

CITY OF EDEN, N. C.

A special meeting of the City Council, City of Eden, was held on Thursday, February 3, at 7:00 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
City Manager:	(absent) Brad Corcoran
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson
City Attorney:	Tom Medlin
Representatives from Departments:	Dennis Asbury
	Bev O'Dell
Representatives from NCDOT:	Mike Mills
	Brad Wall

MEETING CONVENED:

Mayor Price called the special meeting of the Eden City Council to order and welcomed those in attendance.

Consideration of Municipal Agreement and adoption of Resolution, Project B-3509, WS:33122.1.1 (Bridge 75 over the Smith River on SR 3003 in Eden) and Resolution.

Mayor Price noted that they have had previous public comment on this item so there would not be any public comments made at this time. He added that he did appreciate the citizens who showed support for activities in the City of Eden.

Mayor Price then asked Mr. Mike Mills, Division Engineer for NCDOT, if he would like to make some introductory comments.

Mr. Mills thanked Mayor Price and also introduced Mr. Brad Wall, the Division Construction Engineer. He explained that this project had been going on for several years. They have had three (3) citizen workshops, the first in May of 2000, another in June 2001, and a third one in May of 2002. He explained that when they came to the first workshop, there were three (3) alternatives for the project. Alternative (1) was to place the bridge about 800' south of the existing bridge, down at Early Avenue. The (2) was to put the bridge back in the original location, however they would have to close the bridge during construction and it would be about a two (2) year project where they would have to detour along different routes. The third (3) alternative was a route just north of the existing structure. That one took out the traffic circle.

He explained that after the first workshop, they received a lot of feedback and the City of Eden more or less wanted to keep the traffic circle. He also noted that the location at Early Avenue was ruled out because there were a lot of negative comments from the public. It would also involve upgrading Early Avenue and the removal of four (4) historic houses. They came back with another workshop with seven (7) alternatives. One of those alternatives was the current project, which was to place the bridge back in its current location, with a temporary detour north of the existing structure. This would remove the traffic circle during construction and place it back after completion. They then came back with a third (3) workshop in 2002 with three (3) alternatives. One of them still on the books was to put the bridge back in the current location but close the bridge during construction and have a detour. The other alternative was what they had now, to put a temporary bridge north of the existing structure, put it back in the same location and put the traffic circle back, and the third (3) one that still made it through the process was to put a structure north of the existing structure, but still have a traffic circle.

Special meeting of the City Council, City of Eden:

38

He explained that after all of that and hearing the public comments and input from public officials, they came to the current alternative, which was to put the bridge back in the current location and placing a temporary detour north and once the bridge was completed, the traffic circle would be placed back. He noted that from the wording in all of the workshops they would put a traffic circle back to meet today's current standards, 2005. That might not work, because to put it back into the current design standards it would affect a lot of properties in that area. So, they may have to go back to what they had before, or a little bit larger, but they were working those issues out, but bottom line, they would have a traffic circle when they got through. He then stated that he would be glad to answer any questions that they had.

Mayor Price stated that the engineering report showed that they would be going from a 14-inch to a 16-inch waterline, from cast iron to ductile iron pipe, which would increase the water pressure in certain areas in the north side of town, and there would also be some infrastructure work. So, basically the city's biggest change was the replacement of that line. The other night they did not have all the background information with the proposal and some good quality questions came up, therefore, Mayor Price opened the floor for questions.

Council Member Tuggle questioned who ultimately decided where the bridge would be located.

Mr. Mills replied that it came to a joint decision with the final say so from the NCDOT. However, they involved the public and the local officials to try to hear everyone. After the first workshop, it was quite apparent that they wanted the traffic circle put back and that was what they tried to honor. They tried to get as much involvement that they could from the public, some they could do and some they could not, either due to environmental, safety or historical concerns, but they tried to do what the public requested. That was why he thought it would be a joint decision, with the ultimate decision made by the DOT.

Council Member Tuggle stated that he said he had been doing this for five (5) years. He questioned how much money they had already spent at this point and were they at the point of no return.

