

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, July 18, 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.
	(absent)	Bruce Nooe
	(absent)	Christine Myott
City Manager:		Brad Corcoran
City Clerk:	(absent)	Kim J. Scott
Deputy City Clerk:		Sheralene Thompson
City Attorney:		Tom Medlin
Representatives from Departments:		
Representatives from News Media:		John Barbour, <u>Eden Daily News</u>
		Lisa Doss, <u>Edens Own Journal</u>

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:

Mr. Bob Trogdon, Pastor of the Emanuel Baptist Church, gave the invocation with Deputy Fire Chief Tommy Underwood leading in the Pledge of Allegiance.

ADDITIONS AND DELETIONS TO AGENDA:

Mayor Grogan noted that due to the absence of Council Member Nooe, item 8(b) Discussion of Traffic Calming Initiatives, would be pulled from the agenda and discussed next month.

He explained that they also had in front of them a Proclamation recognizing National Night Out. A motion was made by Council Member Gover seconded by Council Member Carter to add this proclamation to the agenda. All Council Members present voted in favor of this motion.

Mayor Grogan also explained that last month the Council voted on financing a new knuckle boom truck. Mr. Medlin had requested that the minutes reflect the bids and interest rates. *(These minutes would not be approved until the Council voted on the Consent Agenda during the latter part of the meeting).*

A motion was made by Council Member Tuggle seconded by Council Member Gover to add request to amend the minutes of June 20, 2006 (which would be approved on the Consent Agenda) per the request of the City Attorney. Minutes would reflect the bids and the cost of financing the knuckle boom truck. All Council Members present voted in favor of this motion.

Lastly, Mayor Grogan noted that Mrs. Debbie Shea Lewis was present to make a donation of historic photographs in memory of her late husband Barry C. Shea. He asked that this be added to the agenda.

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A motion was made by Council Member Tuggle seconded by Council Member Carter to add this presentation to the agenda. All Council Members present voted in favor of this motion.

PRESENTATION:

Mayor Grogan asked Mr. Mike Dougherty, Director of Business Development and Mrs. Debbie Shea Lewis to come forward for the presentation of the historical photographs.

Mr. Dougherty explained that for years Eden Screen Process, later Eden Printing Solutions, was part of the Olde Leaksville Shopping District and one of the special things about that business was when you went inside the lobby you would see all of these historic photographs of the old Leaksville area. He then introduced Mrs. Debbie Shea Lewis.

Mrs. Lewis explained that many of them were good customers and knew her husband, Barry Shea. He was very proud of his adopted town and loved doing business in the Leaksville section. She knew that at least four of these photographs were given to them by Mr. Harold Francis and they had them framed. One of the photographs was an enlargement of a postcard of the building that was now being renovated, the hotel. They had never been privileged to have anybody to occupy that building in all the years that they had been there. There were also two photographs that she did not know where they came from. She stated that she was pleased to give these to the City of Eden for the History Room in memory of her late husband, Barry.

PROCLAMATION:

PROCLAMATION
NATIONAL NIGHT OUT

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 1st, 2006 entitled "National Night Out"; and

WHEREAS, the "23rd Annual National Night Out" provides a unique opportunity for the City of Eden to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, citizens of Eden play a vital role in assisting the Eden Police Department through joint crime, drug and violence prevention efforts in the City of Eden and is supporting "National Night Out 2066" locally; and

WHEREAS, it is essential that all citizens of Eden be aware of the importance of crime prevention and impact that their participation can have on reducing crime, drugs and violence in the City of Eden; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

NOW, THEREFORE, I, John Grogan, Mayor, do hereby call upon all citizens of the City of Eden to join the Eden Police Department and the National Association of Town Watch in supporting "23rd Annual National Night Out" on August 1, 2006.

FURTHER, LET IT BE RESOLVED THAT, I, John Grogan, do hereby proclaim Tuesday, August 1st, 2006 as "National Night Out" in the City of Eden.

s/John E. Grogan
John E. Grogan
Mayor

ATTEST:

s/Sheralene S. Thompson
Sheralene S. Thompson
Deputy City Clerk

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RECOGNITIONS:

Mayor Grogan asked Mr. Jerome Adams, Superintendent of Solid Waste, to come forward. He also welcomed Jerome's wife Jacqueline and his mother, Myrtle. He explained that it was quite an honor to stand up and talk about someone who was first class, who had served the citizens of Eden for many years, and through his leadership, you could see Jerome out here on a bull dozer, a backhoe, or garbage truck, whatever was needed to be done, Jerome was out there doing it.

