

CITY OF EDEN, N. C.

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

Mayor:	(absent)	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
City Manager:		Brad Corcoran
City Clerk:		Kim J. Scott
Deputy City Clerk:		Sheralene Thompson
City Attorney:	(absent)	Tom Medlin
	(present)	Erin Burnette
Representatives from Departments:		
Representatives from News Media:		John Barbour, <u>Eden Daily News</u>

MEETING CONVENED:

Mayor Pro Tem Tuggle 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 followed by the Pledge of Allegiance.

ADDITIONS OR DELETIONS TO AGENDA:

Mayor Pro Tem Tuggle stated that he would like to add a Resolution from the Rural Center to the Consent Agenda (item m) authorizing to execute required MGM Transport Rural Center building restoration and reuse project documents. He noted that the resolution was passed out earlier.

A motion was made by Council Member Gover seconded by Council Member Nooe to add the resolution to the Consent Agenda. All Council Members voted in favor of this motion. This motion carried.

PRESENTATION:

Presentation: City of Eden 2005-2006 Audit

Mayor Pro Tem Tuggle asked Mrs. Judy Rouse of Rouse, Rouse, Penn & Rouse to come forward to present the audit report. Mrs. Rouse asked the Council to turn to page one of the audit report. (*A copy of this full report is in the office of the City Manager*). She noted that the city had a clean opinion and this audit was prepared on the State Single Audit Act and of course they implemented the Governmental Accounting Standards, Statement No. 34 so it was under GASB 34.

She asked them to look on page one, in the third paragraph, in their opinion, based on their audit, the financial statements referred to above present fairly in all material respects the respective financial position of the governmental activities, the business type activities, the aggregate discretely presented component units, each major fund,

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and the aggregate remaining fund information of the City of Eden as of June 30, 2006 and the respective changes in financial position and cash flows and the respective budgetary comparison for the general fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

She noted that the Council has received a very detailed analysis of the audit report and management letter. They have reviewed the report and find it to be very complete and accurate. They were also pleased to know that the City Manager has addressed each issue that they have presented in the management letter. As the Finance Department employees have received additional continuing education in governmental accounting and another year of experience, the financial reporting has greatly improved. Therefore the number of adjusting entries has decreased and there were no expenditures over budget or deficits in individual fund balances.

She explained that the first fund that she wanted to talk about was the General Fund and she asked them to turn to page 66. She asked them to look at the bottom of the page and she noted that the Fund Balance decreased from \$7,554,139 to \$7,242,523. This was a decrease of \$311,616. The Undesignated Fund Balance was \$3,647,594. She then asked them to turn to page 86 and noted that the Total Actual General Fund Expenditures for this year amounted to \$11,389,200, plus in that same column there is \$584,800 that was transferred to other funds from the General Fund, so the total expenditures were \$11,974,000. If you take one twelfth of that amount you get \$997,833. So, three months operating expenses that you would retain in 1998-1999 would be \$2,993,499. So the city has the amount undesignated by June 30th of \$654,095 above the three months operating expenses.

The average statewide level of available fund balance maintained by comparable size municipalities is 36.92% of the General Fund expenditures or it would be \$4,420,801. According to the Local Government Commission calculation the City of Eden's was 48.97%. This was 12.05% above the average. That information came through the Local Government Commission today.

She then referred to page 69 and asked them to look at General Fund Revenues. She noted that the budgeted revenues were \$10,926,527 and the actual revenues were \$11,389,365 for a favorable variance of \$462,838. The revenues were slightly up from the prior years but they were above what was budgeted. This was primarily because they collected more in property taxes and investment earnings were up.

On page 86, the budgeted operating expenditures totaled \$11,836,727. The actual expenditures were \$11,389,200 for a favorable variance of \$447,527 which compares with the total actual expenditures for the year ending June 30, 2005 of \$10,592,151. So the total expenditures were up 7.5% over the prior year.

Also, the Water & Sewer Fund reimbursed to the General Fund for utility user fees the amount of \$784,259 compared with \$651,268 for the prior year. That information was actually found on page 117.

She noted that the General Fund was in a very sound financial position and their available fund balance was very good.

She then stated that she wanted to discuss the special revenue funds. She asked them to turn to page 87 where the balance sheet was located and then on page 88 was the statements of the revenues, expenditures and changes in fund balance. She noted that on page 87 they would notice that the fund balance was \$195,509. In the capital projects fund the balance was \$256,503.

She asked them to turn to page 88. There were details of each one of these special revenues and capital projects funds following these two statements. She pointed out the emergency communications fund had a balance of \$110,698. That was their 911

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monies and monies from the state. Also, under the abatement projects funds, if they would remember in the prior year, they transferred money out of the General Fund over to this fund, but the demolition actually occurred in this last year. So the revenues and other sources, over expenditures was \$231,300 of deficit, but they had a fund balance beginning of \$250,000 so they were left with \$18,700 in that fund.

Under the Capital Projects Fund, the economic development initiative, the revenues and restricted revenues, that was the effort they had with Rockingham County, and they gave the money there \$200,948. Also transferred out of the General Fund there was \$316,300 and that was the cooperative effort they had with industry and economic development.

