

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, October 19, 2004 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:	Christine H. Myott
Council Members:	Donna Turner
	Billy Vestal
	Jerry Epps
	C.H. Gover, Sr.
	Bruce Nooe
	Wayne Tuggle, Sr.
City Manager:	Brad Corcoran
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson
City Attorney:	Tom Medlin
Representatives from Departments:	
Representatives from News Media:	Kim Mitchell, <u>Eden Daily News</u>
	Mike Moore, WLOE

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 Jerry Epps gave the invocation.

PROCLAMATION:

Mayor Price read the following proclamation in recognition of Veteran's Day.

A PROCLAMATION TO DESIGNATE NOVEMBER
TO HONOR
ALL VETERANS OF ROCKINGHAM COUNTY

WHEREAS, residents of Rockingham County have served our country in all conflicts during our Nation's History, and

WHEREAS, we salute their service, express appreciation for supporting the Nation and honor their sacrifices, and

WHEREAS, the Armed Forces of the United States still protects all our homes and families and enables us to enjoy peace, freedom and prosperity.

NOW, THEREFORE, BE IT PROCLAIMED that the month of November be set aside to honor all veterans of Rockingham County and will call upon our citizens of Rockingham County to join us in becoming more aware of the sacrifices of our county residents.

Given under my hand this 19th day of October, 2004.

s/Philip K. Price
Philip K. Price
Mayor

Mayor Price noted that on November 12th, the Draper Merchants will be having a special ceremony at the Draper (Veteran's) Park that would consist of a parade and some special speeches in honor of the veterans.

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RECOGNITION OF CYCLE NORTH CAROLINA:

Mayor Price also noted that on October 4th, the city hosted Cycle North Carolina. He explained that about 1200 cyclists and their support groups came through Eden. He noted that they stayed overnight at the YMCA, they brought tents, their support groups, and people who worked on the bicycles.

Mayor Price asked the following people who participated in hosting this event to come forward: Robin Yount, Tommy Flynt, W.L. Pryor, Barry Mabe, Benny Sexton, and Mike Dougherty. He then read a letter of appreciation on behalf of the City Council.

COMMENT BY THE CITY ATTORNEY:

Mayor Price recognized the City Attorney, Mr. Tom Medlin.

Mr. Medlin explained that on the agenda (under Consent Agenda) was the adoption of the minutes from September 21st, 2004. He stated that during that Closed Session (from that meeting) it would be appropriate that it be put on the minutes of this meeting (October 19th) that during that Closed Session he did advise the Council as to the status of the annexation appeal and his thoughts about that under the Attorney-Client privilege. He noted that they did not announce that prior to going into the Closed Session so he thought it would be appropriate to put it on the record at this time. He also asked that it be added to the minutes from last session as well.

ADDITIONS OR DELETIONS TO MINUTES:

Motion to table Item 8(b).

A motion was made by Council Member Gover seconded by Council Member Nooe to table Item 8(b) until the next regular meeting. All Council Members voted in favor of this motion. This motion carried.

Motion to table Item 4(a).

A motion was made by Council Member Vestal seconded by Council Member Gover to table Item 4(a) until the next regular meeting, for clarification on some terminology.

Council Member Turner questioned if they needed additional information.

Council Member Vestal replied that he thought they needed some clarification on the wording because they would have to bulldoze every lot in Eden.

Council Member Turner asked if those were questions they could ask tonight.

Mrs. Stultz explained that Council Member Vestal had raised the question today and it did not go to the Planning & Economic Development Committee this month.

Mayor Price asked if it had gone to the Planning Board to which Mrs. Stultz replied yes and there was one dissent. Mayor Price stated that this discussion went back 6 or 7 years and he thought it had emanated from Council Member Epp's district along Victor Street.

Mrs. Stultz replied that it was that one and others. There was a problem with their nuisance ordinance and the way it was worded and it was one of those things that the Council had discussed over the years.

Council Member Vestal stated that they needed to change their standing ordinance, but to go with the terminology that they had in this proposed ordinance, he did not know what the answer was and that was why he wanted it to go to the committee.