He noted that Jerome was a member of many associations and had received many grant awards. Mr. Adams was involved with the recycling program and pay-as-you-throw, as well as writing many weekly news articles in the local paper. He stated that would probably be the most challenging thing for the new person who would take Jerome's place because he was really a professional.

He also noted that Mr. Adam's hobbies included piano, organ and composing and one of the most outstanding things that he could say was that Jerome was a good Christian man who had served Eden well. He then presented Mr. Adams with a clock thanking him for his dedicated service to the City of Eden. He stated that all of this, you do not do anything without the support of the ladies behind him and his mother raised him to be the man that he is and the support that his wife had given him in the many hours that he had worked because he did not know an eight hour day.

He stated that he could go on and on so he proceeded to ask Jerome if he would like to make a comment.

Mr. Adams stated that it had been an honor and a privilege to work for the City of Eden. He stated that he hoped that in his years with the city that he had left something that would have an impact as well as be a benefit to the community. He closed by stating that Eden could be proud because they were second to none in their solid waste services and he also gave a witness to the Lord Jesus Christ.

PUBLIC HEARINGS:

There were no public hearings scheduled.

MONTHLY FINANCIAL REPORT:

The memorandum explained that the Council would find attached the preliminary Finance Report for June 30, 2006. This report was strictly a snapshot of a particular day. There were adjustments that still need to be made in order to close the year; so to say that these numbers are final would be inaccurate. Some adjustments will be made when recognizing revenues and payables that have come in after June 30, 2006 that must be placed in the prior year, which according to the auditor standards will happen through July 31, 2006. The water and sewer fund will have an adjustment after the take or pay calculation and the billings that happen in July (which are really for June - all revenue numbers) will be carried back into the next year so the fund balance will increase.

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

REQUESTS AND PETITIONS OF CITIZENS:

Mr. Jim Law, explained that he was a property owner on West Avenue and he wanted to address an action that the City Council had recently taken. He then proceeded to give a brief history of the home on this property. He explained that he had inherited this property from his parents and he was renting the home. The rent payments stopped and his schedule was so tight that he could not get back to Eden to take care of it. He explained that last summer he received a letter that the house was being considered for condemnation and then he received a letter stating that it had been condemned for occupancy. He explained that he came to Eden and informed the renter that he had to move. He then called the city's inspector, Mr. Vincent, and told him that the property

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was no longer occupied and he would make the repair as he had the money. It was then getting closer to winter and he could not make the trips to Eden and do the work but his plans were to take care of the problem this year. He stated that he priced out the material to make the repairs and he had contacted a carpenter about doing the front porch. Then he received a letter this spring that the city had passed an ordinance to demolish the house. He came to Eden for the next Council Meeting date but to his surprise he had found that the demolition had conveniently started that morning and they had torn the kitchen off but the rest of the house was intact. The house that was left standing was in good structural shape and contained timbers that you could see where they had ripped out the kitchen, better and stronger than any house put in this city today. He stated that it destroyed him after he saw that house and he was not in the frame of mind to see the Council that night. He noted that he did speak with Mr. Gover that day and he then returned home. A few days later he received a bill for the demolition and the bill was twice as much as the materials he had priced out to make the repairs. That demolition was bad but it was a lot deeper than just having an old house torn down. In one year and eight months he would be at the age to draw full social security and he looked forward to retiring until it went out the window with that demolition. He stated that he needed that rental money to be able to exist along with social security. He stated that he could not understand why it was done the way it was done. When he was here that day when the demolition began, he rode around town and saw several houses in far worse shape than his house.

He continued with an explanation that when he got out of college he went to work for the City of Raleigh. In less than a year he was promoted to a department head in utilities. One of the main reasons he left Raleigh was that if someone there opposed the actions taken by the city, they would call the department heads together and they would try to find a way to make it rough for those people...

