

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, February 21, 2006 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	John E. Grogan
Mayor Pro Tem:	Wayne Tuggle, Sr.
Council Members:	Donna Turner
	Darryl Carter
	Jerry Epps
	C.H. Gover, Sr.
	Bruce Nooe
	Christine Myott
	Wayne Tuggle, Sr.
City Manager:	Brad Corcoran
City Clerk:	Kim J. Scott
Deputy City Clerk:	(Absent) Sheralene Thompson
City Attorney:	Tom Medlin
Representatives from Departments:	
Representatives from News Media:	Brian Ewing, Eden Daily News; Lisa Doss, Eden's Own Journal; Mike Moore, WLOE

MEETING CONVENED:

Mayor Grogan 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 with Fire Chief Doug Cline leading in the Pledge of Allegiance.

RECOGNITION:

Mayor Grogan asked Scout Troop 567 to come forward and introduced those in attendance. He also recognized Scout Troop 553 and had those in attendance to come forward to be introduced.

PRESENTATIONS:

Main Street Champion:

Mayor Grogan called on Business Development Director, Mike Dougherty for this presentation.

Mr. Dougherty introduced Ms. Joy Toms, Chairman of the Main Street Advisory Board, Ms. Tammy Heath, Principal of Draper Elementary, and Jean Harrington, Past Chairman of the Main Street Advisory Board. Eden became a Main Street community in late 2003. Each year one person from every Main Street Community is selected as the Main Street Champion, and also the 40 communities that are part of Main Street submitting their building renovations and their special events for recognition. He stated that they were very pleased that with only our 2nd year in the program that one of the special events, the Adopt-A-Veteran Program, that took place in the Draper section of town, was selected. Mr. Dougherty noted that Ms. Linda Wyatt, President of the Draper Merchants Association was ill and could not attend the meeting; however, Tammy Heath who is a partner was present to accept the award. He explained that this is a partnership between the school and the Draper Village Merchants Association. It was a program where local veterans were actually adopted by students. The

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first program was held in the Draper Elementary gym. This program is starting to spread to other communities as one in Charlotte is going to do this and another community as well. It was helping the Draper area establish a new identity associated with our veterans. He congratulated Ms. Wyatt and Ms. Heath for the great job. He added that Ms. Wyatt's son is in Iraq and asked everyone keep him in their prayers that he return would safely.

Mayor Grogan mentioned that for those who did not go down to East Eden on Veteran's Day this past year to plan and go next year. It was a treat to see all the children, veterans, and citizens walking from the school back around to the park and the ceremony in the park. He asked that everyone put that on their calendar because they do an outstanding job, the principal working with the merchants in East Eden.

Mr. Dougherty noted that the second person that was selected by the Board as a Main Street Champion was Mrs. Jean Harrington. He noted that Mrs. Harrington has promoted downtown revitalization for over 25 years. She was the inaugural chairman of the advisory board; she's an active member of the Olde Leaksville Merchant's Association. On Washington Street Park, she contributed land, made a financial contribution for a raised flower bed plus donated decorative fence for the park, and selected the park benches. She spearheaded the aluminum awning removal project that happened last year; she was one of the first property owners to put up a canvas awning. She has also made the Bullard Ray Harrington house in the midst of the Leaksville shopping district her home since she was a little child. She also contributed to the Riverfest so that we could have the bateau, she underwrote that. Mr. Dougherty noted that it had been a pleasure working with Mrs. Harrington over the years. He thanked her for everything she had done.

Life Saving Award:

Mayor Grogan called on Fire Chief, Doug Cline. He explained that he and a group of people were going to do one of the most important things tonight in recognizing people who contributed and were going to receive a life saving award.