Mr. Mills replied that he would recommend that they were at the point of no return. Certainly, anyone could appeal his decision here and look at it again. The thing was, they had those three (3) workshops, and he was afraid that if the Council said, "hold it, we want to start over", that was what they would be doing, they would be starting over and looking at about a four to five year process again, and based upon what was heard at the workshops before, they would end up at the same place, which would be where they were at now. As to the other question, they have spent a little over a half million dollars so far on this project. They have spent a little bit on the right of way, but the bulk of the cost, \$500,000 of it, was for engineering type costs. They were now going back and trying to get the traffic circle to fit in without affecting the people in that area in a negative manner. He explained that if they went by the design book, they would have to "tweak" that and fit it in.

Council Member Tuggle questioned how closely the Thoroughfare Plan played into their decisions as to where a bridge was placed.

Mr. Mills replied that it was very heavily. The alternative at Early Avenue was on the Eden's Thoroughfare Plan and also the current location. The existing road out there was a major arterial road and placing it down 800' south, they would kind of lose the connectivity they had now. That was another reason it was not selected, along with the negative public comments, the historic properties out there would be affected and it really did not fit into the traffic scheme.

Council Member Vestal questioned what connectivity would be lost.

Mr. Mills replied that he was not familiar with the roads, but going up, across the bridge, down at Early Avenue, they would have to improve it to arterial standards. They already have it now, but to do Early Avenue, they would have to upgrade it and do some turning and twisting and all of that. The current road was an existing thoroughfare road.

Special meeting of the City Council, City of Eden:

Council Member Vestal noted that (Highway) 700 no longer went through there. He explained that was why he wondered about it being a thoroughfare.

Mr. Mills replied that it did not have to be a primary road to be a thoroughfare.

Council Member Vestal asked if this bridge was structurally unsafe.

Mr. Mills replied that right now it was what they called structurally deficient and functionally obsolete, which meant it did not meet the roadway width standards for today's traffic. For structure deficient, he explained that the NCDOT rate their bridges every two years and when they drop below a rating of fifty (50) then they start putting it on a TIP project. This bridge was about 44 or 45 several years ago. One of the alternatives was to do nothing, but the only drawback was, right now it was a posted bridge. To do nothing, the deterioration would get worse. Their maintenance funds to keep it going would begin increasing and there would be a point to where to do the maintenance they would have to close the structure. He added that it would come to a point to where the bridge would become unsafe and it would be closed.

Council Member Vestal stated that he understood that. He pointed out that if they followed the Thoroughfare Plan as approved as it was in the 2000 minutes (of the City Council), and went down 800' and built a new bridge, that would become their main traveled area. He asked if the State would consider leaving the bridge there, as that would eliminate all the truck traffic off of it.

Mr. Mills replied that it would certainly be an option until it got to a point that they had to close it due to the maintenance condition. Currently it was rated probably at 44, 45 or 46.

Council Member Vestal pointed out that if they took all of their truck traffic off of it and probably 60-70% of their regular traffic off of it, which would be going on the new road, he would assume it would last a lot longer with just general maintenance. He asked if that would be true.

Mr. Mills replied that it would be a true statement but the maintenance of it would be more and more. If they took truck traffic off, they still had a point now where just with the vibration of the cars, he believed in the condition report, there was some substructure damage that they would have to start maintaining. Then their maintenance cost would just start increasing more and more. He stated that eventually he thought they would just close the road or put it back on some kind of TIP project again to replace.

Council Member Vestal pointed out that if they had a bridge down the river they would not have to replace that one 25 or 30 years down the road.

Mr. Mills replied that would of course be with the City of Eden getting back with the Thoroughfare Plan.

Council Member Vestal pointed out that also if they did the project as they were currently doing it, from Mr. Cowan's statements in 2000, it would cost as much to build the temporary bridge and then remove it, as it was to replace the existing bridge, and he thought it was about 3.2 million dollars.

Mr. Mills replied that they had not let the contract yet, but he estimated it was probably 4 million dollars, which included the temporary bridge. He noted that to span that river, it would probably be quite expensive for a temporary bridge.

Council Member Vestal explained that his point was, look at the money the State would be saving, there was roughly 2 to 3 million dollars from saving on the temporary bridge, to do nothing in that area and put the new bridge 800' south.