Mayor Grogan asked Mr. Law to stick with item about his house and the demolition.

Mr. Law stated that he remembered his brother telling him that he had questioned actions with the City of Eden. He thought that it would be a way to get even.

Mayor Grogan asked who his brother was.

Mr. Law replied that it was Darryl Law. It would be a great way to get even and take his brother's property, because he did not have the money to pay that demolition fee, so in the end that is what would happen, you would take the property. By the way, there was a commercial metal building on the property and they took that. He explained that he just had to come back and let them know that he felt that the action that was taken was unnecessary and he was misled about it last year and the action that they took had negative results far beyond just tearing an old house down on West Avenue.

Mayor Grogan asked Mrs. Stultz if she would like to make comments.

Mrs. Stultz explained that she did not have the information in front of her. She added that it was not a task that they take lightly and she could certainly say that there was no intent to do what Mr. Law had suggested and she would be happy to make a report on this.

Mayor Grogan stated that he wished that she would provide a written response to answer Mr. Law's allegations and get a copy to the Council as well.

Council Member Gover commented that since he was involved, Mr. Law did contact him and he (Gover) contacted the enforcement department. He was assured that everything was legal in the aspect of the West Avenue home and he relayed that to Mr. Law and Mr. Law had asked him how it could be stopped and he told Mr. Law to get with the City Manager. *(Council Member Gover later clarified after the Closed Session that he had actually asked Mr. Law to contact the City Inspector which Mr. Law failed to contact either the City Manager or the City Inspector).*

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Mayor Grogan asked Mr. Law what he thought they had done to him as far as getting even.

Mr. Law replied that there was a possibility they got even with his brother.

Mayor Grogan asked for what reason.

Mr. Law replied that he had heard he had challenged some of their decisions.

Mayor Grogan thanked Mr. Law for his comments and then proceeded to move on to the next item of business.

UNFINISHED BUSINESS:

(a) Call public hearing on the annexation petition of property off Mill Avenue.

At their June regular meeting, Council instructed the City Clerk to investigate the sufficiency of a petition for voluntary annexation for property owned by Robert and Kathy Markham on Mill Avenue. With the assistance of the City Attorney, we have determined that proper signatures were placed on the petition and that Robert and Kathy Markham are the owners of the property on Mill Avenue. Attached you will find a map of the property in question and a certificate of sufficiency executed by the City Clerk. This type of annexation does not have the same requirements as does an involuntary annexation. However, there are requirements with regard to fire service. Please accept the certificate of sufficiency and call a public hearing for the August regular City Council meeting.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a Petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the Petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the Petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Eden, North Carolina, that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held in the Eden City Hall in the City Council Chambers at 7:30 p.m. on August 15, 2006.

Section 2. The area proposed for annexation is described as follows:

TRACT ONE: BEGINNING at a point in the north right of way line of Mill Street, said point marking a common front corner of Lots 12 and 13 as shown on a plat of survey for R. A. King by Chris S. Koumparakis, dated December 13, 1973; thence with the dividing line between Lots 12 and 13, North 6 deg. 13 min. East 210.7 feet to an iron in the line of a 12.60 acre tract, said iron being located South 76 deg. 50 min. East 66.29 feet from an existing iron in the line of Spray Water Power and Land Company; thence South 76 deg. 42 min. East 114.84 feet to an existing iron marking a common rear corner of Lots 13 and 14; thence South 13 deg. 10 min. West 200.42 feet to a point in the north right of way line of Mill Street; thence with the north right of way line of Mill Street, North 77 deg. 49 min. West 89.93 feet to the POINT OF BEGINNING, the same being Lot 13 as shown on the aforesaid survey as fronting on Mill Street. Deed Reference: Book 780, page 2268 and Book 787, page 2193.

