

## CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, March 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
	(Absent) 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. Bobby Roberts, Pastor, Monument of Faith, was present to give the invocation followed by the Pledge of Allegiance

ADDITIONS OR DELETIONS TO AGENDA:

*(Mayor Grogan moved the Request and Petitions of Citizens up on the agenda due to the number of students present).*

No other changes were made.

REQUESTS AND PETITIONS OF CITIZENS:

Ms. Keven Langston's 1st Grade Class, Central Elementary, to address Council regarding litter.

Mrs. Langston thanked members of Council for allowing her and the students to address them this evening. She explained that not long ago their class read a book about a man in a town who turned into a wizard and he was very concerned about his town and how people had begun to litter. Through his magic, he was allowed to make the litter thrown on the ground stick to those people (*who threw it*). After reading the story the first graders began to think of ways to make our city more beautiful. More importantly they discussed the littering problem not only on their school grounds but around the city as well. One student, Bennett (Bruce) Nooe, raised his hand and said his dad could do something about this because his dad was on the City Council which was why they were at the meeting tonight. She added they were not there to complain, but to offer suggestions through the eyes of 6 and 7 year olds who will be the leaders of Eden tomorrow. She told the Council that they care about what happens in their city and they hope the Council will listen to some of the possible suggestions.

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

706

Following are the names of the students along with their suggestion: (1) Bennett Bruce Nooe – recycling bins outside of every school, (2) Isabella Murray – more (*people*) to adopt-a-street and pick up as much trash as they can, (3) Parker Langston – do more to encourage people to recycle, (4) (*name of student was not clear*) – recycling bins all over Eden, (5) Andrew Dalton – pay the city a lot of money if caught littering, (6) Lindsay Cox – littering has gone too far, people need to keep trash bags in their car so they do not litter beside the road, (7) Jacob Toms – put up more no littering signs around Eden so people will remember not to litter, (8) Jacob Thompson – need more clean up days, (9) Logan Vincent – city needs to do more to help schools recycle.

Mayor Grogan thanked the students for their attendance and suggestions and asked Council Member Nooe to come forward to assist him in reading portions of the Litter Sweep Proclamation below:

PROCLAMATION:

**"LITTER SWEEP"**

WHEREAS, the North Carolina Department of Transportation organizes an annual Spring statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

WHEREAS, the Spring 2007 "LITTER SWEEP" roadside cleanup will take place April 14-28, 2007, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools and environmentally concerned citizens conduct annual local cleanups during "LITTER SWEEP" and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our State and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2007 Spring cleanup will celebrate the 19th Anniversary of North Carolina Adopt-A-Highway program and its 6,000 volunteer groups that donate their labor and time year round to keep our roadsides clean.

WHEREAS, the "LITTER SWEEP" cleanup will be a part of educating the children of this Great State regarding the importance of a clean environment to the quality of life in North Carolina;

NOW, THEREFORE, I, JOHN E GROGAN, Mayor of the City of Eden, North Carolina, do hereby proclaim April 14-28, 2007, as

**"LITTER SWEEP"**

in the City of Eden, and encourage all citizens to take an active role in making their communities cleaner and more beautiful.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eden, North Carolina, this the 20th day of March, 2007.

John E. Grogan, Mayor

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

707

ATTEST:

Kim J. Scott, City Clerk

PUBLIC HEARINGS:

(a) Consideration of a zoning map amendment and an ordinance to rezone property at 306 Johnsie Billie Harris Street from Residential-20 to Business-Neighborhood. Request submitted by Shelby J. Perkins. ZONING CASE Z-07-03.

At a regular meeting in February, the Council scheduled this public hearing to hear comments regarding a zoning map amendment request filed by Shelby J. Perkins. The request is to rezone property at 306 Johnsie & Billie Harris Street from Residential-20 to Business-Neighborhood.

The Planning and Inspections Department recommends approval of the map amendment request. At their February 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 this is a request to rezone a piece of property located on Meadow Road and adjacent to a business area. It is approximately .6257 acres currently zoned R-20. The Business-Neighborhood that the person is requesting is a district established where the principal use of land is for commercial and service uses to serve the surrounding residential districts.