Mr. Mills replied that the bridge down there was more expensive than what they were doing now to which Council Member Vestal noted that he thought it was 5 million versus 3 million. Mr. Mills added that they also had the issues of the upgrade to Early Avenue, and the historic

Special meeting of the City Council, City of Eden:

40

properties. There were four houses there that were classified as historic. He explained that the way the 4F law was written, if there was another alternative, to avoid taking those houses, they had to do it. He also pointed out that they had a lot of comments that were not in support of that location.

Council Member Vestal commented that he had received no positive comments to the operation that they were getting ready to do.

Council Member Myott commented that she seemed to recall that the reason people were opposed to Early Avenue was that the cost was much more.

Mr. Mills agreed that cost was a part of their determination, but if cost was the true overriding thing, they would not be doing what they were doing now, they would tear out the existing bridge, deter the traffic wherever, and then put the bridge back. That was the cheapest cost of all. She was correct, that one was expensive, but cost was not the determining factor in every decision. He added that it was certainly part of it, but this one was not that far off, plus they would keep the traffic circle.

Council Member Myott agreed that Early proved to be so expensive plus, going up to Hamilton (Street), what would they do there.

Mr. Mills replied that was the connectivity he was talking about, there was no smooth transition and the one they were doing now was. She was correct; the one on Early was the most expensive alternative.

Council Member Gover questioned the cost on that bridge on the first alternative, versus the city's cost on this one.

Mr. Mills replied that for putting it down 800', he really did not know. He explained that any time they did a project and there were existing utilities in their right of way, they were normally there by encroachment agreements. That meant that whether it was Duke Power, gas, sewer or whatever, it was paid by the owner of that utility. Now, where it crossed Early, he was not sure what they had to do. There would be some work, because there was some water and sewer running down that street....

Council Member Gover explained that his concern was that they get a \$300,000 bill on this one, it could be \$500,000 since it was five (5) years ago. He agreed with Council Member Vestal, leave the bridge, being under the constrain order that they were under on their water and sewer, and now they were putting this ahead of everything. There was no priority that this line be put in at the time. He pointed out that they were under a consent order on their water and sewer at the tune of 4 million dollars. They were facing today another 5 million dollars just to remove alum. Now, here they come along with another \$300,000 and this city could not afford it. He stated that he would rather see the bridge left alone and build the one on Early, if it did not cost the city...

Mr. Mills replied that it would cost the city wherever they cross existing roads. If the city had anything in there, it would cost the city something to put those back.

Council Member Gover pointed out that due to all of the job losses, the plant had been closed down, there was a hundred trucks a week and 300 employees that no longer exist, and as Council Member Vestal said they deleted Highway 700 across that bridge, so they have less heavy traffic in that manner.

Mr. Mills replied that he did not want to disagree, just because a primary route goes away did not mean that the traffic would stop using it. There was development going on all the time and he knew that the owner of the Spray Cotton Mill was trying to get his business back up again and he did have businesses going on in there. They did not know, but they were doing their best guess on projected traffic and he felt confident that Eden did lose some mills in this area but other things could pick up.

Special meeting of the City Council, City of Eden:

Council Member Gover stated that with all of the reduction, he thought they could reduce the weight limit on that bridge and it would last quite a long time and the city would not have to come up with that kind of money.

Mr. Mills replied that they were not sure, the first time they had heard about \$300,000 was today. He then referred to Mr. Brad Wall, Division Construction Engineer, NCDOT.

Mr. Wall explained that he had talked with the folks in their utility construction group, and they said they had just received this estimate and they were reviewing it. They did indicate that there would be further estimates and he would assume that as the design proceeds there would be better estimates. He added that he was not saying that the price would go down, it could go down or it could go up, but there was some process and development of this plan that could be discussed with regard as it did proceed.

Council Member Vestal stated that he was confused on the numbers. Mr. Cowan back in 2000 stated that the cost to build the bridge 800' south was 5 million and the cost to build the bridge in the existing spot was 3.2 million. His next statement was it would cost as much to build a temporary bridge and tear it down as it was to build that, so that was 6.4 million versus 5 million. He questioned where he was saying it would cost more than if they were to build a....

Mr. Mills replied that he was going by their latest figures and what he had heard was that it was estimated at around 4 million dollars to which Council Member Vestal asked if that was total. Mr. Mills replied that this was an estimate and right now it was about 4 million.

Council Member Vestal clarified that Mr. Mills was talking about to build a temporary bridge, to tear the other bridge down, build the bridge back and then tear the temporary bridge down it would cost 4 million.

Mr. Mills replied that was their best estimate right now, fuel prices may go up again later, steel prices may go up, that was their best guess.

Council Member Vestal explained that was why he wanted it clarified because in 2000, Mr. Cowan indicated that it would cost 6.4 million dollars. He stated that he thought that Mr. Cowan indicated that bridges now would last in the excess of one hundred years. He asked if he thought the State would look at the feasibility of leaving the bridge as it was so that the traffic circle would continue to exist, and then put a new bridge, for the betterment of transportation needs for the City of Eden for the next seventy-five or one hundred years at the 800' south of Early Avenue.

Mr. Mills replied that in his honest opinion, and he had a superior that they could certainly request that they hold this project and go back and look at this again, but if they were to ask him what he thought, he would say they should stick with where they were at right now. They have gone through three public workshops, they have input from the public as well as the public officials then, and there was the issue with going down 800' at Early Avenue. He did not believe they would be able to do the project based on the 4F rules because there was another alternative that they could use. If it was decided that they start over, that would be what they would be doing, starting over, looking at a 4 or 5 year process, and he believed that based on what they went through with the three public workshops, they would be back with the same recommendation.

Council Member Vestal questioned which historical properties he was talking about.

Mr. Mills replied that he did not know the exact location, but there were four relocates, as part of that alternative. That meant they were taking those four properties with that structure.

Council Member Vestal noted that from what he could remember the only widening they would have to do would be the first quarter of a mile because after they get to the top of the hill there it widened out to four lanes, and from there all the way to Hamilton Street it was already wide enough. He just could not place those four properties.

Special meeting of the City Council, City of Eden:

Mr. Mills replied that it had been a while, he had looked at it, but from what he could remember it was four relocates and they were all 4F. In looking back at the comments as to why that one was ruled out, there were negative comments on it, nobody supported it, the 4F issue with the relocates and it really did not fit a good thoroughfare plan route. The current plan provided good continuity throughout that area and they would be keeping the same thing they had now.

Council Member Epps stated that if there was a law about the 4F, there was nothing they could do about that to which Mr. Mills replied that was correct.

Mayor Price asked if there were any other questions and as there were none, he called for a motion.

A motion was made by Council Member Epps seconded by Council Member Turner and Myott to accept the municipal agreement. Council Members Turner, Epps, Myott, Nooe, and Tuggle voted in favor of this agreement. Council Members Gover and Vestal voted in opposition. This motion carried.

A motion was made by Council Member Epps seconded by Council Member Tuggle to approve and adopt the resolution. Council Members Turner, Epps, Myott, Nooe, and Tuggle voted in favor of this motion. Council Members Gover and Vestal voted in opposition. This motion carried.

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

A motion was made by Council Member Epps and seconded by Council Member Tuggle for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project B-3509, Rockingham County, said plans consist of grading, paving, drainage, structure, and temporary signals at Bridge 75 over the Smith River on SR 3003; and,

WHEREAS, said Department of Transportation and this Municipality propose to enter into an Agreement for the above-captioned project whereby this Municipality agrees; (1) to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation, and (2) to provide for the adjustment of any municipally-owned utilities without cost to the Department of Transportation, except that said Department will reimburse this Municipality in accordance with said Department's Municipally-Owned Utility Policy; and,

WHEREAS, the Department agrees to acquire the right of way and construct the project in accordance with the approved project plans, and,

WHEREAS, the Agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED that Project B-3509, Rockingham County, is hereby formally approved by the City Council of the City of Eden and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the Agreement with the Department of Transportation.

I, Kim J. Scott, Clerk of the City of Eden, do hereby certify that the foregoing is a true and correct copy of the excerpts from the Minutes of the meeting of the Eden City Council duly held on the 3rd day of February, 2005.

WITNESS, my hand and the official seal of said Municipality on this the 3rd day of February, 2005.

SEAL

Kim J. Scott
City of Eden
North Carolina

February 3, 2005

Eden, NC

Special meeting of the City Council, City of Eden:

43

ADJOURNMENT.

A motion was made by Council Member Tuggle seconded by Council Member Myott to adjourn. All members voted in favor of the motion. The motion carried.

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Philip K. Price
Mayor