Chief Cline began by introducing Mr. Todd Morgan. Mr. Morgan is the regional representative for the Bullard Corporation, the company that the city purchased the thermal imaging camera from. Mr. Morgan noted that they were the manufacturers of thermal imagers. Thermal imagers have a lot of application for the fire service. They are a very technical piece of equipment. He explained that the reason he was present tonight was for one of the applications of the thermal imagers. Thermal imagers allow fire fighters to see through smoke. If a fire fighter can now see through smoke, that allows him to do the job much more safely, find victims much more quickly, and allows him to find the source of the fire.

Mr. Morgan explained that he was present to recognize first responders in the Eden Fire Department who used the Thermal Imager on Jan 25th to find and rescue a woman from burning smoke at 107 South Hale Street. They worked together to respond quickly and used Thermal Imaging Technology and they saved a human life. Mr. Morgan noted that the Save a Life Club is a reward recognition program for fire fighters who save a life or save a life during a situation while using the Thermal Imagers. The Eden Fire Department is the 50th department in the United States to be recognized through this program and the first department to be recognized in North Carolina. Chief Doug Cline commanded this incident and Mr. Morgan asked him to explain what happened in January.

Chief Cline explained that on January 25th in the early morning hours, just before sunrise, they were dispatched to what a lot of folks would call a routine call and it

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was a smoke investigation, somebody smelled smoke in an apartment complex. A typical response would be to go check it out and more than likely it would turn out to be nothing. They were confronted with the first arriving crews with absolutely nothing showing from the front of the structure. They quickly received reports from people who lived beside the occupant where the apartment was on fire. It was actually a cooking fire which is one of the number 1 leading causes of our injuries and fire deaths in the United States. They were told that they were sure there was somebody inside that apartment; automatically that changes their strategy and tactics. That makes us do things in a different operation and their first and foremost thought is about life safety, the Number 1 goal and mission of the Fire Department. Chief Cline explained that he was accompanied with the first arriving engine company driver which was Landreth White, the Lieutenant Shift Commander which was Randy Evans followed in by Truck 3 Operator, Randy Sexton, himself, Chief Underwood and the first arriving volunteer, Kevin Dunn. Tommy Underwood actually took command and he (Chief Cline) began to work and try to size up the situation a little further. Chief Cline and Kevin Dunn were approached by individuals informing them that there was somebody inside. Chief Cline stated he grabbed the camera off the truck and they went around back. The door was opened, somebody had already kicked the door in, one of the occupants, and there was some heavy smoke coming from that apartment. He stated he was able to raise the camera up see straight through the apartment, and he could see the lady laying face down on the bed. They made their way quickly through the apartment to the victim and straight back out. When they pulled the victim from the structure, she was not breathing so Chief Cline began resuscitative efforts and Kevin Dunn heroically went back in to the structure to search for children because it was a female. Fortunately there were no other victims. This lady has made complete recovery which is a phenomenal event. Chief Cline went on to explain without the thermal imaging camera, conventional search methods would have been longer, chances for survivability would begin to decrease significantly with time.

At this time Mayor Grogan recognized Kevin Dunn with a Life Saving Award.

Mayor Grogan and Mr. Morgan also gave Chief Cline a Life Saving Award and a Life Saving Award for the Department. A recognition award was presented to Randy Sexton, Randy Evans, Landreth White and Tommy Underwood for their efforts during this rescue.

Mayor Grogan again thanked the gentlemen and noted he saw in the audience a lot of hard working gentlemen. For the volunteer fire fighters, our town could not have survived for all of these years without them. Mayor Grogan stated that he along with the City Council thanked them for all they do and they continue to look forward to working with them in the future.