TRACT TWO: BEGINNING at an iron in the north right of way line of Mill Street, said iron being located North 71 deg. 30 min. West 265.33 feet, North 76 deg. 50 min. West 281.40 feet, North 77 deg. 49 min. West 24.63 feet and North 82 deg. 24 min. West 89.93 feet from the intersection of the north right of way line of Mill Street by the west right of way line of Sunset Drive and said iron marking a common front corner for Lots 12 and 13 as shown on a plat of survey for R. A. King by Shanks & Wilmarth, Engineers & Surveyors, dated 10/15/1960; thence continuing with the north right of way line of Mill Street, North 89 deg. 36 min. West 89.93 feet to an iron, a common front corner for Lots 11 and 12; thence with the dividing line between Lots 11 and 12, North 2 deg. 49 min. West 201.8 feet to an iron, a common rear corner for Lots 11 and 12; thence North 69 deg. 02 min. East 62.75 feet to an iron and South 76 deg. 50 min. East 66.08 feet to an iron, a common rear corner for Lots 12 and 13; thence with the dividing line between Lots 12 and 13, South 6 deg. 13 min. West 210.70 feet to the POINT OF BEGINNING. The same being Lot 12 as shown on the aforesaid plat of survey. For further reference see Deed recorded in Book 862, page 1155, Rockingham County Registry. Section 3. Notice of the public hearing shall be published once in the Eden Daily News, a newspaper having general circulation in the City of Eden, at least ten (10) days prior to the date of the public hearing.

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CITY OF EDEN
BY:
John E. Grogan, Mayor

ATTEST:

Kim J. Scott, CMC City Clerk

Mrs. Stultz explained that this was an annexation that they discussed last month. The Council needed to declare the certificate of sufficiency and call for a public hearing.

A motion was made by Council Member Gover seconded by Council Member Turner to call a public hearing on the annexation petition of property off Mill Avenue. All Council Members present voted in favor of this motion.

(b) Consideration of a request to declare land owned by the City of Eden and located at corners of Thomas, Decatur and Riverside as surplus.

This property contained a derelict mobile home park. I would like to recommend that you declare this property surplus and permit us to advertise it for sale. Bids would be received and offered for upset. When a final bid is received it would be brought to the City Council for approval or denial. Also, I would recommend that you place restrictions on this property that would allow manufactured or traditional housing to be placed on the lot requiring the structures to have the front door oriented toward the street. This would provide aesthetic and density protection for the neighborhood. A copy of the deed for the property to the City is attached.

Mrs. Stultz explained that this was a tract of land that during the Flint Hill revitalization program the city became the owner of this property. She wanted to ask that the City Council consider declaring this property surplus and authorize them to accept bids on the property. She also asked if they would allow them to place restrictions on this property that would allow manufactured or traditional housing to be placed on the lot requiring the structures to have the front door oriented toward the street.

A motion was made by Council Member Epps seconded by Council Member Tuggle to approve request to declare land owned by City and located at corners of Thomas, Decatur and Riverside as surplus. All Council Members present voted in favor of this motion.

NEW BUSINESS:

(a) Consideration of an amendment to the City Code concerning water and sewer extensions.

Attached you find a proposed amendment to the City Code concerning water and sewer extensions which was initiated by the City Council. The City of Eden like many other local governments that provide utilities, has requests for utility service outside the corporate limits. The Planning Board at their regular meeting on June 27 considered the amendment request and recommended that it be approved.

Mrs. Stultz explained that this was an ordinance that was initiated by the City Council some months ago and the staff had spent some time learning how other jurisdictions handle this particular issue. She explained that this would establish a written ordinance that would declare how their City Council wanted to handle requests for extensions of utility lines outside the city. She explained that was a kind of ordinance that many City Councils across the state had already made.

Council Member Gover asked that if he went outside the city and the city water was not there and he asked for a service, was he forced to be annexed to get that water and sewer. The way he read it they would be asked to be annexed voluntarily.

Mrs. Stultz replied that they would be asked to do that and if they did not want to do that they could appeal to the City Council. Should the City Council decide at this particular time to not require them to do that on a case by case basis they could.

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Council Member Gover stated that if he went out and bought the lot, thinking that he could get water and sewer, and the city would take 60 to 90 days to decide whether or not he would get the water and sewer...it would take 30 days for it to come before the Council and then if you write another letter it would take another 30 days for it to come back to Council, she was saying that the Council would be the deciding factor and it was at the discretion of the Council each time someone bought a lot...