This is an opportunity they have had over their land development planning process to realize that we do not always need to segregate businesses from residential areas. One of the things that promote communities and cuts down on traffic, there are times when they can provide services closer to where people live, and opportunities that they may be able to walk there.

This particular piece of property is on Meadow Road, just one of the busiest highways, and based upon the fact that the property is located on a busy thoroughfare, and considering the mixed business and residential uses in the vicinity, staff is of the opinion that the limited uses permitted in the Business-Neighborhood district would not be detrimental to the surrounding area, and, therefore, staff recommended in favor of the request. The Planning Board also unanimously voted in favor to support the request.

Council Member Tuggle asked if anyone in the neighborhood had called opposing this as a lot of times people in neighborhoods do worry about if a business goes in, the lights keeping them up at night, trash, and those types of things. He said they did not know what was going in there, but they can assume there is a good chance some type of business would go there and there is always a concern about those things.

Mrs. Stultz replied absolutely and one of the things that would have to happen before a business can be operated there was that they would have to provide the appropriate buffers and screens between that lot and the next one. One of the good things that it would do is to provide some buffer and screen from the businesses that are already there to the rest of that neighborhood.

Council Member Tuggle asked if everyone there had received letters and they have an idea that this is going to change (Mrs. Stultz replied absolutely) and she had heard nothing from anyone to which Mrs. Stultz replied no sir.

Council Member Gover asked if that would be an "L" shape buffer

Mrs. Stultz stated if they were standing on Meadow Road, the east lot line adjoins the residence and the rear lot line adjoins the residence so there will be a buffer on

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

both of those lines to which Council Member Gover asked if it would be an “L” shape buffer and Mrs. Stultz replied, yes.

Mayor Grogan asked if anyone would like to speak in favor or in opposition to this request. None appearing, the public hearing was declared closed.

Council Member Gover stated he was a little concerned about the buffer because coming out on Meadow Road at that street, will that buffer block... to which Mrs. Stultz replied they would not let it create a site obstruction. The requirements are, you have that 12, 10, 10 triangle that would have to be created so it wouldn't make it difficult to see past it.

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

(b) Consideration of offers submitted by banks in response to the City's request for proposals for an installment financing agreement pursuant to N.C.G.S. Section 106A-20 in the principal amount of \$7,500,000 for the purpose of financing the cost of the Water Pressure Improvements, Bio-Solids Treatment Improvements, Waterline Upgrade Improvements, and Sewer Rehabilitation Improvements.

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.

On March 5, 2007 a Request for Proposal was sent to several banks. The installment purchase financing was preferable due to the reasonable upfront cost, the shorter time frame to complete, and the prepayment option with no penalty. Branch Banking & Trust Company has met all contract specifications.

Given all the different criteria, it is my recommendation that the City of Eden accept the Branch Banking and Trust Company's proposal dated March 9, 2007. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the payments are amortized over 15 years at an interest rate not to exceed 3.87%, yielding semi-annual payments of \$331,888.88. It is anticipated that the payments will be paid through water and sewer revenues.

**BB&T: \$331,888.88**

Home Trust: \$341,355.13

Sun Trust: No Amtz Sch. Submitted

Wachovia: \$334,184.13

Bank of America: \$329,374.27

Resolution Approving Financing Terms

Whereas: the City of Eden (“City”) has previously determined to undertake a project for water and sewer projects (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated March 9, 2007. The amount financed shall not exceed \$7,500,000.00 the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.87%, and the financing term shall not exceed fifteen (15) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or

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

709

4. employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
5. The City shall not take or omit to take any action the taking of omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
6. All prior actions of the City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effective immediately.

Approved this the 20<sup>th</sup> day of March, 2007.

John E. Grogan  
Mayor

Kim J. Scott, CMC  
City Clerk

Mrs. McMichael stated she wanted to bring to the Council's attention in the current 2006-2007 budget; the Council approved a new loan in the amount of \$7,500,000. within the water and sewer fund for a variety of capital outlay initiatives and they need to proceed with those finances which is why they are holding the public hearing tonight.

In front of the Council were the proposals, which she did a comparison and they can see that her recommendation was that they select BB&T for the financing bank.

Mayor Grogan called the public hearing and asked if there was anyone who wished to speak in favor or in opposition to the proposal. None appearing, the public hearing was declared closed.