Chief Cline noted that there was one group that needs to be recognized that often times gets criticized and that was the City Council. That group is responsible for the money that actually bought this camera. This technology is not a dollar or 2 dollars, but to put together the system they have was \$10,000. It has paid for itself in about 4 ½ months over about 4 times, they have had great success in locating some hidden fires. They have also now been able to meet their ultimate goal and mission in saving a life, but that goes to these individuals, including the past Mayor Phil Price, and Councils of past. There was another unsung hero which Chief Cline did not think would be recognized that did a lot of work. He stated he was very fortunate to walk in to a budget to have money to buy. Past Fire Captain and Fire Marshall and now and Honorable Council Member, Darryl Carter did a lot of this leg work and research and presented a lot of the information to the fire chief to be able to stand up and ask for this in the budget. Work like that is imperative for the Council to truly know what they do. Darryl, for many years, actually 31, gave his life to emergency services and over 15 years he gave it to the City of Eden. He was the glue that held the fire department

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together in a lot of cases from what he heard people say. Chief Cline stated he asked Darryl, when he first came (to Eden) not to leave and Darryl told him, it was time to move on, he said there were other things he wanted to accomplish. Chief Cline stated he was sadly missed. There was not a day that goes by that he didn't think of some of the trials and tribulations Darryl went through. He added that he was so very grateful standing there that he did the work he did. Chief Cline told (now) Council Member Carter that he was an unsung hero in this case especially, and in many other cases that never received credit where credit is due.

Council Member Carter thanked Chief Cline and Mr. Morgan for such an outstanding award for the unsung heroes out there to which Chief Cline replied it's because of you that we have that camera...

PROCLAMATION: AMERICAN HISTORY MONTH

Mayor Grogan read the following proclamation:

**AMERICAN HISTORY MONTH
PROCLAMATION**

WHEREAS, February marks the birth date of many of our country's outstanding citizens and patriotic leaders; and

WHEREAS, the survival of our constitutional balance of freedoms and responsibilities depends on our citizens being ever mindful of our national heritage; and

WHEREAS, we so easily forget the contributions and sacrifices made by our Founding Fathers,

WHEREAS, both the importance of remembering American History, and the contributions made to our society by the Daughters of the American Revolution should be duly noted.

BE IT THEREFORE RESOLVED that February 2006 be proclaimed throughout the City of Eden as

"AMERICAN HISTORY MONTH"

and I, John E. Grogan, Mayor of the City of Eden, urge all citizens to join with me this month in recognizing the importance of American History in our lives, and in recognizing the community service performed by the George Reynolds Chapter, Daughters of the American Revolution, in our area.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eden, this 21st day of February 2006.

s/ John E. Grogan
John E. Grogan
Mayor

ATTEST:

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

Mayor Grogan presented this proclamation to Mrs. Jean Harrington.

ADDITIONS AND DELETIONS OF AGENDA:

Mayor Grogan noted that under Consent Agenda Item No. 9 (e) *Approval and adoption of a motion to appoint an ABC Chairman*, he would like to reappoint Mr. Tommy Flynt.

PUBLIC HEARINGS:

(a) Consideration of a request to close portions of E. Harris Place and Hidden Valley Drive. Request submitted by D.R. Development Corporation and Morrow Realty Company, Inc. STREET CLOSING SC-05-02.

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Mayor Grogan announced that the public hearing has been pulled due to a problem with the map.

MONTHLY FINANCIAL REPORT:

A motion was made by Council Member Tuggle seconded by Council Member Carter to accept the monthly financial report. All Council Members voted in favor of this motion.

REQUESTS AND PETITIONS OF CITIZENS:

(a) Mr. Benny Sexton request permission to address Council regarding low water pressure in Spray area.

Mr. Sexton stated he was here again on the topic of water pressure in the Spray area of Eden. He stated that he had picked up the paper a couple of weeks ago and there was an area of the paper that goes back 50 years, 25 years, 10 years and 5 years. He stated that in the 25 year section, it said "Eden City Council looked at upping pressure in the north end of town". He stated that was 25 years ago and that nothing has been done yet. He explained that it was hard to take a shower in the upstairs of his home because of the low water pressure. Some days, like last Saturday, he had good pressure, but 90 percent of the time he has no pressure. He stated that he was asking the Council again to look at it. He stated he knew that a study was being done and he was informed that his area of town was taken off the study. He added that he knew for a fact that the Dunn Street area has been looked at two or three times. He added that he knew they needed water as he was not kicking anyone that needed water pressure. He explained that his mother lives up on the Price Grange Road and has Dan River water. They had to put a pressure regulator on her line to keep from blowing the gaskets out of her faucet. He stated that was the same water he gets in his home. He asked how Dan River could do it all the way to Stoneville, all the way to Caswell County, and they could not get pressure here in this town. He stated that he was asking the Council to put them back on the study, look at his area again, and give them some water pressure.

