

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, February 20, 2007 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
City Manager:	Brad Corcoran
City Clerk:	Kim J. Scott
Deputy City Clerk:	Sheralene Thompson
City Attorney:	Tom Medlin

Representatives from Departments:

Representatives from News Media:

John Barbour, Eden Daily News; Lisa Doss, Eden's Own

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. Robert Peterson, Pastor, Leaksville Moravian Church was present to give the invocation followed by the Pledge of Allegiance

RECOGNITION:

Mayor Grogan asked Mr. Mike Dougherty, Business Development Director, to come forward. He explained that there were a number of people who were present to be recognized for the Main Street Program. He noted that all of them were volunteers who had an interest in Eden and he congratulated all of them.

Mr. Dougherty explained that last month they were in Morganton for the North Carolina Main Street meeting. There were 10 members of their board there which was the largest contingent there for many Main Street communities. It was a great day for Eden because two awards were received while they were there.

He then asked Mrs. Peggy Good to come forward. He explained that she was the president of the Olde Leaksville Merchant's Association. She hosted the vast majority of the Riverfest Committee meetings. She worked tirelessly to make the event possible and they won the Best Downtown Special Event Award for 2006. Peggy was unable to go to Morganton but to Peggy and the other members of the Riverfest Committee; he thanked them for all their help.

Mr. Dougherty then asked Ms. Tammy Easter and Ms. Linda Wyatt to come forward. He explained that the second award won by the City of Eden was the Draper Memory Day. Tammy Easter conceived this and recruited all of the Green Acre Kids to help her. This event drew over 2,000 attendees with 50 tables of Draper Memorabilia. The goal was \$8,000 for Christmas lights in the Draper Village area. This event won the Best Downtown Fundraising Event for the entire North Carolina Main Street Community. He thanked both Tammy and Linda Wyatt, as president of the Draper Village Merchant's Association.

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Finally, Mr. Dougherty noted that each year a person in the community is selected who best exemplifies the Main Street spirit. Tammy decided about Draper Memory Day just out of a selfless act. It was amazing, all that she accomplished and they felt that there was no better recipient for the Eden Main Street Award for 2006 than Tammy Easter.

He also noted that on April 21st, they will have Tri-City Day. This will be the 40th anniversary of the City of Eden this year and Tammy and all of her volunteers are working on this. It will be a special commemorative day with a sock hop at night.

ADDITIONS OR DELETIONS TO AGENDA:

Mayor Grogan stated that under Unfinished Business they needed to pull item 7(a) and under the Consent Agenda, item 9(l). As no one else requested an addition or deletion to the agenda, Mayor Grogan declared the agenda as set.

PUBLIC HEARINGS:

(a) Consideration of a zoning text amendment and ordinance to amend Section 11.24(k)(5) - the Business - Shopping Center zoning district of the City of Eden Zoning Ordinance to add "Day Care Centers" as a permitted use. Request submitted by Swofford, Inc. DBA Eden Mall. ZONING CASE Z-07-01.

At a regular meeting in January, the Council scheduled this public hearing to hear comments regarding a zoning text amendment request filed by Swofford, Inc. DBA Eden Mall. The request is to amend Section 11.24 (k)(5) to add "Day Care Centers" as a permitted use to the Business; Shopping Center district.

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

Mayor Grogan called for a public hearing and asked Mrs. Kelly Stultz, Director of Planning and Inspections to come forward with a report.

Mrs. Stultz explained that the request was submitted by the owner of the Eden Mall to permit day care centers in the mall. One of the things about their zoning ordinance is that if you have a use that is listed some where else, and it is not in the district you are interested in then that means at that point the decision has been made that it is not allowed.

When this request came in, it has been through the Planning Board and staff and they believe it is a very good idea. Malls across the country are going through a transition period and the way they were configured and used 20 years ago is just simply not how that is happening today. One of the things is that different kinds of uses are beginning to go into malls.

Mayor Grogan asked if anyone would like to speak in favor of this request.

Ms. Doris Davis, 718 Meadow Greens Village, explained that she was Vice-President of Nursing at Morehead Hospital and they were the group who were interested in forming the day care at the mall. They have outgrown their Rhode Island Mill facility and this would enable them to consolidate the facility that they have at one of the churches for after school and also more than double their enrollment.

As no one else came forward to speak in favor or in opposition of this request, Mayor Grogan called the public hearing closed.

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

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MONTHLY FINANCIAL REPORT:

There were no questions concerning the Monthly Financial Report.

A motion was made by Council Member Tuggle seconded by Council Member Turner to approve the monthly financial report. All Council Members voted in favor of this request. This motion carried.

REQUESTS AND PETITIONS OF CITIZENS:

(a) Robert Rorrer to address Council regarding Stop Signs on Park Avenue.

Mr. Robert Rorrer, 415 Ewell Street, explained that about 5 or 6 years ago, his wife drove down the hill and went through the intersection, going to Sunday school, and someone ran the stop sign down there and broadsided her. She was seriously injured and she still has problems today from the accident.