Mrs. Stultz replied that she understood his concern and it probably needed to be clarified.

Council Member Epps questioned if it could be clarified tonight.

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Council Member Gover commented that he rode around with Council Member Vestal. As for the enforcement part of it on two acres adjoining a developed land, that was going to be a tremendous task. He stated that if they would ride around and look at all the growth that they were mentioning and the way that they were mentioning it, maybe it was just a wording, as he was all for cutting tall weeds and grass around all these places, but they were having trouble today even getting people to mow their yard, so when they encompass something like that, what an impact. He asked where they would get enforcement. He stated that it was just a lot of uncertainties that he would like to have cleared up.

Mayor Price asked how long this had been on the Planning Board's agenda and discussed.

Mrs. Stultz replied that they reviewed it last month. She explained that what they were proposing says "the uncontrolled growth of noxious weeds and grass or noxious weeds and other vegetation to a height in excess of 12 inches on any parcel of land not larger than two acres". Now they have always had this two acre cut off, but in the past what it said was if it was two acres or more they only mowed back 25 feet if it adjoined a developed property on the side. She thought what they needed to make sure of, a lot that was developed and an owner decided not to cut their grass and it was a foot high when they send a letter, by the time they go to mow it 15 days later it was 20 inches high, that they mow the whole yard and not just 25 feet into the middle. She agreed with Council Member Vestal that it made perfect sense to her what they meant for it to say, but perhaps the next portion was not as clear as it should be. Where it says "which is developed or has ever been developed". She suggested that they should perhaps put a sentence in there that says that if it has ever been developed or was undeveloped, they would still just do 25 feet. She definitely did need to mow it all if a house was sitting in the middle of it.

Council Member Myott questioned the vegetation like trees, and they would have to be removed, but if they mowed 25 feet, were they going to remove the tree.

Mrs. Stultz replied no, they had not, but they could tighten that up and get a draft to the committee.

Action on the motion was as follows: Council Members Vestal, Gover, Myott, Nooe, Tuggle, and Turner voted in favor of this motion. Council Member Epps voted in opposition. This motion carried. (*Council Member Epps later in this meeting made a request to change his vote to a "yes" to make it unanimous*).

Motion to table Item 4(b).

The City Attorney, Tom Medlin, explained that there was the issue of the language in the proposed ordinance that talked about if the items that were in the sidewalk, were not properly maintained, they would be ordered removed. He questioned whose authority that would come under and whether there would be any civil penalties or if it would be a misdemeanor citation. He asked that they pull the item and bring it back at the next regular meeting in November.

A motion was made by Council Member Epps seconded by Council Member Nooe to table Item 4(b) until the regular November meeting. All Council Members voted in favor of this motion. This motion carried.

Mayor Price asked if they would have to re-advertise those public hearings to which Mrs. Stultz replied that they did. He stated that he wished that before the agenda went out they could clear all of those things up with the parties that be so that they would not have to get into those things, particularly Item 4(b).

Motion to pull Item 8(a).

Mayor Price stated that he would like to remove Item 8(a).

A motion was made by Council Member Gover seconded by Council Member Nooe to remove Item 8(a). All Council Members voted in favor of this motion. This motion carried.

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PUBLIC HEARINGS:

(a) Consideration of an amendment and ordinance to amend Chapter 6, Article II, Sec. 6-37(1) of the Eden City Code pertaining to nuisances.

The memorandum to Council explained that at their meeting in July of 2004, Council scheduled this public hearing to hear comments on an amendment to the Chapter 6, Article II, Section 6-37(1) of the Eden City Code to modify a section dealing with conditions constituting a public nuisance.

The Planning and Inspections Department recommended approval of the amendment request. At their September 2004 regular meeting, the Planning Board voted to recommend that the City Council approve this request.

This item was tabled until the November regular Council Meeting.

(b) Consideration of an amendment and ordinance to amend Chapter 13, Article I, Sec. 13-1 of the Eden City Code pertaining to permit benches, flower pots and other such items on sidewalks in the downtown areas.