Council Member Tuggle stated when he looked at BB&T and Bank of America, Bank of America has a lower interest rate, but he noticed a big difference in attorneys' fees. He asked if that was the basic difference in the two of those.

Mrs. McMichael explained that the situation they had with Bank of America was that they had actually given a proposal with a rate that was only valid for two business days. Therefore, their proposal expired after those two business days.

A motion was made by Council Member Epps for approval.

Mr. Medlin, City Attorney, explained that Mrs. McMichael met with another attorney with Womble Carlyle and also with a financing representative from Bank of America prior to receiving any of these and they discussed long term financing needs of the city. Not only this current year, but they were looking at what types of financing do they want to get into, whether they were going to do installment financing which is what is before them tonight, but also bond revenue financing in the future or whether they do a general obligation bond at some point down the road as well. If they have future capital outlay needs that will have to be financed that they cannot handle in the current year budget through their own finances, then they probably would not be coming back and recommending installment loan financing in the future. If it is going to be water and sewer revenue generated like this one is, they will probably be recommending bond specific revenue bonds, but because of the time frame in this scenario, because they do not have any specific liens on the properties or assets that they are going to be putting in at this time, this installment financing where the bank will take liens on the equipment and

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

710

stuff they are putting in was fine and it will work, but they will probably be looking at paying this loan off some point in the future and rolling it into either a revenue bond or a general obligation bond in less than 7 years. So one of the things they were definitely looking at was they wanted to make sure there was no prepayment penalty to give you that flexibility and this offer was the best one that recommended that.

Mayor Grogan noted that it was extremely important not to have a prepayment penalty because he thought down the road, they would pay it off, and possibly be able to pay it off quicker.

Mayor Grogan noted that also in the Consent Agenda, there is a resolution prepared to allow them to go forward with this financing so if this is passed, then they would also be approving that.

Mr. Medlin stated that if the Council awards this to BB&T, then there is a proposed resolution authorizing the loan through BB&T (under Consent Agenda Item: No. 9-c) and he thought the Council could do that at this time as well. (See below)

(c) Approval and adoption of a resolution authorizing the filing of an application for approval of a financing agreement authorized by NCGS 160A-20.

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.

The Local Government Commission requires the Governing Body to approve and adopt a Findings Resolution relating to the proposed contract. The resolution authorizes the Finance Officer to act on behalf of the City of Eden in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

#### RESOLUTION

#### RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the City of Eden desires to enter into a fifteen year installment financing agreement in the principal amount not to exceed \$7,500,000 for the purpose of financing the cost of Water Pressure Improvements, Bio-Solids Treatment Improvements, Waterline Upgrade Improvements, and Sewer Rehabilitation Improvements (the "Project") to better serve the citizens of Eden; and

WHEREAS, the City of Eden desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the City Council Members of Eden, North Carolina, meeting in regular session on the 20<sup>th</sup> day of March, 2007, make the following findings of fact:

1. The proposed contract is necessary or expedient because it allows the City to (i) comply with the special order of consent with the North Carolina Department of Environment and Natural Resources requiring timely improvements to the City's sewer system to reduce and eliminate sewer overflows and spillage, (ii) improve water pressure along several water lines within the City limits for residential users, and (iii) improve the treatment and disposal of bio-solids at the waste water treatment plant. Each of the improvements financed by the proposed contract serves a public purpose for the citizens of the City of Eden.
2. The proposed contract is preferable to a bond issue for the same purpose because (i) the up-front costs are lower than a bond issue, (ii) the time frame to complete the financing is shorter than a bond issue, and (iii) it allows for prepayment of the debt if future financing through revenue or general obligation bonds is needed. The \$7,500,000 exceeds the amount that can be prudently raised from current appropriations, unappropriated fund

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

3. balance, and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution (the “two-thirds limitation” would be \$843,333).
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the payments are amortized over 15 years at an interest rate not to exceed 3.87%, yielding semi-annual payments of \$331,888.88. Additionally, there is no prepayment premium should the contract be refinanced in the near future. It is anticipated that the payments will be paid through water and sewer revenues.
5. The City of Eden’s debt management procedures and policies are good because of good financial practices. The City of Eden’s outstanding debt as of June 30, 2006 was \$4,056,700. The legal debt margin for the City of Eden as of June 30, 2006 was \$64,556,778. The City of Eden’s debt management policies have been carried out in strict compliance with the law, and will hence forth be so carried out.
6. The proposed agreement should not create an increase in taxes to meet the sums to fall due.
7. The City of Eden is not in default in any of its debt service obligations.
8. The attorney for the City of Eden has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Finance Officer is hereby authorized to act on behalf of the City of Eden in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 20<sup>th</sup> day of March 2007.

