council Member Tudor explained that there would be a new bridge built, with period lighting, and the agreement pretty much says that the Department of Transportation purchases the light, installs them the conduit, the wiring, we hook it up and maintain it, and pay the power bill every month.

He stated that he questioned, if there was an auto accident and the light was destroyed what insurance would replace the light.

Mr. Corcoran replied that the agreement that they previously discussed was that the DOT would install everything, once everything was installed it becomes the city's to maintain.

City Attorney, Tom Medlin, interjected that if an automobile strikes the pole and it was the fault of the driver, his insurance would pay. If lightning or some other damage were done to the pole and no other third party, it would be the city's insurance.

Council Member Grogan asked if the responsibility could be passed along to the Historical Society.

Mayor Price replied that he did not think they would have the funds to look after this. The city has agreed to do this several times.

Council Member Tudor commented that it was going to be a beautiful bridge and he looked forward to seeing the lights.

A motion was made by Council Member Tudor seconded by Council Member Epps to approve this request. Action on the motion was as follows: Council Members Epps, Reynolds, Vestal, Myott and Tudor voted in favor of this request. Council Members Gover and Grogan voted in opposition. This motion carried.

VOUCHERS:

No discussion on vouchers.

ADJOURNMENT:

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

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor