

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, October 21, 2003 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:		Philip K. Price
Mayor Pro Tem:	(absent)	John E. Grogan
Council Members:		Ronald H. Reynolds
		Bill Vestal
		Christine H. Myott
		Jerry Epps
		C.H. Gover
		Garry Tudor
City Manager:		Brad Corcoran
City Clerk:		Kim J. Scott
Deputy City Clerk:	(absent)	Sheralene Thompson
Accounting Coordinator		Dala Stanley
Representatives from Departments:		
Representatives from News Media:		Lisa Doss, <u>Eden's Own</u> ; Steve Lawson, <u>Eden Daily News</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:

Council Member Epps gave the invocation in the absence of Pastor Gwin.

ADDITIONS OR DELETIONS TO AGENDA:

- (1) Removal of items 8(e), 8(f), 8(j), 8(k), and 8(l) from New Business:
- (2) Add Closed Session according to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other business and the areas served by the public bodies.
- (3) Add Consideration of having Planning Department and Planning Board initiate a text amendment to the ordinance pertaining to fencing around wreckage and salvage yards to New Business. (Per Request of Council Member Myott)

A motion was made by Council Member Tudor seconded by Council Member Myott to approve the following additions or deletions to the agenda. All Council Members present voted in favor of this motion. This motion carried.

PUBLIC HEARINGS:

(a) Consideration of an ordinance to amend the zoning map and rezone property at the intersection of Meadow Road, Adams Street and Jackson Street from Residential-12 to Office & Institutional. Request submitted by Eddie Barker. ZONING CASE Z-03-12.

Mayor Price asked Mrs. Kelly Stultz, Director of Planning and Inspections, to come forward for a report.

Mrs. Stultz explained that this request was to rezone approximately 1.55 acres from Residential-12 to Office and Institutional. The Office and Institutional district is designed primarily for office and institutional uses which have only limited contact with the general public and have no offensive noises, odors, smoke, fumes or other objectionable conditions. This district also permits residential uses. The Residential-12 district is a medium density residential district.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

The subject parcel is located to the southwest of a major highway interchange. The property to the east across Jackson Street was recently rezoned from R-12 to O&I. There is an attorney's office located on this property. The area to the north of the subject property and across Meadow Road is zoned R-20. The area across Adams Street to the west and adjoining subject property to the south is an R-12 neighborhood. There is an unopened right-of-way to the south between the subject property and the adjoining residential neighborhood. There is a business district across Meadow Road a short distance to the west of the subject property.

She stated that staff was of the opinion that Office and Institutional uses would not adversely affect the character of the neighborhood, based upon the office and institutional use already in the area, the medium density residential uses in the area, and the close proximity of the businesses and the highway interchange. O&I serves as a great transition zone throughout the neighborhood, as you move from one kind of use to another. There were some extremely intense uses in and around this, and some reluctance on the part of some folks to have their personal residence right on Meadow Road, therefore, the staff recommended in favor of the request and the Planning Board also voted in favor of this request.

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.

Mr. Eddie Barker, 820 Elm Street, explained that he and his son purchased this property a few months ago as an investment property. They were trying to have it zoned O&I to give them more options and as Mrs. Stultz had stated, people have a tendency not to want to build a house on the main road.

Mr. Anthony Coles, 121 West Meadow Road, stated that he resided right in front of this property. He explained that his basic concern was the taxes there and how the rezoning would affect taxes.

Mayor Price asked if he was speaking of the appraised value of his property to which Mr. Coles replied yes.

Mrs. Stultz, for clarification, asked if he meant the appraised value of his property or the way it was taxed to which he replied, the way it was taxed.

She explained that the county, when they do establish taxes for various properties, the zoning of that property does impact, but the zoning on his property would not change.

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

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

(b) Consideration of an ordinance to amend the zoning map and rezone property on Cox Street from Business-General and Residential-12S/PUDR. Request submitted by Bartlett Engineering & Surveying, P.C. ZONING CASE Z-03-14.

Mayor Price asked Mrs. Kelly Stultz, Director of Planning and Inspections, to come forward for a report.

Mrs. Stultz explained that this request was to rezone approximately 45 acres north of Cox Street from Business-General and Residential-12S to Residential-12S PUD (Planned Unit Development). The applicant is requesting the R-12S PUD rezoning and preliminary approval of a permit for a planned unit development for the subject property. The R-12S PUD district, like the R-12S district, allows only single family site built residential development. No multi-family units or manufactured housing will be allowed.

The area to the north and east of the subject property is characterized by low to medium density residential development. The northernmost portion of the property is divided by a railroad right-of-way. To the east is a large parcel of undeveloped B-G property and B-G property containing a builders supply business. To the south across Cox Street is a BSC district containing the Eden Mall and B-G property containing the post office.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

The PUD-R district is established for the controlled development of single family residential purposes. The PUD allows for greater flexibility in design and development standards, and is characterized by large areas of open space for recreation and preservation of natural amenities. The PUD also utilizes more efficient and creative land use, which can enhance the aesthetics of the development and may result in smaller streets and lower utility and maintenance costs.

Recent trends in residential development in North Carolina and the nation have been toward the creation of development designed like many pre-World War II neighborhoods, with houses closer together on smaller lots. This promotes efficiency in the provision of water, sewer, streets and other services and helps hold down costs. However the most important element of these developments is their "people appeal". Much like older, turn of the century neighborhoods, this type of development encourages more interaction among residents. People in such communities tend to get to know their neighbors and feel safer and more at home. The location of this particular project can also be beneficial for the surrounding area as well as the residents of the development, due to the close proximity of shopping, services and schools.

She stated that staff was of the opinion that, based on the residential uses to the north and east, and the close proximity of business and service districts, the R-12S PUD-R classification is appropriate for the subject property. In addition, staff recommended preliminary approval of the PUD-R request contingent upon submission of all requirements of the zoning, subdivision and watershed ordinances, and upon the following conditions:

1. Lot dimensions, street lengths and widths, and cul-de-sac diameters must be shown on final development plans and are subject to staff approval.
2. Street names must be shown on final development plans. The city will have final approval of all street names.
3. Buffers must be installed between the pool and recreational areas and any adjoining properties not in the PUD area, as defined in Section 11.29 of the City of Eden Zoning Ordinance.
4. Traffic lanes must be marked on all streets, with a 5 foot bicycle/pedestrian lane on one side of each street.

Prior to issuance of a building permit, the special use permit listing all conditions of approval along with a statement of intent shall be recorded with the Register of Deeds of Rockingham County. In addition, prior to issuance of a building permit, the following conditions shall be met:

1. The Homeowners Association documents shall be recorded in the Rockingham County Register of Deeds office.
2. The developer shall provide all sanitary sewer easements, drainage easements and grant any rights of way necessary for each phase of the development. All such improvements shall be installed as per the FDP and shall meet all city requirements and specifications.
3. The PUD shall comply with all City of Eden land use regulations including all provisions of the PUD-R district.
4. The size and location of all signs must be noted and proper permits obtained.

She stated that this was perhaps the largest new development that they have had start in their community since she came to work 14 years ago. It was intended to be a neighborhood much like one they have not seen. She pointed out the need for new homes and the good thing for having it located near the Mall and added that the Planning Board concurred with their recommendations.

Council Member Vestal stated that he was not a designer by any means but he questioned why they plan to place the little play park on the far side. He explained that to him it would look better in the center for the availability for all people concerned. He also questioned item number three and if they had any control over what type of buffers they would have.

Mrs. Stultz replied that was why it listed that section of the zoning ordinance. It made it an option in there and the only thing she could recommend was what the ordinance permitted and that was just standard 6' shrubbery and fencing and those kinds of things.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Council Member Gover stated that his main concern, looking at the topo drainage, if it was going to be adequately taken care of. He noted that according to the topos there were some steep drop offs. He questioned whether they would have drainage to accommodate such a layout.

Mrs. Stultz replied that all the plans for that stuff, as they move through or it goes through the normal approval process, it would go through the Engineering Department and the State of North Carolina and her department as well.

Council Member Gover noted that in the topo most of their drainage was going to be back of the existing people's homes there so they would want to make sure that all of that was taken care of.

Mrs. Stultz replied that they had received a few phone calls from folks who live on Johnsie-Billie Harris and that neighborhood and once they were told that none of the streets from the new neighborhood were going to have connectivity and that it was not going to be some kind of giant business use, they were all amenable.

Council Member Gover questioned the minimum 50' buffer all the way around it or was it just down to that area.

Mrs. Stultz replied that at any point where it touches this residential stuff on the side it has to go all along, and it was required to keep a great deal of open space and that worked extremely well with watershed regulations.

Council Member Tudor stated that it sounded like a win-win for the community for the possibility of jobs, housing, and when a new house was built somebody had to buy a hot water heater and it was good for merchants in the area.

Mr. Robert Bartlett, Bartlett Engineering and Surveying, Wilson, North Carolina, explained that they concur with all the staff's findings and the presentation and have no problems meeting all of the conditions that was indicated to be placed on for approval. He asked that they look favorable on this request.

Council Member Tudor asked if they would use local subcontractors or did they have all their own workers that they would bring into town. Mr. Bartlett replied that they planned to use local subcontractors.

Mr. Paul Berry, Wilson, North Carolina, also of Bartlett Engineering and Surveying, explained that he wanted to say that he had a wonderful experience with the people he had met here. He thanked them for their consideration and Mrs. Stultz was a wonderful person to deal with.

Mayor Price asked if there was anyone else who would like to speak in favor or in opposition to this request.

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

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

(c) Consideration of Local Law Enforcement Block Grant program to receive and discuss ideas from citizens as to how \$15,283 of grant and matching funds should be spent.

The memorandum provided to Council explained that the 2003 Local Law Enforcement Block Grant application has been submitted and approved. Before the city could receive that money, a public hearing must be held.

Mayor Price called for a public hearing and asked the Police Chief, Gary Benthin to come forward for comments.

Chief Benthin explained that they currently needed cars and they would like to place this in their Capital Outlay Vehicles and when they received money from some other sources to amount to enough to purchase a car, they would like to buy one. He noted that the public hearing was to accept ideas from the public.

Council Member Epps stated that he agreed with Chief Benthin.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

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

No vote was required for this public hearing.

MONTHLY FINANCIAL REPORT:

(a) Financial Report.

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

REQUESTS AND PETITIONS OF CITIZENS:

Representative of Pillowtex Workers Addressed Council:

Mr. Anthony Cole, who spoke earlier, explained that he was also a manager of the North Carolina-Virginia District for UNITE, representing all the Pillowtex workers in the State of North Carolina. He began by thanking the Council for a letter that was sent to Blue Cross-Blue Shield on behalf of the Eden area workers, trying to help reduce the cost of premiums.

He explained that he also wanted to discuss another health care issue. Many of the Pillowtex workers had called and tried to receive some kind of healthcare at the clinic over in Reidsville and many were told that they could not receive healthcare because the city did not pay for healthcare for workers from this area. He added that yet they were able to go over to Danville across the border to receive healthcare services there. He stated that the workers wanted him to bring this issue before them tonight to see if anything could be done and why they were not able to go right there at the county and receive healthcare.

Mayor Price stated that he was sure that all the Council including himself as well as the City Manager probably did not have a lot of knowledge about the clinic or what was going on in Danville, what services were available and what had to be done.

Mr. Corcoran commented that this came to their attention yesterday. He stated that on the first issue, the letter to Blue Cross-Blue Shield, the Council was contacted today and a letter was drafted. It was there that evening for each member of Council to sign and they would try to get that out tomorrow in the mail. Secondly as far as the free clinics, they have placed calls to the executive director of the clinics in Danville as well as Reidsville so they were in the process of investigating that and will get back to them as soon as they get some answers.

Council Member Vestal asked if they were given any reason.

Mr. Cole replied that from what he had been told, they did not receive funds from the City of Eden or this area; therefore, their funds were limited. They would like to help and would love to be in the position to help, but they were just not financially able to help. However, in Danville, the people who have gone there have been told that sure they could help them.

Mayor Price asked if the people from North Carolina were going to Danville.

Mr. Cole replied yes, and he thought that was why they were upset about it. They at least wanted some information on it.

Mayor Price asked where in Danville they were going.

Mr. Cole replied that he was not sure of the name of it. He noted that the workers at Pillowtex, many have not been able to afford the premium that was quoted to them by Blue Cross-Blue Shield, so many of them were going without healthcare and they were resorting to go to the clinics. He stressed that they would love to go to a clinic in Reidsville if it was possible.

Mayor Price stated that he wanted to say, that people in this community, hearts go out to him and what they had to deal with. He stated that the comment about health insurance was hard for anybody to comprehend and it was something that they hope could be dealt with and they hope

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

to find things to bring comfort to the families of the workers who really needed it. He added that it was probably worse at this point and time.

Council Member Vestal asked Mr. Corcoran that when talking about the free clinic, did he ascertain whether this was a county tax funded organization or a city.

Mr. Corcoran replied that they have been able to talk to the people from Danville, but have not talked to the people in Reidsville. Everything they were able to find out today, basically echoed his comments, in that the City of Reidsville, they did not know to what extent, but apparently the City of Reidsville makes a financial contribution to this free clinic, and that was why the citizens from Reidsville and that area were served. He added that whereas otherwise they (City of Eden) did not make a contribution, now whether or not there was a contribution from the county, they did not find that out yet, but they would.

Mayor Price asked that the City Manager promptly find out about that and let the Council Members know.

#### UNFINISHED BUSINESS:

#### NEW BUSINESS:

##### (a) Consideration of knuckle crane loader and approved financing.

The memorandum presented to Council explained that the City of Eden has received informal Bid Proposals for the purchase of a new Knuckle Crane Loader Unit. The bid proposals were received from the various vendors for the three different components that make up the knuckle crane unit (chassis, body and crane). Tax and title cost is not included in total cost submitted.

After evaluating data received on a new chassis verses a used chassis, and the budgeted funds approved in this fiscal year, the most viable option is a new chassis that would allow the cost of unit to be extended over a five year period versus an out right purchase. The city would spend \$13,490.00 less for a used chassis but would not have any warranty on the chassis. The following recommendation is being submitted.

Council Member Gover asked if this was a replacement or an add-on.

Mr. Jerome Adams, Solid Waste Superintendent, replied that this was a replacement of an item that was worn out.

Council Member Gover noted there was quite an expense on that unit through the years.

Mr. Adams agreed and in terms of their breakdown you have got a certain amount of maintenance.

Council Member Gover asked if this was only one unit, that 93 Ford unit.

Mr. Adams replied yes, that was including all the fuel costs, all the maintenance, which was a part of the total cost. This unit will serve for a considerable number of years. He noted that the life expectancy of this crane was to be at or above what this one has already done. He asked that they keep in mind those cranes were used in an enormous amount of work loads and that was the reason why this unit needed to be replaced.

Council Member Gover asked if he had three of them.

Mr. Adams explained that they have three front line units that they have been running. This unit that came off line was a backup, approximately a year and a half ago.

Council Member Vestal stated that he was sure he had checked into the feasibility of lease agreements, what with the extravagant costs on this unit right here. He asked if he knew of any cities that were doing a lease agreement on it.

Mr. Adams replied that generally the only lease agreement that they see on this type of unit was like lease purchase. That was pretty much what they were presenting tonight. He explained that they were looking at going with a used chassis versus going with a new chassis and it was spelled out in the document there. This crane unit was one of the better units that were on the

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

market for the application and he hoped that the information that he had presented would spell out why they were asking for this unit.

Council Member Vestal stated that he did not have a problem with the unit. He explained that he questioned the feasibility of buying the unit over this period of time or leasing the unit...

Mr. Adams replied that they have not found a company that would actually lease this unit in terms of say, just a lease, but for a lease purchase which was primarily the only avenue that they have pursued on those particular types of pieces of equipment.

Council Member Vesta1 questioned what the cost would be. He was, and he assumed that he was thinking that the cost would be better to just going ahead and purchase the unit.

City Attorney, Tom Medlin, asked if he was looking at financing the total purchase price of each of them, so that their loan amount was the total price or was there a ...

Mr. Adams replied that they were looking at a five-year lease agreement on this unit, which would encompass the dump body, the frame and the chassis.

Mr. Medlin asked what the total loan amount was to which Mr. Corcoran pointed out that the interest was 3.20.

Mayor Price stated that he had been an advocate of leasing equipment, heavy duty stuff over the years, but he sensed what he had to do was really two different types of equipment there to get a combination with one manufacturer who could...but this had been a problem over the years. He stated that he thought several years ago one of the pieces of the chassis broke and one piece of equipment on the crane broke.

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

(b) Consideration of appointments to the Park Committee to fill vacancies.

The memorandum presented to Council explained that in the past several months, Malcolm Allen and Gerry Reynolds resigned from the Eden Park Committee leaving two vacancies. The Park Committee has worked extremely hard in filling these positions and would like to recommend Patrick Joyner and George Johnson fill these positions.

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

(c) Consideration of Municipal Agreement – re-inspection of bridges on the Municipal Street System F.A. Project BRZ-NBIS.

The memorandum provided explained that the Engineering Department requests authorization from Council to execute the enclosed NCDOT Municipal bridge inspection agreement. The agreement is renewed about every two (2) years. This agreement is for bridge inspections that will be performed by June 2004. The bridge inspections are federally mandated and are to be performed on a cycle not to exceed two years.

Mayor Price explained that every four years the city was required to have their bridges inspected. The city owns a bridge on Kings Highway and another on Tackett Branch (Park Road). The FHA Federal Government operation will pay 80% of the cost of inspections.

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

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

The following resolution was introduced, and Council Member Epps moved that it be adopted. The motion was seconded by Council Member Gover, and, upon being put to a vote, the resolution was unanimously carried;

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

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

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

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

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

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

This Resolution was passed and adopted the 21<sup>st</sup> day of October, 2003.

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

WITNESS, my hand and the official seal of the CITY OF EDEN on this the 21<sup>st</sup> day of October, 2003.

Kim J. Scott, City Clerk  
City of Eden, North Carolina

(d) Consideration of a Taxi Cab Franchise.

The memorandum provided explained that on July 21, 2003, Len Douglas Booth was approved by the city council for a taxicab permit. Now Mr. Booth wishes to establish his own taxicab company. According to the applicant, he has established a depot at 627 Morgan Road, within a business-zoning district. His business in question includes one taxicab unit with the applicant as the only driver and owner. The unit is in compliance with the city's ordinance and vehicle insurance as required by State law.

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

(e) Consideration of a traffic study of Moore Street (in front of Holmes Middle School) for no parking.

The memorandum provided explained that as per the request of Council Member Tudor, a traffic study was conducted on Moore Street in front of Holmes Middle School and the soccer field. The Holmes Middle School administration and School Resource Officer, John Whitsett, is concerned about the hazards of the present parking situation. According to these school officials, vehicles are parking on Moore Street in front of the school and the soccer field during school events and soccer matches. When vehicles are parked on both sides of this street, the travel portion is narrowed and students are crossing to and from the soccer field between these parked vehicles which could be a safety hazard for pedestrians and motorists.

There is adequate parking provided for parents and spectators in the parking lot west of the soccer field, Holmes Middle School parking lot, and at the Morehead School parking lot. The Police Department recommended the restriction of parking on Moore Street from the intersection of Pierce Street on both sides to the west end of the soccer field.

This item was pulled.

(f) Consideration of a traffic study of Henry Street for the elimination of parking spaces.

The memorandum provided explained that a traffic study was requested at the 600 block of Henry Street following a complaint from a local resident. Council Member Tudor was contacted and the study was conducted. According to the resident, it was extremely hazardous for vehicles to exit his driveway during the business hours of 8:00 a.m. to 5:00 p.m. and during events at Leaksville United Methodist Church. The complainant's request is to eliminate parking spaces at both ends of his driveway.

This particular area of Henry averages 47' in width. Each parking space averages 21' in length. There is a parking space located 2 ½' on each side of the driveway located at 611 Henry. This portion of Henry is located between the intersection of Washington and Jay Streets. This street provides access to and from several businesses, a church, one residence, and an apartment complex.



Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

According to the merchants in this area the loss of any parking would be disappointing because of the lack of parking already existing. The recommendation of the Police Department was to eliminate one parking space north of the driveway at 611 Henry.

This item was pulled.

(g) Adoption of an ordinance for the demolition of a building located at 401 Morgan Road.

The memorandum contained 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.

A motion was made by Council Member Epps seconded by Council Member Tudor to approve this request.

Council Member Gover questioned the cost involved.

Mrs. Stultz replied that they had been trying to get bids but so far they have not been able to get a price. She added that they could certainly bring it back.

Council Member Gover stated that he would like to see it back.

A substitute motion was made by Council Member Vestal seconded by Council Member Gover to amend the motion and add that they would like to know the cost.

Council Member Epps stated that he thought that a child's life was more important than the cost, it was very dangerous, the whole wall was rotted out and children were heavy in that neighborhood.

Council Member Tudor noted that he had received two complaints in the last ten days, one from the next door neighbor, concerned about the vermin. He received another by an individual whose grandchildren lived close by. He stated that he certainly appreciated the concern for finances, and in this day and age, when the issue was raised about finances, they could not disregard that, but as quickly as possible if they could proceed with it, he would like to.

Council Member Gover explained that his reasoning was that they (might) approve a \$30,000 (figure) and it jumped to \$130,000. He added that he was also concerned about kid's safety, but when he looked at the building, the part that looked as if it would come down, was in the back and they have one good side and one bad side, but he would still like to know, if they did damage to the other side, how much it would cost as it was a two-part building.

Mrs. Stultz explained that one of the folks who did a lot of demolitions for them gave a verbal number this afternoon, but because of the confusion created by the way they fill that form out; she would hesitate to say the number out loud. But, what he suggested was about \$20,000 to take it down and she had not heard from the others.

Mayor Price asked if she would review the cost to the people who own the buildings in regard to take downs.

Mrs. Stultz replied that the way it was set up, it could be collected in the same way as assessments. Obviously they all would have to pay the contractor after he takes it down and then they would authorize Mr. Medlin to pursue collecting from the particular individual.

Mayor Price asked Mr. Medlin if this would be a lien or how was it enforced.

Mr. Medlin explained that once they have paid the monies, they give notice and make a demand for the property owner to pay it, and if they did not, then it becomes an assessment lien, much like sewer assessments, so it becomes a lien against the land at that time (and) they could either then wait and know that they have a lien or they could take action to enforce that lien and go after collection just as they would any other type of assessment.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Mayor Price stated that he thought the city had a real large one several years ago and action was taken to collect for that large cleanup.

Mr. Medlin pointed out one other thing. Their main motion was a motion to approve the ordinance and the ordinance was to demolish. So, they then had a (substitute) motion to amend, to add a requirement that the cost be reported to the Council before any action was taken. He recommended that before amending an ordinance, because they were directing action with that ordinance, it was really a motion to substitute and so he recommended that it be a motion to substitute, to require that the cost be reported prior to any action and then once that occurred then take and approve the ordinance.

Mayor Price, for clarification asked if he was saying that they approve the substitute motion that they agree to take it down, subject to the cost being approved by the Council

Mr. Medlin replied no, and explained that if they approve the substitute motion, then they take action on getting the cost reported and then they would vote on the ordinance to demolish.

Council Member Epps questioned if it would be feasible to pass it as presented and then come back and do the substitute motion.

Mayor Price explained that they had to vote on the substitute motion first.

Mr. Medlin added that they could amend the substitute motion to add a time frame.

Mayor Price referred to Council Member Vestal who stated that they could present it at the next Council meeting.

Council Member Epps pointed out that they have had a lot of people complain about those types of buildings, especially that one.

After some brief discussion, Mrs. Stultz suggested that her department would not act on the ordinance until Council was informed of the cost for demolition. If the cost seemed too high, the Council could reconsider the ordinance.

Council Member Vestal then withdrew his substitute motion.

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

(h) Adoption of an ordinance for the demolition of a building located at 228 Blackstock Street.

The memorandum contained a section of the Human Habitation Standards Ordinance 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 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 is done at the city expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

Mrs. Stultz explained that the Fire Chief was prepared to burn this property.

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

(i) Adoption of an ordinance for the demolition of a building located at 838 Holland Street.

The memorandum contained a section of the Human Habitation Standards Ordinance 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 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 is done at the city expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

Mrs. Stultz noted that they received a price of \$4,000 this afternoon. She explained that it could not be burned because there was not enough left to be burned. She explained that they would just take the remnants to the landfill.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

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

(j) Adoption of an ordinance for the demolition of a building located at 504 Armfield Street.

The memorandum contained a section of the Human Habitation Standards Ordinance 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 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 is done at the city expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

This item was pulled.

(k) Adoption of an ordinance for the demolition of a building located at 204 Sunset Drive.

The memorandum contained a section of the Human Habitation Standards Ordinance 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 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 is done at the city expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

This item was pulled.

(l) Adoption of an ordinance for the vacation and demolition of a building located at 427 Riverside Drive. (Kelly Stultz, Planning & Inspections)

The memorandum contained a section of the Human Habitation Standards Ordinance 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 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 is done at the city expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

This item was pulled.

(m). Consideration of having Planning Department and Planning Board initiate a text amendment to the ordinance pertaining to fencing around wreckage and salvage yards. (Per Request of Council Member Myott)

Council Member Myott presented a photograph to the Council and explained that she only wanted to send this to the Planning Department and Planning Board, to let them look at the text amendment as it pertains to fencing around salvage and wrecking companies.

Mrs. Stultz was speaking from the audience, so her comments were inaudible. Mayor Price asked Mrs. Stultz to come to the podium.

Council Member Myott stated that she was speaking of wrecker and temporary storage...but that temporary was something she did not quite understand.

Mrs. Stultz apologized for interrupting and explained the two parts of the ordinance. She noted that one talked about automobile towing and temporary storage and there was some stuff in the code about that too and the real salvage facility. She stated that as she understood it, in the past as they have talked about it, Council Member Myott had concerns about this kind of storage in both those scenarios and wanted to look at it all.

Council Member Myott pointed out that there were three things she would like to mention. She noted the height of the fencing and that in her opinion should conform to the height of whatever it was trying to hide, or else whatever was in there should be dismantled. She referred to the picture and noted that they would see what she was talking about. She stated that she would also like for the Board to consider the number of vehicles that could be stored at one site. She stated that she would like to see fifty (50) and then maybe a time limit put on how long they could be temporarily stored until they were crushed and sold by that company for scrap metal, instead of leaving them there for months and months. She noted another thing she was concerned about, as well as the people in her area, and people were united behind her on this, they also needed to consider the negative environmental impact of allowing more than fifty vehicles in one location and that impact consists of battery acid and motor oil seeping into the ground. She noted one in particular had residential homes right next to it.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Council Member Vestal added that they had a problem elsewhere with the height of vehicles and a six foot fence which did not do anything. He asked if there was any way they could look at the broad spectrum and require a buffer as Council Member Myott indicated to take care of the problem that exists, six feet did not take care of problems in every situation.

Mrs. Stultz agreed and they had learned a hard lesson in that topography sometimes impacts that. She explained that a six foot fence in some places, and she thought of one in the eastern part of the community where a six foot fence was there but you could still see all the way in it because the street level was higher than the fence. Another thing that they had originally talked about when doing automotive salvage facilities was that a special use process to make the fencing ten feet high and not allow anything other than normal fencing. She noted that she had a picture in her office of a fence in California that a guy made out of cars. He crushed cars and stacked them so that was why they did try to be very careful about that.

Council Member Vestal stated that there were cases where fences, even if twelve foot high, if they put greenery or whatever, that would absorb dust and hide the view also. He thought they needed to look at the broad spectrum and not just stay with fencing.

Mrs. Stultz stated that what they really wanted her to do was look at screening as an issue.

Council Member Epps agreed with Council Member Vestal. They did not want a residential (area) to look like a commercial area, with just fences, with the cut lattice where you could still see through it. He stated that he did not think it would be unreasonable to ask a person who had that type of business to put greenery around it. There should (also) be a limitation on the number (of vehicles) they could store.

Mr. Medlin suggested that it should be in the form of a resolution, from the Board, directing the Planning Department and the Planning Board consider changes to the zoning texts concerning fencing for motor vehicle storage and the number of vehicles allowed for the storage and environmental issues for stored motor vehicles and to report back to the Council.

A motion was made by Council Member Myott seconded by Council Member Vestal to approve a resolution directing the Planning Department and Planning Board to consider changes to the zoning text concerning fencing for motor vehicle storage and the number of vehicles allowed for the storage and environmental issues for stored motor vehicles and to report back to Council.

Council Member Gover asked if they were looking at 50 vehicles in a specified area or were they looking at overall 50 vehicles.

Council Member Vestal stated that it was just temporary storage.

Council Member Gover stated that when they looked at some places, they would have their fencing. They would not have the view like they have here (in the picture), but they were protected under today's ordinances and they could not see what was shown there in those pictures. He asked if they were going to just put 50 cars in one place or in the storage lot that they call in. He asked which one she was looking at.

Mrs. Stultz explained that part of this was where they defined automobile towing and temporary storage and in that there were some standards in that definition that say in Business Central, Business General, Business Highway-2, no more than 50, and they debated that number at the time this amendment was pushed through and then in I-1 and I-2 no more than 50 on a single zoning lot

Council Member Gover added, temporary storage.

Mrs. Stultz replied yes, there was also a provision in the ordinance that talks about automobile salvage facilities and that had a whole other round of requirements to it, and that providing there was the right amount of fencing, it could be more than that, if they could get a special use permit to do it. She noted that they have only issued one and it was revoked and they had not had anybody try that since and they have an enforcement action still going on with that guy now.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Council Member Myott asked that in a salvage place did the owners not usually strip what they wanted to off the wrecked vehicles. Her point was, why not go ahead and crush the rest of it and get it out of the way and let them save their parts to sell or use whatever.

Mrs. Stultz replied that in a salvage facility yes, and one of the things that the Council was pretty adamant about when it was done, was that they not really be allowed to salvage, that they not be allowed to have the cars that they rape for parts and leave there forever. That was a different kind of business and while she thought they probably need to look at the provisions, both in salvage facilities, big salvage facilities and this; she did not think it was a different kind of intensity to those uses. She stated that they could not bleed one over to the other. Originally, staff and part of the Planning Board, only 25 vehicles would be allowed in the Business Districts and 50 in Industrial. She offered to dig back through to research and find out what other jurisdiction were doing to see if they could find a better way.

Council Member Epps asked if those cars in the temporary storage would be licensed and insured would they not.

Mrs. Stultz replied no and explained that what happens, and particularly the site where Council Member Myott had expressed concerns over, there were vehicles that have been wrecked and so they get hauled there and they stay there a while waiting for insurance companies to debate and they generally did not have tags after a very short time and then there were vehicles that were picked up on behalf of the city and if a vehicle was involved in a crime for whatever reason it had to be kept for a while. They did have circumstances where the Police Department needed them to keep some vehicles for an extended period and then having gone through herself, early on, through all the steps required to get the State of North Carolina to let you crush something after you have picked it up in this way, it could be a lengthy process but it did have an end. She stated that at the time she came to work there were about 40 vehicles at public works and it took about two years to get through the quagmire with the State to get rid of them, but that was because they could not find owners. In the cases of things they were picking up now, they have an impotence to get rid of them, because once they get over the number of cars they could have then she would be over there counting windshields and some would have to go. So that was the whole point she thought, of limiting the number or one of the points to it, so they would not be keeping them forever.

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

*Please note that the resolution was mentioned by the City Attorney at the beginning of this discussion. The resolution will have to be drawn by the City Attorney; therefore a copy is not placed in the current minutes.*

**9. CONSENT AGENDA:**

(a) Approval of minutes: September 16 and 22, 2003.

(b) Approval and adoption of a motion to approve dump truck financing bid.

The memorandum to Council listed the following quotes: BB&T 3.41%; First Citizens, 3.35%; Municipal Capital, 4.00%; Ford Motor Credit, 5.95%; and International Truck, 5.89%. It was asked that the Council approve First Citizen's quote which was the lowest.

(c) Approval and adoption of Budget Amendments No. 3 and 4.

Budget Amendment #3	Account #	From	To	Amount
<b>General Fund Revenue</b>				
Insurance Proceeds	10-3850-85000	\$ -	\$12,000.00	<u>\$12,000.00</u> \$12,000.00
<b>Expenditure</b>				
Capital Outlay Vehicle	10-4310-55000	\$ -	\$12,000.00	<u>\$12,000.00</u> \$12,000.00

To cover insurance proceeds from police vehicle wrecked.

Adopted and effective this 21<sup>st</sup> day of October, 2003.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Attest:

Kim J. Scott, City Clerk

Philip K. Price, Mayor

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Budget Amendment #4	Account #	From	To	Amount
<b>General Fund Revenue</b>				
Powell Bill Revenues	10-3325-33000	\$535,000.00	\$490,406.41	<u>\$(44,593.59)</u>
				\$(44,593.59)
<b>Expenditure</b>				
Powell Bill c/o Street	10-4515-52000	\$143,700.00	\$99,106.41	<u>\$(44,593.59)</u>
				\$(44,593.59)

Budget Amendment 4 is to cover reduction in Powell Bill Monies Received Water & Sewer Revenue.

Adopted and effective this 21<sup>st</sup> day of October, 2003.

Attest:

Kim J. Scott, City Clerk

Philip K. Price, Mayor

**(d) Approval and adoption of an ordinance to install a stop sign at the intersection of Hopper Lane and Park Avenue.**

A request was made on August 25, 2003 for a traffic study of the intersection of Hopper Lane and Park Avenue. An "S" curve connects Caleb Street and Hopper Lane and this intersects with Park Avenue. An area resident complained that vehicles in this area are traveling too fast for the existing "S" curve upon approaching the intersection of Park Avenue. The complainant has experienced property damage from traffic accidents involving excessive speed in the past.

At this time there is no stop sign or any other traffic control device at the Hopper Lane and Park Avenue intersection. The recommendation of the Police Department is to install a stop sign at the intersection of Hopper Lane and Park Avenue.

**(e) Approval and adoption of an agreement between The Rockingham County Board of Education and the City of Eden for the continuation of the School Resource Officer Program.**

**(f) Approval and adoption of old turnout gear donation.**

The memorandum explained that the Fire Chief had been approached by the Draper Rural Fire Department inquiring about purchasing the old Nomex turnout gear that is boxed up and no longer in use.

**(g) Approval and adoption of a resolution Supporting Rockingham County's Highway Priorities of Inclusion in the Transportation Improvement Program of the State of North Carolina.**

RESOLUTION  
SUPPORTING ROCKINGHAM COUNTY'S  
HIGHWAY PRIORITIES OF INCLUSION IN THE  
TRANSPORTATION IMPROVEMENT PROGRAM OF THE  
STATE OF NORTH CAROLINA

WHEREAS, The State of North Carolina Department of Transportation has requested public officials to submit preferences as to priorities of projects to be scheduled in the Transportation Improvement Program, add;

WHEREAS, Rockingham County is geographically the largest county in Division 7 with nearly 600 square miles, and;

WHEREAS, the primary concerns of local officials regarding transportation are first, the safety of our citizens using state and federal highways, and second, the adequacy of the roads which connect local areas to each other and to the region to accommodate existing and future demands and, third the opportunity to share in the economic prosperity of the region by improving the quality of the county's major routes, and;

WHEREAS, The Transportation and Committee and the Rockingham County Board of Commissioners believes that a good highway system is vital to the mutual benefit of all the citizens of Rockingham County.

NOW, THEREFORE, BE IT RESOLVED, that the Rockingham County Board of Commissioners go on record as endorsing and recommending to the North Carolina Department of Transportation the published priorities for inclusion in the upcoming Transportation Improvement Program with the following alterations, and additions:

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

## REGIONAL PROJECTS

### CRITICAL REQUESTS

- R-2413 – Set schedule and funding for construction and possible design build for widening multi-lane connector, on new location from NC68 to US 220 and multi-lane US220 to NC 68 for completing before 2007. *By connecting the northern portion of North Carolina and Southern Virginia to the Piedmont Triad Airport an opportunity exists to enhance the position of the airport as regional player in economic development in the Piedmont Triad Region and to link these counties to the economic opportunities provided by Fed Ex.*
- Set schedule and funding for US Hwy 29 for engineering and construction from Greensboro to the NC/VA line to be retrofitted from a US Hwy to I-785. *Currently most of US 29 in Rockingham County is being updated to interstate standards. Once the eastern portion of Painter Boulevard (U-2524C) is in place only a small portion of US29 will remain that needs to be upgraded such that I-785 can be designed from Danville to Greensboro.*
- U-2524C Painter Boulevard – Set schedule and funding for construction and design build for Urban Loop (Section C) US 29 to US 70. Construction of this segment will greatly enhance eastern Rockingham County's accessibility to I-40.

### PRIORITY REQUESTS

- R-2580 – Set schedule and funding for multi-lane connector of US 158 for engineering and construction from US 29 Bus. (Freeway Drive) to US 220 and connect to future I-73.
- R-2586 – Set schedule for US 158 for engineering and construction from US 29 at NC 14 to NC 62 in Yanceyville. Wider to multi-lanes. *The widening of US 158 from Winston-Salem to the Coast was one of the original projects in the Highway Trust Fund legislation. The completion of this project from the intersection of US 158 and US 220 to Yanceyville would help two counties that have suffered economic losses due to the decline of textiles and tobacco.*
- R-4402 – Set schedule and funding for the widening of NC 14 from Meadow Road in Eden to US 220 in Virginia. *The widening of NC14 from Eden to Virginia will give an alternative route for truck traffic from Virginia to the eastern side of Greensboro thus providing a critical link, as the I-73 corridor is developed.*
- R-2560 – Reaffirm support for the widening of NC87 from Reidsville to Burlington.

## COUNTY PROJECTS

### CRITICAL REQUESTS

- U-3326 – Move up the schedule for the widening of US29 Business (Freeway Drive).

### PRIORITY REQUESTS

- B-4622 – Move up the schedule for the replacement of Bridge No. 54 on NC 65 at Rock House Creek. (Safety Concern)
- B-4252 – Aligning of Island Drive (SR1169) with Lindsey Bridge Road (SR 1138) during reconstruction of Bridge No. 95 and Bridge No. 67 in Madison. (Safety Concern)

### FEASIBILITY STUDIES

- Harrington Highway Extensions North to Westerly Park Road and East to Quesinberry Road.
- Realigning of Chief Martin Road and Piedmont Drive and extending it to Island Drive in Madison.
- Stop Light feasibility study for intersection of Hwy 311 and Island Drive.

Adopted this 16<sup>th</sup> day of October 2003 in Wentworth, North Carolina.

Mayor  
Philip K. Price

Attest: Kim J. Scott  
City Clerk

(h) Approval and adoption of wireless communications management agreement with Utility Service Communications Co., Inc.

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

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

VOUCHERS:

Mayor Price noted the importance of their understanding of where the money was going to and this was a copy of the check register as it goes through.

COMMENTS FROM CITY COUNCIL:

Mayor Price asked if there were any comments from Council.

Council Member Tudor stated that he had made the request on the part of UNITE and would certainly appreciate it if all the Council would sign the letter this evening. He also thanked them for being there.

CLOSED SESSION:

Closed Session according to G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other business and the areas served by the public bodies.

A motion was made by Council Member Tudor seconded by Council Member Gover to go into Closed Session according to G.S. 143-318.11(a)(4). All Council Members present voted in favor of this motion. This motion carried.

OPEN SESSION:

The following discussions were regarding two memorandums presented to the City Council by the City Manager.

The first memorandum referenced a request by Gildan Activewear to consider an amendment to the Performance Agreement between Rockingham Partnership for Economic and Tourism Development, Rockingham County, the City of Eden, and Gildan Activewear (Eden), Inc. *A copy of this memorandum is on file in the City Clerk's office.*

Mayor Price explained that the City Manager has a proposal he would like to present to the Council at this time.

Mr. Corcoran asked if the Council had voted on Gildan.

Mayor Price explained that they have heard the proposals presented by Gildan.

A motion was made by Council Member Gover seconded by Council Member Reynolds to approve the proposal as presented by Gildan. All Council Members voted in favor of this motion. This motion carried.

City Attorney Tom Medlin asked for the purpose of the Clerk, what the motion was. He explained that the motion was to approve the second amendment to the Performance Agreement with Gildan.

The next memorandum explained that Mr. Bill Pace has made an offer to purchase the properties owned by the City of Eden off of West Stadium Drive. According to Ms. Carol Roberts, Atkinson Realty, he has established a deadline of Friday, October 24, 2003 in which to accept the offer to purchase. Specifically, Mr. Pace has offered \$200,000 for all three buildings and the available acreage or \$162,500 for the 15.7 acres of vacant land and the Old City Council Chambers at 338 W. Stadium Drive. Initially, the majority of Council requested that we submit a counteroffer of \$280,000 for all three buildings and the available acreage. This counteroffer has now been turned down and Mr. Pace has renewed his initial offer with a deadline of Friday, October 24, 2003. *A copy of this memorandum is in the office of the City Clerk.*

Mr. Corcoran explained that he had placed a sheet of information in front of Council concerning the city's property. He stated that as they were each aware, they have an offer, or an offer was made to purchase the property owned by the city on West Stadium. As they know, an offer was initially made, \$200,000 for all three buildings and available acreage, or \$162,500 for the 15.7 acres of vacant land and the old City Council chambers. Initially, a telephone poll was



Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

conducted because it was indicated that the purchaser needed an immediate answer and the majority of Council indicated to submit a counter offer of \$280,000 for all three buildings and available acreage. That offer has now been turned down. The purchaser then came back and despite a deal that he was working on another deal which came through, he renewed his offer a second time. He has informed Ms. Roberts, the realtor, that that offer will be on the table until this Friday.

He explained that in their packet, they just have some information basically, which shows what the appraisals were and then some recommendations from him (Corcoran) as well as from Mrs. Stultz.

He stated that he did not know how many of them have had the opportunity to go through the old Police Department or the old City Hall, but he believed it was fair to say, after discussions with Ms. Roberts, as well as Mrs. Stultz and the building inspectors, there was no way they were going to bring anywhere even close to that appraisal amount for those two pieces of property. He noted that both of those buildings have severe and serious problems. They would need quite extensive renovations to even get them to the point where they would be used. In fact the comments that Ms. Roberts has received during showings, several people have been critical concerning the nature of those two buildings. In fact, if they look at the offer that was received, if they factor in that \$162,500 was offered for the other two parcels and only \$200,000 for the whole thing, basically that shows them that only \$37,500 was offered for those two pieces of property. On the other hand if they look at the \$162,500 that was offered on the acreage and the Council Chambers, they would note that was somewhat close to what the appraisal was. The appraisal for those two properties totals \$207,000 and this offer was \$162,500. This was a difference of \$42,500. But, again after numerous discussion with their realtor, looking at some comparable sales recently, what has been and has not been happening, they were of the opinion that \$162,500 was a good offer on those two pieces of property. In addition, it would be the recommendation that the Council give serious consideration to the possibility of demolishing or burning the other two structures (the Police Department and City Hall). He stated that they feel that depending upon what would be done with the acreage and the Council Chambers that vacant properties that fronted West Stadium Drive would probably have a much more significant value than their current condition. Obviously that recommendation did not have to be voted on tonight. He added that he knew that was a big recommendation to demolish or burn those two structures, but that was their recommendation and the other recommendation was that they do accept the \$162,500, but, again it was a Council decision and this offer was only good through Friday.

Mayor Price asked what the offer was now.

Mr. Corcoran replied that for the 15.7 acres of land which was appraised at \$108,000 and 338 West Stadium Drive which was appraised at \$99,000. So, the two appraisals total \$207,000, the offer was \$162,500 so it was short of the appraisals by \$44,500, but again, he was not knocking the appraisals, but this was the same appraiser that appraised the other two buildings at \$177,000 and \$121,000. He added that he could tell them it was just not going to happen. He stated that their feeling was the sooner they could get something back on the tax rolls and get some revenue generated, they might be able to make up for some of the difference when they sell their other properties.

Mayor Price questioned the value for other lots in that neighborhood.

Mr. Corcoran stated that the property across the street never did sell; it was actually just being leased. He added that all he could tell them was what Ms. Roberts told him and that was that everyone she has shown this to has said these were way over priced and they were never going to get the appraised value.

Council Member Myott questioned who she had shown them to.

Mr. Corcoran replied it was quite a number of people. She actually did a report for them which outlined, she did not put names in there, but when it was shown and comments. Again it was up to the Council, it was what they wanted to do, but he thought although she did not have a voice in it, he thought that she felt that this was a good offer. He added that after Mrs. Stultz and he had talked about it, they thought it was a good offer.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Council Member Epps questioned Ms. Robert's commission.

Mr. Corcoran replied that he thought 6% was her standard commission.

Council Member Epps stated that he thought they had fiddled with this long enough.

Mayor Price commented that he wanted to speak a minute about this. Several pieces of property around there had sold for dramatically more money. Now he realized that the corner of Highway 14 and Stadium Drive it was the highest traffic count, other than Morehead Hospital and maybe Rockingham County, but that property sold, with the building, he thought the paper listed roughly \$900,000. They were going to take the building down and build a drug store there. He stated that he was not sure of this, but he believed there was a small lot right up the street there that sold for about \$55,000. Which was not, but it was on Stadium Drive and he realized that it did not have the traffic that Highway 14 and Stadium Drive would have, but it just seemed to him, like it was slow, it was a slow economy right now, but to him, he was just impressed with the piece of property, it had several nice lots across the front. He added that he did think that the city might want to think about demolishing some of those buildings, but the lot at the back it was a nice building lot, perfect for some type of commercial complex and the property back there, it was not the best laid land in the world, but it can be developed and be right in the middle of town.

Council Member Myott pointed out that was what Mr. Pace wanted, \$162,500.

Mayor Price asked that they think about the lots right across the front there, in his mind he did not think they were getting enough for it.

Council Member Myott replied that this was for the original offer that they have turned down, because he was taking the prime land and he wanted all that in back, just leaving the two buildings and the parking lot. She asked how much would it cost to demolish those two things.

Mr. Corcoran replied that it depended. They talked about it today, if the Council was of a mind to look into that, the first step would be to test for asbestos. If any were found then they would have to decide what to do. There was no sense in going to that work and gathering that information if that was not what the Council wanted to do.

Council Member Myott stated that what she was thinking was if they put out the money to demolish those two buildings and leave that nice parking lot there that was going to enhance the Pace's property even more, and they were going to have to subtract the cost of doing that from the \$162,500 plus the commission.

Council Member Gover added that on the other hand, if he puts in a business there, it enhances their property.

Council Member Vestal stated that with any development though, they have four lots there that they were going to maintain and anything that anybody does, whether it was him or anyone else does behind was going to enhance that property up front.

A motion was made by Council Member Gover seconded by Council Member Vestal to go with the recommendation of the City Manager for \$162,500 for the 15.7 acres and Council Chamber.

Council Member Tudor asked if he understood the Manager to be alluding to the fact that the properties might actually be worth more once the two buildings were demolished, they think they might actually be worth more because of location and a person not having to deal with the repair with those older buildings.

Mr. Corcoran stated that he did not know what was involved. He did not even pretend to be an appraiser, but if they go through those buildings and once they get done, to say to that that was worth \$177,000, would be just, they would just have some serious problems with that. He thought that what was done, they looked at the square footage in the structure, but did not take into the account the dilapidated condition of the structure. He thought that the indications from the discussions he had with Ms. Roberts and after the building inspectors went and toured it was that they felt it would be a lot more marketable if it were cleared land where somebody who was interested in doing something was ready to come in and build, versus trying to convince them to

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

go ahead and spend enough money to come somewhere close to this appraisal just so they could buy the building and then demolish it themselves, and then get started and so they know, who knows, it was their feeling, if those two buildings were removed they would have a much better chance at marketing those properties.

Council Member Tudor asked if they sell them, would all the money go to water and sewer.

Mr. Corcoran replied yes, they have previously voted that all the property that they have available for sale, the sale of any of those properties would go to the water and sewer fund just as they have previously voted that the proceeds from the sale of the park on Highway 14 would go to Freedom Park.

Council Member Tudor asked if they could not take any of this money toward demolishing the two buildings.

Mr. Corcoran stated that obviously the Council could change its own decision so if they were of a mindset that they did not want it to go to water and sewer they could, but as right now, the way it stands, the Council has voted that the proceeds from the sale of any of those three buildings and acreage would go to the Water and Sewer Fund.

Council Member Vestal stated that at this point and time to demolish was not applicable.

Mr. Corcoran agreed that if there was no asbestos and they could burn it, then they were not looking at a lot of expense, but he could not tell them for sure.

Council Member Epps stated that they were getting the appraised value, less \$45,000.

Mr. Corcoran replied, right if they just break it down and just look at those two properties and that was what they centered on, how much they really thought they were going to get for those two parcels. Forget the other two, because they were not suggesting that they take the \$200,000, but when they look at the other two parcels, yes it was short of what the appraisal was, but it was not totally out of the ballpark either.

Council Member Gover pointed out that they look at it this way; business or whatever, there was a tax value there and employment.

Council Member Tudor asked Mayor Price if he was of the opinion that because the land nearby had been a great value, that time...

Council Member Myott added that also, they were going to get a new bridge there.

Mayor Price stated that in his opinion, as property was moving, Kings Highway, they had a lot sold for \$100,000, property up and down, those things were beginning to move.

Council Member Vestal commented that he had the same opinion about the city park. If they build a five lane highway up there within seven years they were going to triple the value of that piece property...if..if..if.

Mayor Price agreed that was his feeling.

Council Member Myott stated that it just grieved her to think that she was looking at this and it looked to her like they probably would come out maybe \$100,000 was what they would get after they demolish...

Mayor Price asked, so Mr. Pace has offered \$200,000.

Mr. Corcoran replied that he had offered \$200,000 for everything or \$162,500 for the two.

Mayor Price added or \$162,500 for the 15.7 acres and the old City Council chambers.

Mr. Corcoran also added and really all he was offering for the other two was \$37,500.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Mayor Price asked if that lot beside the City Council chambers was not a part of this purchase to which Mr. Corcoran replied, right.

Council Member Tudor asked if they would have lots on both sides of the old City Hall.

Council Member Vestal stated that he did not think so, he thought all four of the lots...

Mayor Price pointed out that there was a lot to the left of the old City Hall chambers

Council Member Vestal stated that went in with the 15.7 (acres).

Council Member Epps added that the property with the two (buildings? inaudible), they might get another \$100,000 or \$50,000.

Council Member Vestal agreed, after they get some development in there, because they got a nursery going right next door.

Mr. Corcoran replied right, and like he had said, they did make an attempt to find out what the plans were but he was not willing, in his discussion with Ms. Roberts to tell her what his plans were.

Council Member Epps noted that they have a couple of pieces of property that they might end up getting a couple \$100,000 for later...

Mr. Corcoran added that was speculation. It was just whatever they all felt comfortable with.

Mayor Price stated that he was questioning the lot next door to the City Council chamber.

Mr. Corcoran replied that he did not have a survey plot in there which actually showed each lot in his appraisal.

Mayor Price added that he thought Council Member Vestal was correct. He thought that went with the 15.7 acres.

Council Member Vestal explained that all four lots that the city would retain would be below the City Hall chambers.

Mayor Price stated that his (Pace) offer was for the old City Hall chambers and the remaining police station and there would be, he asked if the building pad in the back was included in the 15.7 acres.

Council Member Vestal replied in the affirmative.

Council Member Myott agreed and it takes all of that. That was what he was telling them, the only thing left was the two buildings and the parking lot.

Council Member Vestal stated that it was four lots; he was not even counting the buildings, as they were not worth anything.

Council Member Epps stated, they would have four left, building lots.

Council Member Tudor stated, they would have two left...they would have four left.

Council Member Vestal pointed out, two buildings and two empty lots.

Council Member Myott stated that when they demolish those buildings and have that parking lot there...he was going to come back and offer...

Mayor Price stated that it was obviously going to be retail. They have to account for parking, whatever was built there, so they did not really have that many building lots, so that was a very real issue that has to be dealt with, anything commercial.

October 21, 2003

City of Eden, N. C.

Minutes of the regular October 21, 2003 meeting of the City Council, City of Eden, continued:

Council Member Tudor commented that they had the post office. He thought she was going to give them a cost of fixing the roof on the post office or tearing it down and she did not do that...

Mayor Price pointed out that they had this motion on the floor.

Council Member Tudor replied that was what he was alluding to and he was just saying they need to get something sold.

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

ADJOURNMENT:

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

Respectfully submitted,

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Kim J. Scott  
City Clerk

ATTEST:

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Philip K. Price  
Mayor