The motion to adopt this resolution was made by Council Member Epps, Seconded by Council Member Turner, and passed by a vote of 6 to 0.

John E. Grogan, Mayor

ATTEST:  
Kim J. Scott, City Clerk

This is to certify that this is a true and accurate copy of the resolution adopted by the City of Eden Council Members of the 20<sup>th</sup> day of March, 2007.

ATTEST: 3-20-07  
Kim J. Scott, City Clerk Date

A motion was made by Council Member Epps seconded by Council Member Turner for approval (BB&T - The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the payments are amortized over 15 years at an interest rate not to exceed 3.87%, yielding semi-annual payments of \$331,888.88. It is anticipated that the payments will be paid through water and sewer revenues) and the (RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20). All Council Members voted in favor of this motion. The motion carried.

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.

UNFINISHED BUSINESS:

- (a) Consideration of Planning Organization Appointment and/or Reappointment.

None – will appear on the April agenda.

NEW BUSINESS:

(a) Approval and adoption of an annexation request for Summit Circle, and approval to adopt a Resolution Directing the Clerk to Investigate a Petition received under GS 160A-31.

The city has received a voluntary annexation request for property on Summit Circle. A motion to adopt a Resolution directing the Clerk to investigate a petition received under GS 160A-31 is in order.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160-A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on March 8, 2007 by the City Council; and

WHEREAS, GS 160A-58.1 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Eden deems it advisable to proceed in response to this request for annexation;

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

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

This the 20<sup>th</sup> day of March, 2007

John E. Grogan, Mayor

ATTEST:

Kim J. Scott, City Clerk

Mrs. Kelly Stultz, Planning Director, explained that this particular request is from a property owner who submitted a request for another piece of property he owns right there last year. He wants to develop the property and he would like to have sewer service to it. Mrs. Stultz stated that they recommend that the Council move forward at this point.

Mayor Grogan asked if he was going to pay for it to which she replied, yes.

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

CONSENT AGENDA:

(a) Approval and adoption of minutes: February 20, 2007.

(b) Approval and adoption of automated leaf truck purchase proposal.

This proposal began as a request for three additional Solid Waste Division employees to improve delivery of yard waste collection services. After studying the operation, I believe service delivery and overall operational efficiency can be improved without additional personnel as outlined below:

The recommendation was that \$30,000 earmarked in the current budget for replacement of a rear loading garbage truck be used instead as the first payment on the lease purchase of an automated leaf collection truck that sells for \$150,000.

The purchase of the automated leaf truck will allow three of the employees currently dedicated to this operation to work in other areas of the Solid Waste Division that are currently understaffed. These areas include: Compost Processing, Mulch Operation, Code Enforcement, Complaints and Requests, Recycling Processing and Transport, PAYT Monitoring, Bulk Collection Site Processing.



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

The purchase of the automated leaf collection truck will improve efficiency by increasing productivity and reducing costs as outlined in the calculation sheet. The cost savings in the Solid Waste division alone are anticipated to be on the order of \$5,700 per year plus the gains in the reassignment of personnel to other operations. The automated truck will become the front line vehicle for leaf collection by both the Solid Waste and Streets Division throughout the year. Additional cost savings and increase productivity are anticipated within the Street Division by the inclusion of the automated leaf truck into its operation.

(c) Approval and adoption of a resolution authorizing the filing of an application for approval of a financing agreement authorized by NCGS 160A-20. *(Approved earlier in meeting)*

(d) Approval and adoption of 2007-2008 Street Resurfacing Contract, and request to award bid.