Mayor Grogan thanked Mr. Sexton and stated that this has been put back on the table for them to look at and he thought the Council would encourage that study, not that just a study be done, but that something be done about it. And; hopefully, one day the City may have to put something on his (line) to keep his water pressure from blowing out.

UNFINISHED BUSINESS:

(a) Consideration of Planning Organization Appointments and Reappointments.

The following Board and Commission positions remain open for new appointments or reappointments. We respectfully request that you consider this matter at the February Council meeting.

Board of Adjustment - Ward 6: Cleveland Ellison - Nominated for reappointment.

Community Appearance Commission - Ward 6: Need new appointee to fill seat vacated by Ann Hoerter Smith, who has moved out of the jurisdiction.

Mrs. Stultz explained that James Cherry was nominated to fill this position.

Planning Board - Ward 2: Need new appointee or reappointment for seat held by Dr. Charles Kinney.

Council Member Nooe stated he was waiting on a response from someone.

Historic Preservation Commission - Ward 6: Need new appointee or reappointment for seat held by, Shirley Allen, who has missed more than 50% of the scheduled meetings due to illness.

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Mayor Pro Tem Tuggle stated that he would pass on this one at this time.

A motion was made by Council Member Tuggle seconded by Council Member Myott to reappoint Mr. Cleveland Ellison (BOA) and James Cherry (CAC). All Council Members voted in favor of this motion. The motion carried.

NEW BUSINESS:

- (a) Resolution to approve Amendment to Dan River Water Contract.

RESOLUTION TO AMEND
 THE AGREEMENT WITH DN RIVER WATER, INC.
 FOR THE PREPAYMENT OF A DEBT OBLIGATION

WHEREAS, the City and Dan River Water, Inc. entered into an Agreement dated May 16, 1989, and amended May 17, 1991 (hereinafter the "Agreement"), which provided for the payment by Dan River Water, Inc. to the City of the principal sum of \$500,890.00 plus interest at the rate of 8% per annum over a term of 20 years with annual installments of \$25,045.00 plus interest beginning July 1, 1991; and

WHEREAS, Dan River Water, Inc. now desires to prepay the debt obligation described in paragraph 4 of the Agreement, as amended, without penalty; and

WHEREAS, the Agreement does not provide for prepayment and the parties wish to amend the Agreement to allow the prepayment in full, and a proposed Amendment to Agreement have be presented to the Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCL OF THE CITY OF EDEN, NORTH CAROLINA, that the terms of the Amendment to Agreement dated the 21st day of February, 2006 allowing prepayment of the indebtedness and as presented to the Council is hereby approved and the Mayor is authored to execute the same.

ADOPTED this the 21st day of February, 2006.

CITY OF EDEN

BY: s/John E. Grogan
John E. Grogan, Mayor

ATTEST:

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

Mr. Tom Medlin, Attorney, stated that the Council should have before them a resolution as well as a proposed amendment to the contract between the City of Eden and Dan River Water. The contract has been amended once before. Part of the original contract called for some financing, Dan River was going to reimburse the city with annual payments. There was nothing in the agreement that allowed Dan River to prepay that debt. They have the funds and have requested that they be allowed to go ahead and prepay the debt in full. In order to do that, they need to amend the agreement so that is what the proposed amendment does. The resolution simply authorizes the Mayor to execute the proposed amendment.

Mayor Grogan asked for the balance to which Mrs. Tammie McMichael replied that they have five installments left on this agreement which would mean a total amount of \$125,225.00.