On the Park, she asked them to turn to page 106. She explained that they had a donation to the Park of land, which was valued at \$33,745. Also this year they had the Park & Recreation Trust Fund Grant so they received \$110,791. Their total revenues this year were \$157,770. She also noted that the expenditures were \$277,455 so they had the revenues was under the expenditures by \$119,685 and they transferred \$50,000 contribution from the General Fund, so that left them with a fund balance of \$214,818. There was more money being generated in their Recreation and their Park Fund as they well know.

She then moved onto the Water & Sewer Fund. She noted that the comparative balance sheet was shown on page 107. She noted that the equity had increased from \$34,808,874 to \$37,370,095. The Water & Sewer Fund income statement was found on page 108. She noted that the total operating revenue was \$9,146,240 compared to \$8,260,696. This was an increase of \$885,544 in the revenue. That was a combination of raising Water & Sewer Rates but also there was an increase in some of the large consumers.

She also noted that the non operating income increased from \$119,473 to \$760,873. This was due to two grants from the North Carolina Rural Center. Also, there was an increase in the interest income.

The total operating expenses they would see that in the prior year there was \$6,303,233 that increased to \$7,065,259. Then the non operating deductions they would notice in the prior year it was \$358,619 and that decreased down to \$280,633 because they were paying off the debt.

The Water & Sewer Fund realized a net income of \$2,561,221 compared to a net income in the prior year of \$1,718,317. So the city had another very good year in this fund.

She then referred them to page 132, the Self Insured Insurance Fund. She noted that this was an internal service fund. The fund actually ended up the year with a surplus of \$183,267 compared with \$29,002 in the prior year. This has been turning around in the last two years.

She then turned to the next page. The revenue rates were increased that were paid into this fund for the year. They were not increased over the prior year but they have been increased over the last couple of years. The budgeted amount was \$1,609,400 and the actual receipts were \$1,648,051. She noted that if they looked at the operating expenses, the fixed costs were \$339,433 and the insurance claims were down from what the budgeted amount was. So, since that figure was down they ended up with a net income of \$154,265. She stated that was a very good trend.

On page 135, she explained that this was the police trust, special separation allowance fund. They had a fund balance of \$337,635. They were actually funding that on a year to year basis, but they have a fund balance there. The agency fund was the Run-About-

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Travel Club and these monies were not monies of the city they were deposits that the members have paid for their activities or trips.

On page 59 she explained that this was the debt of the city's summary as of June 30. She noted that the principle debt was \$741,700 and then the Water & Sewer Bonding debt was \$3,315,000 so the total debt of the city was \$4,056,700.

She then asked them to turn to page 58. The city has a legal debt margin of \$64,556,778. They get the legal debt margin by taking the assessed valuation and multiplying by 8%. That figure was found on page 140. She explained that they take the \$808,847,200 and multiply it by the 8% and that was how they get the legal debt margin.

She also noted the collection rate for the property taxes which was 95.41%. Looking back the last couple of years, this was the 2005 levy so the 2004 levy's collection rate was 96.67. The 2003 levy was 95.48 and going back ten years it looked like the collection rate was between 95 and 96. For their size municipality, the state average collection rate was 97.36% so they were about 1 almost 2% below the state average.

She noted that she had given them a schedule of the interest and earnings this year. The total interest amounted to \$677,776 compared with \$370,093 for the prior year. That interest generated the same amount of revenue as 8 cents of additional property tax so it was important to keep their money invested.

Mrs. Rouse then touched on some of the items in the management letter. She stated that it was of course very important to keep the audit adjustments to a minimum because that helps to facilitate getting the audit out on a prompt basis. This year in the General Fund they only had 26 adjusting entries compared with 55 in the prior year and in the Water & Sewer Fund there were 11. They were very pleased with the reduction in the number of adjusting entries and as a result they were able to finalize their audit much earlier than in the past. She commended the Finance Department for really working hard on eliminating a lot of those adjusting entries.

She had also met with the Accounting Coordinator and the Finance Officer and they want to reduce these even further so they went through them and were studying the things that they might be able to do to eliminate some of those.

Item number 2, the Actuarial Study; they just want them to continue to monitor that, they have and with getting their study done, it was not a very expensive study and it was very important. They also needed to be aware of what the unfunded liability for those police officers were at any given time.

Number 3 was a reminder to make sure that they review the Water & Sewer Rates for the Industrial Consumers according to their contracts now that the audit was completed. They needed to review that with the engineering firm which performed that study.

Number 4, the warehouse properties and issues for inventory, this was something that the City Manager picked up on when he was analyzing the audit report draft. There was a variation of \$35,573 between the inventory consumed by the city and the amount issued to the various departments by work orders and she believed that they were hard at work trying to review the differences and trying to have a corrective action on that. She suggested that they do an inventory at six months with an adjusting entry just to see how that was running in the current year. There were probably some things that were getting out of there that were not being processed with work orders, emergency type things or whatever, they just need to make sure that all of those things were categorized in the proper department they should be charged to. If work orders were not charged out like they should be then the department that bought this inventory was being charged with it when it should be some other department or fund.