Mrs. Stultz replied that it would be unless they brought a petition on in. Each time the Council made a decision, it would go in their next agenda and then they would make the decision whether or not to require them to come in now, to require them to come in later or require them to not fight if you decide to annex them in the future.

Council Member Tuggle commented that it seemed that it would protect the tax payers in the city and there was no question about that if there was any type of annexation taking place that the city provides water and sewer service, so why would tax payers pay for anything outside the city unless they were voluntarily annexed into the city. He thought they did a good job writing the ordinance.

Council Member Gover replied that was why they had the double water rates out there, to protect Eden's citizens, where they were not getting a better break than the citizens of Eden.

Mrs. Stultz replied that it was her opinion as this city continues to grow; they needed to consider all of the options. If a particular property has city water and sewer and were outside of the city limits, then they were getting many of the services that both inside were getting without the additional liability of property taxes that was along with many of their state shared revenues supplied to the city based on a nose count and those noses did count and as those revenues diminish the number of noses in their community was very important. She thought it allowed the Council to make fiscal decisions and make decisions on where they want to accept the liability for water and sewer lines if they extend beyond the corporate limits of Eden.

Council Member Gover stated that this reminded him of the Hopkins Court situation and they had not received sewer yet.

A motion was made by Council Member Epps seconded by Council Member Tuggle to amend the City Code concerning water and sewer extensions. Action on the motion was as follows: Council Members Epps, Tuggle, Turner and Carter voted in favor. Council Member Gover in opposition.

The City Attorney pointed out that since they were passing an amendment to an ordinance which has a effect of an ordinance there had to be at least a two thirds vote on the first reading of all members so they would have to have five to have it passed. Therefore it would need to be on the next agenda at which time it could pass by a majority vote.

(b) Discussion of Traffic Calming Initiatives.

This item was pulled.

CONSENT AGENDA:

(a) Approval and adoption of minutes: June 14 and June 20, 2006.

(b) Approval of a final plat for The Gallery, Phase I off Briarwood Drive. Subdivision S-06-03.

The city has received a final subdivision plat for property located on off Briarwood Drive. The plat is for The Gallery, Phase I. The property is platted into 13 lots and is approximately 11.91 acres in size.

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The Planning and Inspections Department recommends approval of the final plat contingent upon certain requirements being met. The Engineering Department reviewed the plat and issued comments on the plat. Attached are copies of the Planning Department's report and the comments from the Engineering Department.

At their regular meeting in June, the Planning Board approved the final plat and voted unanimously to recommend to City Council that the plat be approved contingent upon the requirements being met.

(c) Approval and adoption of utility agreement and resolution - NCDOT Project B-3509, WBS: 33122.3.2 Bridge No. 75 on SR 3003 (Meadow Road) over Smith River.

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

A motion was made by Council Member Tuggle and seconded by Council Member Turner 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 for the replacement of Bridge No, 75 on SR 3003 (Meadow Road) over Smith River; and,

WHEREAS, said Department of Transportation and the City of Eden propose to enter into an agreement whereby said Department will include in its construction contract provisions for the relocation and adjustment of municipally owned water and sewer lines; and,

WHEREAS, the Municipality agrees to reimburse the Department of Transportation for the entire cost (estimated cost is \$383,767.25) of said utility work with reimbursements to be made in one final payment upon completion of the work.

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, Sheralene S. Thompson, Deputy Clerk of the City of Eden, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 18th day of July, 2006.

WITNESS, my hand and the official seal of said Municipality on this the 18th day of July, 2006.

(SEAL)

Sheralene S. Thompson
Deputy City Clerk
City of Eden
North Carolina

(d) Approval and adoption of Grant from the North Carolina Governor's Highway Safety Commission.

The Eden Police Department is in the process of applying for a grant through the North Carolina Governor's Highway Safety Commission. The purpose of the grant is to acquire Mobile Data Terminals to be used in the patrol division. This is a matching grant. The amount of the grant is \$ 16,000.00. The matching portion required by the City of Eden is \$ 8,000.00. The matching portion from the City of Eden was appropriated in the current 2006-2007 budget. In order to qualify for the grant, the attached local Governmental Resolution needs to be approved by the Eden City Council.