The memorandum to Council explained that at their meeting in July of 2004, Council scheduled this public hearing to hear comments on an amendment to the Chapter 13, Article I, Section 13-1 of the Eden City Code to modify a section dealing with objects permitted on public sidewalks.

The Planning and Inspections Department recommended approval of the amendment request. At their September 2004 regular meeting, the Planning Board voted to recommend that the City Council approve this request.

This item was tabled until the November regular Council Meeting.

(c) Consideration of an ordinance annexing property on New Street pursuant to a request submitted by Peter F. Osborne, Representative for TBMA Properties, LLC.

The memorandum to Council explained that at regular March meeting, the Council scheduled this public hearing to hear comments regarding an annexation of property requested by Peter F. Osborne, Representative for TBMA Properties, LLC. The request was to annex property located on New Street.

Mayor Price called for a public hearing and asked Mrs. Stultz to come forward with a report.

Mrs. Stultz explained that this was a voluntary annexation petition that was submitted for property that included what appeared to be a street and was not exactly as of yet and what would be the Weil McLain Building. She stated that staff had recommended that the Council accept the petition. She also noted that the City Attorney had prepared the ordinance.

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

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

MONTHLY FINANCIAL REPORT:

Mayor Price commended the report and asked if there were any questions.

The City Manager, Mr. Corcoran, explained that this report was a little bit different variation, because Ms. Ford had her own style. He noted that the two big things they tried to do, on the first page of the report, they tried to give a snapshot picture of money on hand September 30th 2004 versus September 30th 2003. The first part of the financial report looked fairly standard and then as they go back to about page 20, they ran a comparative analysis of each fund showing the position of that fund, as of September of 2004 versus September of 2003.

There were some things, if they really looked in detail, for instance the Self-Insurance Fund, if they looked at the revenues for 2004 versus 2003, they would notice that the 2004 revenues were much less. The reason for that, they have not made the transfers from the Water & Sewer and the General Fund into the Self-Insurance Fund yet.

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As they each were aware, their new Accounting Coordinator, Tammie Bowers, was now on staff. He wanted to take the opportunity to extend a note of gratitude to the Finance Department staff as well as the auditors, Pat Penn and Judy Rouse.

Council Member Turner questioned page 18. She noted that the waterline upgrade had a high percentage.

Mr. Corcoran replied that this was not exactly his top area, but he thought that what happens, once they set up a fund, like an ongoing fund, they carry the balance forward. So, that shows the history of that fund since it had been started. They have not spent \$336,000 on waterline upgrade projects since July 1st. Since the waterline upgrade became its own separate fund, it was sort of like if they looked at the Freedom Park, which showed a figure of over a million dollars. They have not spent a million dollars this year but cumulatively that had been spent. He believed that when they had project funds, that balance just continued forward and was shown as an expenditure year to date, although it was really expenditure for the life of the project and then the auditors do what they need to do in terms of the adjusting entries.

Council Member Tuggle questioned the Façade Improvement project.

Mr. Corcoran referred the question to Mr. Dougherty, Business Development Director.

Mr. Dougherty explained that they received seven (7) applications thus far. They have approved four (4) for the Leaksville area, 1 for the Draper Village area and they have not received any applications from the Boulevard. They were going to continue the process the way it was until December 31st, at which time they would reallocate the funds. They have had a couple of new small businesses there, a couple of retailers and it had gone very well relatively speaking for the first time out and they expect it will improve as time goes on. He noted that two (2) retailers wanted to put awnings out that would greatly improve one of the downtown areas.

Council Member Tuggle asked when he expected them to start.

Mr. Dougherty replied that it would be pretty quickly for the most part.

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

REQUESTS AND PETITIONS OF CITIZENS:

No one spoke at this time.

UNFINISHED BUSINESS:

(a) Request for a further study of demolition of a building located at 403 Morgan Road.

The memorandum to Council explained that last month, the City Council enacted a stay of enforcement on the above referenced properties. Since that time, permits have been issued to further the rehabilitation process. Bob Vincent, of the Inspections Department, has been on the site and says that at this point the work is progressing adequately.

At this time it was recommended that the Council continue the stay and have a monthly report on progress.

Mrs. Stultz explained that they have discussed these pair of buildings for several months. Mr. Porter has been into the office. His contractors have permits and were steadily working. At this point, she recommended that the Council continued the stay of demolition, as long as his progress continued. She placed it back on the agenda this month because they had promised that they would, and she wanted to ask permission for the staff to continue to monitor it and if at such time he stopped making progress, she would put it on the next available agenda and the Council could make a decision.

Mr. Medlin added that he believed that it needed to state a date.

Mrs. Stultz asked if they would like to hear a report in 90 days or at the January Council Meeting.

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Mayor Price asked if she had been going there.

Mrs. Stultz replied that she had been by there, but Mr. Vincent and Mr. Bolden have been there. They have met with contractors in the office and they were working. She guessed that if all went well they could be done in 90 days.

Mayor Price asked Mr. John Porter if he would like to comment.

Mr. Porter explained that he was Joe Porter's brother and he was there in his support. He stated that the project was going well and he had an update for the Council. He added that he believed that 90 days would work fine with them as the progress was going well.

Council Member Vestal asked if he had an estimated time on completion to which Mr. Porter replied that 90 days from now would work fine and he was sure they would be totally through by then.

Council Member Gover questioned what would happen in 90 days if he was not finished.

Mr. Medlin replied that it would be the Council's decision as to whether the ordinance stands or they rescind it.

Mrs. Stultz explained that the only reason she had not suggested a time frame upfront was because she would ask permission that if they stop in the course of this 90 days, she did not have to wait and come back to them in January.

Mr. Medlin replied that the Council could ask for a report at every meeting and do 30-30-30 instead of 90.

A motion was made by Council Member Tuggle seconded by Council Member Gover to extend the stay of demolition until the January 2005 meeting. All Council Members voted in favor of this motion. This motion carried.

NEW BUSINESS:

- (a) Discussion of Junk Cars.

This item was pulled from the agenda.

- (b) Consideration of commercial sanitation contract agreement.

The memorandum to Council explained that the City of Eden currently has an agreement with Waste Management of the Piedmont to provide container rental and collection service for commercial customers within the city. The current agreement was the result of a negotiated three (3) year agreement that went into effect January 1, 2002. There was no increase in rates for the duration of the three year agreement.

In April of 2004, the Solid Waste Division Superintendent began the process of contacting service vendors that provide commercial level waste service in the region including Waste Management of the Piedmont. The current service rates and a general overview of service system was conveyed in writing to each of these vendors for their consideration as a possible provider.

The city has historically provided the most comprehensive, stable and cost effective commercial service rates for the commercial businesses in Eden. The current rates have been found to be well under the collection service rates of the closest competitors. The response of those contacted has been that the rates are extremely competitive that Eden was well below their guidelines for operation.

This item was tabled.

- (c) Consideration of automated garbage truck replacement.

The memorandum explained that the request was to replace Unit 5-G automated garbage truck which had been considered during the 2004/05 Fiscal Year Budget developmental process. This is the oldest garbage truck and it now has been in operation since 1995. Unit 5-G currently serves as a backup unit for the automated collection system.

Mr. Benny Sexton, Public Works Director, explained that this item was on the budget for this year but due to funding it was pulled with the thought that they could make it last. They welded a new floor into the compactor several times and it keeps wearing out. He explained that they

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felt they could not wait any longer and wanted to request permission to purchase a new garbage truck.

Mayor Price asked if they would keep the old garbage truck or trade it.

Mr. Sexton replied that they were going to either get rid of it or switch compactors, they were going to try to keep one spare on hand, and the spare was a used one and not a front line unit.

Council Member Epps asked if this was an outright buy or a lease.

Mr. Corcoran replied that it would be a 5-year lease purchase and they have made arrangements to piggyback on a contract with the City of Greensboro which would save about \$8,000. He thought that the first year's lease payment was equivalent to what the repairs would be just to get this operational again. He added that they had also brought this matter before the Public Works Committee.

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

(d) Consideration of a traffic study on Maryland Avenue.

The memorandum explained that the problem involved vehicles exceeding a safe speed through the area and the focal point of these violations were west of Fieldcrest Road. Initially the portable radar device was deployed for a number of days to give notice to motorists that enforcement efforts were being concentrated in that area. Subsequently, radar certified police officers began saturating the street, observing the area and operating calibrated speed detection equipment.

Maryland Avenue is a residential street of average width. The speed limit from S. New Street to S. Hale Street is posted at 25 mph. This section has no curbing.

The remainder of Maryland Avenue to Fieldcrest Road has no posted speed limit signs and is by law 35 mph. The section from S. Hundley Drive to Fieldcrest Road is curbed and guttered with houses more proximate to the roadway. Street parking is not prohibited in this section. Research indicated that only three traffic accidents have been reported there this calendar year. In comparison of Maryland Avenue to nearby parallel streets of South Avenue and Delaware Avenue, Delaware Avenue has no speed limit signs erected, therefore is 35 mph and South Avenue has 35 mph speed limit signs in place. These streets are very similar in terrain, population density, and volume of traffic.

With regard to the citizen complaint of speeding vehicles on Maryland Avenue, it is a cause of concern for the Police Department to monitor as with any public thoroughfare, however not to the extent of altering existing regulations. It is the recommendation of the police department to have 35 mph speed limit signs erected in the corresponding speed zones and to continue concentrated traffic enforcement efforts by the police.

A motion was made by Council Member Gover seconded by Council Member Tuggle to accept the recommendation. All Council Members voted in favor of this motion. This motion carried.

Council Member Gover commented that the officer did a great job.

(e) Consideration of a traffic study on Lawson/Cedar Streets.

The memorandum explained that the study request arose from concerns of a citizen who resides at the intersection of Lawson and Cedar Streets. This citizen has received damage to her property on two separate occasions within a period of four months as a result of traffic accidents. The complaint is of speeding and stop sign violations.

The portable radar device was immediately redeployed to this area. In addition, radar certified police officers began conducting speed surveys.

Both Lawson and Cedar Streets are residential with houses near proximity to the roadway. There are posted 25 mph speed limit signs erected on both streets. These signs are visible and facing the respective direction of travel. There are duly erected stop signs for traffic traveling north and south on Cedar Street. There is a four way stop located at the nearby intersection of Lawson and Price Streets. There have been four traffic accidents reported in this area of Lawson Street this calendar year. It was observed that there is a heavy volume of vehicular traffic in this area. Children are dropped off and picked up at the nearby day care facility. There are also several pedestrians walking for exercise.

With the combination of pedestrians and vehicles transporting the children, this is an area which should be monitored closely for violations. During the period of radar surveys, officers of this department stopped multiple vehicles resulting in enforcement actions.

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It was recommended that this area continue to receive concentrated efforts by the Police Department to ensure compliance with traffic laws and promote safety.

Mayor Price explained that this was a dangerous street. They have an area with a 4-way stop on the corner of Price and Lawson going up to Patterson Street and there have been several bad wrecks.

Council Member Turner stated that she did not see where they considered a 4-way stop for that intersection. She stated that she thought that was what the citizens in that area had hoped for. She stated that they studied it and did a great job, but maybe a 4-way stop was not a possibility there. She knew there was one at Price and Lawson, but she thought that was what they were hoping to achieve there (Lawson & Cedar), because the speed limit was already 25, and that did not seem to matter.

Mayor Price stated that to be candid, there may have been some confusion with the direction that the Police Department had, because they were looking at what had been requested of them to do and that was to study the area. Their recommendation was to keep up a concerted effort. Frankly, they generally do a real good job. That was a dangerous intersection; it was a good residential area with a daycare at the end of the street.

Council Member Tuggle noted that it had also mentioned in the memo that someone ran into a lady's car and while she was waiting to hear from the insurance company, somebody ran into it again. Obviously something needs to be done before someone gets killed.

Mayor Price stated that he would like to see them agree to this but also ask that this be on the agenda next month.