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Item number 5 was a new item she wanted to make them aware of. The city personnel needed to review the Local Government Commission memorandum, 1060, with the City Attorney and decide the appropriate treatment of revenues received from penalties for failure to list or late listing of property for taxation. This memo states that a court would most likely rule that their local revenues from municipality would have to be remitted to the schools. The preferred treatment of these funds would be shown in an agency fund if they conclude that they need to be paid to the schools. She and Mr. Rouse had discussed this and suggested that after they study this issue and decide which approach they would have it would probably be easier for the county to pay those directly to the schools rather than to set up an agency here. Talking to the Local Government Commission, they were saying that probably half the municipalities were going one way on this issue and half on the other.

Number 6 was a very positive statement. The Finance Department with the assistance of Ms. Tammy Amos, Engineering, had done a lot of work on recapping the infrastructure. Ms. Amos was working with Ms. Winn on this project. The City of Eden is a Phase II municipality, so they did not have to have this in the 2005-06 audit report, but it would need to be in there by 2006-07, so they were ahead of the game. The two areas they need to work on would be on the sidewalks and any city bridges. So, the costing on those two would need to be added.

Mrs. Rouse stated that it had been a pleasure to work on this audit compared to the past years. There had been a tremendous improvement and the Finance Department was really to be congratulated. They had a team effort; they helped her with work sheets, writing up the General Fund, which was the movement the city needed to go in. She stated that the effort was not only with the Finance Department but with some of the other departments as well. She stated that she was appreciative to all of the departments. She concluded by stating that the city was in very good financial position and they should go forward.

Mayor Pro Tem Tuggle asked the Finance Department staff to stand and he asked Mrs. Tammie McMichael, Finance Director, to introduce each member of her staff. He then stated that they appreciated all the things that the auditors and the finance personnel had done.

Mr. Corcoran also recognized Mrs. McMichael and her team, Mr. & Mrs. Rouse and their staff. They had worked very hard in getting this audit done prior to the end of October. Also, as she noted, Ms. Amos for her work on the infrastructure assets. He stated that he thought they had a good team and he just wanted to thank everyone for their efforts.

The audit report concluded with applause.

PUBLIC HEARINGS:

There were no public hearings scheduled.

MONTHLY FINANCIAL REPORT:

There were no questions concerning the Monthly Financial Report.

REQUESTS AND PETITIONS OF CITIZENS:

Ms. Patti Scott, Animal Protection Society of Rockingham County:

Ms. Patti Scott, explained that she lived at 2338 Price Grange Road. She was the secretary for the Animal Protection Society of Rockingham County. She explained that she wanted to make them aware of their group and their mission. Their mission was to improve the care and welfare of animals in Rockingham County. As part of this they

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would like to see a new county animal shelter and in that process they would hope to get the county contract to run that facility.

Currently the Reidsville veterinarian has a contract with the county and they were really more like a holding facility. That was really a little inadequate services for the animals as well as the pet owners the way things were managed today at the county level. Rockingham County as a whole takes in about 5500 unwanted homeless animals each year and about 93% of those animals are euthenized.

She explained that their group was currently working to purchase the Town & Country Pet Care which was located on Highway 14, with the hopes of converting that into an animal shelter. In doing that they wanted to implement programs to decrease shelter intake, the euthenation rate, and also increase the tax payer's dollars that goes toward that.

They were aware that the city had their own facility and operation as for animal welfare, but they hoped that the municipalities would wish to consolidate the efforts toward animal control services into one effective county run shelter.

The City of Eden was the first Council that they have addressed so they did have a little leg work to do. She concluded that she had left them some brochures to look at and noted that they were also working on a business plan that they wanted to share with them once it was finished.

Lastly, they hoped to earn their support and to better the animal welfare in this county.

Mayor Pro Tem Tuggle stated that it would be nice, once they finished their business plan to bring it back. This was obviously a problem throughout their county that needed to be addressed. He then thanked them for coming.

UNFINISHED BUSINESS:

(a) Consideration of Traffic Calming Policy.

At the last Council meeting, staff was asked to prepare a traffic calming policy for review by the City Council.

Mayor Pro Tem Tuggle asked Mrs. Stultz, Director of Planning and Inspections, to come forward with an explanation.

Mrs. Stultz explained that this was a draft that had been reviewed by the City Manager, the Police, Fire and Engineering Departments as to how some other communities were handling traffic calming. The Residential Traffic Management Plan represents a commitment by the City of Eden to promote the safety and livability of residential neighborhoods. The Residential Traffic Management Plan provides a process for identifying and addressing existing problems related to speeding, excessive volumes, and safety on city-maintained residential streets. Based on this policy, proper actions can be taken depending on the severity of the problem.

The process and requirements are listed below:

PROCESS AND REOUIREMENTS:

This section describes the process and requirements of the Eden Residential Traffic Management Plan.

