

## CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, June 17, 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 Michels, <u>News &amp; 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:

Robert Johnson, Pastor, Draper Christian Church, was present to give the invocation.

### ADDITIONS OR DELETIONS TO AGENDA:

A request was made by Council Member Epps to remove item 8(f) until July.

A motion was made by Council Member Tudor seconded by Council Member Myott to remove item 8(f) from the agenda. All Council Members voted in favor of this motion. This motion carried.

Council Member Grogan requested to add appointment to ABC Board to New Business.

A motion was made by Council Member Tudor seconded by Council Member Gover to add appointment to ABC Board to New Business. All Council Members voted in favor of this motion. This motion carried.

### PUBLIC HEARINGS:

(a) Consideration of approval and adoption of FY 2003-2004 Budget and Budget Ordinance.

Mayor Price called for a public hearing to hear comment on the adoption of the budget ordinance for FY 2003-2004. He noted that a number had signed up to speak and he asked them to keep their comments to approximately three minutes.

Ms. Kathy Hale addressed Council:

Ms. Kathy Hale explained that she was present on behalf of Cynthia Adams, the director of the Eden Chamber of Commerce, who was out of town this week. Ms. Hale then read a letter addressed to the Mayor and City Council commending them on the creation of the Business Development Position. The letter was in support of this position and the need for the city to have a liaison. Ms. Hale presented copies of this letter to each member of Council as well as the Mayor. *A copy of this letter is located in the office of the City Clerk.*

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Ms. Lydia Patterson addressed Council:

Ms. Lydia Patterson explained that she was employed as Director of Health Education Services with Morehead Memorial Hospital and she also currently led the Eden Mall Merchant's Association. She stated that the association offered its wholehearted support for the position of Business Development Director. Along with the other business districts of the city that were struggling trying to attract new business and to retain current business, they have found Mr. Dougherty to be a great resource. Mr. Dougherty has provided much needed insight at their association meetings and has been a willing contributor to their planning of activities that were designed to draw visitors into their area. He has also provided creative input as they were working to develop additional events that would draw visitors to their area. They know that in the current economic times they could not expect overnight results with rapid growth, but they were excited at the growth that they were seeing, including the increased tourist visitation as a result of Mr. Dougherty's work and the work of others. As merchants with the Eden Mall Merchant's Association, they feel that the Council, the city's commitment to the position of Business Development Director shows that the Council was committed to both large and small business development in their business community and that they understand their desire to work together to improve Eden's retail environment making Eden a delightful place to visit, to shop and to live. She then thanked them for the opportunity to speak.

Ms. Alice McBride addressed Council:

Ms. Alice McBride explained that she also appreciated the opportunity to address the Council. She stated that she also appreciated everything that each and every one of them were doing in order to help their community grow. She stated that she did have some concerns on the budget. She mentioned the city buying mulch when the city sells mulch to the community and she hoped that it had stopped. She also mentioned telecommunications and they spend more than \$5,000 a month in cell phones, pagers, and regular phones and Internet service. She stated that she hoped that some of the cell phone usage could be cut out and that they would be left at city hall or in their offices to be on charge at night and only carried during the day, unless they were paged out in an emergency. She questioned that a lot of the usage was personal and asked them to recall the situation in Stoneville where the city manager had used the cell phone for personal use.

She also questioned why they pay landscapers to mow the yard at city hall and around the sewer plant instead of hiring people to mow the yard. Some of those constraints they need to put into practice and watch money real close as there were a lot of people without a job now.

Ms. Becky Shomali addressed Council:

Ms. Becky Shomali explained that cities were run like big businesses and she knew the Council had a tough job, but in order to succeed in business, they must reinvest time and money into the business in order to provide for the future. She commended them all for the positive foresight and commitment that they have also had by devoting their time and money into Eden's future. She noted that the foresight to develop an industrial park and for the hiring of a full time employee for community development have been two proven positive and progressive investments that this city has been able to make. She pointed out that in the one year as Mr. Dougherty's employment as the city's community development coordinator, they have seen positive changes in the city. They have had more positive television coverage and revivals in downtown organizations.

Ms. Mary Sweeters addressed Council:

Ms. Mary Sweeters explained that she was a member of the Main Street Committee and the Community Appearance Commission. She thanked the City Council for their vision and wisdom in creating the position of Business Development. Mr. Dougherty represented their hopes for a positive future of Eden. He was a tremendous asset and should be applauded for his hard work and dedication. Among many other accomplishments he played an important part in their being accepted into the Main Street Program. She also thanked the City Council for putting teeth in ordinances that would allow the Community Appearance Commission to be a more positive force in support of their city.

Mr. Wayne Tuggle addressed Council:

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

Mr. Wayne Tuggle, 303 Taft Street, explained that he was born in Spray to parents that worked for Fieldcrest Mills. He stated that he experienced the mill family life and knew what the loss of jobs in their city meant to its citizens. Just as any citizen, he stated that he was concerned about the use of tax money and if their elected officials were good stewards with the budgetary process. He stated that he wanted what was best for Eden just like all the Council Members who serve the community. He thanked Council Member Grogan for appointing him to the Planning Board. Through the board he had the opportunity to meet some fine citizens and business people that he did not know previously. He had also been privy to a small segment of government that he would not have known otherwise.

Mr. Tuggle stated that he did not want to comment on anything other than what he had experienced first hand but he had been watching and being a small part of the growth process. This was something he wanted to comment on and thought the budget meeting would be appropriate.

He noted the following that he had observed. He stated that he was a proud member of the newly awarded program North Carolina Main Street Downtown Revitalization Program. With this program they could focus on organization, promotion, design and economic restructuring for Eden. Anything to help their business people to improve the economic health of their city was certainly welcome. A pottery festival came to Eden with 630 attendees from as far as Ohio, this was out of town money for their business people. A winegrowers group was exposed to Eden. North Carolina has become a player in the wine industry with 26 wineries in the state and one would never know what an entrepreneur in Eden may do as a result of this. He noted the lot beside of Wendy's, vacant for years, with a Mrs. Winners now being built, which was approximately thirty (30) jobs. Rose's has been vacant for many years and now a Dollar Tree would be opening there with thirty to fifty jobs. Partnerships of small companies were in the works and that was more employment for their people. A minority business association has been developed as they were a diverse community and needed to listen to minority concerns. Publicity for the city was the best that he could ever remember and Eden has been mentioned on FOX8 five times since the beginning of the year. Riverfest and the Charlie Poole Festival were also reasons to visit Eden. Freedom Park could be easily associated with this type of festival as well as the athletic events that would bring outside monies to their businesses were also a welcome thing. With brochures, leadership and their merchant's association and showing people how to find their community he saw a burning fire of enthusiasm with the Chamber and the City of Eden creating a better place to live and work. Since they live in an internet society, Eden's web site was second to none and it was so easy to get information on Council Meetings, budget information, department contacts and even things for young people to observe and read. He stated that Eden looked like a big league city that wanted to be proactive and that was very impressive. He pointed out that most of the aforementioned things would not have existed or worked as well without Mr. Dougherty's spearheading or assistance in some way. He stated that if he thought that the position was a waste of money he would be the first in line to say they could do without him. He stated that in his opinion the proof was in the pudding and if they would look around Eden, they would be able to see where Mr. Dougherty's touch has made their city a little bit better. His coordination and leadership was apparent to him. The Council should be proud of his vision and he hoped cutting his position was not a consideration. Mr. Tuggle closed by thanking the Council for their time.

Ms. Jean Harrington addressed Council:

Ms. Jean Harrington, 650 Washington Street, explained that everyone had already said everything that she wanted to say. She did want to add that she had been on the Historic Preservation Commission for a very long time. She was also on the Main Street Program and they have worked on this program for at least twenty years. This could never have been accomplished without a staff person. She thanked the Council for their support of the Main Street Program and she thought Mr. Dougherty had done a wonderful job for the City of Eden, not only for this program, but in all of the marketing programs that he has been involved in.

Mr. W.L. Pryor addressed Council:

Mr. W.L. Pryor explained that he would like to say that he supported the Main Street Program because he thought it would generate a lot of activity in Eden. There were a lot of things going on now and they needed to keep things happening in Eden. He explained that he was speaking for the Rockingham County Partnership for Tourism and Economic Development. He urged them to continue to support the partnership and to also continue to support the industrial park.

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He added that it was going to take several years to get this park ready for industry. He stated that they had to continue to try to make good things happen, as there were people there who need jobs. They all needed to work together to make Eden and Rockingham County a good place to live and work to have a place where their children would want to stay and be a part of this community.

Ms. Linda Wyatt addressed Council:

Ms. Linda Wyatt explained that she was the president of the Draper Merchant's Association and she also was a representative of the Main Street America Program. She commended Mr. Dougherty as an inspiration to the Draper merchants. He had helped them to utilize the association and to let people know what was in Draper Village now. He has also helped the city so much with the Main Street Program, which would be a great asset for the community. She thanked the Council for allowing her to speak.

Ms. Sandra Paisley addressed Council:

Ms. Sandra Paisley explained that she was a Draper merchant. She stated that it had been so exciting what was happening between the encouragement they had received, not only from their Councilman, Mr. Gover, but Mayor Price and so many folks as well. Mr. Dougherty had been an asset to what was going on and it had created ideas and imagination and had caused the merchant's association to go from 3 or 4 people to 15 to 25 people at some of the meetings. They have the American Partners coming in and a lot of other things happening in that area that was not only encouraging to the merchants but to the residents as well. She noted that Mr. Dougherty had helped them a great deal and they wanted to show their support for him.

Mr. Steve Smith addressed Council:

Mr. Steve Smith explained that he thanked them for their time. He moved back to Eden in 1997 and since that time had tried to bring a little bit back home, open up a couple of businesses and invest in the community. The vision that they had had in the last couple of years was amazing. It was obvious that they could not get an industry back here. They have an industrial park, which would allow an opportunity to do that, but right now, with the focus of Main Street America and all the things involved in the downtown areas, it was focusing on small businesses. Their immediate success seemed to be with small businesses and that was where all the emphasis was at and he appreciated it. He noted that it was phenomenal how Mr. Dougherty, Mrs. Stultz and everyone who had worked on Main Street. This opportunity had opened their eyes to the grant programs and a lot of education going along with this program that there was so much money available to small businesses owners. He closed by stating that he appreciated everything that Mr. Dougherty, the Planning Department and the City Council had done.

Mr. Todd Smith addressed Council:

Mr. Todd Smith explained that he was present representing the Draper Village Merchant's Association. He recognized the Council for bringing Mr. Dougherty's job into place. He wanted to focus in on Mr. Dougherty's personality and he had been instrumental in helping different areas. In those areas, specifically those areas that he had been involved in, he had brought those three areas, Draper, the Boulevard, and the Leaksville area, together with the same vision and focus through the Main Street America Program. He had also been helpful to him personally, by obtaining objectives, building relationships. Mr. Dougherty has been at every association meeting and had his ear to the ground and he was listening and watching, trying to offer his expertise in a very subtle way. He has great insight into how to utilize and massage the media, which he was grateful for because he wanted all the free publicity he could get. The attributes that Mr. Dougherty has, as a person in the position like he has, his personality has just melded into that. He has brought a lot to the table and in his opinion he had been very successful and he thought they should continue on with this. He has also allowed them to bring services to their association through small business owners by education. He commended the Council for their selection and thanked them for their time.

Mayor Price declared the public hearing closed and asked if there were any questions of Council. Council Member Vestal commented that they were all aware of the motion he made last month to delete \$191,000 from the budget. He then proceeded to move to delay the \$191,000.

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A motion was made by Council Member Vestal seconded by Council Member Gover to delay the \$191,000 for one year, due to the uncertainty of things facing their citizens right now and along with that motion ask that the Council approve of using that \$191,000 as a tax rate decrease due to the reevaluation and decrease the tax rate by four cent.

Council Member Tudor commented that he was opposed to delaying the industrial park and he thought they needed to move forward with permitting. He added that he did not totally disagree with Councilman Vestal, because their citizens did need a tax relief.

A substitute motion was made by Council Member Tudor seconded by Council Member Epps to cut the tax rate two cents from 57 cents to 55 cents.

Council Member Tudor explained that he had asked the City Manager to run some numbers. They have coming to the city an "in lieu of annexation agreement" with Parkdale and that two cents that they would take from the tax rate would be put back by that agreement. That money was not currently in the budget, but it would be in the budget later on so the two cents that they would cut, they would get that money back with that agreement.

Council Member Vestal added that he had done some figuring with the City Manager last week. The reevaluation brought in, according to the figures he presented, \$61 million at the 57-cent tax rate, which was a 6.1-cent tax rate increase. That was why he recommended they have a four cent tax rate, which would still leave a 2.1 cent tax rate increase for the citizens of Eden. He added that did not take in consideration the Parkdale in lieu of annexation agreement.

Council Member Grogan asked if they could have a motion to the motion and the substitute motion if anyone would second it to which Mayor Price replied in the affirmative.

Council Member Epps explained that the reason he made the second was to discuss that they were talking about \$125,000 for each two steps or \$250,000. They were already cut to the bone. That was the reason he could not swallow four cents, because they may help their citizens one way and then hurt them in another way if they take away safety. He noted that when they were in Raleigh the other day they petitioned some of the representatives and senators for some of this money for home security that would be passed on down to States. He added they might be in line to get some of that to where they could get some (fire or police) vehicles, but nothing was concrete. He explained that he only seconded the motion for the discussion that they understand that \$250,000 would be taken out of the budget automatically if they did a four-cent decrease and it would be \$125,000 if they do two cents.

Mr. Epps continued in that when they ran for office, people spoke in the city, and they voted for him that they were in favor of the industrial park, so he could not back away from that. He added that they were actually just putting the money (in the budget) to get their permitting done so that next year they could look at another means to try to see how things go.

Mayor Price stated that he thought they all see the changes taking place not only in Eden but in North Carolina in regard to industry and its availability and providing jobs for their citizens and how that comes back to their merchants and families. He stressed the need for willingness to put some points on the board. They were talking about jobs for the community. He pointed out that as a merchant, their community was changing a lot. A lot of their people had to drive out of town. They were faced with a situation that they have got to provide some local jobs for their people. He pointed out that it was beginning to affect this community and to go another year he thought would be very disastrous. He noted they were already looking at probably two to three years to be able to entertain tenants. Postponing this another year would perhaps put them four and five years (behind). He stated he was not trying to use scare tactics, but he was just telling them that they were going to have to face the fact that they have the ability right now to make some changes and one of the changes was to stand up and fund this park.

He stated that he would also like to comment about the funding of the city. They have talked a number of times about funding and tax rates. He had been involved in this city a little over nine years. He noted that they have had boom years and low years and they have played catch up and they have tried to do everything to bring the community up, but he could tell them that there was a lot of ambiguity in the tax structure as it was now. They have people, hundreds, who really did not know what their taxes would be because they filed for reevaluation of their taxes. There were some major industries still in negotiations, but if they remain in a current tax rate, yes it was going to be higher, but in his opinion this city needed the revenue. They were doing things

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now that was going to hurt them. He pointed out that they were postponing purchases of police cars and fire items, safety issues, and it was going to come back and bite them.

Mayor Price used as an example, they have talked about water and sewer infrastructure. He pointed out that they have not kept their water and sewer infrastructure up in the community for a number of years. They have tried and they really do have one of the best filtration and disposal systems for any small town, but their collection lines and so forth were just pitiful and because they have not done that they were looking at substantial money to do that. He explained that it was going to have to come not out of operational (expenses), but bond issues. He added he knew he was not going to be popular when he said this, but this community needed to stay at the tax rate it was now and go forward. Yes, it was painful but it was time for Eden to do so.

A motion was made by Council Member Gover to cut taxes by four cents. He explained that only equates to be about \$250,000. He pointed out that the reevaluation would bring in over \$300,000 plus in lieu of annexation so they were looking at a half a million dollars down the road. He asked whom they were fooling, as they have not cut the fire or police department. They were talking about taxes and they need to give the people a break. He noted that if they have looked at the figures, the figures he had bring them in over \$500,000 and four cents equates to \$250,000 so in essence they were really getting a raise in taxes down the road if they bring back four cents.

Council Member Reynolds asked if his motion included the four cents plus keeping the money in the park to which Council Member Gover replied that he had seconded Council Member Vestal's motion. He was for cutting the city tax rate by four cents.

Council Member Tudor asked if he could make a point of order. He stated that they have a motion for four cents and to table \$191,000 and there was a second. They had a motion to cut it two cents and leave the \$191,00 and there was a second. He pointed out that they have no other motions with seconds other than those two.

Council Member Vestal stated that he would second Council Member Gover's motion if it were allowed.

Mayor Price asked the City Attorney if that was in order.

Mr. Medlin replied that he was not sure at this point what his motion was, if it was the same as the first motion...to which Council Member Gover explained that it was not the same. He was saying, on the basis that the \$191,000 failed, he was in favor of that, but if it failed, they still needed the four-cent decrease.

Council Member Vestal added that there was no better recruitment tool for industries than lower taxes.

Council Member Grogan stated that he would like to talk a little bit and if it gets to be a motion, whatever. He suggested a compromise as far as the tax rate, from a two to a three. He pointed out that no one had been more for economic development in this community and county than he had. He stated that he had carried the flag, he had had a lot of "butt chewing" over the city park and Gildan, but they have reached a time in this town, as far as economy was concerned, that they need to turn out lights when they leave...that was not original for him, because they were losing a half million dollars a month.

He pointed out that the city employees-everyone had to be thinking about trying to save a buck. He noted that someone had mentioned cell phones, gasoline, everything, but if everyone thought about saving a dollar and giving a good days work for the good days pay they receive, and also postpone the spending of this \$191,000 until next year, along with a three cent tax reduction, that was really a sacrifice for the city and for the citizens. He added that he did not know who had the right answer.

Council Member Grogan congratulated Mr. Dougherty on the good job he was doing and the good job he would continue to do, because he did not think it was any intention whatsoever from this Council as far as cutting that position, but he thought it might be broadened some. He expressed concern about the Partnership in the county. They were putting \$40,000 in that thing and it was influx. He stated that he thought it was a good plan and he would certainly support to

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continue it, but he thought Mr. Dougherty could also get involved a little bit in that type of development.

Council Member Epps mentioned that he was on the economic development board and the \$191,000 discussed here tonight, if they did not get their grading done, the environmental laws would change and it would be hard to get permits later. He explained that was why they wanted to get the permits in place now, because if they fail in their permitting now and did not get it, it may be hard to get a permit later.

Council Member Vestal asked if Council Member Grogan planned to make that a motion to which Council Member Grogan referred to the City Attorney.

Mr. Medlin explained that he could make a substitute motion.

A substitute motion was made by Council Member Grogan to decrease the tax rate by three cents and postpone the \$191,000 by one year. Council Member Gover seconded this motion.

Council Member Tudor pointed out that Council Member Gover has seconded a motion, and he has made a motion...and now he seconds another substitute motion. He questioned that it did not fit Roberts Rules of Order.

Mr. Medlin explained that Council Member Gover had his own motion on the floor so he could not second or make a motion to contradict his own motion.

Council Member Grogan's motion died for lack of a second.

Council Member Myott commented that she really appreciated all the people who came and spoke before the Council and she had not heard a single one say, lower taxes. She stated that Eden has one of the lowest tax rates anywhere.

A substitute motion was made by Council Member Myott seconded by Council Member Epps to leave the 57 cent tax rate as it was and to leave the \$191,000 in the budget for the park.

Council Member Myott's motion drew applause from the audience.

Action on Council Member Myott's substitute motion to leave the tax rate 57 cents and leave the \$191,000 in the budget was as follows: Council Members Tudor, Myott and Epps voted in favor of this motion. Council Members Reynolds, Gover, Grogan and Vestal voted in opposition. This motion failed.

Action on the substitute motion by Council Member Gover to decrease the tax rate by four cents was as follows: Council Members Gover, Grogan and Vestal voted in favor of this motion. Council Members Epps, Reynolds, Tudor and Myott voted in opposition. This motion failed.

Action on the substitute motion by Council Member Tudor to reduce the tax rates by two cents from 57 cents to 55 cents and leaving in place the \$191,000. Council Members Tudor, Reynolds and Epps voted in favor of this motion. Council Members Myott, Vestal, Grogan and Gover voted in opposition. This motion failed.

Action on the motion by Council Member Vestal to delay the \$191,000 from the budget for one (1) year (for the industrial park) as well as decreasing the tax rate by 4 cents. Council Members Gover, Vestal, Grogan voted in favor of this motion. Council Members Myott, Tudor, Reynolds and Epps voted in opposition. This motion failed.

A motion was made by Council Member Epps seconded by Council Member Tudor to accept the FY2003-2004 budget as presented.

A substitute motion was made by Council Member Vestal seconded by Council Member Gover to reduce the tax rate three cents and delay the \$191,000 for one (1) year.

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

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

**CITY OF EDEN, NORTH CAROLINA  
2003-2004 BUDGET ORDINANCE**

BE IT ORDAINED by the City Council of the City of Eden, North Carolina in regular session assembled:

Section 1: The following amounts are hereby appropriated for the operation of the City of Eden government and its activities for the fiscal year beginning July 1, 2003, and ending June 30, 2004, according to the following summary and schedules.

Summary (Funds)	Estimated Revenues	Total Budget Appropriation
General	\$10,240,100	\$10,240,100
Single Family Rehabilitation Project	\$162,500	\$162,500
Flint Hill Community Development Block Grant	\$632,500	\$632,500
Self Insured Insurance	\$1,264,500	\$1,264,500
Special Services	\$70,100	\$70,100
Water and Sewer	\$8,837,800	\$8,837,800
Emergency Communications	\$136,500	\$136,500
Capital Projects Municipal Park	\$787,000	\$787,000
Police Pension	\$103,100	\$103,100
Sewer Outfall Rehabilitation	\$350,000	\$350,000
Railroad Pump Station Upgrade	\$650,000	\$650,000
Bio-Solids Treatment Upgrade	\$395,800	\$395,000
Waterline Upgrades	\$428,200	\$428,200
Industrial Park	<u>\$191,000</u>	<u>\$191,000</u>
 (Less inter-fund transfers)	 <u>\$2,828,700</u>	 <u>\$2,828,700</u>
 (Less previously appropriated project fund balances)	 <u>\$998,500</u>	 <u>\$998,500</u>
 (Less previously secured loan proceeds)	 <u>\$400,000</u>	 <u>\$400,000</u>
 <b>TOTAL</b>	 <u><b>\$20,021,900</b></u>	 <u><b>\$20,021,900</b></u>

Section 2: That for said fiscal year there is hereby appropriated out of the General Fund the following:

Code	Department	Appropriation
10-4110	City Council	\$31,100
10-4120	Administration	\$165,200
10-4125	Municipal Services	\$68,200
10-4130	Finance/Human Resources	\$211,000
10-4135	Business Development	\$74,600
10-4150	Legal	\$37,300
10-4310	Police	\$3,253,600
10-4340	Fire	\$1,257,200
10-4350	Engineering	\$50,700
10-4510	Streets	\$1,139,400
10-4515	Powell Bill	\$556,500
10-4710	Solid Waste	\$1,442,800
10-4910	Planning & Code Enforcement	\$428,400
10-6120	Recreation/Facility Maintenance	\$908,500
10-6920	Fleet Maintenance	\$191,200
10-9100	Special Appropriations	\$374,400
10-9990	Contingency	<u>\$50,000</u>
 <b>TOTAL</b>		 <u><b>\$10,240,100</b></u>

Section 3: It is estimated that the following General Fund Revenues will be available during the fiscal year beginning July 1, 2003, to meet the foregoing General Appropriations:

Code	Revenue Source	Amount
3189-11092	Ad Valorem: Prior Years – Rock Co.	\$50,000
3189-18000	Interest on Delinquent	\$15,000
3190-11000	Ad Valorem: Current Year	\$3,571,700
3190-12093	DMV-Vehicle Tax	\$502,000
3190-12094	Short Term Rental Vehicle Tax	\$6,000
3190-15000	Dog License	\$1,600
3190-18000	Interest on Current Taxes	\$8,000
3190-19097	Payment in Lieu of Annexation	\$589,200
3190-19098	Rockingham Co. DMV Collection Fee	\$(7,000)

June 17, 2003

City of Eden, N. C.

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3190-19099	Prepaid Tax Discounts	\$(11,700)
Tax Revenue Total		<u>\$4,724,800</u>

Code	Revenue Source	Amount
3260-11000	Privilege Licenses	\$26,400
3260-17000	Privilege License Penalties	\$100
3270-11000	Franchise Fees	\$125,100
3343-41000	Building Permits	\$30,000
3343-41100	Plumbing Permits	\$7,000
3343-41300	Mechanical Permits	\$10,500
3343-41400	Sign Permits	\$500
3343-41500	Electrical Permits	\$17,800
3343-41600	State Fee: Building Permits	\$100
3434-48000	Fire Department Permits	\$500
3491-41100	Planning Zoning Permits	<u>\$200</u>

Licenses & Permits Total \$218,200

Code	Revenue Source	Amount
3413-58000	Misc/Returned Checks	\$100
3431-41800	Police Controlled Sub State Excise Tax	\$1,000
3434-49000	Fire on Behalf Payments	\$27,000
3431-84500	Donations: DARE Program	\$200
3612-48100	Bridge Street Center Concessions	\$4,500
3612-48200	East Eden Center Concessions	\$6,500
3612-48300	East Eden Pool Concessions	\$6,500
3612-86000	Pool Admissions	\$10,400
3612-86100	Building Use	\$14,700
3612-86200	Field Use & Lights	\$300
3831-49000	Interest: Checking	\$3,200
3831-49100	Interest: Temporary Investments	\$36,000
3831-49500	Interest: NC Cash Mgt. Trust	\$26,900
3831-49600	LLEBG: Interest	\$200
3831-49700	Interest: Powell Bill Funds	\$21,500
3831-49900	Eden PD/Forfeiture Interest	\$200
3836-82000	Sale of Fixed Assets	0
3839-89000	Miscellaneous Revenue	\$3,000
3850-85000	Insurance Proceeds	\$10,000
3991-99100	Fund Balance Appropriated	<u>\$171,000</u>

Use of Money & Property Total \$343,200

Code	Revenue Source	Amount
3231-31000	Local Option Sales Taxes	\$637,100
3232-31000	½ Cent Sales Taxes	\$575,600
3233-31000	½ Cent Sales Taxes	\$570,600
3234-31000	½ Cent Sales Taxes	\$408,800
3234-31001	State Hold Harmless Payment	\$54,100
3322-31000	Wine & Beer Taxes	\$65,000
3324-31000	Utilities Franchise Taxes	\$735,000
3325-33000	Powell Bill: State Street Aid	\$535,000
3335-32000	County Grants: Fire Department	\$2,400
3336-33000	County Grants: School Resource Officer	\$72,400
3451-36000	NCDOT Reimbursements	\$5,000
3837-89000	ABC Revenues	\$100,000
3837-89100	ABC Revenues: Law Enforcement	<u>\$3,200</u>

Other Agencies Revenues Total \$3,764,200

Code	Revenue Source	Amount
3350-00100	Historic Preservation Book Sales	\$500
3412-41000	Other Departmental Revenues	\$1,000
3431-41000	Police Revenue: Dog Fines	\$100
3431-41100	Police Security Charges	\$35,000
3431-41200	Police Security Fringe Benefit Charges	\$5,000
3431-41300	Court Costs	\$7,500
3431-41400	Parking Violations	\$2,200
3431-41600	Police Department: Sale of Materials	\$100
3431-41700	Police Department Revenues	0
3431-84000	Police Department Restitution	\$500
3434-41000	Outside Fire Protection Charges	\$11,800
3435-82000	Engineering Testing Fees	\$4,500
3451-41100	Street Dept. Revenue: Driveways	\$5,000
3451-81000	Street Mowing	\$7,000

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

3491-40000	Planning Dept. Nuisance Fees	\$3,000
3491-41000	Planning Department Applications	\$1,300
3491-41600	Planning: Code Compliance Ins.	\$1,000
3491-81000	Planning Department Sale of Materials	\$100
3491-84400	Comm. Appearance Projects Revenue	\$1,500
3612-41000	Non-city User's Fees	\$5,000
3612-41100	League Entrance Fees	\$13,000
3612-41200	Recreation Dept. Revenue: Lesson	\$2,800
3612-86400	Recreation Dept. Miscellaneous	\$2,000
3612-87000	Fuel Purchases – County Agencies	\$6,500
3839-49900	Cash Discounts Earned	<u>\$200</u>

Charges for Current Services \$116,600

Code	Revenue Source	Amount
3471-41100	Residential Fees – Solid Waste	\$628,000
3471-41101	Commercial Fees – Solid Waste	\$421,200
3471-81000	Sale of Material/Scrap – Solid Waste	\$2,000
3471-81100	Recycling Income – Solid Waste	\$9,900
3471-81200	Sale of Compost/Mulch–Solid Waste	\$10,000
3471-81400	Demolition – Abatement	<u>\$2,000</u>

Total Solid Waste Revenue \$1,073,100

General Fund Revenue Total \$10,240,100

Section 4: That for said fiscal year there is hereby appropriated out of the Single-Family Rehabilitation Project Fund the following:

Code	Department	Appropriation
4920-60280	Program Administration	\$11,700
4920-60290	Local Rehabilitation	<u>\$150,800</u>

SFR Project Fund Total \$162,500

Section 5: It is estimated that the following Single-Family Rehabilitation Project Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004, to meet the foregoing Single-Family Rehabilitation Project Fund Appropriations:

Code	Revenue Source	Amount
3329-33300	SFR Duke Energy Grant	\$87,500
3329-98000	SFR Urgent Repair Grant – Fund Balance	<u>\$75,000</u>

SFR Project Fund Total \$162,500

Section 6: That for said fiscal year there is hereby appropriated out of the Flint Hill Community Development Block Grant Fund the following:

Code	Department	Appropriation
5510-41000	CDBG Acquisition	\$68,100
5510-42000	CDBG/Clearance	\$7,000
5510-43000	Relocation Assistance	\$157,000
5510-44000	CDBG Administration	\$87,300
5510-40290	Local Rehabilitation	<u>\$313,100</u>

Flint Hill CDBG Fund Total \$632,500

Section 7: It is estimated that the following Flint Hill Community Development Block Grant Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004, to meet the foregoing Flint Hill Community Development Block Grant Fund Appropriations:

Code	Revenue Source	Amount
3329-33200	Flint Hill/CDBG Community Grant	\$529,800
3329-98000	Flint Hill/CDBG Fund Balance	<u>\$102,700</u>

Flint Hill CDBG Fund Total \$632,500

Section 8: That for said fiscal year there is hereby appropriated out of the Self Insured Insurance Fund the following:

Code	Department	Appropriation
4145-18300	Group Insurance Fixed Cost	\$312,500
4145-18400	Disability Insurance	\$10,000
4145-30000	Claims	<u>\$942,000</u>

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

Self Insured Insurance Fund Total \$1,264,500

Section 9: It is estimated that the following Self Insured Insurance Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004, to meet the foregoing Self Insured Insurance Fund Appropriations:

Code	Revenue Source	Amount
3351-01000	Charges to other Funds/GF	\$980,000
3351-03000	Charges to Other Funds/W/S	\$275,000
3351-07700	Charges to Other Funds/Pension	\$9,400
3831-49100	Interest: Temp. Investments	<u>\$100</u>

Self Insured Insurance Fund Total \$1,264,500

Section 10: That for said fiscal year is hereby appropriated out of the Special Services Fund the following:

Code	Department	Appropriation
9100-29900	Historic Pres. Misc. Expenses	\$100
9100-31200	Runabout Travel Club	<u>\$70,000</u>

Special Services Fund Total \$70,100

Section 11: It is estimated that the following Special Services Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Special Services Fund Appropriations:

Code	Revenue Source	Amount
3612-84000	Runabout Travel Club Fees	\$70,000
3831-49000	Consolidated Interest	<u>\$100</u>

Special Services Fund Total \$70,100

Section 12: That for said fiscal year there is hereby appropriated out of the Emergency Communications Fund the following:

Code	Department	Appropriation
4330-32100	Telephone M/R	\$30,300
4330-76000	Lease Payments	<u>\$106,200</u>

Emergency Comm. Fund Total \$136,500

Section 13: It is estimated that the following Emergency Communications Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004, to meet the foregoing Emergency Communications Fund Appropriations:

Code	Revenue Source	Amount
3255-32000	Wireless 911 Surcharge	\$74,800
3255-33000	Regular 911 Surcharge	\$61,700

Emergency Comm. Fund Total \$136,500

Section 14: That for said fiscal year there is hereby appropriated out of the Water & Sewer Fund the following:

Code	Department	Appropriation
7110	Water Resources	\$413,000
7115	Billing & Collections	\$252,900
7120	Water Filtration	\$1,083,600
7125	Collection & Distribution	\$1,034,200
7130	Water Reclamation	\$1,735,400
8120	Water Construction	\$377,900
8130	Sewer Construction	\$228,000
9920	Special Appropriations	\$3,612,800
9990	Contingency	<u>\$100,000</u>

Water & Sewer Fund Total \$8,837,800

Section 15: It is estimated that the following Water & Sewer Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Water & Sewer Fund Appropriations:

Code	Revenue Source	Amount
3336-33001	Rural Center Grant – Water	\$40,000
3336-33002	Rural Center Grant – Sewer	\$40,000

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

3336-33003	Rural Center Grant – RR Pump Station	\$400,000
3336-34000	Special Sewer Color Treatment Charges	\$350,000
3362-51200	Sale of Water	\$3,875,000
3362-53000	Leak Adjustments/Water	\$(10,000)
3363-51300	Sewer Service Charges	\$3,650,000
3363-53000	Leak Adjustments/Sewer	\$(14,300)
3363-53900	One-Time Pool Adj.	\$(1,000)
3711-58000	Miscellaneous Returned Checks	\$3,300
3713-53000	Pre-Treatment Charges	\$8,000
3714-52000	Reconnection Charges (lack of payment)	\$75,000
3714-52200	Water Taps	\$21,300
3714-52300	Sewer Taps	\$16,200
3831-49000	Interest: Checking	\$3,600
3831-49100	Interest: Temp. Investments	\$72,000
3831-49500	Interest: NCCMT	\$22,000
3832-63175	Spec. Assessments W–Nat. Textiles	\$112,000
3832-63176	Spec. Assessments S–Nat. Textiles	\$112,000
3832-63375	Spec. Assessments Dan River Water	\$41,000
3832-64000	Spec. Assessments S/Harris Place	\$1,000
3832-65000	Spec. Assessments S/Mebane Bridge	\$4,000
3834-86000	Rent of Equipment	\$12,000
3835-81000	Sales of Materials	\$1,500
3839-49900	Cash Discount Earned	\$200
3839-89000	Miscellaneous Revenues	\$1,000
3850-85000	Insurance Proceeds	<u>\$2,000</u>
Water & Sewer Fund Total		<u>\$8,837,800</u>

Section 16: That for said fiscal year it is hereby appropriated out of the Capital Projects Municipal Park Fund the following:

Code	Department	Appropriation
6120-51000	Municipal Park Loan Payment	\$50,000
6120-52000	Municipal Park Land Improvements	\$637,000
6120-53000	Municipal Park c/o Buildings	<u>\$100,000</u>
Cap. Proj. Municipal Park Fund Total		<u>\$787,000</u>

Section 17: It is estimated that the following Capital Projects Municipal Park Fund Revenues will be during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Capital Projects Municipal Park Fund Appropriations:

Code	Revenue Source	Amount
3491-49000	Interest: Checking	\$2,500
3491-84210	Municipal Park Annual Contribution	\$50,000
3491-84220	Municipal Park Donations	\$20,000
3491-84225	Municipal Park Loan Proceeds	\$400,000
3831-49500	Municipal Park Interest: NCCMT	\$5,000
3836-82100	Proceeds – Sale of Park off Highway 14	\$159,500
3984-98000	Municipal Park – Fund Balance	<u>\$150,000</u>
Cap. Proj. Municipal Park Fund Total		<u>\$787,000</u>

Section 18: That for said fiscal year there is hereby appropriated out of the Police Pension Fund the following:

Code	Department	Appropriation
4310-12900	Separation Payments	\$98,000
4310-18100	FICA	<u>\$5,100</u>
Police Pension Fund Total		<u>\$103,100</u>

Section 19: It is estimated that the following Police Pension Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Police Pension Fund Appropriations:

Code	Revenue Source	Amount
3831-49000	Interest: Checking	\$600
3831-49500	Interest: NCCMT	\$2,500
3981-98000	Transfer from General Fund	<u>\$100,000</u>
Police Pension Fund Total		<u>\$103,100</u>

Section 20: That for said fiscal year it is hereby appropriated out of the Industrial Park Project Fund the following:

Code	Department	Appropriation
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Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

8120-38100	Engineering & Design Fees	\$105,000
8120-38200	Surveying, Permitting & Environmental Fees	\$77,000
8120-38300	Certified Site Costs	\$1,500
8120-38400	Archaeological Survey	\$2,500
8120-38500	Client Layouts & Design	\$5,000

Cap. Proj. Industrial Park Fund Total \$191,000

Section 21: It is estimated that the following Capital Projects Industrial Park Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Capital Projects Industrial Park Fund Appropriations:

Code	Revenue Source	Amount
3986-98000	Transfer from G/F	\$171,000
3999-99999	Fund Balance Appropriated	\$20,000

Cap. Proj. Industrial Park Fund Total \$191,000

Section 22: That for said fiscal year it is hereby appropriated out of the Sewer Rehabilitation Project Fund the following:

Code	Department	Appropriation
8140-24650	Meadow Greens Sewer Outfall	\$200,000
8140-24660	Merriman Street Sewer Outfall	\$50,000
8140-24670	Long Street Sewer Outfall	\$50,000
8140-24780	Dry Creek Sewer Outfall	\$50,000

Capital Proj. Sewer Rehabilitation Fund Total \$350,000

Section 23: It is estimated that the following Capital Projects Sewer Rehabilitation Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Capital Projects Sewer Rehabilitation Fund Appropriations:

Code	Revenue Source	Amount
3986-98000	S/R Transfer from W/S	\$350,000

Capital Project Sewer Rehabilitation Fund Total \$350,000

Section 24: That for said fiscal year it is hereby appropriated out of the Waterline Upgrades Project Fund the following:

Code	Department	Appropriation
8140-52103	Main Street	\$139,700
8140-52104	Cascade Avenue	\$239,100
8140-52108	Thomas Street	\$13,500
8140-52109	Burton Street	\$25,900
8140-52116	Pervie Bolick Street & Creekridge	\$10,000

Cap. Proj. Waterline Upgrades Fund Total \$428,200

Section 25: It is estimated that the following Capital Projects Waterline Upgrades Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Capital Projects Waterline Upgrades Fund Appropriations:

Code	Revenue Source	Amount
3986-98000	Transfer from W/S	\$120,600
3999-99999	Fund Balance Appropriated	\$307,600

Cap. Proj. Waterline Upgrade Fund Total \$428,200

Section 26: That for said fiscal year it is hereby appropriated out of the Bio-Solids Treatment Project Fund the following:

Code	Department	Appropriation
8140-24610	Bio-Solids Treatment	\$395,800

Cap. Proj. Bio-Solids Treatment Fund Total \$395,800

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

Section 27: It is estimated that the following Capital Projects Bio-Solids Treatment Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Capital Projects Bio-Solids Treatment Fund Appropriations:

Code	Revenue Source	Amount
3986-98000	Transfer from W/S	\$237,600
3999-99999	Fund Balance Appropriated	\$158,200
Cap. Proj. Bio-Solids Treatment Fund		<u>\$395,800</u>
Total		

Section 28: That for said fiscal year it is hereby appropriated out of the Railroad Pump Station Upgrade Project Fund the following:

Code	Department	Appropriation
8140-19101	Railroad Pump Station Upgrade	\$650,000
Cap. Proj. Railroad Pump Station		<u>\$650,000</u>
Fund Total		

Section 29: It is estimated that the following Capital Projects Railroad Pump Station Fund Revenues will be available during the fiscal year beginning July 1, 2003 and ending June 30, 2004 to meet the foregoing Capital Projects Railroad Pump Station Fund Appropriations:

Code	Revenue Source	Amount
3986-98000	Transfer from W/S	\$465,000
3999-99999	Fund Balance Appropriated	\$185,000
Cap. Proj. Railroad Pump Station		<u>\$650,000</u>
Upgrade Fund Total		

Section 30: There is hereby levied for the fiscal year ending June 30, 2004 the following rate of taxes on each one hundred dollars (\$100) assessed valuation of taxable property as listed as of January 2003 for the purpose of revenue, and in order to finance foregoing appropriations:

A GENERAL FUND (for the general expense incident to the proper government of City of Eden, North Carolina) TAX RATE of \$0.570000 per hundred dollars (\$100) of assessed valuation.