A motion was made by Council Member Epps seconded by Council Member Carter for approval (of the resolution and proposed amendment as outlined by the City Attorney). All Council Members voted in favor of this motion.

- (b) NCDOT Comprehensive Transportation Plan.

The North Carolina Department of Transportation is assisting the City with a Comprehensive Transportation Plan. Last month at the Planning Board meeting, the NCDOT staff made a

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presentation to the board about the basics of this planning process. This plan will differ in scope from the Thoroughfare Plans of the past in that it will include more kinds of roadways and will include methods of transportation other than the automobile. This process will marry well with both the Greenway/Trail Master Plan and the Comprehensive Plan that the City is undertaking this year.

Mrs. Stultz stated they were extremely fortunate tonight to begin the process of updating the city's transportation plan. Since the last, what they used to call, Thoroughfare Plan completed in 1997, the DOT has changed how they do these plans and widened the scope considerably. They will have much more information and a better plan when the process is over.

Mrs. Stultz stated that Ms. Hannah Cockburn, AICP a Rural Planning Organization Planner with the Piedmont Triad Council of Governments, is the lead planner for our RPO (Rural Planning Organizational Transportation group) of which Mrs. Stultz is an advisory member for our transportation division (Division 7). Also present was Wayne Davis, PHDPE with NCDOT and Andy Bailey who is the Project Engineer with the (NC)DOT.

Mrs. Stultz stated that Mr. Bailey will be making a presentation that is a little different than the handouts they gave the Planning Board. She explained that she gave the Council those simply because the Planning Board had them, and she didn't want the Planning Board to receive anything the City Council had not.

Mr. Bailey thanked the Council for the opportunity to explain what they would be doing over the course of the next 12 to 18 months trying to update the plan for the City of Eden.

Mr. Bailey explained that he wanted to give the Council some background information on what long range transportation plan is in effect. Also, the idea of the Comprehensive Transportation Plan versus the old Thoroughfare Plan and the Council's blessing, on the maps for the planned area boundaries, the roads that were included as well as the analysis.

Through a PowerPoint presentation, Mr. Bailey began with the question of what is long range transportation planning. He explained that the purpose is to identify existing and future problems that you may have in this area about the transportation system. Those are not just the vehicles we use, but multi-modal element, like any kind of bus service or rural transit operations as well as bike and greenway plans. Then it is to develop feasible solutions to address problems whether it be the widening of a road, the improvement of an intersection, sidewalk, etc. And, also this is to provide information and data to help guide future transportation decisions locally and statewide.

As far as benefits for long range planning, Mr. Bailey explained that this was integration with land use planning which is currently being updated in conjunction with the Piedmont Triad Council of Governments, and the development process. It is also protecting certain areas so that, in the future, it will not only save them (city) or state money in buying up land, but also minimize disruption for citizens. It also includes reducing traffic congestion and improves the safety of the city.

Mr. Bailey next showed a flow chart which explained the transportation planning process. Eventually they will be establishing a planned schedule as well as public involvement plan and community vision. With the Piedmont Triad RPO (Rural Planning Organization), they will be conducting goals and objectives, surveys of the citizens, and assign roles and responsibilities for gathering information. For example, Mrs. Stultz and Ms. Cockburn may have more local knowledge. They will collect, project and endorse that data through a variety of methods, population, census data, etc., and then analyze deficiencies and develop alternatives (such as) things that are wrong with the data, what can they actually

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do with that data, what can they actually do about those problems, does it really need to be a widen road or can they do spot improvements.

Finally, they will be recommending adopting that plan as it has to be adopted by the City Council as well as the Rural Planning Organization and then a final stamp of approval on that. A technical report is then produced and corridor protection which is both local and state efforts to be able to protect areas for the future and then programming.

Mr. Bailey asked where does this fall in terms of a Transportation Improvement Program – the TIP which is a 7 year plan assigns projects and certain funds and gives them certain amounts of lead time, planning, right of way, design and construction. This Comprehensive Transportation Plan asks– what do you want to be in 30 years. It is impossible to get all of the improvements done in 7 years with the state of money now days. As Mrs. Stultz had mentioned before, the last Thoroughfare Plan was done in 1997; and the Thoroughfare Plan only includes the highways on that and it really did not focus on anything else that, they, in the Comprehensive Transportation Plan might consider highway, transit, rail, bicycle and pedestrian.

The Comprehensive Transportation Plan is Multi-model in aspect. Each one of these will have a map to its own – highway, public transportation and rail (depending on the area; it could be a very metropolitan area where it is a bigger aspect than some; obviously rural areas will not have this, and some will have minimized areas, but it has been included), bicycle (which will go great with the greenways) and pedestrian.

Mr. Bailey also noted highway categories that the Comprehensive Transportation Plan addresses which are freeways, expressways, Boulevards, other major and minor Thoroughfares.

Mr. Bailey stated that the best way to address transportation needs, not only now, but in the future, is to have a Comprehensive Transportation Plan. And, what is needed is a blessing (from the City) about three different aspects: Planning Area Boundary. Referring to the map before the Council, Mr. Bailey explained that would be the entire colored area. This not only includes the city limits, but also included the ETJ's as well as areas just outside of the ETJ's to allow for future growth. Next was Network Road – or main roads through the areas. Not only the major 5 lane roads with Highways 14 and 87, but also smaller roads such as Morgan Road in Spray that allows access to these communities. Lastly as Traffic Analysis Zones (TAZ's) – these zones are a combination of census blocks grouped together to get not only census and population data, but also socio-economics data, job data that allows them to understand what the generation of trips are, and what the attraction to those areas are. Mr. Bailey added that last month, the City of Eden Planning (Board) recommended the maps that contain these elements listed above. The first map was the planned area boundary as well as the network roads which are the major and minor thoroughfares he had spoken about earlier.

Mrs. Stultz added that this map, like some of the other information, was established through the assistance of COG and the members of staff so they took a long look at that and helped DOT to decide what was out there. She added that this was something that could change through the process. As they go along, if there is an area that the Council feels that needs to be considered, they can add it.

Mrs. Stultz added that the Planning Board did agree to endorse where they are so far and in order to proceed, they need the Council to do that as well. One of the marvelous things that this plan will give us that they could not have ten years ago, the ability to take data and make it spacial. So, what they are going to see is a more detailed work product than they had the last time and much easier for the

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citizens to participate and for the Council to make ultimate decisions of where they need to go.

Mrs. Stultz added that the maps are just based upon the existing census tracts and all of the other layers of data that they have so far. But as the process goes and the DOT rules are that they need for the Council to give their blessing in order for them to move forward.

A motion was made by Council Member Epps seconded by Council Member Tuggle for approval.

Council Member Tuggle stated when talking about a 25 to 30 year timeline, some will not be here when this is finished, and there will probably be a new one, he knew it had to be incrementally, but when talking about all of the data, how long does it take to establish this data. He asked if they establish it for one particular part of the plan and move on to another part of the plan, and then another part, or do they take some for each part.

Mr. Bailey replied collectively from all of the different areas and try to find out where the growth may be and where the growth may not be.

Mrs. Stultz replied that the marvelous thing for us as a community right now is first, the DOT pays for this and secondly, with it being done now as a companion plan to the greenway plan and the Comprehensive/Land Use Plan, they will have a really good program when all of this is done.

Council Member Gover asked if this was in relation to the TIP (Transportation Improvement Plan) meeting that he went to and what was talked about in the TIP meeting be incorporated.

Mrs. Stultz replied absolutely and that is what they will do. Without an active and updated plan, they do not have a very good arguing point for the thing they know they need to get included in the TIP – this is the real phase for that TIP process. However, they also know that the plan is aimed at 25 to 30 years from now and if that was the next time they were going to do one of these, she would be ready to leave. She explained that it is not and they will be doing it again in another 4 to 5 years and they are very fortunate with all of the communities clamoring for one in our RPO that we were granted this chance.