Before the accident happened, he could not tell them the times he had to literally slam on brakes and stop for people who would come through those stop signs. People go through there and do not know there are stop signs there. He noted that it was real grown up around that pasture there and he keeps that fence along that pasture there cleaned up so that people could see each other coming across there.

He explained that he had run into his house more than once and called 911 because he would hear the crashes down at that intersection. He stated that it was about as much traffic one way as it is the other which made it a dangerous intersection.

He stated that he knew former Mayor Price at that time. He talked to Mayor Price and explained the serious accident that his wife had. He told him that they needed to do something about that intersection and the need to put a stop ahead sign there so people would know there is a stop sign there. He asked Mayor Price if there was something that could be done. He stated that they needed to put up something to let people know how dangerous it was.

He stated that toward the end of last year, he went up his street and all of a sudden there was a big red stop ahead sign and up at the curve they are putting up stop sign there. There was no intersection there and he had never seen an accident at that intersection, and yet the people that come up and down that street, 200 or 400 cars a day, whatever, and they have to stop for no reason what so ever. That stop sign in his opinion and numerous people have been talking about it, and people in his neighborhood go the long way around just to not be harassed by that stop sign. He asked why they would not put them on someone else's street where there was a problem.

Mayor Grogan asked Mr. Rorrer what his request was.

Mr. Rorrer replied that they jerk up those stop signs.

Mayor Grogan asked if he had a concern about the intersection down there where they had the wrecks.

Mr. Rorrer replied of course he did. If they would place some white lines down there and some stop ahead signs...he had talked with a police officer and they told him they were going to put a white line there and in the last week or so they put a stop ahead sign up that should have been done when he asked Mayor Price to do it several years ago.

Mayor Grogan replied would have, could have, should have, it was there now. He was happy it was there and it would work out and he was sure that the City

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Manager and Chief of Police would look into it. He thanked Mr. Rorrer for coming.

Mr. Rorrer added that he was not finished. He then proceeded to read a memorandum from Chief Benthin to the Council and it was a traffic study that was done on Park Avenue. He quoted the memo stated that there did not appear to be a problem with excessive speeds.

Mayor Grogan asked Mr. Rorrer to present the memorandum to him so that he could look it over. He thanked Mr. Rorrer for coming and returned the memorandum to him.

Ms. Kathy Mull addressed the Council regarding New Business:

Ms. Mull explained that she assumed the Greenways was a public hearing item and she just wanted to voice her support for the plan.

Mayor Grogan explained that they would be getting a report on it and the City Council would be discussing it in great detail during their retreat. He assured her that she would have another opportunity to speak on this item.

UNFINISHED BUSINESS:

(a) Consideration of Boards and Commission Appointments.

The following seats on the Board of Adjustment and the Community Appearance Commission are still vacant. These members need to be reappointed or replaced. We respectfully request that you consider these appointments at the February Council meeting.

Board of Adjustment – Charles Martin – ETJ (deceased)
Community Appearance Commission – Mary Collins – Ward 2 (term expired)

This item was pulled from the agenda.

(b) Consideration of approval of purchase of lot for Leaksville Landing property currently leased from Jeff Johnston.

As you are aware, Jeff Johnston is the current owner of a portion of the property the City has leased for the Hamilton Street River Access. The access point grant was originally applied for in the name of the City of Eden by Rockingham County. When the original agreements were made, Mr. Johnston had agreed to lease the property.

When the City of Eden took the grant over, we decided to purchase the property. Mr. Johnston has agreed to sell the property for \$12,500. He has asked that the Historic Preservation Commission consider a local landmark designation for the entire parcel. This is the site of the Leaksville Landing for commercial trade and is certainly a part of our community's historic past. He has also requested that should the City decide to abandon the park that he be given first right of refusal to buy the site.

I would like to recommend that you approve the purchase. A copy of the contract prepared by Mr. Medlin is attached for your review.

Mayor Grogan explained that the City Attorney has informed him that items b and c go together.

The City Attorney, Tom Medlin, explained that where they were on both of these items, on item 7c with Dan River (DRBA) they were in complete agreement as to price and the terms of the contract. As far as the contract that they have there was a last minute revision to the language on the last page concerning the restrictive covenants that they have reached an agreement on, the consumer price index information was taken out and maybe a word or two was changed but nothing significant. As far as the lot next to it as owned by Mr. Johnston, they were in agreement to price there as well. He added that he had not been able to get back with him as to the change in the wording on the restrictive covenants and how that

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was going to be finalized so other than that he anticipated it would be the same as DRBA's since they were so similar. He stated that he would simply ask that they go ahead and make a motion to approve both of those with the final wording with Mr. Johnston to be in line with what has been agreed to with DRBA.

Council Member Myott questioned what if he did not agree to which Mr. Medlin replied that they would then bring it back to Council.

A motion was made by Council Member Epps seconded by Council Member Tuggle to approve the request subject to Johnston agreeing with the change in the wording on the restrictive covenants. All Council Members voted in favor of this motion. This motion carried.

(c) Consideration of approval of purchase of lot for Leaksville Landing property currently leased from Dan River Basin Association.