STEP 1 -- Report the Problem

If a resident believes there is a speeding or traffic problem on a residential street, the first step is to report the problem to the City of Eden Planning Department staff. City staff will note the concern and provide a Traffic Calming Request Form. This form is available in Attachment A. When the form is submitted, city

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staff will evaluate the complaint to determine the nature of the problem, and make sure that the location meets the first traffic calming criteria: the street must be a city-maintained, residential street.

The city will not implement traffic calming measures, or conduct traffic calming studies on arterial streets or on streets that are privately maintained. Staff can work with you to identify other actions if your street is not a city-maintained, residential street.

STEP 2 -- Neighborhood Consensus

After the initial report, City staff will request a petition from residents in the neighborhood to verify that there is a widespread concern for the speeding or traffic issue. The petition form is available in Attachment B.

City staff will identify an "area of influence" in the neighborhood. The area of influence includes properties abutting the street and properties on intersecting streets within a reasonable distance of the problem street. The Planning Department will provide a map and addresses for the area of influence.

The petition must be signed by at least 75 percent of the owners or residents of properties within the "area of influence." Each property is entitled to one signature. Valid signatures include those from (1) a property owner or spouse, (2) an adult head of household, or (3) an adult renting the property.

After the petition is received, it will be reviewed by City staff. The City staff will request that the neighborhood designate someone to serve as the primary contact person between the City and the neighborhood.

STEP 3 -- Data Collection

After verifying the validity of a petition, City staff will collect traffic volume and speed data over a two-day period and evaluate other traffic conditions on the street, using the following criteria:

Traffic Calming Criteria

Criteria	Application	Points
Traffic Volume	Criteria - 5 points for every 20 % of volume that exceeds the expected number of vehicles per day (vpd) on the street, based on the function of the street (75 vpd for minor streets, 200 vpd for local streets, and 800 vpd for subcollector and collector streets).	
85th Percentile Speed	Criteria - 2 points for every mph that the 85 th percentile speed exceeds the posted speed limit	
Pedestrian Volume	Criteria - 1 point for every 10 pedestrians if the street has a sidewalk, 5 points per 10 pedestrians if no sidewalk. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	
Bicycle Volume	Criteria - 1 point for every 10 cyclists if the street has bike lanes, 3 points per 10 cyclists if no bike lanes. Counts are made in either the peak traffic hour or the hour when students are traveling to or from school	
School Bus Stops	Criteria -2 points for each school bus stop on the street	
Proximity to Pedestrian Generator (Retail and Parks)	Criteria -5 points if within 0-0.2 miles; 3 points if within 0.21 and 0.4 miles; 1 point if within 0.41 and 0.6 miles.	

Additional Consideration: In some situations the residents' concern is for a few drivers greatly exceeding the speed limit. In this case, City staff would also review the 95th percentile speed on the street.

STEP 4 -- City Staff Review

The street will be scored based on the criteria. Using this score and reviewing additional considerations, City staff will recommend whether the street is eligible for Stage 1 Traffic Calming alone or both Stage 1 and Stage 2 Traffic Calming.

In general, streets that receive up to 25 points are eligible for Stage 1 Traffic Calming only. Streets that receive a combined total of at least 12 points in the "Traffic Volume" and "85th Percentile Speed" criteria and more than 25 points total will be eligible for both Stage 1 and Stage 2 Traffic Calming.

For streets eligible for both Stage 1 and Stage 2 traffic calming, City staff may recommend that Stage 1 traffic calming measures be implemented prior to implementing Stage 2 measures. Once Stage 1 Traffic Calming measures are implemented, City staff will wait approximately three to six months and collect

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traffic speed and volume data and evaluate other traffic conditions on the street. The data would then be analyzed using the Traffic Calming Criteria to determine if the Stage 1 Traffic Calming measures were successful. If the measures were successful, then the traffic calming process will end at this point. Otherwise, City staff will move on to analyze and recommend possible Stage 2 Traffic Calming methods.

Stage 1 Traffic Calming

Stage 1 Traffic Calming does not involve the use of physical controls or impediments on the roadway system. These are primarily education and enforcement measures. These include:

Neighborhood Awareness Campaigns and Education. Many people drive too fast in their own neighborhoods. "Speeders" are not always bad guys from somewhere else -- many are neighbors and friends, responsible people who want safe, peaceful neighborhoods. Several creative methods of reducing traffic problems in neighborhoods can be undertaken by residents to remind their neighbors to pay attention to driving habits:

Write letters to local newspapers or publish articles in neighborhood newsletters.

Hold a "slow down" block party to get people to think about their driving habits.

Walk the neighborhood with door hangers and talk to neighbors about neighborhood traffic safety.

Radar Speed Trailer Deployment. This is a temporary device that is primarily used to remind motorists that they may be exceeding the posted speed limit. The trailer uses radar to monitor speeds and a reader board to show drivers how fast they are going but does not photograph vehicles. The use of trailers is contingent on availability.

Traffic Enforcement Actions. This is traditional enforcement activity on the part of Police Department's traffic enforcement officers. The intent is to modify behavior to result in a safer situation for all drivers and neighbors.

Traffic Signs and Pavement Marking. City staff will review the traffic signing and pavement markings in the area. If necessary, staff will modify or add traffic signing and pavement markings.

Alternative Transportation Modes. One of the goals of the City of Eden is to promote and provide alternative transportation modes (walking, and bicycling). Traffic on the project street may decrease if people decide to use these other transportation choices instead of driving.

Stage 2 Traffic Calming

Stage 2 traffic calming methods involve physical modifications of the street intended to control traffic speeds. Possible Stage 2 modifications might include the following:

- Bulbouts / Curb Extensions
- Center island medians
- Chicanes
- Landscape treatments
- Mid-block chokers
- Neighborhood traffic circles
- Pedestrian refuge islands
- Raised crosswalks
- Realigned intersections
- Roundabouts
- Sidewalks
- Speed humps
- Speed tables

City staff members are available to discuss traffic calming measures with residents. In addition, several publications and web sites provide definitions, descriptions, costs, and design guidelines for traffic calming measures. Residents who are interested in learning more about traffic calming on their own may make use of resources on the internet. For example, the web site for the Institute of Transportation Engineers (ITE) contains excellent information and several links concerning traffic calming at: <http://www.ite.org/traffic/index.html>

The following criteria apply to Stage 2 traffic calming measures:

1. The construction and installation of some traffic calming devices may be expensive. The least costly form of traffic calming should be considered as the primary modification in any specific case. When expensive devices are approved, the neighborhood may need to wait an extended time for installation. Once the actual date of installation is determined, the primary contact person will be notified in writing.

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2. The design of traffic calming devices will follow recommended Institute of Transportation Engineers (ITE) or other national recommended guidelines, if available.
3. Streets that have traffic calming devices installed may be excluded from the Snow Removal Plan and street cleaning activities, depending on the type of device installed. Note that devices currently in use in Eden would not exclude a street from the Snow Removal Plan.
4. Emergency vehicle access within and through neighborhoods will be carefully considered in the evaluation process and selection of traffic calming devices. Certain traffic calming devices may result in increased emergency response times on some streets and these impacts should be carefully considered.
5. Once installed, traffic calming devices will stay in place for a minimum of three years unless residents pay the full cost of removal. However, at any time following construction completion, if it is determined that traffic calming measures should be removed for public health and safety reasons, the City Council will be requested to authorize the removal of one or more traffic calming measures, upon notification of the neighborhood representatives. If the City has no concerns with the project but the neighborhood itself decides that the traffic calming measures should be removed or significantly altered, a petition must be signed by at least 75 percent of the owners or residents of properties within the "area of influence." The City Council will review petitions requesting removal or significant alteration and will be provided a staff analysis and Transportation Advisory Board (TAB) recommendation.

STEP 5 -- Staff Recommendation, TAB Review, and City Council Approval

City staff will develop a recommendation of actions to be taken. This recommendation will be forwarded to the primary contact person of the neighborhood. The following information will be included, as appropriate:

Information on upcoming Transportation Advisory Board (TAB) and City Council meetings at which the staff recommendation will be discussed.

A discussion of proposed Stage 1 education and enforcement measures.

For Stage 2 traffic calming, the number, location, and dimensions of proposed traffic calming devices, displayed on a map of the neighborhood.

A photograph of proposed traffic calming devices and directions to a nearby street with a similar device, if applicable.

Information about the traffic calming device's effects on speeds and traffic volumes.

The staff recommendation will be reviewed by the TAB, which will make a recommendation to the City Council.

The City Council makes the final decision concerning actions to be taken. The City Council will review the residents' petition, the staff analysis and recommendation, the TAB recommendation, and public comments. The Council may choose to hold a public hearing on the recommendation.

STEP 6 - Follow-up Evaluation

Following the implementation of traffic calming measures, a follow-up evaluation should be performed to ensure that the measures are effective. City staff will wait approximately three to six months and collect traffic speed and volume data and evaluate other traffic conditions on the street.

Council Member Turner asked if this form would be available on the web to which Mrs. Stultz replied that it would.

Council Member Myott questioned what a mid block choker was to which Mrs. Stultz replied that it was where the pavement narrowed, mid block. They did not have many residential streets wide enough for that to ever be an option but for instance, Front Street, for much of it was as wide as Meadow Road, so it was a neighborhood where something like that could be put in if they ever had a problem.

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

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NEW BUSINESS:

(a) Consideration of a final development plan for Phase 5 of The Fairways. ZONING CASE Z-98-18.

Kenan C. Wright has presented a final development plan for The Fairways, Phase 5 located off of Edgewood Road.

The Planning and Inspections Department recommends approval of the plan subject to conditions. The Planning Board considered the final development plan at their regular meeting on October 24, 2006. After consideration the board recommends that the request be approved subject to conditions on attached list.