Such rates are based on an estimated total appraised value of property for the purpose of taxation of \$638,159,372 with an assessment ratio of 100% of appraised value. Estimated collection rate of 98.19%.

Section 31: Copies of this Budget Ordinance shall be furnished to the Director of Finance & Personnel and City Manager of the City of Eden, to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated.

Section 32: The City Manager, by authority of this ordinance, may transfer/reallocate between & within departments up to a maximum of ten percent (10%) of the moneys appropriated within any of the above stated funds, not including any transfers between funds.

Adopted this the 17<sup>th</sup> day of June 2003

s/Philip K. Price  
Philip K. Price  
Mayor

ATTEST:

s/Kim J. Scott  
Kim Scott  
City Clerk

Council Member Gover thanked Mr. Dougherty and Ms. Debbie Galloway, City Planner, for the fine job they were doing.

(b) Consideration of request to close a portion of Ninth Street. Request submitted by Walter R. and Nina P. Hylton and Mitchell B. and Dorothy S. Wilson. STREET CLOSING SC-03-02.

The memorandum to Council explained that at the May regular meeting, the Council adopted a Resolution of Intent to close an unopened portion of Ninth Street. The Council also scheduled this public hearing to hear comments on this street closing request filed by William R. and Nina P. Hylton and Mitchell B. and Dorothy S. Wilson.

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

The Planning and Inspections Department recommended approval of the street closing. At their May 27, 2003 regular meeting, the Planning Board voted to recommend approval of the street closing.

Mayor Price asked Mrs. Kelly Stultz, Director of Planning & Inspections, to come forward with the report.

Mrs. Stultz explained that the city has received a petition signed by 100 percent of the abutting property owners. She stated that in regard to the required findings the Planning and Inspections Department issued the following comments:

Contingent upon comments from the public service corporations, the staff was of the opinion that the street was not required for public utility service for the area.

Based upon the fact that the street has never been opened, nor was the street in the city thoroughfare plan or any other transportation improvement plan, the staff was of the opinion that the street was not necessary to the general public for travel and traffic circulation in the area.

Based upon the fact that all properties in this area have their primary access off of Bryant Street, the staff was of the opinion that no one would be denied reasonable means of ingress and egress because of the closing.

In conclusion, the staff recommended, based upon those stated findings, that the street be closed as requested. The Planning Board did vote in favor of this recommendation as well.

Mayor Price called for a public hearing and asked if there was anyone who would like to speak in favor or in opposition to this request.

Council Member Vestal asked if it was unusual that all of the companies failed to respond to her request to which Mrs. Stultz replied no, they generally hear from them as time goes by.

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

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

*Note: The following resolution of intent was passed on May 20, 2003.*

RESOLUTION OF INTENT TO CLOSE AN UNOPENED  
PORTION OF NINTH STREET

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

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.

Ninth Street

BEGINNING at an existing iron stake in the west right of way line of Union Street, said iron marking the southeast corner for Walter R. & Nina P. Hylton (Deed Book 599, page 649); thence with the west right of way line of Union Street, South 03° 36' 17" West 40.00 feet to an iron stake; thence with the south line of 9<sup>th</sup> Street, North 86° 11' 39" West 171.06 feet, more or less, to an existing iron stake; thence North 03° 36' 17" East 40.00 feet to an existing iron stake; thence South 86° 11' 39" East 171.06 feet to an existing iron stake, the POINT OF BEGINNING and being designated as 9<sup>th</sup> Street (existing street) as shown on the plat of survey for Mitchell B. Wilson, Leaksville Township, Rockingham County, North Carolina, dated April 7<sup>th</sup> 2003, by C.E. Robertson & Associates, P.L.S.

BE IT FURTHER RESOLVED that the City Council does hereby call for a public hearing on the said closing to be held on the 17<sup>th</sup> day of June 2003 at 7:30 p.m.

BE IT FUTHER RESOLVED, that this Resolution will be published once a week for four successive weeks prior to the said hearing, a copy of said Resolution be sent 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 said street.

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

June 17, 2003

City of Eden, N. C.

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

APPROVED, ADOPTED AND EFFECTIVE, this 20<sup>th</sup> day of May, 2003.

CITY OF EDEN

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

ATTEST:

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

- (c) Consideration of a request and adoption of an ordinance to amend Section 11.26(3)(a) of the Board of Adjustment section of the City of Eden Zoning Ordinance to deal with special use permit applications where a zoning violation exists. ZONING CASE Z-03-07.

The memorandum provided to Council explained that at their regular meeting in May, the Council held a public hearing to hear comments regarding a zoning text amendment request filed by the Planning Board. The request was to amend Section 11.26(3)(a) – the Board of Adjustment section of the City of Eden Zoning Ordinance to deal with special use permit applications where a zoning violation exists.

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

Mayor Price declared a public hearing and asked Mrs. Stultz to come forward to give the report.

Mrs. Stultz explained that this was a zoning text amendment that the Planning Board initiated. Due to recent issues pertaining to carports in the front yards of residences, it has become evident that circumstances exist which would prevent some property owners from being able to bring their property into compliance. Under the current regulations, they could not apply for a special use permit if they have an existing violation. This proposed change would allow residents to bring their property into compliance without penalty, upon receipt of a special use permit.

Based upon the foregoing information, staff recommended in favor of the text amendment as well as the Planning Board.

Mayor Price asked if anyone would like to speak in favor or in opposition to this request. As no one came forward to speak, he declared the public hearing closed.

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

#### MONTHLY FINANCIAL REPORT:

- (a) Financial Report.

Mayor Price commented that he appreciated Ms. Stanley's comments on this report as it certainly helped to explain issues in a more common sense fashion.

Council Member Grogan added that in talking about putting in a full day's work for a full day's pay, Ms. Stanley has been carrying the Finance Department for many months, and she really exemplified to all the city employees what hard work and dedication means and he applauded her for her efforts.

A motion was made by Council Member Epps seconded by Council Member Myott to accept the Finance Report as presented. All Council Members voted in favor of this motion. This motion carried.

#### REQUESTS AND PETITIONS OF CITIZENS:

No one was present to speak under requests and petitions of citizens.

#### UNFINISHED BUSINESS:

There were no items under unfinished business.

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

NEW BUSINESS:

- (a) Consideration of an ordinance for the demolition of a building located at 300 W. Aiken Road, Building "A".

The memorandum to Council explained that 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 was done at the city's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

The request was for the City Council to adopt an ordinance for the demolition of the subject property 30 days from June 17, 2003.

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

- (b) Consideration of an ordinance for the demolition of a building located at 300 W. Aiken Road, Building "B".

The memorandum provided to Council explained the City of Eden Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an ordinance, to order the repair or demolition of the structure. Once the demolition was done at the city's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

The request was that the City Council adopt an ordinance for the demolition of the subject property 30 days from June 17, 2003.

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

- (c) Consideration of a request for legal action for building at 504 Armfield Street.

The memorandum provided to Council explained the Codes Inspector from the Planning and Inspections Department declared that a building at 504 Armfield Street be condemned based upon the North Carolina State Building Code.

The Planning and Inspections 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 requests the City Council to 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 Gover to approve this request. All Council Members voted in favor of this motion. This motion carried.

- (d) Consideration of Resolution of Intent to close a portion of Fifth Street. STREET CLOSING SC-03-03.

The memorandum explained that the city has received a street closing petition from Robert, Peggy and Robin Shreve to close an unopened portion of Fifth Street.

RESOLUTION OF INTENT TO CLOSE AN UNOPENED PORTION OF FIFTH STREET

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

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.

FIFTH STREET

Beginning at a point marking the northwest corner for Lot 5, Section 11, as per map of Oakland made by W. Robert Kelly, August 1909, said point also being the southeast intersection of Bryant Street and Fifth Street; thence across the right of way of Fifth Street, North 3 deg. 15 min. East 40 feet to a point marking the northeast intersection of Bryant Street and Fifth Street; thence with the north right of way margin of Fifth Street, South 86 deg. 30 min. East 180 feet to a point marking the southeast corner for Lot 1, Section 23, Oakland; thence across the right of way of Fifth Street, South 3 deg. 15 min. West 40 feet to a point, the northeast corner of Lot 5, Section 11, Oakland; thence with the north line of Lot 5 and the south margin of Fifth Street, North 86 deg. 30 min. West 180 feet to the POINT OF BEGINNING.

June 17, 2003

City of Eden, N. C.

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

BE IT FURTHER RESOLVED that the City Council does hereby call for a public hearing on the said closing to be held on the 15<sup>th</sup> day of July 2003 at 7:30 p.m.

BE IT FURTHER RESOLVED, that this Resolution will be published once a week for four successive weeks prior to the said hearing, a copy of said Resolution be sent 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 said 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.

APPROVED, ADOPTED AND EFFECTIVE, this the 17<sup>th</sup> day of June, 2003.

CITY OF EDEN

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

Attest:

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

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

(e) Consideration of approval of Solid Waste Management Plan and adoption of Resolution.

Resolution to Approve the  
Rockingham County 2003 Solid Waste Management Plan

WHEREAS, good planning for solid waste management will help protect public health and the environment, provide for improved solid waste management systems, better utilize our natural resources, and control the cost of solid waste management; and

WHEREAS, North Carolina General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan and to update the plan every three years; and

WHEREAS, the last plan update was approved in 2000 and an updated plan is required to be completed by June 30, 2003; and

WHEREAS, the City of Eden is represented on the Rockingham County Solid Waste Planning Committee and has been actively involved in the planning process;

NOW, THEREFORE, BE IT RESOLVED that the City Council, City of Eden, hereby approves the Rockingham County 2003 Comprehensive Solid Waste Management Plan.

Adopted this 17th day of June, 2003.  
s/Philip K. Price  
Philip K. Price, Mayor

ATTESTED:

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

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

Mayor Price thanked Council Member Myott for all of her work on this project.

(f) Consideration of traffic study and ordinance for public vehicular area of Jones Street.

The memorandum explained that the Police Department received a request from City Council Member Epps for a traffic study of the public vehicular area (P.V.A.) behind Ramsey's Barber Shop/Mitchell's Drug, Jones Street and Scott Varner Drive.

Jones Street is a one-way street that intersects with Morgan Road that allows traffic south and provides access to Mitchell's Drug Store, Sara Lee Outlet, and service to one residence. The width of this street averages 22 feet and is one tenth of a mile long from the intersection of Morgan Road to the intersection of Washburn Avenue.

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

Scott Varner Drive affects this area also. This particular street provides service for fire departments and the Sara Lee Outlet. It also intersects with Morgan Road and is a south and north bound undivided two-way. The average width of this street is about 14.5 feet.

The majority of traffic using the P.V.A. behind Mitchell's is customers of the Carealot Daycare Center, which provides services for approximately 65 customers and has limited parking. This excess traffic is forced to park and use the public vehicular area in question and creates a congested travel for this particular area.

Police Recommendation:

(1) Keep Jones Street at its present one-way direction and restrict Scott Varner Drive from an undivided two-way to a southbound one-way.

(2) At the alleyway in question located behind Mitchell's Drug Store, post a stop or yield sign, a right turn only sign, and paint a stop bar on the pavement where the parking lot and Jones Street intersect.

This item was pulled from the agenda.

Council Member Epps thanked the Police Department for their efforts and hopefully they would get this taken care of next month.

(g) Consideration of an appointment to ABC Board.

A motion was made by Council Member Gover seconded by Council Member Tudor to appoint Thomas Webster to the ABC Board. All Council Members voted in favor of this motion. This motion carried.

9. CONSENT AGENDA:

(a) Approval of minutes: May 14 and May 20, 2003.

(b) Approval and adoption of a traffic ordinance for Haizlip Street.

(c) Approval and adoption of a motion to establish a \$100,000 threshold for recording infrastructure as a capital asset.

The memorandum explained that the city needs to establish a dollar threshold amount for recording infrastructure as a capital asset. GASB 34 requirements are to go into effect this fiscal year 2002-2003.

The auditors, City Manager and the Accounting Coordinator recommend that the Council approve a \$100,000 threshold for infrastructure, as a city policy. This threshold is consistent with others that have been established in cities that are already complying with GASB 34.

(d) Approval and adoption of a motion for four (4) capital project ordinances.

The memorandum explained that the Capital Project Ordinances and related budget amendments for the Railroad Pump Station Upgrade, Bio-Solids Treatment Upgrade, Waterline Project Upgrade and Industrial Park Fund. Council approved each of these projects at last month's FY-03-04 Budget Session.

It is recommended that Council adopt the ordinances and approve the budget amendments.

Budget Amendment #12

This is the twelfth budget amendment for the year:

<u>Budget Amendment #12</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<b>Water &amp; Sewer Fund/Sewer Construction</b>				
S/C Railroad Pump Station	30-8130-19100	\$ 210,000.00	\$ 25,000.00	\$ (185,000.00)
Transfer to Railroad Pump Station	30-9920-98700	\$ -	\$ 185,000.00	\$ 185,000.00
<b>Capital Project/Railroad Pump Station Upgrade</b>				
Transfer from Water and Sewer Fund	74-3986-98000	\$ -	\$ 185,000.00	\$ 185,000.00
Railroad Pump Station Upgrade	74-8140-19101	\$ -	\$ 185,000.00	\$ 185,000.00
				<u>\$ 370,000.00</u>

Budget Amendment #12 is to record the Railroad Pump Station Project.

Adopted and effective this 17<sup>th</sup> day of June, 2003

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

Attest:

Philip K. Price, Mayor

Kim J. Scott, City Clerk

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Budget Amendment #13

This is the thirteenth budget amendment for the year:

<u>Budget Amendment #13</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<b>Water &amp; Sewer Fund</b>				
S/C Bio-Solids Treatment Upgrade	30-8130-24610	\$237,500.00	\$79,300.00	\$(158,200.00)
Transfer to Bio-Solids Treat. Upgrade	30-9920-98800	\$ -	\$158,200.00	\$158,200.00
<b>Bio-Solids Fund</b>				
Transfer from Water and Sewer Fund	75-3986-98000	\$ -	\$158,200.00	\$158,200.00
Bio Solids Treatment Upgrade	75-8140-24610	\$ -	\$158,200.00	\$158,200.00
				<u>\$316,400.00</u>

Budget Amendment #13 is to record Bio-Solids Treatment Project. Adopted and effective this 17<sup>th</sup> day of June, 2003.

Attest:

Philip K. Price, Mayor

Kim J. Scott, City Clerk.

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Budget Amendment #14

This is the fourteenth budget amendment for the year.

<u>Budget Amendment #14</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<b>Water &amp; Sewer Fund</b>				
W/C Main Street Waterline Upgrade	30-8120-52103	\$110,000.00	\$15,400.00	\$(94,600.00)
W/C Cascade Avenue 2" W/L Upgrade	30-8120-52104	\$189,000.00	\$15,400.00	\$(173,600.00)
W/C Thomas Street 2" W/L Upgrade	30-8120-52108	\$13,500.00	\$ -	\$(13,500.00)
W/C Burton Street 2" W/L Upgrade	30-8120-52109	\$25,900.00	\$ -	\$(25,900.00)
Transfer to W/L Upgrade Project Fund	30-9920-98900	\$ -	\$307,600.00	\$307,600.00
<b>Water Line Upgrade Project Fund</b>				
Transfer from Water/Sewer Fund	78-3986-98000	\$ -	\$307,600.00	\$307,600.00
Main Street W/L Upgrade	78-8140-52103	\$ -	\$94,600.00	\$94,600.00
Cascade Avenue 2" W/L Upgrade	78-8140-52104	\$ -	\$173,600.00	\$173,600.00
Thomas Street 2" W/L Upgrade	78-8140-52108	\$ -	\$13,500.00	\$13,500.00
Burton Street 2" W/L Upgrade	78-8140-52109	\$ -	\$25,900.00	\$25,900.00
				<u>\$615,200.00</u>

Budget Amendment #14 is to record Waterline Upgrade Project.

Adopted and effective this 17<sup>th</sup> day of June, 2003.

Attest:

Philip K. Price, Mayor

Kim J. Scott, City Clerk

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Budget Amendment #15

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

This is the Fifteenth budget amendment for the year:

<u>Budget Amendment #15</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<b>General Fund</b>				
Economic Development	10-9920-71000	\$73,000.00	\$53,000.00	\$(20,000.00)
Transfer to Industrial Park Fund	10-9920-71002	\$ -	\$20,000.00	\$20,000.00
<b>Industrial Park Fund</b>				
Transfer from General Fund	79-3986-98000	\$ -	\$20,000.00	\$20,000.00
Engineering and Design Fees	79-8120-38100	\$ -	\$20,000.00	\$20,000.00
				<u>\$40,000.00</u>

Budget Amendment #15 is to record the Industrial Park Fund

Adopted and effective this 17<sup>th</sup> day of June, 2003.

Attest:

Philip K. Price, Mayor

Kim J. Scott, City Clerk

(e) Approval and adoption of Budget Amendment No. 16.

The memorandum to Council explained that the budget amendment is to revise the current budget so it reflects the loss of our State reimbursements to the General Fund. The departments within the General Fund have reduced their budget accordingly to coincide with the loss of revenue from the State.

It is recommended that the Council approve this budget amendment.

<u>Budget Amendment #16</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<b>General Fund Revenues</b>				
Intangibles Personal Property Tax	10-3220-31000	\$125,000.00	\$ -	\$(125,000.00)
GF Homestead Exemption Rebate	10-3326-31000	\$26,900.00	\$ -	\$(26,900.00)
Manufactured Inventory	10-3327-31000	\$176,400.00	\$ -	\$(176,400.00)
Inventory Tax Loss	10-3327-31100	\$23,700.00	\$ -	\$(23,700.00)
Reimbursement				
Inventory Tax Reimbursement 80%	10-3327-31200	\$59,900.00	\$ -	\$(59,900.00)
GF Ref St Tax/Food Stamps	10-3328-31000	\$8,200.00	\$ -	<u>\$(8,200.00)</u>
				<u>\$420,100.00</u>
<b>General Fund Expenditures</b>				
Municipal Services Holding Account	10-4125-99999	\$500.00	\$ -	\$(500.00)
Finance Holding Account	10-4130-99999	\$5,600.00	\$ -	\$(5,600.00)
Bus. Development Holding Account	10-4135-99999	\$1,000.00	\$ -	\$(1,000.00)
Legal Holding Account	10-4150-99999	\$14,790.00	\$ -	\$(14,790.00)
Police Holding Account	10-4310-99999	\$100,000.00	\$ -	\$(100,000.00)
Fire Holding Account	10-4340-99999	\$20,000.00	\$ -	\$(20,000.00)
Engineering Holding Account	10-4350-99999	\$17,105.00	\$ -	\$(17,105.00)
Street Holding Account	10-4510-99999	\$67,970.00	\$ -	\$(67,970.00)
Solid Waste Holding Account	10-4710-99999	\$57,425.00	\$ -	\$(57,425.00)
Planning Holding Account	10-4950-99999	\$11,500.00	\$ -	\$(11,500.00)
Parks/Recreation Holding Account	10-6120-99999	\$32,700.00	\$ -	\$(32,700.00)
Fleet Maintenance Holding Account	10-6920-99999	\$6,500.00	\$ -	\$(6,500.00)
Special Appr. Holding Account	10-9920-99999	\$16,000.00	\$ -	\$(16,000.00)
Contingency Holding Account	10-9999-99999	\$69,010.00	\$ -	<u>\$(69,010.00)</u>
				<u>\$420,100.00</u>

Budget Amendment #16 is to record loss of State Reimbursements to the General Fund.

Adopted and effective this 17<sup>th</sup> day of June, 2003.

Attest:

Philip K. Price  
Mayor

Kim J. Scott  
City Clerk

(f) Approval and adoption of fixed asset depreciation schedule.

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

The memorandum to Council explained that the current fixed asset depreciation system, depreciates assets using the following percentages:

Furniture/Office Equipment – 10% per year.  
 Vehicles – 16% per year.  
 Maintenance and Construction Equipment – 12% per year.  
 Buildings – 2% per year.

The problem with these percentages is they do not calculate the years in whole years. For example, a fixed asset worth of \$0000 that depreciates 16% each year will result in 6.25 years before it is completely depreciated. There are a few reasons why this system should be changed. First, our fixed asset system, IPM, can only depreciate using whole years. Secondly, it is easier to calculate whole years than partial years, which leaves less room for errors. Lastly, the change can be very easily made with adjustments to our current fixed asset spreadsheet.

(g) Approval and adoption of Bulk Transport Agreement.

The following quotes were received which would provide two forty yard open top roll-off containers and one thirty yard open top container plus haul rate for service.

<u>Vendor</u>	<u>Container Rental</u>	<u>Haul Rate Per Container</u>
First Piedmont	\$85.00 per 40 yd. (1-30 yd. provided, no charge)	\$80.49
Waste Management	\$60.00 per 40 yd. (1-30 yd. same charge)	\$73.00
Waste Industries	\$50.00 Per container (1-30 yd. same charge)	\$115.00

The recommendation was that the bulk waste transport haul agreement be awarded to Waste Management of the Piedmont for a term of one year with the option to renew.

(h) Approval and adoption of a Resolution to approve the Washington Street Green Area.

Council Member Grogan questioned the Washington Street green area and stated that he had assumed the City Attorney had followed up and had that all in order.

Mr. Medlin replied yes, there was an approval, there was a small lot, and he had looked at the restrictions and worked on that with Mr. Harrington and that was worked out. The request was that the two lots adjacent to it that form the corner, they want that to be used for park purposes and that was what this resolution was for. His concern was that he did not want the city to be bound by that for infinity purposes, so by handling it by resolution instead of restricted covenants, future boards could always change the resolutions.

RESOLUTION

WHEREAS, the City of Eden owns certain property located at or near the intersection of Washington Street and Henry Street on which buildings formerly stood which were condemned and demolished by the City; and

WHEREAS, Olde Leaksville Shopping District, Inc., owns a small lot adjoining the City's property and being at the corner of the intersection of Washington Street and Henry Street; and

WHEREAS, the said lot belonging to Olde Leaksville Shopping District, Inc., is a shallow lot only 18x60x14x60 feet; and,

WHEREAS, the City believes that the said lots belonging to the City are too small for any reasonable commercial or business purpose; and

WHEREAS, it is the belief of the City of Eden that the best use of the City's said property would be for a public park, garden or similar use; and,

WHEREAS, Olde Leaksville Shopping District, Inc., is willing to convey its lot to the City of Eden at no charge upon the adoption of this Resolution by the City allowing all of the property referred to herein to be used for the creation and maintenance of a public park, garden or similar project; and,

WHEREAS, the best interest of the citizens of Eden would be to have the said property so utilized.

NOW, THEREFORE, upon motion of Council Member John Grogan and seconded by Council Member Chris Myott and approved by the City Council of the City of Eden, the City of Eden hereby resolves and agrees that the property owned by the City and located at the corner of Washington Street and Henry Street as referred to herein will be reserved and used only for the creation and maintenance of a public park, garden or similar project.

June 17, 2003

City of Eden, N. C.

Minutes of the regular June 17, 2003 meeting of the City Council, City of Eden, continued:

This Resolution is effective upon its adoption this 20<sup>th</sup> day of May, 2003.

CITY OF EDEN

BY: Philip K. Price, Mayor

ATTEST:

Kim J. Scott, CMC  
City Clerk

A motion was made by Council Member Grogan seconded by Council Member Myott to approve Consent Agenda, item a, b, c, d, e, f, g, and h. All Council Members voted in favor of this motion. This motion carried.

VOUCHERS:

No discussion on vouchers.

COMMENTS FROM MAYOR AND COUNCIL:

Council Member Tudor explained that sometimes the Council did not have an opportunity during a meeting to commend city employees who do an outstanding job or just maybe compliment a fellow Council Member and he thought it would be nice to have a spot on the agenda where they could do that. Tonight was an exception to many meetings. They have had several city employees patted on the back and thanked for their outstanding work. He thanked all the citizens who turned out to tell the Council how they felt about possible business that might come before the city. It was their city and they were supposed to represent them. It was always good to get feedback. They so often did not get positive feedback and it was very refreshing to receive that.

ADJOURNMENT:

A motion was made by Council Member Gover seconded by Council Member Vestal 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