The Dan River Basin Association is the owner of the property the City is currently leasing for the parking lot area for the Hamilton Street River Access Point. This was a part of the grant for the construction of the access point that was originally being handled by the County.

When the City took over administration of the grant, it was decided to purchase the property. The Dan River Basin Association has agreed to a purchase price of \$3,000.

I would like to recommend that you approve the purchase at this price. A copy of the contract prepared by Mr. Medlin is attached for your review.

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

NEW BUSINESS:

(a) Presentation and consideration of Greenway Master Plan.

Over the course of the last few years, the topics of greenways, trails, tourism, river development and access and economic development have gained more prominence. In 2003, the City was approached by local activists about the possibility of creating a walking trail along the Smith River. Their plan was to construct a rustic trail along the Smith River from the Smith River Bridge at the Traffic Circle towards King's Highway. These first trail proponents were of the opinion that the land owners would permit the trail on their properties without any compensation and that the trail could be installed with all volunteer labor for very little cost. This trail would not be accessible to most of Eden's citizens.

In the 2004/2005 budget, the Eden City Council agreed to appropriate \$51,000 for the Greenway Program. This included \$15,000 of matching funds for a Greenway Master Plan grant request and \$31,000 to fund the initial trail. We did not receive the funding for the Master Plan in that grant request nor in the subsequent attempt made last year. The requested matching funds were not spent.

At this point there was \$31,000 for the trail. Of that, nearly \$15,000 was spent on the survey required from Aiken Road to King's Highway and up to the YMCA. This survey work was done at the recommendation of the City Attorney. No other funds were spent from the budgeted amount for Greenways during 2004/2005. At this time, the community began to voice their opinions about the need for a trail system and what they would like to see in that system. The need for a comprehensive plan and a real trail network became increasingly apparent.

After research and many discussions, the City Council decided to fund a Greenway Master Plan in the amount of \$86,700 and to provide funding for a portion of the new trail system from Meadow Road to the YMCA and towards King's Highway in the amount of \$438,900.

Current Status

The engineering and design for the Smith River Trail began in July 2006 so far we have spent \$127,197.30 on design and \$600 on engineering. The design work has been completed and the bidding process is underway. Bids will be opened on March 1, 2007. The construction contract should be ready for approval shortly thereafter. We have received word that NCDOT is approving driveway cuts and other items on Meadow Road near the trailhead and that the North Carolina Department of Environment and Natural Resources has requested minor changes to the

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sedimentation and erosion control permit request. The changes requested were sent to the agency on Tuesday February 6, 2007. The construction should begin soon after contract approval.

The Greenway Master Plan was the other portion of this program that was approved in the 2006/2007 budget. The Master Plan was budgeted in the amount of \$86,700. Copies of the draft of the plan were submitted to the Council on Friday, February 9, 2007 for your review before the regular February meeting. At this meeting WK Dickson will make a presentation regarding the plan and I will also offer comments and answer questions.

The Greenway Master Plan as presented to you is a comprehensive 30 year plan for greenways in our community. The plan has received input from the citizens of Eden in a design charette held in August of 2006, and through a public meeting held in October 2006.

The Proposed Greenway Master Plan calls for Primary, Secondary and Spur Trails. The Primary Trails consist of 18.58 miles of trail at an estimated cost of \$11,784,094.41. If you take out the equestrian trail of 7.29 miles at a cost of \$2,277,105.66 then the primary trails would consist of 11.29 miles and a cost of \$9,506,988.75. The Secondary Trails cover 8.33 miles at an estimated cost of \$6,223,083.24 and the Spur Trails cover 16.38 miles at an estimated cost of \$12,505,647.62. All of the costs outlined here and in the plan are in 2007 dollars. As described in the plan, the primary trails are the major trails. The secondary and spur trails are important but would be lower in priority compared to the primary trails. I believe we need the various types in our master plan.

The Master Plan is a document that entails 43 miles of potential trails, design guidelines, history and cost estimates. The cost estimates are in 2007 dollars, as noted above. In Appendix D of the document the costs estimates are presented for the various portions of the trail. There is a statement in each of these estimates that indicates a 90% Preliminary Opinion of cost. I have asked for an explanation of this because my understanding was that we were getting numbers as close to construction cost as can be made at this juncture. My conversation with the consultant tells me that the costs are just that and the terminology should not have been in the report. The phrase is one engineers use and should have been in the report in a more commonly accepted manner. What should have been used is the term budgetary and planning level costs. The cost estimates are not the final cost estimates that will be done for each section after the design work is complete.

We know of no real way to be sure what the consumer price index will be over the life of the plan nor is there any way to know at this time which portions of the system will be built in which years.

Therefore, when a particular section is considered, the costs for budgeting and planning will be adjusted based upon changes since 2007.

The citizens that have participated in this effort indicate that they not only want trails that traverse our community and travel along the rivers, but that they have a strong desire for trails that loop. We have several downtown areas, many diverse neighborhoods, multiple school campuses and long expanses of property that adjoins two major rivers that should be included in the system.

As we have seen in the past, the ability to gain grant funding for our greenway program is often contingent upon the request being a part of a comprehensive plan. In order to be prudent with the funds provided for the Master Plan, we tried to make sure this was not an exercise that we would have to revisit anytime in the near future. Each time a grant opportunity is available our Greenway Master Plan will be a part of the application process. This is the reason for some of the components of the plan including the history of the community, water conservation, tree preservation and other design issues.

Conclusion

The total estimated cost to build the entire system is significant; however, it should be considered as a long range planning document that will be implemented as funds permit over the years. Each year during the budget planning process the Council will be given recommendations to consider. The actual design and construction of various portions of the plan will be undertaken only at the direction of the City Council. Grant funds will be pursued at all available opportunities. Current conditions and sources of available funding will have an impact on the portions of the trails that will be considered for construction.

The plan as presented to you is ambitious, comprehensive and encompasses all facets of our community life. It provides potential usage by pedestrians, bikers and equestrians.

Mrs. Stultz explained that they have a presentation for them on the Greenway Master Plan. This plan has been in the works a long time and it is a master plan that was designed as a thirty year plan. There were no financial obligations to the City Council or to any future City Councils made by this plan. It simply tries to focus on the various aspects of trails and pedestrian ways that they hope to see

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some day and have been planned with all the landmarks and kinds of trails that different citizens and staff have considered over the last few years.

Greenways became a topic in about 2003 and the support has continued to grow. She then turned the report over to W.K. Dickson and let them make the presentation.

Mayor Grogan recognized the fact that former Mayor Philip Price was a champion of the Greenway Projects for a number of years and he really needed to get a lot of credit for having the vision with the Planning Department in pushing this project forward.

Mr. Ed Czyncon, Director of Landscape Architecture, introduced Mr. Rodney Reese (Master Planning and Design) and Mr. Mark Fisher (Project Manager) all team representatives from the consulting firm W.K. Dickson. He explained that this team worked very much with the citizens and the staff over a 7 or 8 month period and as Mrs. Stultz said, this is a process that will take a vision for 30 years but it is taking place along an area where many cities did not have the natural resources as Eden and they have utilized that as a basis for the greenway.

He pointed out that they have a draft of the plan and as he stated, it was a draft and he pointed out that just behind him were all the plans, with some modifications already made in the draft report from the executive summary right on through the analysis to public involvement and getting into the greenway plans and then onto guidelines. They envision overall in the 43 miles different types of trails to asphalt, cinder or granite dust, to boardwalks, earthen trails maybe for equestrian and bridges. They will also have many different aspects adjacent to the trails so it would not only be a system from getting from point A to point B but an area where they could have either amphitheaters, playgrounds, picnic areas, observation decks and educational experiences.

Mr. Czyncon explained the definitions of the design components. He noted that the "Blueways" were really the travel through (connecting) the river. "Hubs" were areas where there would be large open spaces or essentially open spaces such as Freedom Park. "Reaches" were the length of the greenway such as the Smith River Greenway and "Trailheads", where you begin, so if you cannot walk to the greenway maybe you can at least drive to part of it and then walk part of it.

He explained that the benefit of the greenways was not only the overall recreation and transportation but also better health. He pointed out conservation, ecological aspects, buffers, and also saving the environment adjacent to it. For economic, many municipalities who have built greenways have found a very good economic benefit to the development of greenways through ecotourism and historical environmental and cultural education. The goals, while there were many goals, some of the most important goals were connection, connecting the four districts, ecotourism, providing river access, growth, not only for new business but also to attract prospective employers and businesses. He also stressed the importance of education to the public about the rivers and the local history, community pride and lastly coordinating the greenways and blueways together.

Mr. Czyncon explained that their process was a very participatory process with public involvement. They had a charrette in August to receive input in how to design and master plan the trails. They had public meetings in October and as recently as last night getting people involved in aspects of the greenway.

He also mentioned that the "hubs" were important open spaces such as for the central area, Freedom Park would be a major hub and also the YMCA would be a minor greenway hub which would also be in the first phase or the pilot greenway. In those areas they could put kiosks in central location areas or meeting areas.

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The other aspect in getting a lot of input from the citizens was the connections and destinations. Obviously Draper, Spray, Boone, central Leaksville and Leaksville commercial were very important but some of the other aspects were City Hall, Morehead Hospital, the local schools, the trestle dam and Eden Mall.

Other connections, all along the Smith River from Stadium Drive or Mebane Bridge, take advantage of that to cross the river, the main street, Governor Morehead Park, the traffic circle and along the merging of the confluence there.

He pointed out the river access as they have two beautiful rivers and to not only get the access to view but to go down there and maybe if they could, have certain areas to allow for boat access specifically canoes. They also have from Bear Slide onto Fieldcrest Road at the Dan River, Hamilton Street Bridge and so on.