It was the consensus of Council that this item would be studied further by the Police Department for a recommendation. No action was taken.

CONSENT AGENDA:

a. Approval and adoption of minutes: September 21, 2004.

b. Approval to hold a public hearing and to consider an ordinance for a zoning map amendment to rezone property on E. Arbor Lane from Office & Institutional to Business-General.

The memorandum explained that the city has received a request from Peter F. Osborne to amend the zoning map. The request is to rezone property on E. Arbor Lane from Office & Institutional to Business-General. The Planning & Inspections Board at their regular meeting on September 28, 2004, considered the request and recommended that the request be approved.

c. Approval and adoption of a motion to approve the relocation of a Massage Therapy business.

The memorandum explained that Ms. Penny Dixon requests permission to move her massage therapy business from her home located at 208 Martinwood Road to 323 E. Meadow Road, the former office of Dr. McMichael.

d. Approval and adoption of Main Street Advisory Board application for membership.

The memorandum explained that Jo Sherwood of FNB Southeast Bank has expressed an interest in participating in the Main Street Advisory Board. Ms. Sherwood will bring a wealth of commercial banking experience to the board.

e. Approval and adoption of General Purpose Funding: Senior Center.

The memorandum explained that a letter was received from the Piedmont Triad Council of Governments regarding the General Purpose Funding for the Garden of Eden Senior Center for the 2004-05 fiscal year. The State of North Carolina allocates these funds each year and the allocation this year is \$5,912. The total match the City will be responsible for in fiscal year 2004-05 will be \$1,971 for a total grant of \$7,883. The funds to match this grant will be derived from the Senior Center account in the Parks and Recreation Department budget.

The Parks and Recreation Department request for these funds include purchasing a stove, sofa and chairs and replace the countertop at the new Garden of Eden Senior Center. The remaining funds will be used to help pay the salary of the temporary employee at this site.

The City of Eden has applied and received this grant for several years. The Parks & Recreation Department would like permission to apply for the grant for the Garden of Eden Senior Center for the 2004-05 fiscal year.

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f. Approval and adoption of Amendment One – Resolution.

RESOLUTION IN SUPPORT OF AMENDMENT ONE: SELF-FINANCING BONDS
A Local Economic Development Tool to Create Quality Jobs, Revitalize Communities and
Attract New Economic Opportunities in North Carolina

WHEREAS, the City of Eden needs to attract more jobs and economic development; and

WHEREAS, self-financing development bonds will have a direct impact on creating new jobs, new investment, and strengthening the tax base in our state; and

WHEREAS, communities across the nation have used these bonds successfully to promote sound economic development; and

WHEREAS, the use of these bonds will make a difference for every community, urban, suburban and rural; and

WHEREAS, these bonds will give local governments flexibility to pursue multiple types of economic development projects including industrial site development, redevelopment of existing industrial and Brownfield sites, affordable housing and community revitalization; and

WHEREAS, the these bonds allow North Carolina's local governments to use a new mechanism to invest in public improvements designed to attract private sector investment; and

WHEREAS, North Carolina is one of only two states in the nation that do not have this economic development tool; and

WHEREAS, self-financing development bonds have received broad bi-partisan support from the General Assembly and the Business community, as well as municipal, county and state government and former Governors Holshouser, Martin and Hunt; and

WHEREAS, North Carolina will have some of the strongest safeguards in the country to ensure self-financing bonds are used for good purposes; and

WHEREAS, these bonds are subject to voter approval on the November 2004 ballot and deserve rightful consideration by the citizens of the State; and

NOW THEREFORE, BE IT RESOLVED that the City of Eden strongly supports self-financing development bonds because now is the time to enhance our ability to create new jobs and investment in our municipality.

BE IT FURTHER RESOLVED that the City of Eden pledges to work to educate and inform the citizens of our state and community about self-financing development bonds and pledges to encourage voters to approve Amendment One in November 2004.

This the 19th day of October, 2004.

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

g. Approval and adoption of the NC Economic Infrastructure Grant Application and Authorizing Resolution (NC Rural Economic Development Center).