Adams Construction: \$487,627.30  
W-L Construction: \$516,426.65  
Roy N. Ford Company: \$627,503.98

The Council was given a copy of the certified Bid Tabulation Schedule for the FY 2007-2008 Street Resurfacing Contract. The bids were received on February 27, 2007 at 2:00 p.m. A total of three (3) responsive bids were received on the project. The low bidder was Adams Construction Company (formerly Thompson’s Inc., of Danville) in the amount of \$487,627.30.

The bids were slightly lower this year as a result of the decision by Engineering staff to go with the adjustable asphalt rate due to the unpredictable gas prices. Please keep in mind that additional funding will need to be allocated in the FY 2007-08 budget for the Powell Bill, Contracted Services line item to cover any increase that may occur in the adjustable rate due to the higher gas prices over the summer months.

The Engineering Department is requesting Council’s approval to award the FY 2007-08 Street Resurfacing Contract to Adams Construction Company based on their bid of \$487,627.30.

(e) Approval and adoption of Budget Amendment No. 11.

This budget amendment is to replace money that was spent out of the Police Department’s travel budget line item. The United States Treasury reimbursed the city for expenses incurred for airfare to facilitate a federal investigation.

	Account #	From	To	Amount
<b>General Fund Revenue</b>				
Police Revenue	10-3431-41700	\$ 2,576.00	\$ 3,281.00	\$ 705.00
<b>General Fund Expenditures</b>				
Police Travel	10-4310-31200	\$ 8,205.00	\$ 8,910.00	\$ 705.00

Reimbursement of travel money spent by the Police Department to facilitate a federal investigation.

Adopted and effective this 20<sup>th</sup> day of March, 2007

Attest:

s/Kim J. Scott  
City Clerk

s/John E. Grogan, Mayor

(f) Approval and adoption of a study to review placement of stop signs at Kennedy, Madison, Adams.

On February 2<sup>nd</sup>, 2007, a traffic study request was received in reference to review of the placement of stop signs at Kennedy Street, Madison Street and Adams Street as they intersect Moore Street.

Of these three Streets, Kennedy Street is the only one that we have studies prior to placement of the stop signs to compare to.

Traffic surveys from the prior study of Kennedy Street shows the following numbers:

Total Vehicles Surveyed: 261

Total time of surveys: 386 Minutes  
Average Vehicles Per Minute: 0.676166  
Average Speed of Vehicles: 27.56 MPH

(g) Consideration of Arbor Day Proclamation:

Arbor Day

Whereas, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, I John E. Grogan, Mayor of the City of Eden, do hereby proclaim April 14, 2007 as

ARBOR DAY

In the City of Eden, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 20<sup>th</sup> day of March, 2007

Mayor: s/John E. Grogan

(h) Consideration of Support of inclusion in House Bill 509 for the removal of junk vehicles.

The memorandum presented to Council stated as a result of a contact with Representative Nelson Cole's office, they learned of a bill now before the House, House Bill 509 concerns the definition of junk motor vehicles. It would change the value limit for junk vehicles from \$100 to \$500. The bill also allows for a vehicle to be declared junk in certain circumstances even if it has a tag.

As our regulations currently exist, no matter the condition of a vehicle, if it has a tag, it cannot be declared junk.

In order to improve the ability to remove junk vehicles form our community, the recommendation was that the City Council make a formal request that Eden be added to his bill.

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

VOUCHERS:

No questions.

CLOSED SESSION:

Closed Session in Accordance with GS 143.318.11(a)(3) To consult with an attorney in order to preserve the attorney-client privilege.

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

715

A motion was made by Council Member Gover seconded by Council Member Tuggle to go into closed session in Accordance with GS 143.318.11(a)(3) To consult with an attorney in order to preserve the attorney-client privilege. All Council Members present voted in favor of this motion. The motion carried.

OPEN SESSION:

A motion was made by Council Member Tuggle seconded by Council Member Nooe to return to open session. All Council Members present voted in favor of this motion. *(Motion taken by City Attorney Tom Medlin).*

ADJOURNMENT:

A motion was made by Council Member Gover seconded by Council Member Nooe to adjourn. All Council Members present voted in favor of this motion. *(Motion taken by City Attorney Tom Medlin).*

Respectfully submitted,

---

Kim J. Scott, CMC  
City Clerk

ATTEST:

---

John E. Grogan  
Mayor