In closing Mr. Czynscon explained the future connections. They could also look long term in connecting outside the city such as the boat ramp at Bethlehem Church Road or the Mayo State Park. He explained that there was a different trail hierarchy in the overall greenway master plan, such as the primary greenway trails would be the Smith River Greenway, the Dan River Greenway and the Matrimony Creek Greenway all along the waterways and secondary greenway trails would be multi-use trails, again mainly for pedestrians, such as along utility easements, rights of ways, abandoned railway lines, also the equestrian trails would be a secondary trail and spur trails which would be loop trails connecting to the commercial district or different schools. It was very important to the public that they wanted loop trails because they wanted the opportunity to go around in a complete circle. He then turned the presentation over to Mr. Reese.

Mr. Reese continued the presentation by explaining the Greenway Master Plan that shows all the different trails and how they connect the Spray area to the Leaksville downtown area over to the Draper area creating one united City of Eden.

Smith River Greenway:

He explained that the first primary trail they would talk about was the Smith River Greenway. This runs from Aiken Road to Island Ford and was a 1.41 mile stretch of the total 3.16 miles of the Smith River Greenway. He stressed that the primary most important part of that was to protect the rivers and that was why they were proposing these to be phased accordingly.

He noted that the Smith River Greenway continues from Island Ford to Kings Highway and the YMCA. This was the pilot phase that was in the design phase right now. He stressed again that they wanted to protect and preserve the rivers, create the connection from the traffic circle to the trail network and to the historic districts. The greenway continues from Kings Highway to the Converging Rivers passing the environmentally sensitive area in Bear Slide. They have an alternate route that goes along to the eastern side of Lynrock Golf Club because there were environmentally sensitive issues where there were steep slopes and things of that nature and the collection of wildlife and plant life that was there and they felt that they may need some alternate around that to protect those areas.

Dan River Greenway:

Mr. Reese continued to the 2.1 mile stretch that goes from Klyce Street to Converging Rivers. He explained that this would be a multi-use trail and would provide the connection from Matrimony Creek Greenway to the Lower Saura Town Equestrian Trail and also to Leaksville Spray Elementary School. There could be outdoor classrooms and educational signage, which would be an ideal connection to the school spurs. He added that this would be the main scenic greenway trail.

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He continued with Converging Rivers to Fieldcrest Road and this 5.15 mile stretch was also multi-use and would provide the connections to the Lower Sauer Town Equestrian Trail, the Central Spur, and the Arthur J. Draper spur as well.

Matrimony Creek Greenway:

Mr. Reese noted that the Matrimony Creek Greenway was a 1.8 mile total multi-use trail being proposed and there would be historical and environmental signage along that reach of trail. It will provide connections to Douglass Elementary, the Dan River Greenway, the Lower Saura Town Equestrian Trail, and also would have outdoor classrooms and things like that.

Funding Opportunities:

Mr. Reese explained that there were many funding opportunities for greenways and trail development. Some of these were bond referendums, funding through Local Capital Improvement Plans, Greenway Trust Funds, local private sector funding, adopt-a-trail programs and the North Carolina Clean Water Management program.

Some federal government funding sources would be the Transportation Equity Act for the 21st Century (TEA-21), the Land and Water Conservation Fund Grants, or the National Recreational Trail program.

They could also get help from private foundations and corporations such as American Greenways Eastman Kodak Awards, Miller Brewing Company has REACH Grants, or World Wildlife Fund Innovative Grants Program. Mr. Reese then turned the presentation back over to Mr. Czyncon.

Mr. Czyncon explained that this was a very visionary project and it should take some time (about thirty years) and also because it was a master plan it was flexible. Therefore, say if you have a benefactor who wanted to give you money for a certain segment you may put that segment ahead of another. He added that their goal was really to look at the primary trails as the main focus because those being along the river were probably the most important and as they had said the future goal and the future population needs for recreation, transportation and unification.

He also mentioned again, transportation, if they were going to go for any kind of funding, specifically, TEA funding, transportation was a key, getting the people out of cars and onto either bikes going to point A or either walking.

He explained that a unique and complete trail network to the region was another aspect of this area and it would be one of the few that could be compared to as one of the best greenways in North Carolina, which would make an ecotourism area for people to come in.

The other aspect, public preferences, the public would generally not only like to have greenways going from A to B but also loops and connections. The main thing that they looked at also with the community was that the greenways would bring the communities together. What makes Eden a perfect candidate for these greenways was that it was a city with two rivers and if you look at preserving and using those rivers as an educational tool and tourism tool it could be beneficial for all. This greenway could affect the city with a brighter future and they vision it will be really best for all the community, not only for economic growth, but conservation of its natural resources and create unity. Mr. Czyncon then opened the floor for any questions.

Mayor Grogan stated that everyone has had this for a week to ten days and asked if there were any questions.

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Council Member Turner asked if they had prepared a similar plan for say maybe 5 to 10 years ago for a city similar to Eden that might let them know how they were coming along with their plan.

Mr. Czyscon replied that about 5 years ago they did about ten miles of Brevard County in Florida’s plan. Also, in Tampa he worked on a master plan of about 20 miles and they have done that a segment at a time. He explained that what they have done, they have used that as a guide to get every little segment from Florida DOT through TEA. One thing and Mrs. Stultz could probably tell them, in applying for grants they like to see an overall master plan that was showing that it was not only segmental but was showing a part of the whole master plan.

As there were no other questions Mayor Grogan thanked them for their presentation and mentioned that they would also be discussing it at the upcoming Council Retreat and hopefully there would be some type of bid available.

Mrs. Stultz replied that they would open bids on March 1.

CONSENT AGENDA:

(a) Approval and adoption of minutes: December 19, 2006.

(b) Approval and adoption of Budget Amendments 8, 9, and 10.

The city has received a Recreational Trails Program Grant for the Dan River Access Facility from the N.C. Department of Environmental and Natural Resources in the amount of \$37,251.88. This budget amendment increases grant revenue and increases the Land/ROW/Acquisitions expenditure line item in the Greenways fund.

	Account #	From	To	Amount
Greenways Fund Revenue				
Greenways – Grant	21-3984-00000	\$ -	\$ 37,250.00	\$ 37,250.00
Greenways Fund Expenditures				
Land/ROW/Acquisitions	21-4910-29910	\$ 25,000.00	\$ 62,250.00	\$ 37,250.00

Recreational Trails Grant received from NC Department of Environmental & Natural Resources.

Adopted and effective this 20th day of February, 2007.

Attest:

s/Kim J. Scott
City Clerk

s/John E. Grogan, Mayor

During the 06-07 budget process, the ending fund balance for the Abatement Fund was estimated at \$74,000. Therefore, this amount was appropriated in the 06-07 budget. However, the Hickory Square project proceeded more quickly than expected and all but \$18,700 of this fund was spent in fiscal year 2005-06. The fund balance available for the Abatement fund at 6/30/06 was \$18,700. You cannot appropriate more fund balance than is available. Therefore, a budget amendment is needed to correct the fund balance appropriated in the 06-07 budget to agree with the fund balance available.

	Account #	From	To	Amount
Abatement Fund Revenue				
Fund Balance	27-3991-99100	\$ 74,000.00	\$ 18,700.00	\$ (55,300.00)

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Appropriated

Abatement Fund Expenditures

Hickory Square	27-4910-77002	\$ 74,000.00	\$ 18,700.00	\$ (55,300.00)
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To agree fund balance appropriated to fund balance available.

Adopted and effective this 20th day of February, 2007.

Attest:

s/Kim J. Scott
City Clerk

s/John E. Grogan, Mayor

At the January council meeting, Council approved the financing of a 2007 John Deere Tractor for the Collection & Distribution 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 "W/S Maint Capital Outlay – Vehicles" for the loan amount of \$88,630.00.

		Account #	From	To	Amount
Water & Sewer Fund Revenue					
W/S Proceeds	Loan	30-3850-86000	\$ -	\$ 88,630.00	\$ 88,630.00
Water & Sewer Fund Expenditures					
W/S Maint Vehicles	C/O	30-7125-55000	\$ 12,000.00	\$100,630.00	\$ 88,630.00

Funds to finance 2007 John Deere Tractor for the C&D Department.

Adopted and effective this 20th day of February, 2007.

Attest:

s/Kim J. Scott
City Clerk

s/John E. Grogan, Mayor

(c) Approval and adoption to hold a public hearing and to consider an ordinance for a zoning text amendment to amend Section 11.24(a), Section 11.24 (c-2) and Section 11.29 of the Eden Zoning Ordinance pertaining to Manufactured Homes. ZONING CASE Z-07-0.

The City has received a zoning text amendment request initiated by the Planning Board to amend the Zoning Ordinance to:

- (1) Amend Section 11.24 (a) R-S Residential Suburban District, Conditional Uses, Manufactured Homes;
- (2) Amend Section 11.24 (c-2) Conditional Uses, Manufactured Homes;
- and (3) Add text to Section 11.29 Definitions, Manufactured Home.

The Planning Board will consider this request at their February 27, 2007 meeting. Please call a public hearing and request an ordinance be prepared for your March 20, 2007, meeting.

(d) Approval and adoption to hold a public hearing and to consider an ordinance for a zoning map amendment to rezone property at 306 Johnsie-Billie Harris Street from R-20 to Business-Neighborhood. ZONING CASE Z-07-03.

Minutes of the regular February 20, 2007, meeting of the City Council, City of Eden:

The City has received a request from Shelby J. Perkins to amend the zoning map. The request is to rezone property located at 306 Johnsie Billie Harris Street from Residential-20 to Business-Neighborhood.

The Planning Board will consider this request at their February 27, 2007 meeting. Please call a public hearing and request an ordinance be prepared for your March 20, 2007, meeting.

(e) Approval and adoption of an appointment of the Eden Public Representative to Rockingham County Partnership for Economic & Tourism Development.

Approval & Adoption of an Appointment of the Eden Public Representative to Rockingham County Partnership for Economic & Tourism Development

As each of you are aware, the Rockingham County Partnership for Economic & Tourism Development recently adopted a new and revised set of by-laws. As a result, our public representative needs to be appointed to this new Board of Directors.

Currently, Mayor John Grogan is serving as Eden's public representative. It is requested that Mayor John Grogan be formally appointed as Eden's public representative to the Rockingham County Partnership for Economic & Tourism Development.

In addition, it is also requested that Ms. Pam Cundiff, Mr. Bob Enders and Mr. Jonathan Jobe (all current Board members representing the private sector from the Eden area) be recommended for appointment by the Partnership Board as the private sector representatives for the Eden area.

(f) Approval and adoption of Eden Tourism Board Member.

Pragnesh Desai purchased the Innkeeper Motor Lodge in December of 2006. He is very interested in becoming involved in the community, particularly with the Eden Tourism Board.

I am asking City Council to consider Mr. Desai for a seat on this Board. He would replace Louann Clark, manager of the Jameson Inn who is not able to attend the Board meetings.

(g) Approval and adoption of Facade Design.

When Eden was selected as a Main Street community in 2003, one of the benefits of being on this program was design assistance that was offered by the North Carolina Main Street Center design consultants. That benefit is no longer offered after the first three years of the program are completed. Eden crossed the three year milestone in 2006.

Design is critical to building renovations that maintain the spirit of Main Street, which is economic development within the context of historic preservation. The goal is to bring the building back as close as possible to its original appearance. Unfortunately, there are times when some designs detract from the Main Street concept, something that does not benefit the program.

The Eden Main Street Advisory Board has recommended that a portion of the already allocated facade grant funding be used to assist with design work for those applicants who seek such guidance. No additional funds will be required; this is just a reallocation of existing funds.

Of the \$10,000 in funding allocated to the program in the 2006/2007 fiscal year, it is requested that City Council earmark up to \$2,275 to be used for facade design in increments of \$325 per applicant. Therefore, an applicant would be able to qualify for \$325 for design services and up to \$500 for facade improvements. The budget would be revised to offer the following:

Facade Design Façade	7 applicants @	\$325	\$2,275
Grant Total Expenditures	15 applicants @	\$500	\$7,500
			\$9,775

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Attached is the proposal by Downtown Graphics Network, Inc. that specializes in Main Street Designs.

(h) Approval and adoption of a Resolution to proceed with financing for the Water Pressure Improvements Project, Bio Solids Treatment Improvements Project, Waterline Upgrade Improvements Project, and Sewer Rehabilitation Improvements Project and request proposals from Banks.

RESOLUTION TO PROCEED WITH PRIVATE PLACEMENT FINANCING FOR THE WATER PRESSURE IMPROVEMENTS PROJECT, THE BIO-SOLIDS TREATMENT IMPROVEMENTS PROJECT, THE WATERLINE UPGRADE IMPROVEMENTS PROJECT, AND THE SEWER REHABILITATION IMPROVEMENTS PROJECT.

Minutes of the regular February 20, 2007, meeting of the City Council, City of Eden:

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WHEREAS, the Eden City Council (the "Council") has determined that it is in the best interests of the City to finance the construction, renovation, and improvements of certain projects within the City known as the (1) Water Pressure Improvements Project, (2) the Bio-Solids Treatment Improvements Project, (3) the Waterline Upgrade Improvements Project, and (4) the Sewer Rehabilitation Improvements Project (the "Projects") with proceeds of tax-exempt obligations; and

WHEREAS, the Council has approved a new loan in its FY 2006-07 budget of up to \$7,500,000.00 within the Water & Sewer Fund for the Projects and now wishes to appoint an authorized representative and direct staff to proceed with the acquisition of financing proposals from interested banks.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Eden City Council that the Director of Finance for the City is hereby authorized and designated to act on behalf of the City for the execution of any and all documents necessary to effectuate the financing of the Projects with proceeds of tax-exempt obligations to be approved by the Council after public hearing, and the staff of the financing department is directed to proceed with the acquisition of financing proposals from at least three (3) interested banks.

Adopted and approved this 20th day of February, 2007.

John E. Grogan, Mayor

Attest:

Kim J. Scott, CMC City Clerk

(i) Approval and adoption of a motion to hold a public hearing at the March 20, 2007 regular meeting of the City Council to receive comments regarding the financing of the Water Pressure Improvements Project, Bio Solids Treatment Improvements Project, Waterline Upgrade Improvements Project, and Sewer Rehabilitation Improvements Project.

The City needs to proceed with private placement financing for the Water Pressure Improvements Project, the Bio-Solids Treatment Improvements Project, the Waterline Upgrade Improvements Project, and the Sewer Rehabilitation Improvements Project. Please call a public hearing for your March 20, 2007 meeting.

(j) Approval and adoption of a motion Repealing Established Park Planning Committee.

The Park Planning Committee was established by Resolution in August 1998, to aid in the initialization, development and completion of the Eden Municipal Park.

Over the past 8 years this Committee has provided valuable input and direction to the Mayor, City Council and City Staff in developing Freedom Park into the State of the Art Facility it is today.

As indicated in the attached letter from Carol Kasten, Vice Chair of the Park Planning Committee, the Committee feels that it has worked steadily to fulfill its original goal.