Mrs. Stultz explained that this neighborhood was a PUD and was done a little differently than a traditional subdivision. She asked that they approve this with the following conditions. That prior to the issuance of a building permit the special use permit listing all conditions of approval, along with a copy of the statement of intent shall be recorded in the Register of Deeds office in the county. The homeowner's association documents, including this phase, would have to be recorded. The developer would provide all sanitary sewer easements, drainage easements, and grant any right of ways necessary for the phase and all improvements shall be installed for the final development plan and shall meet the city requirements. The PUD shall comply with all the City of Eden Land Use Regulations including all provisions of the PUD R district. The city sanitation services shall stop at public maintenance at Palmer Court. This was the first time in her career that they have approved a private street. So the folks who live out there would be told that the garbage truck would stop at city maintenance and they would have to take their can out there. The Wright Company was aware of that.

Council Member Gover asked as always, do they have the drains under control.

Mrs. Stultz replied that this was actually the first we have had since they adopted their stormwater regulations so all of those would have to comply.

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

(b) Consideration of Planning Organization Appointments and Reappointments.

It is time again to make annual appointments or reappointments to the City boards and commissions. Please note that members who have missed in excess of 30% of the scheduled meetings, whether excused or unexcused, automatically lose their seat and must be replaced or reappointed. We would like to have all the appointments made by the December meeting so we can start with a full slate of members in January.

Mayor Pro Tem Tuggle stated that this was more for information and they should be ready by the next meeting.

(c) Consideration of offer to purchase property from Tommy Hall for the Smith River Greenway.

As a part of the greenway development project, staff has met with property owners along the route established for the first leg of the Greenway System. One of those property owners is Tommy Hall. Mr. Hall indicated in a meeting with Tom Medlin and me that he is of the opinion that if the Greenway is built on his property that it would make building on his property impractical.

The tract that Mr. Hall owns is 25.17 acres off Meadow Road, is very long, and very narrow in some places. It follows along the Dan River and is bordered by the Tinker Rush property on the north and Grogan's Garden Center on the south.

During the meeting with Mr. Hall, he asked for tax value plus 5 years of taxes. The tax value of his land is \$23,224. The City and County taxes on the lot would be approximately \$1435.10 for five years. With this in mind, I would like to offer him \$24,660 dollars for the property. Funds for this purpose are within the Greenway budget.

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I am of the opinion, that owning this tract of land could provide greater access for our citizens for use of the river and that it would be: in the City's interest to own this parcel. We ask that you authorize payment of this amount to Mr. Hall for the property

Mrs. Stultz explained that as they have been going through the process for design and implementation of their first Greenway, it had been discussed that they make an offer to Mr. Tommy Hall, for 25 acres along the Smith River and based on conversations with the City Attorney's office and Mr. Hall, he has accepted their offer of \$24,660. She now needed the Council's permission to go ahead and purchase this.

Council Member Turner asked where they would access into this property.

Mrs. Stultz replied that there was actually a road bed or public right of way in between the old Chamber of Commerce building and the garden center. What they would do was pave into there.

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

CONSENT AGENDA:

(a) Approval and adoption of minutes: October 17 and 30th, 2006.

(b) Approval to hold a public hearing and to consider an ordinance for a zoning map amendment to rezone property on S. Van Buren Road and an unopened street from Industrial-2 and Residential-20 to Business-Highway #2.

The city has received a request from Ralph M. Barrow to amend the zoning map. The request is to rezone approximately 5.75 acres of land on S. Van Buren Road and an unopened street from Industrial-2 and Residential-20 to Business-Highway #2.

The Planning and Inspections Department recommends approval of the request. The Planning Board considered this request at their October 24th regular meeting. After consideration, the Planning Board recommended that the City Council approve this request.

Please call a public hearing and request that an ordinance be prepared for your December 19, 2006 meeting.

(c) Approval and adoption of a traffic study request in reference to traffic calming on Madison Street from Kings Highway to West Harris Place, and adoption of ordinance.

On October 24, 2006, I received a traffic study request in reference to traffic calming on Madison Street from Kings Highway to West Harris Place. The speed limit on Madison Street is currently 25 MPH. Speed Surveys taken at this location showed an average speed of 30.36 MPH.

I spoke with Patty Eason of NCDOT who advised that in the future they could assist the city with electronic speed surveys but that these could not be conducted on short notice and would have to be planned.

This section of Madison Street is a residential area. There does not appear to be a problem with excessive speeds but there does appear to be a high volume of traffic as traffic volume may double depending on the time of day. Some motorists use this street as a cut-through from Kings Highway to Van Buren Road (NC 14). Traveling straight on Kings Highway to Van Buren Road (NC 14) or straight on Van Buren Road (NC 14) would be more appropriate.

The Police Department's recommendation would be to leave the speed limit as it is and to place stop signs at all three sides of the intersection of Madison Street with West Arbor Lane in order to calm traffic flow (see attached). Enforcement of the speed limit should continue along with enforcement of the new stop signs.

(d) Approval and adoption of traffic study request in reference to traffic calming on Highland Drive, and adoption of ordinance.

On October 24, 2006, I received a traffic study request in reference to traffic calming on Highland Drive. The speed limit on Highland Drive is currently 25 MPH. Speed Surveys taken at this location showed an average speed of 27.57 MPH.

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Highland Drive is a residential area that also includes Leaksville Spray Elementary School. There does not appear to be a problem with excessive speeds but there is a high volume of traffic when school is letting in or out. Some motorists use this street as a cut through from Kings Highway to Boone Road. Traveling straight on Kings Highway to Bridge Street and then to Boone Road would be more appropriate.