North Carolina Governor's Highway Safety Program
Local Government Resolution
Form GHSP-06-A

WHEREAS, the City of Eden Police Department (herein called "Agency") has completed an application contract for traffic safety funding; and that The City of Eden Council (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE City of Eden Council IN OPEN MEETING ASSEMBLED IN THE CITY OF EDEN NORTH CAROLINA, THIS 18 DAY OF July, 2006, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Board and the general public; and
2. That Captain Daniel E. Gillespie is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the

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amount of \$8000 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and

- 3. That the Governing Body has formally appropriated the cash contribution of \$8000 as required by the project contract; and
- 4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
- 5. That certified copies of this resolution be included as part of the contract referenced above; and
- 6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by John E. Grogan, Mayor.

ATTESTED BY Sheralene Thompson, Deputy City Clerk

DATE 7-18-06

(e) Approval and adoption of traffic study request in reference to decreasing the speed limit on Kennedy Street from Meadow Road (NC770) to Stadium Drive (SR 1747).

On May 18, 2006, a traffic study request was received from Councilman Nooe in reference to decreasing the speed limit on Kennedy Street from Meadow Road (NC 770) to Stadium Drive (SR 1747). The speed limit on Kennedy Street is currently 25 MPH. Speed Surveys taken at this location showed an average speed of 27.56 MPH.

This section of Kennedy Street is a residential area that also serves as a main artery for two major roadways (Meadow Road and Stadium Drive). There does not appear to be a problem with excessive speeds but there does appear to be a high volume of traffic. The southern part of Kennedy Street from Stadium Drive to King's Highway (SR 2066) has double yellow striping as a traffic calming measure. The City is in the process of putting double yellow striping on the northern part of Kennedy from Meadow Road (NC 770) to Stadium Drive (SR 1747).

The Police Department's recommendation would be to leave the speed limit as it is and to continue enforcement on the northern part of Kennedy Street from Meadow Road (NC 770) to Stadium Drive (SR 1747).

(f) Approval and adoption of Budget Amendment No. 1.

At the June council meeting, Council approved the financing of a 2006 knuckle boom truck for the Solid Waste Department. The City is required to show the loan monies coming in from the bank and the monies going out to pay the vendor in the financial statements. This amendment increases the revenue line item "loan proceeds" and also increases the expenditure line item "Solid Waste Capital Outlay - Vehicles" for the loan amount of \$104,836.00.

Budget Amendment # 1

<u>Amount</u>	<u>Account #</u>	<u>From</u>	<u>To</u>
General Fund Revenue			
Loan Proceeds – Knuckle Boom \$104,836.00	10-3850-86000	\$ -	\$104,836.00
General Fund Expenditures			
Solid Waste C/O Vehicles \$104,836.00	10-4710-55000	\$49,000.00	\$153,836.00

Funds to finance 2006 Knuckle Boom Truck for Solid Waste Department.

Adopted and effective this 18th day of July, 2006.

Attest:

s/Kim J. Scott

s/John Grogan

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(g) Approval and adoption to declare a generator from the Fire Department as surplus.

Please see the attached recommendation from the Fleet Maintenance Division. It is my recommendation that we surplus the FD100G Generator, serial number 75915S17B. The revenue from the sale of this generator will offset the installation cost for the new generator. Treadway Electrical will be installing the new generator and they have agreed to lessen their installation bill \$500.00 for the old generator.

A motion was made by Council Member Tuggle seconded by Council Member Turner to approve the Consent Agenda. All Council Members present voted in favor of this motion.

VOUCHERS:

Mayor Grogan noted that if they had any questions to see the City Manager.

CLOSED SESSION:

Closed Session in accordance with GS 143-318.11(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

A motion was made by Council Member Tuggle seconded by Council Member Carter to go into closed session in accordance with GS 143-318.11(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease. All Council Members present voted in favor of this motion. This motion carried.

OPEN SESSION:

A motion was made by Council Member Turner seconded by Council Member Carter to return to open session. All Council Members present voted in favor of this motion. This motion carried.

ADJOURNMENT:

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

Respectfully submitted,

Sheralene S. Thompson
Deputy City Clerk

ATTEST:

John E. Grogan
Mayor