The Committee has had several discussions during the past few months concerning the purpose of this group, since its mission has been accomplished. At the January 16, 2007, Park Planning Committee meeting, it was voted on to ask the City Council to repeal the resolution that created this Committee. Most of the members in this group will continue to work with "Friends of Freedom Park.

Staff is requesting the Resolution that created the Park Planning Committee in August 1998 be dissolved, and allow Staff to bring back to you a Resolution creating a Parks and Recreation Advisory Board, that will provide input and direction for the Parks and Recreation Department.

(k) Approval and adoption of a Resolution of support for application for a North Carolina Recreational Trails grant.

The North Carolina Department of Environmental and Natural Resources has issued a call for applications for Recreational Trails Grant funding. The Planning Department would like to submit an application to help fund a river access facility on the Smith River at the greenway trailhead. This is the same type of grant that was used to fund the construction of the Hamilton Street River Access.

Minutes of the regular February 20, 2007, meeting of the City Council, City of Eden:

RESOLUTION SUPPORTING AN APPLICATION FOR FUNDING FROM THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES FOR A RECREATIONAL TRAILS GRANT

WHEREAS, the City of Eden has identified the need to promote the Smith and Dan Rivers as important elements of the economic health and quality of life of our community; and

WHEREAS, the City of Eden desires to provide citizens better access to the rivers; and

WHEREAS, the City of Eden is in the process of developing a Greenway Master Plan which will help protect the rivers as vital natural resources while providing educational, health-related, transportation and recreational opportunities for citizens and visitors to the community; and

WHEREAS, the North Carolina Department of Environmental and Natural Resources has established a grant which provides funding to projects that promote trails and trail related recreational needs; and

WHEREAS, river access facilities 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 Environmental and Natural Resources to construct a river access facility on the Smith River Greenway for the City of Eden.

Adopted this 20th day of February, 2007.

John E. Grogan,
Mayor, City of Eden

Attest,
Kim J. Scott, City Clerk

***(1) Approval and adoption of a Resolution of support for application for a Clean Water Management Trust Fund grant.**

The State North Carolina has issued a call for applications for the Clean Water Management Trust Fund Grant. The Planning Department would like to submit an application to help fund a portion of the Smith River Greenway project

RESOLUTION SUPPORTING AN APPLICATION FOR A CLEAN WATER MANAGEMENT TRUST FUND GRANT

WHEREAS, the City of Eden recognizes that the Smith and Dan Rivers are vital to the economic vitality of the community; and

WHEREAS, the City of Eden desires to preserve and protect the rivers; and

WHEREAS, the City of Eden is in the process of developing a Greenway Master Plan which will help protect the rivers as vital natural resources, while providing educational and recreational opportunities for its citizens; and

WHEREAS, the State of North Carolina has established a grant which provides funding to projects that contribute toward a network of riparian buffers and greenways for environmental, educational and recreational benefits; and

WHEREAS, greenway projects are a qualifying activity 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 Clean Water Management Trust Fund to help fund construction of the Smith River Greenway for the City of Eden.

Adopted this 20th day of February, 2007.

John E. Grogan,
Mayor, City of Eden

Attest,
Kim J. Scott, City Clerk

This item was pulled.

Minutes of the regular February 20, 2007, meeting of the City Council, City of Eden:

(m) Approval of a request for local legislation dealing with local code enforcement.

While doing research for another project, it was discovered that we may have a need to request special legislation to clarify our ability to enforce some of our local code regulations outside the city limits. Several years ago the City Council made the decision to protect our entire planning jurisdiction with these type codes. Many other cities in North Carolina extend enforcement in these areas outside the city limits.

We would recommend that our State Legislators be contacted and asked to submit a local bill on our behalf to clear up any uncertainties. Mr. Medlin has been consulted and agrees with this recommendation.

(n) Approval and adoption of Revision of Contract Regarding the Conduct of Municipal Elections.

(o) Approval and adoption of a request for approval of temporary sign located in right-of-way of Van Buren Road and Arbor Lane.

First Presbyterian Church has requested permission to erect a temporary sign in the right of-way of Van Buren Road and Arbor Lane. This sign will advertise a musical concert by Shelah to be held at First Presbyterian Church at 582 Southwood Drive on Saturday, March 17, 2007. This will be a fellowship event open to the community and is supported by First Presbyterian Church.

The banner will be hung on February 21 and taken down no later than March 19. The banner is 8 feet long and 3 feet wide. The sign ordinance allows temporary signs in the street right-of-ways upon approval by the City Council.

The Planning and Inspections Department recommends approval of the request.

A motion was made by Council Member Tuggle seconded by Council Member Gover to approve Consent Agenda Items a,b,c,d,e,f,g,h,i,j,k,m,n, and o. All Council Members voted in favor of this motion. This motion carried.

VOUCHERS:

No discussion.

ADJOURNMENT:

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

Respectfully submitted,

Kim J. Scott
City Clerk

ATTEST:

John E. Grogan
Mayor