The Police Department's recommendation would be to leave the speed limit as it is and to place a stop sign at the intersection of Highland Drive and Glovenia Street for southbound traffic on Highland Drive and to place stop a sign at the intersection of Highland Drive and B Street for northbound traffic on Highland Drive (see attached). Doing so should help calm traffic flow without causing traffic congestion for motorists leaving Leaksville Spray Elementary School. Enforcement of the speed limit should continue along with enforcement of the new stop signs.

(e) Approval and adoption of traffic study request in reference to traffic calming on Park Avenue, and adoption of ordinance.

On October 24, 2006, I received a traffic study request in reference to traffic calming on Park Avenue. The speed limit on Park Avenue is currently 25 MPH. Speed Surveys taken at this location showed an average speed of 27.30 MPH.

Park Avenue is a residential area. There does not appear to be a problem with excessive speeds but the area is purely residential in nature. There are no businesses or schools located on this street. While there are businesses located nearby on other streets, Park Avenue is not situated near major thoroughfares.

The Police Department's recommendation would be to leave the speed limit as it is and to place stop signs at the intersection of Park Avenue and Victor Street for Park Avenue traffic and to place a stop sign at the intersection of Park Avenue and Ayden Street for traffic on Ayden Street approaching Park Avenue.

(f) Approval and adoption of a motion to apply for PARTF Grant – 2007.

In fiscal year 2005-2006, approximately \$17 million was awarded to 55 local governments to construct and renovate outdoor recreation facilities in North Carolina. In 2001, the City of Eden applied and received a \$300,000 grant to build the 1st Phase of Freedom Park and in 2004 the City applied and received \$250,000 to help fund the development of Phase III at Freedom Park.

The Parks and Recreation Department and the Park Committee would like to apply for another PARTF grant in 2007. The amount of the grant would be \$500,000. If the City is awarded the grant, it would be responsible for matching the \$500,000 dollar for dollar. The City would have 3 years to complete the grant project.

The purpose of this memo is to receive permission from the City Council to apply for a PARTF Grant for \$500,000. The facilities requested for the grant would be an Aquatic Complex at Freedom Park, which would include a 25 meter swimming pool, a splash play area, small pavilion, and shower and restroom facilities. The estimated cost of this facility would be \$1,300,000. For this facility to be completed, the city would have to contribute \$800,000 to the project, and if awarded, the PARTF Grant for \$500,000 would fund the remaining portion of the cost.

(g) Approval and adoption of a Resolution – Prosperity 2010, Rockingham County Partnership.

RESOLUTION

WHEREAS, the City of Eden has long supported countywide economic development initiatives in Rockingham County, North Carolina; and,

WHEREAS, this has included support for The Committee of One Hundred, Citizens Economic Development, Inc., and since 2002, Citizens Economic Development, Inc. d/b/a Rockingham County Partnership for Economic and Tourism Development ("RCP" herein); and

WHEREAS, since receiving a written request from RCP in the spring of 2003, the City of Eden has given generous financial support to the RCP through a series of annual budget approvals and subsequent payments; and

WHEREAS, the City of Eden is aware that RCP has been substantially supported by both the county and its municipalities since 2002; and

WHEREAS, the City of Eden is aware that RCP is now hopeful of securing increased underwriting from the private sector; and

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WHEREAS, the City of Eden is aware that RCP has promised to work with the public sector entities and to honor their requests for revised governance, increased accountability and better communication.

NOW, THEREFORE, **BE IT RESOLVED:**

RESOLVED, that the City of Eden commends the efforts of RCP to strengthen and expand private sector support for economic development for the benefit of all of Rockingham County; and

RESOLVED, that the City of Eden commends the leadership of RCP for its willingness to recognize the concerns of the public sector relative to the RCP, and for its promise to work swiftly and in good faith to resolve such concerns; and

RESOLVED, that the City of Eden reaffirms its support for the continuing long-term commitment and cooperation of the public and private sector entities of Rockingham County in the RCP, to work together to achieve desirable economic growth and prosperity for all of Rockingham County.
This the 21st day of November, 2006.

Wayne Tuggle Mayor Pro Tem

ATTEST:
Kim J. Scott City Clerk

(h) Approval and adoption of appointment of members to the Eden Safety and Loss Control Committee.

The following employees are recommended for approval to serve on the safety committee. Please feel free to advise me if you have any questions concerning these appointments.

- Wilma Jones
- James Slaughter
- Bev O'Dell
- Charlie Manley
- Sheralene Thompson
- Debra Galloway
- Darryl Tilley
- Faye Carter

(i) Approval and adoption of 2006 North Carolina Fire Code.

Adoption of the North Carolina Fire Code is required before use by jurisdictions. Its use within a governmental jurisdiction is intended to be accomplished through the adoption by reference in accordance with proceedings establishing the jurisdiction's laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of adopting jurisdiction.

I am requesting that the City Council adopt the 2006 North Carolina Fire Code including all appendices. This change will bring the City of Eden into compliance with the North Carolina Fire Code. We will begin utilizing this code December 1, 2006.

We will make only a small modification the City Ordinances in Chapter 5 under section 5-54 Fire Codes Adopted. This change is to reflect the most current edition of the North Carolina Fire Code.

(j) Approval and adoption of Budget Amendments 4 and 5.

	Account #	From	To	Amount
General Fund Revenue				
PD Fed/State Drug Forfeiture	10-3431-41900	\$ -	\$ 6,570.00	\$ 6,570.00
General Fund Expenditures				
Police Bldg. Impr./Drug Forf.	10-4310-54200	\$ -	\$ 6,570.00	<u>\$ 6,570.00</u>
				<u>\$ 6,570.00</u>

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Transferring money from the Federal Forfeiture Account to the General Fund.

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

Attest:

Kim J. Scott, City Clerk

Wayne Tuggle, Mayor Pro Tem

	Account #	From	To	Amount
General Fund Revenue				
Loan Proceeds – Fire Truck	10-3850-88000	\$ 188,194.00	\$ 189,191.00	\$ 997.00
General Fund Expenditures				
Fire Department C/O Vehicles	10-4340-55000	\$ 188,194.00	\$ 189,191.00	<u>\$ 997.00</u>
				<u>\$ 997.00</u>

Increase the amount of the loan proceeds for the 2006 Pierce Fire Pumper for the Fire Department.

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

Attest:

Kim J. Scott, City Clerk

Wayne Tuggle, Mayor Pro Tem

(k) Consideration of Resolution of support for application for NCDOT Comprehensive Pedestrian Master Plan grant.

The North Carolina Department of Transportation has issued a call for projects for bicycle and pedestrian planning. The Planning Department would like to submit an application to help fund a Comprehensive Pedestrian Master Plan for the City. The Piedmont Triad Council of Governments has agreed to prepare the grant application. Endorsement by the City Council is a requirement in order for our application to be considered.

**RESOLUTION
SUPPORTING AN APPLICATION
FOR FUNDING FROM
NCDOT DIVISION OF BICYCLE AND PEDESTRIAN TRANSPORTATION
FOR A
COMPREHENSIVE PEDESTRIAN MASTER PLAN**

WHEREAS, the City of Eden has identified the need for sidewalk and pedestrian improvements in our community; and

WHEREAS, the City of Eden desires to provide citizens more access and safer pedestrian facilities and crossings; and

WHEREAS, the City of Eden has determined that a Comprehensive Pedestrian Master Plan will enhance and encourage safe pedestrian travel; and

WHEREAS, the North Carolina Department of Transportation Division of Bicycle and Pedestrian Transportation has established a grant which provides funding to projects that promote diverse modes of travel, increase the community benefits of transportation and encourage public involvement in the transportation planning process; and

WHEREAS, pedestrian facilities and planning are one of the qualifying activities eligible for funding under this program;

NOW, THEREFORE, BE IT RESOLVED that the Eden City Council supports and endorses the application for a grant from the North Carolina Department of Transportation Division of Bicycle and Pedestrian Transportation to prepare a Comprehensive Pedestrian Master Plan for the City of Eden.

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Adopted this 21st day of November, 2006.

Wayne Tuggle, Mayor Pro Tem, City of Eden

Attest, Kim J. Scott, City Clerk

(l) Consideration of request legal action for zoning violation at 222 Bridge Street.

The Planning and Inspections Department notified the owner of property located at 222 Bridge Street of a zoning ordinance violation. The owner was given 30 days to appeal this action but has not done so.

(m) Consideration of authorization to execute required MGM Transport Rural Center Building Restoration and Reuse Project Documents.

AUTHORIZATION TO EXECUTE REQUIRED MGM TRANSPORT RURAL CENTER BUILDING RESTORATION AND REUSE PROJECT DOCUMENTS

WHEREAS, the City of Eden has received correspondence from the North Carolina Rural Center that it has been awarded a \$300,000 Building Restoration and Reuse Grant to assist MGM Transport in costs toward eligible program costs to upfit its Eden facility, and

WHEREAS, the City of Eden must execute specific documents to receive and administer the Building Restoration and Reuse Grant including a contract with the Rural Center and a Performance/Loan agreement with MGM Transport.

NOW THEREFORE BE IT RESOLVED, BY THE CITY OF EDEN CITY COUNCIL:

That John E. Grogan, Mayor is hereby authorized and directed to furnish such information as the Rural Center may request in connection with the project and to execute such documents as may be required in connection with the project.

Adopted this the 21st day of November 2006 at the City of Eden, North Carolina.

Kim Scott, City Clerk

Wayne R. Tuggle, Sr., Mayor Pro Tem

SEAL

A motion was made by Council Member Turner seconded by Council Member Epps to approve all consent agenda items (a-m). All Council Members voted in favor of this motion. The motion carried.

VOUCHERS:

No discussion.

Council Member Turner also mentioned appreciation to the City Manager in regard to the audit.

ADJOURNMENT:

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

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

Wayne Tuggle, Sr.
Mayor Pro Tem