Council Member Myott stated in looking at this (map), she could not tell really how far it goes out (outside of the city limits) to which Mrs. Stultz replied that it takes in the entire ETJ and some areas that the local staff felt like were highly urbanized or were important corridors into our community. She added they had to give real care to protect them.

Council Member Tuggle asked who gets most of the data as he was curious if every city and state in North Carolina was doing the same thing, and if so, he was sure Mr. Bailey was a very busy guy. He stated he was just curious as to who collects most of this data.

Mrs. Stultz replied that it was (done) locally; the Piedmont Triad Council of Governments maintains a lot of the data for them. They deal with all of the census data, and Ann Edwards through their office, is the real guru and they get it from us (City), from COG, and from DOT.

Action on the motion (accepting the boundaries) was as follows: All Council Members voted in favor of this motion.

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CONSENT AGENDA:

(a) Approval and adoption of minutes – January 17, 2006.

(b) Approval and adoption of Eden Safety and Loss Control Committee.

The following employees are recommended for approval to serve on the safety committee: Ray Thomas (Streets); Phillip Purdy (Solid Waste); Tammie McMichael (Finance/Billing/HR); Dena Reid (Water Filtration); J.T. Gatewood (Fleet Maintenance).

(c) Approval and adoption of request to solicit bids for FY 2006-2007 Street Resurfacing Contract.

The memorandum contained a list of streets with termini that the Engineering Department is proposing for resurfacing on the FY 2006-07 Street Resurfacing Contract. The scope of work consists of 40 street sections with a total length of 44,122 linear feet (8.36 miles). The resurfacing is to include the adjustment of structures; 439 tons of asphalt pavement repair; 3,627 square yards of asphalt surface treatment; 2,335 square yards of asphalt pavement edge milling; 9,347 square yards of asphalt pavement full width milling; 6,323 tons of Asphalt Concrete Surface Course; 30 tons of Asphalt Concrete Surface Course for the leveling of low areas; 15,278 linear feet of shoulder reconstruction and 253 tons of incidental stone.

The Engineering Department requests authorization from City Council to solicit bids for the FY 2006-07 Street Resurfacing Contract. The bid opening is scheduled for March 21, 2006. Once the bids are received and a responsive low bidder has been determined, a recommendation on award of the contract will be presented to Council for approval to award.

(d) Approval and adoption of Certification of Municipal Ordinance Declaring Speed Limit Modifications and Request for Concurring Ordinance by Department of Transportation.

(e) Approval and adoption of a motion to appoint an ABC Chairman. – Mr. Tommy Flynt.

(f) Approval and adoption of Budget Amendments 11.

<u>Budget Amendment #11</u>	<u>Account #</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
General Fund Revenue				
PD Fed/State Drug Forfeiture	10-3431-41900	\$27,791.00	\$30,499.00	\$2,708.00
General Fund Expenditures				
Police Training/Traffic Drug Forf	10-4310-39501	\$600.00	\$1,858.00	\$1,258.00
Police Telephone Drug Forf	10-4310-32101	\$ -	\$1,075.00	\$1,075.00
Police Miscellaneous Drug Forf	10-4310-29902	\$ -	\$375.00	<u>\$375.00</u>
				\$2,708.00
Transferring money from the Federal Forfeiture Bank Account to the General Fund				
General Fund Revenue				
Insurance Proceeds	10-38508500	\$7,700.00	\$13,850.00	\$6,150.00
General Fund Expenditures				
Police M/R Vehicles	10-4310-25300	\$67,408.00	\$73,558.00	\$6,150.00
Reimbursements from NCLM Auto Claim to cover repairs caused by auto accident.				

Adopted and effective this 21st day of February, 2006.

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s/John E. Grogan
John E. Grogan, Mayor

Attest:

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

(g) Approval and adoption of a Personnel Ordinance Amendment – Section 10-7.8 of the Eden City Code entitled “Vacation Leave: Manner of Taking; Donating”.

The request for vacation and time off in the Fire Department is different than most departments within the City. As a public safety department we must maintain minimal staffing 24 hours a day without exception in four stations. We operate with a skeleton crew on shift with only one person assigned to each station. We have a relief factor of 2 persons. Each 28-day pay cycle we must allow all four persons on a shift to be off one day whereas the schedule for them is one day higher than the other two shifts. This is referred to as a Kelly Day month. Our pay is based upon a 28-day work cycle where an employee is scheduled to work nine 24-hour shifts equating to 216 hours. Every third 28day cycle a shift works 10 days in the cycle for a total of 240 hours. We based our pay off of 216 hours and we give what is known as a government Kelly Day off. This practice is to keep from paying 24 hours of overtime to employees. Non-public safety employees work 160 hours in a 28-day pay cycle. Each of our employees are considered essential to operations and in the event they are off they must be replaced to have operations continue with normalcy.

The Fire Department has three shifts and each 28-day cycle one of the three shifts will have a Kelly Day. The Fire Department has 2 relief personnel who work 216 hours each 28-day cycle on a floating schedule to cover personnel who request off. These 2 personnel combined can work 18 days out of a 28-day cycle. In the 28-day cycle 4 days have to be committed to Kelly Days, thus leaving only 14 days or shifts for other accrued time off. This leaves us 10 days that have no coverage for personnel to utilize vacation. The Fire Department has a history of longevity with employees and 75 percent of the personnel have dedicated over 10 years of service and 25 percent of the employees have dedicated 20 years or greater. The amount of time accrued versus the amount of time to take off is not comparable. Most of the Fire Department employees will be rolling vacation time over to sick leave and are carrying high levels of compensatory time. Past procedures, by the two former Fire Chiefs, have been to allow vacation to be granted based upon seniority if the request has been received by a designated cut off date with multiple shift requests taking priority over a single shift request. After that date, time was granted on a first-come, first-serve basis. These practices were captured in Fire Department policy. In reviewing that practice against the City ordinance the Fire Department has not been in compliance with City policy as written. I have met with the entire career staff of the Fire Department and they are, by majority, in favor of continuing the procedure of vacation requests being granted by seniority up to a specified cut off date with multiple shifts off taking priority over a single shift request. I would like to respectfully request that the following exception be added to the City ordinance.

(h). Approval and adoption of Taxicab Driver’s Permit Application (for Angela Chapman).

(i). Consideration of 2005-2006 Street Resurfacing Contract – Request to Award Contract – Part 2.

The memorandum contained an attached copy of the Certified Bid Tabulation for the FY 2005-06 Street Resurfacing Contract. The bids were received on March 15, 2005 at 2:00 p.m. A total of four (4) responsive bids were received on the project. The low bidder, for Part 2 of the contract; was Thompson's Inc. of Danville, VA. in the amount of\$ 105,748.80.

The Engineering Department is requesting Council's approval to award Part 2 of the FY 2005-06 Street Resurfacing Contract to Thompson's Inc. of Danville, V A. at the total bid amount of \$105,748.80.

(k) Approval and adoption of acceptance of proposal as submitted by CGI Communications, Inc.

A motion was made by Council Member Tuggle seconded by Council Member Turner to approve Consent Agenda items (a) – (k). All Council Members voted in favor of this motion.

Minutes of the regular February 21, 2006, meeting of the City Council, City of Eden:

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VOUCHERS:

Mayor Grogan asked if there were questions, to see Tammie McMichael in Finance or the City Manager.

As there were no other comments, Mayor Grogan thanked those for being in attendance.

ADJOURNMENT:

A motion was made by Council Member Myott seconded by Council Member Tuggle to adjourn. All Council Members voted in favor of this motion.

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

John E. Grogan
Mayor