NC Economic Infrastructure Grant Application and Authorizing Resolution
(NC Rural Economic Development Center).

WHEREAS, the City of Eden is applying for a grant from the North Carolina Rural Center, and;

WHEREAS, the North Carolina Rural Center requires a certificate from the local unit of government receiving grant funds through its program to have an appropriate verifiable percentage goal for participation by minority business that has been adopted in accordance with G.S. 143-128-c (as amended).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF EDEN THAT

1. The City of Eden establishes a 10% goal for minority business participation on water and sewer projects in accordance with G.S. 143-128-c (as amended).
2. To seek minority business participation the City of Eden shall:
 - a. Place a statement in bid solicitations that the City of Eden has established a 10% minority goal for minority business participation in accordance with G.S. 143-128-c (as amended) and encouraging minority businesses to participate in the project in a regional newspaper.
 - b. Minority participation forms required by G.S. 143-128-c (as amended), a list of underutilized businesses with Rockingham County addresses obtained from the North Carolina Department of Administration's website, and a statement encouraging the use of minority businesses will be included with bid documents.
 - c. Contract documents will include minority participation forms and documentation required by G.S. 143-128-c (as amended) and a statement that contractors and subcontractors maintain a list of

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minority business utilization (name and dollar amount) and provide this information to the City.

Contracts will be awarded to the lowest responsible bidder.

Adopted this the 19th day of October, 2004 at Eden, North Carolina.

s/Philip K. Price
Mayor

ATTEST:

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

A motion was made by Council Member Epps seconded by Council Member Tuggle to accept the Consent Agenda. All Council Members voted in favor of this motion. This motion carried.

VOUCHERS:

Council Member Tuggle questioned Debbie's Staffing.

Mr. Corcoran replied that a lot of times when they need temporary help that was where they would go. The Accounting Technician that they hired was from Debbie's Staffing. A lot of times some of the part-time workers used will come from there and a lot of times someone may go out on Family Medical Leave Act and their position would need to be filled so the city would just contract with them.

Council Member Tuggle also questioned Duke Power in that the bill varied from time to time.

Mr. Corcoran replied that he would research it and get him an answer.

Mayor & Council Comments:

Council Member Epps commented that on the nuisance thing that he voted "no" on, he would like to change that to a "yes" vote to make it unanimous. *This was item 4(a).*

Council Member Vestal stated that the Mayor did an outstanding job on commending the people involved in Cycle North Carolina. He noted that he had left out one group that needed to be recognized and that was the Sheriff's Department. He had heard many comments from these people that every intersection in Rockingham County was manned by the Sheriff's Department. They left here and went through Caswell and Alamance and never saw a deputy anywhere.

Mayor Price commented that it was a very good point, taken well. They did have a very special Sheriff's Department. He stated that people involved with this group came up and gave thanks and stated that they had never had this hospitality anywhere (else). A lot of people planned, donated their time, and went out of their way (for this event).

Council Member Epps stated that he was talking with the Jameson Inn's Manager who stated that they went ahead and delivered their luggage to the hotel and they went ahead and put it in their rooms. When the cyclists got there they were so amazed that everything was already in place for them. They had stated that if they had anything to do with it they were coming back.

Council Member Vestal stated that was the good news, but proceeded to ask if he was the only one who noticed the bad paving job on Highway 14. He asked if they were going to live with that for ten more years. He pointed out that the turning lane from Lane's Pharmacy all the way to King's Highway was like riding on a washboard.

Mayor Price added that while he has brought that up, they have had a problem with the last three pavings that the State has contracted. One, they had to come back on West Washington Street. He encouraged everyone if they see anything to report it to the City Manager. They were late coming in with their tie-ends, and he understood that, but number one, the citizens think that it was the City of Eden (doing this work).

Minutes of the regular October 19, 2004, meeting of the City Council, City of Eden, continued:

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ADJOURNMENT:

A motion was made by Council Member Tuggle seconded by Council Member Gover to go into Closed Session. All Council Members voted in favor of this motion. This motion carried.

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor