

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, November 18, 2008 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
	Christine Myott
	Jim Burnette
	Jerry Ellis
City Manager:	Brad Corcoran
City Clerk:	Sheralene Thompson
City Attorney:	Erin Gilley

Representatives from Departments:
Representatives from News Media:

Miranda Baines, Eden Daily News,
Robert Doss, Edens Own Journal

MEETING CONVENED:

Mayor Grogan called the regular meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council meets the third Tuesday of each month at 7:30 p.m. and works from a prepared agenda; however, time would be set aside for business not on the printed agenda.

INVOCATION:

Council Member Jerry Epps gave the invocation followed by the Pledge of Allegiance led by Fire Chief Bernie Moore.

PRESENTATIONS & RECOGNITIONS:

Presentation by Mr. Mark Wells, Executive Director of the Rockingham County Business & Technology Center:

Mayor Grogan asked Mr. Wells to come forward for his presentation.

Mr. Wells introduced himself and presented a PowerPoint of the Business & Technology Center and what their office offers small businesses in Rockingham County.

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He explained the Technology and SCORE process, the operating statistics, and other services that their organization offers to the community.

Council Member Burnette asked Mr. Wells to repeat what the cost of this service is.

Mr. Wells explained that the cost of the first visit was free, the cost for the second visit was free and the cost for the five hundredth visit was free.

A copy of this presentation is located in the office of the City Clerk.

SET MEETING AGENDA:

Mayor Grogan noted that Mrs. Erin Gilley was representing the City Attorney, Mr. Tom Medlin, in his absence. He then asked that a motion be made to set the meeting agenda.

A motion was made by Council Member Burnette seconded by Council Member Tuggle that agenda be set. All Council Members voted in favor of this motion. This motion carried.

PUBLIC HEARINGS:

There were no public hearings scheduled for November.

REQUESTS AND PETITIONS OF CITIZENS:

Mayor Grogan noted that due to the fact that so many citizens were present to speak regarding Unfinished Business item 9(b), he asked Mr. Mike Dougherty, the Director of Business Development, to come forward as he had a PowerPoint presentation relative to the item. He then explained that he would be allowing ten minutes for each side, those in favor and those in opposition, to speak before the Council.

Mr. Mike Dougherty came forward with his presentation. *Approval and adoption of a Consumption or Possession of Alcoholic Beverages on Public Property Ordinance.* Mr. Dougherty explained the Eden Main Street Program process and the promotion of the downtown areas. *A copy of this entire presentation is located in the office of the City Clerk.*

Mr. Dougherty then explained the requested Alcohol Ordinance Change:

- Allow alcohol on city property under the following conditions:
 - By permit of Eden City Manager
 - Only a small business or non-profit organization can apply
 - City Manager can deny permit to any applicant
 - Organizers of event shall show proof of insurance

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- \$1 million to \$2 million in liability insurance
- No cost to the City of Eden taxpayers
- Cost to small business or organization: \$350 minimum
- All state and local licenses, including Alcoholic Beverage Control licenses, must be obtained
- Affected area will be cordoned off and separated from the general public

Alcohol Ordinance Change

- Staff seeks an amendment to the October ordinance as follows:
 - No alcohol will be allowed on sidewalks for restaurants or stores in the downtown areas
 - Specifically mandates that only Olde Leaksville and Draper Village downtown districts are covered by ordinance
- Where alcohol will not be allowed:
 - Eden City Hall
 - Freedom Park
 - Bridge Street Recreation Center
 - Draper Community Building
 - Boone Road Community Building
 - Peter Hill Park
 - Washington Street Park
 - Mill Avenue Recreation Center
 - Bridge Street Park
 - Mill Avenue Pool
 - Smith River Greenway
 - Hamilton Street River Access Point (and future access points)
 - Dehart Park and Ball Field
 - Garden of Eden Senior Center
 - Draper Ball Park and Field
 - All future city buildings unless otherwise approved by the Eden City Council and Eden City Manager
- Alcohol would only be allowed only on city property:
 - In downtown areas (Olde Leaksville/Draper Village)
 - On Municipal parking lots
 - On sections of city streets
 - Cordoned off into a specific area
 - Identification will be checked
 - Separated from rest of the motorists and pedestrian traffic
 - No attendee at special events can leave the premises where alcohol is served with an alcoholic beverage

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➤ Staff recommends

- Approve second reading of alcohol ordinance change
- Amend ordinance to specify:
 - No alcohol will be allowed on sidewalks for restaurants or stores in the downtown areas
 - The ordinance only applies to Olde Leaksville and Draper Village downtown areas

Council Member Myott questioned the Washington Street Park.

Mr. Dougherty explained that it was excluded and would not be eligible. He added that it was not allowed at Freedom Park or any of the city's parks.

Council Member Tuggle reiterated that no sidewalks, businesses or restaurants could serve anything on the sidewalk whatsoever, there would be no walking around [with beer and] no beer containers on the sidewalks, nobody walking up and down the streets with alcohol, that type of stuff. For the most part this is for the festivals.

Mr. Dougherty explained that this was mainly for small businesses and for non-profit organizations, such as the merchant's associations, and if an individual was drinking on any public property without the permits or the insurance, they would be in violation of the city ordinance.

Council Member Tuggle asked Mr. Dougherty to give an overview of what is required for anybody who goes in a beer garden as it has been done for over twenty years here.

Mr. Dougherty explained that they were given wrist bands when they go in there that identifies that they are drinking there and the area would be cordoned off with barrels and they cannot leave the premises.

Council Member Tuggle asked him to once again explain the insurance.

Mr. Dougherty explained that they mandate that they have a minimum of \$1 million to \$2 million liability insurance and the city has additional insurance. This year at Riverfest it was \$350 for the two day event, so they were looking for at least that.

Council Member Tuggle asked, for clarification, that the City Manager has the ability to approve or disapprove of anybody who applied.

Mr. Dougherty replied that it did not matter who it was but if it was perceived it would not be a good event or a good person to give this permit to then the City Manager has the authority to deny the permit.

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Mayor Grogan asked those who were opposed to the ordinance to stand to which approximately 30-35 people stood.

Mr. Billy Cushman, 203 S. Edgewood Road:

Mr. Cushman explained that one of his questions was that if they start this where did it end. He also asked if Miller required a beer garden. Also, had Miller asked for this. He stated that he felt like Mr. Dougherty was trying to holler wolf to the City Council and get them to think if they vote against this they were voting against Miller. Miller gives a lot of money to the city, that is great, but he did not think this should have been brought up to make them decide. He stated that he felt like it should be that something of this magnitude it should go to the citizens. That was the way he felt about it. If they vote against this it was like Miller was going to turn the money off. He explained that was the impression he had got from everything he had heard. Everything had been going well so if it was not broke don't try to fix it. It had been doing good like it had been going so why start something that they did not need to start. He stated that he felt like the Apple Festival was done away with, which he totally agreed with it, that was where him and Mr. Dougherty had a word or two before. Riverfest was good and Apple Festival was the best thing they ever had but everybody pulled all their resources away from the Apple Festival and put it in the Riverfest and he felt like he [Dougherty] was trying to make Riverfest as big as the Apple Festival was and he could not do it because he had not got the area.

Mr. Scott Fain, 318 Greenwood Street:

Mr. Fain stated that real quick he noted that they have insurance and the question was why did they need insurance. Also too he stated that the other events in other towns have brought 750 to 800 people. He noted that was 850 people that will drive home with alcohol in their systems, no matter what the amount that was still alcohol. Like this gentleman said, if it was not broke do not fix it. He stated that he grew up in Eden and he had been in Eden since 1984 and as the bumper sticker used to say that they gave to them at Lakeside Elementary, "Eden a Town of Progress and Pride". As a little kid he used to say, "I'm from there". He stated that he did not take pride in this. At Riverfest, yes they were talking about having it cordoned off in a little area. But like he said, where was Miller's take on this. He agreed that Miller has done a lot for this community but he had not heard anything about it.

Pastor Lem Hardison, 200 Wilson Street:

Pastor Hardison stated that he had been here since 1995 and served two churches and he had learned to love Eden. He had bought a home in Eden and he planned to make this his home for a long while. If they would remember in 1998 they heard a lot about liquor by the drink and they were led to believe if they passed that ordinance they would have a lot of fine restaurants that would come to their city and they would be flooded with businesses that would be moving in. Ladies and gentleman, that is not happening

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and he did not think that this was going to do it either. They do have an ABC store, they do have some restaurants that have ABC permits and surely when they go to things that we can stick it out until we can get to the ABC store or either get to a restaurant or get home. So, he encouraged them to not do this.

Mr. Johnny Dyer, 920 Carter Street:

Mr. Dyer explained that he had lived in Eden all of his life and he would not live anywhere else. He was glad to live in the United States and this was his favorite place. He did a tour in the Marine Corps and that was about the only time he had been away from here. He was glad he knew the Lord Jesus Christ, he changed his life one day and put a new heart in him. He learned that He died for his sins and changed him completely. He explained that he prayed for them every day and he needed prayers and he was concerned about everything that happened in Eden. His dad was on the City Council for many years and he said "it makes me sick to see the direction that our country is going and the condition that we have let it get into"... and he was concerned about everything.

He noted the bridge crossing 87 coming into Eden and the trails along the river and the park down there he was excited about the downtown and he would not take anything for it. He would like to see all those stores opened up. He stated that he doubted that there was a family in this building today who has not had somebody in the family, who took one beer one time and that started them and about every family has had someone in the family who has suffered from alcoholism. He stated that he had a brother who died from cirrhosis of the liver and he had a sister in law who died from over drinking.

He stated that the Bible said that wine and beer was a strong drink. He stated they had Miller Brewing, the liquor store, they had beer everywhere you turn and he wondered what was going on and how far were they going to go. He thought that one of these days the city was going to rise up and say "well listen, we are going to stop right here".

He noted that in the frontier days of our country, there was a man who lived across the western part of the country and he had his family on the wagon and he was looking for a place to settle down. He came to a town and thought maybe this was the place, and he asked them if they had any saloons in this town, and the man said with delight, yes we have a saloon, and so he said to his horses, giddy up, and the fellow hollered to him and said, what is going on and the man told him that he had three sons to raise for God and he could not raise them in a town that had three saloons in it. He stated that they were talking about people coming downtown and people were telling him that they did not want to come to these festivals because of the alcohol and there were people who would not settle in this community because of that.

He asked them why not grape juice or why not orange juice. He asked them if he had to have something in him to stir him up so he could sit down with Jerry Ellis. He asked if he needed that before he sat down to have a decent conversation with somebody. He

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noted that a recent article in the Greensboro paper said that the general archives of neurology reports that “the more drink over time the smaller your brain gets. The reduction was 1.9% per decade”. Though that did not seem like much, think of someone drinking from age 21 to 51 and you are at about 6% shrinkage. That reduction can precede forms of dementia in later years.

He stated that the Bible says “strong drink is raging and whosoever to deceive thereby is not wise”...so he was not wise right now. That was scripture and that Bible knew about it a long time ago.

He stated again that the people of this city was going to rise up and say, how far are we going to go.

Mr. Mike Avina, 621 Monroe Street:

Mr. Avina explained that first of all the most important thing to recognize about this ordinance was that it was for the economic development of Eden. He stated that he wanted to clarify a few points that had been stated already. Miller did not ask to participate in this. He then asked the merchants or property owners to stand to which approximately 14 stood. He then stated that those were the good part of the folks who have taxed themselves to bring business to Eden. At the Riverfest they brought 15,000 people this year and they need 15,000 more. This morning he was visited by Mr. Cushman and greatly disturbed by the terminology he used and the direction he used...he said that Mr. Dougherty was trying to do this. He stated that no, they the merchants, the business owners, the property owners of Eden were trying to do this. They were trying to develop Eden from a loss of mills, industries and from years of decline that has taken a terrible economic toll on their city. They were trying to reverse that decline that continues today. Years ago they were surrounded by tobacco fields and now, today in North Carolina and Virginia they see the emergence of vineyards. Those were the new crops of the 21st century. All they were asking of the City Council was to give them an economic development tool. They were not saying this was the end all or that it would fix all the problems that they have economically, but this was one more tool to help them bring folks in to the Eden area. He stated that he addressed this with Mr. Cushman that morning when he came into his office and he said to Mr. Cushman, “You mean in your opposition that if we would be doing something to be the equivalent of Boone or Asheville, North Carolina”, and he said, “Eden is no Boone or Asheville.” Well that is true, sadly enough they do not have the business or the economic development of either of those cities. They were trying to turn that tide today. He stated that he knew most probably they would hear some clerical elements to this and he had been thinking about this since he was asked to speak of this and he asked them to remember the time in the Good Book, and he was no preacher, but “moderation” and that was really what they were talking about and the ordinance allows for moderation and control of alcohol at these events. It says, “No longer drink only water, but use a little wine for your stomach’s sake, in your frequent infirmities.” He pointed out that they could argue this both ways. He noted that vineyards were

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referenced many times in there. He stated that one of their main positive things here were the rivers, the water and that brought them Miller Brewing. He stated that he thought of many places in there [Bible] where at the wedding it did not say that "wine was changed into water" but it said that the "water was changed into wine". Not everyone who comes to an event, as one gentleman alluded to 800 to 15,000, a small fraction may consume. It was a small percentage. It was like having a restaurant. He stated that he thought it was a success to have Ruby Tuesdays or El Porral and the other restaurants that serve in a controlled environment an alcoholic beverage and that was what they were talking about, serving in a controlled environment in the appropriate way so that there was no abuse, so that the police department did not have problems as the result of the festivals. He certainly would question anyone who would call Gloria Hall, who has The Front Porch, irresponsible because she has a store that sells wine and has wine tastings. That has been a phenomenal successful event for her. That was all they were trying to expand on and hope for and that was what they asked of them tonight was to vote in favor of this ordinance as it was a vote in favor of the economic development of Eden which was so desperately needed.

Council Member Myott commented that the question here was not about the drinking. The question was do they want it on public property rather than private property. They have had beer gardens every year at the event and they had them every year at the Apple Festival and they have been on private property.

Mr. Avina replied that to that he would address their different groups, for instance, he was in Asheville at the Greek Orthodox Festival where they serve wine and possibly beer at that and it was in a public park so he thought it was appropriate to have that available.

Mr. Tom Barbour, Barbour Studio & Gallery:

Mr. Barbour explained that he was in the Eden Mall for almost 24 years of his stay in Eden with a business and he chose to move to the Leaksville area because he saw it as being a possible progressive and growing area. He stated that he has traveled around Europe and North Carolina and he liked to take pictures everywhere he goes. He stated that he was sure a lot of them have had the opportunity to see outside of Eden. He stated that he had taken pictures of people sitting along sidewalks in streets where nobody was not behaving and everybody was socializing, the streets were full and it brings people and business grows. That was what they were promoting as far as the merchant's association. Not alcohol, alcohol was like Mr. Dougherty said, was just a minute part of the whole equation. They were only trying to allow choice and that was really what it comes down to, choice with responsible adults enjoying a day out. He closed by stating that he hoped they supported it.

Mr. Thomas Harrington, 650 Washington Street:

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Mr. Harrington explained that he was there supporting this ordinance. He wanted to talk a little bit about emotion. He noted that they were not elected to make decisions on emotions and he trusted that their decision that night would not be made on emotions. Nothing in the world seems to stir up emotions as much as alcohol. Emotions can lead you to some mighty bad decisions. He noted that years ago when Miller Brewing Company was talking about settling somewhere, they were trying to interest them in coming to Eden. He stated that they were suffering from a bad unemployment problem at that time, not as bad as it is now, but it was bad. Some people, stirred by emotions, were writing letters to Miller Brewing saying that the City of Eden and the people did not want them here, they did not have an unemployment problem and just forget about it and go somewhere else. He stated that he was on the Chamber of Commerce Board and it was disturbing and someone made the statement that they had so many places that wanted them than to go somewhere that did not want them. He stated that his point was, they solved that problem, but look what a mistake that would have been if the city had made the decision at that time based on emotion. He stated that there was a good sized crowd there, but it was a drop in the bucket compared to the population to the whole City of Eden and it was a drop in the bucket compared with how many people from outside of Eden that may come into Eden because of various developments and progressive steps that they take. So, when he thought, what Eden would be today without a company, without a taxpayer, without a water buyer, without an employer like Miller Brewing Company, would not it have been a terrible mistake? He stated that he could not foresee any disaster because of this. They were told that if they had liquor by the drink everyone would be wobbling in the street drunk and that did not turn out to be true and it would not turn out to be true this time. He also asked them to remember that with any ordinance that they would pass if it went bad, they could rescind it. He stated that by not passing it they would be taking the chance on doing more harm than they would do good.

A gentleman asked if he would be allowed to speak. Mayor Grogan explained that they had already had twenty minutes (ten minutes for each side). The man explained that he had driven a great distance to speak and he asked for permission to speak. Mayor Grogan granted the man one and a half minutes to speak.

Mr. J.T. Tolbert, 509 Prospect Street

Mr. Tolbert explained that if they remember nothing else from what he said tonight he asked that they please remember this. The natural inclination of any situation is to deteriorate. He then stated that he wanted to read a page or two from a book called "Guess How Much I Love You". [*Guess How Much I Love You by Sam McBratney*] He began by stating that they all love a good story. He read, "Little Nut Brown Rabbit was going to go to bed, held on tight to Big Nut Brown Rabbit's very long ears. He wanted to be sure that Big Nut Brown Rabbit was listening. Guess how much I love you he said, Oh, I don't think I could guess that, said Big Nut Brown Rabbit. This much said Little Nut Brown Rabbit, stretching out his arms as wide as they could. Big Nut Brown Rabbit had even longer arms. But I love you this much, he said. Hmm, that is a

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lot, thought Little Nut Brown Rabbit.” That is a lot. Now from fantasy to fact. True story. There was and is an old man with thinning hair and faded blue eyes. This old man has loved a small city in northern North Carolina this much for almost 50 years. He has long alluded to it perhaps hundreds of times.

At this time his time allotted to speak ran out. Mayor Grogan stated that they appreciated his comments. He then asked the City Council for a motion.

A motion was made by Council Member Tuggle seconded by Council Member Burnette that the ordinance be accepted as presented with the insertion that businesses and restaurants be excluded from serving alcohol on sidewalks and at properties noted that are public should be excluded from the ordinance.

Council Member Ellis for clarification asked if this meant no drinking on the sidewalks at tables to which Council Member Tuggle replied that was what this says, it excludes anything on the sidewalks. Council Member Ellis clarified, no walking up and down the streets to which Council Member Tuggle replied no. Council Member Ellis questioned if the only time doing that it would be was during Riverfest times.

Mayor Grogan replied no and explained that the whole thing was that they have to get a permit, the city manager has to issue that permit, for some type of festival. And if that was done, then an area would be cordoned off and policed properly as far as staying within those boundaries.

Action on the motion was as follows: Council Members Tuggle, Turner, Ellis, Carter and Burnette voted in favor of this motion. Council Members Myott and Epps voted in opposition. This motion carried by a vote of 5-2.

BREAK:

Mayor Grogan called for a ten minute break before continuing with Unfinished Business.

UNFINISHED BUSINESS:

(a) Approval and adoption of a Sustainable Energy Plan for the City of Eden.

The City Manager asked that a team of City Employees with representation from each Department and Division be assembled to put together a comprehensive energy and fuel conservation plan for the City. This Team has met several times over the past several months and has put together a Sustainable Energy Plan for review by the City Council.

This Plan goes hand in hand with the North Carolina League of Municipalities Green Challenge that the City Council agreed to be part of at the August 19, 2008 City Council meeting.

The North Carolina League of Municipalities issued a challenge to all cities and towns to implement short-term and long-range actions that will conserve resources and save money, thereby protecting the

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environment and operating municipal government in a more cost effective, energy efficient and environmentally friendly manner.

The City Manager and the Sustainable Energy Plan Team believes this Plan will help the City meet the Green Challenge and also help the City manage its energy resources in an efficient and cost effective manner.

This Plan was presented to the Mayor and City Council on September 22, 2008 at the City Council Workshop to receive input from them about the Plan. Staff was instructed to obtain specific goals from each Department and Division to include in the Plan.

The Sustainable Energy Plan Committee was made aware of this request and a meeting was held on October 14, 2008 and this information was submitted by October 17, 2008.

The Plan was revised to include this information, along with a City goal to reduce energy consumption by 5% during FY 2008-09. This would be measured by comparing the consumption of vehicle fuel use, electrical use and natural gas use to that of FY 2007-08. The Plan was submitted to the City Manager on October 30, 2008 for this review.

The revised Plan also includes the information submitted in the original Plan because it is critical to the City's efforts to manage its energy resources in an efficient and effective manner.

Due to many of the goals in this Plan requiring no financial resources, many are already in place to help the City manage its energy resources.

It should be noted, that the efforts in this Plan are on-going and the goals will change from time to time depending on the energy consumption by the City.

Staff would like for the Mayor and City Council to formally endorse this Plan and the City's efforts to manage its energy resources in the most effective and efficient manner possible.

Mr. Farmer explained that the plan was exactly as it was before, except that he added the specific goals that each department put in. He noted that on pages 8-12 he highlighted those changes that they were proposing and actually the only change that they placed in there other than adding the division goals, were the requirements they were asked to do was to present a percentage of savings they felt they could accomplish during the first fiscal year. He noted that their goal was to try to reduce the consumption of energy by 5% from July 1 of this fiscal year through June 30th, next year and they were going to measure that by the amount of consumption of energy that they used for fiscal year 2007-2008. *A copy of this Sustainable Energy Plan is located in the office of the City Clerk.*

Council Member Burnette commented that he wanted to commend Mr. Farmer on going back and getting the goals put in and clarifying that. He thought that was what everybody needs to see to know what they are working on. He stated that he had mentioned this was about educating all of the employees and that was extremely critical. They cannot make this plan work and he cannot make this plan work, no one person can or only department head can, it will take everyone and he hoped that in the implementation part they do have an education process for all of the employees to show how critical it was and to show what part they have in this as well because it was going

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to take everyone for this to be successful. One thing he had mentioned was that he was going to do a quarterly updates measurement. Personally he stated that he would like to see the results of that on a quarterly basis as well at the city council meetings.

Mr. Farmer replied that they could do that. They were going to judge their numbers from July 1st of this year and what he would like to do, with the permission of the City Manager, was that after the first of the year, there would probably be a six month period that they would show them and hopefully in January or February they could show them where they were at and what they have done.

Council Member Burnette noted that under Energy Use a data system was being developed to establish a program for collecting and analyzing monthly energy billing information and that was in the initial...he asked where they were with that.

Mr. Farmer replied that they pretty much have something in place. What it would involve now was to take those numbers and any facility, especially with the electrical accounts, a lot of those accounts were like \$1,000 a year or less, because they may be street or sign lighting, they were not really concentrating on those, they were going to concentrate on usage of \$3,000 or more and it was about 60 of those that they will be tracking as well as the matching accounts. He added that they have it in place and they know what was done in 2006-2007.

Council Member Burnette asked if the city owned and operated the stoplights to which Mayor Grogan replied that the city owned a lot of stoplights.

Council Member Burnette stated that one of the things that he just recently saw and he did not know where they were with this, but on stoplights, a tremendous energy savings was with LEDs. He suggested that they take a look at that as well.

Council Member Tuggle wanted to commend him and everyone involved. He commented that to reiterate, when HBI [Hanes Brands] leaves, out of a \$21 million budget they would probably be in a \$4 million deficit and for them to try to make up almost 20% of their budget, he hoped that word really gets out to everybody as to how important that this one thing was.

A motion was made by Council Member Epps seconded by Council Member Burnette to approve the plan. All Council Members voted in favor of this motion. This motion carried.

(b) Approval and adoption of a Consumption or Possession of Alcoholic Beverages on Public Property Ordinance.

This item was presented and passed during Request and Petition of Citizens.

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Presentation of Proposed Transportation Plan:

Mrs. Kelly Stultz, Director of Planning & Inspections, introduced Mr. Andy Bailey, NCDOT Transportation Engineer, who made a presentation on the NCDOT Transportation Plan. *A copy of this plan is in the office of the City Clerk and also available in the Office of Planning and Inspections.*

Mr. Bailey began by explaining what Long Range Transportation Planning was. He identified the purpose, the product and the benefits. He also explained the Transportation Planning Process and the Relationship between Transportation Plans. After the presentation he explained that what was needed was an approval by the Eden City Council for the Highway Map, the Public Transportation and Rail Map and the Bicycle Map.

Mayor Grogan commented that he thought that especially when they start working with the county that they look very closely at PART, county-wide, and if they can get the information and notify the public what rides were available to Guilford County. That could be a great step because they have a lot of people commuting to and from Greensboro and it was expensive.

Mr. Bailey replied that would be his next step, to talk with PART and their bus system in Greensboro and try to have them have a spur come and do Rockingham County in the near future.

Mayor Grogan added that their hold back would be Rockingham County as the County would have to identify a park site, together and in conjunction between the two it could fly if they have enough rides.

Council Member Burnette questioned what a diamond interchange was.

Mr. Bailey explained that it was a traditional interchange that you would see out on any rural or urban expressway. He noted the one on Meadow Road.

Council Member Burnette noted that one was recommended for the intersection of Van Buren Road and Kings Highway. He stated that he knew these things were for a safety standpoint but he was just trying to understand what it was.

Mr. Bailey explained that the diamond interchange with Van Buren would be able to pass through or over top of Kings Highway and Kings Highway would have two lights. He noted that they have had a lot of accidents at that location and this might also provide better access to the hospital.

A motion was made by Council Member Burnette seconded by Council Member Carter to adopt the Comprehensive Long Range Transportation Plan. All Council Members voted in favor of this motion.

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NEW BUSINESS:

(a) Recommendation to accept bid on 1305 Carolina Avenue.

The City has received a bid on the old Hickory Square Apartment property located at 1305 Carolina Avenue in the amount of \$10,000 from Arthur D. Shelton. The tax value of the property is \$20,284.

The advertisement for bids was run in the Eden Daily News on September 19 and September 26. The advertisement for upset bids was run in the Eden Daily News on October 10 and October 17. No upset bids were received.

The City of Eden has invested a great deal in this site; however, we knew from the beginning that the underlying property was not going to be enough to recoup the funds spent. The structure was demolished under our large abatement fund. In my opinion, our best outcome is to sell the property, regain what we can and encourage new development on the site.

The gentleman that is the successful bidder has built a number of moderately priced homes in the area. He estimates that between 4 and 6 houses could be built on the site. This would create an infusion of funds to the tax base and would certainly be a spark to the neighborhood.

Based upon the foregoing information and the fact that we continue to have to mow and maintain the property, I recommend that the City Council accept Mr. Shelton's bid. We can do this in part because the City can participate in the provision of low and moderate income housing projects.

A motion was made by Council Member Epps seconded by Council Member Ellis to approve the recommendation.

Council Member Ellis asked Mrs. Stultz to check on having the light there at Mr. Horsley's replaced.

Mayor Grogan clarified that it was on private property and it was there before they tore the school down. When they tore the school down for some reason they tore the light down.

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

(b) Adopt Order of Collection for nuisance abatement fees to be collected as delinquent property taxes.

The attached is a list of properties which have had nuisance violations and the costs associated with the abatement of the violation (copies of the invoices have been delivered to the City Clerk with the Order of Collection).

These particular liens are collected in the same manner as delinquent property taxes. We need for you to formally establish these liens and then to authorize legal action. When we appear in court, your formal action will be proven through the minutes and the execution of the attached Order of Collection.

A motion was made by Council Member Ellis seconded by Council Member Burnette to approve. All Council Members voted in favor of this motion.

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(c) Confirm the amount of the indebtedness of demolitions costs to be collected in the same manner as special assessments.

The following properties have been the subject of housing code actions and the structures situated on the properties have been demolished pursuant to an Ordinance adopted by the Eden City Council. The cost of the demolition is noted for each property.

627 Fieldcrest Road 2,100.00

886 Morgan Road 2,850.00

1404 Ridge Avenue 2,650.00

These particular liens are collected in the same manner as special assessments. We need for you to formally establish these liens and then to authorize legal action. When we appear in court, your formal action will be proven through the minutes.

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

(d) Consideration of Lease Agreement between the City of Eden and Harold R. Gearhart for a parking lot adjacent to the Boone Road Community Building.

The attached lease is between the City of Eden and Harold R. Gearhart for a parking lot adjacent to the Boone Rd. Community Building. The City initiated this lease in December, 1996 to provide parking for the users of the Boone Rd. Community Building.

The lease has been for two year increments with a payment of \$600.00 per year to maintain the agreement.

Staff has received a letter from Mr. Gearhart requesting that the lease be raised to \$750.00 per year. I have spoken with Mr. Gearhart and he has agreed to a 5 year lease at \$750.00 per year.

I would like to recommend the City of Eden extend this agreement beginning January 1, 2009 through January 1, 2014 for \$750.00 per year. All "Special Conditions" have been met and maintained by the City of Eden to keep the lease valid.

Council Member Burnette questioned how many parking spaces were there to which Mr. Farmer replied he thought it was about 30. Council Member Burnette asked if this included inside the fence.

Mr. Farmer replied that within the fenced area was where it was at.

Council Member Ellis added that it was in the front of his building and all of that was lit.

Mr. Farmer replied yes, back in 1996 when they started leasing from them the city went in and did some improvements to the property which included lighting and gravel and really the only thing they have to do now was to maintain the lighting and they have to go in and change out signage every now and then to make sure that it was visible for everyone.

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Council Member Burnette asked if he thought it was clear, the area inside the fence and also that parking area.

Mr. Farmer replied that they have signage up there that indicates that.

Council Member Ellis asked if Iron Eagle charged anything to park across the street to which Mr. Farmer replied that they did not pay anything but if they wanted to ask them to leave then those folks would have to leave.

Council Member Epps asked if they have a liability insurance there to which Mr. Corcoran replied that he was sure they have coverage as they have had that in existence since 1996.

Council Member Ellis questioned the rental fees to which Mr. Farmer replied that it was \$40 for 4 hours if you were a city resident and \$60 for 4 hours if you were a non-resident.

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

(e) Consideration of Annual Boards and Commissions Appointments.

It's that time of year again – time to make your appointments or re-appointments to the City boards and commissions. This is usually done at the December meeting, but I wanted to give you plenty of time to be considering your appointments. Also, ETJ appointments must go to the County Commissioners for approval.

The Council was provided a list of board and commission members whose terms expire in 2008, as well as attendance records for the members. Please note that any member who has missed 3 consecutive meetings or 30% of the total meetings automatically loses their seat and must be re-appointed or replaced.

REPORTS FROM STAFF:

A. Monthly Financial Report
Financial Report

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

- B. Finance & Human Resources - *No Report*
- C. Environmental Services - *No Report*
- D. Engineering - *No Report*
- E. Economic & Tourism Development

Economic & Tourism Department Report

Mrs. Cindy Adams, Economic & Tourism Coordinator, gave the following report:

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VETERANS DAY PARADE

Veterans Day Parade is set for Monday, November 10th beginning at Draper Elementary School and concluding with a formal ceremony in Veterans Park located on Fieldcrest Road. The students have been working very hard on their posters honoring their adopted veterans. All 350 students will walk carrying their “honor” posters alongside a veteran with American Flags in hand.

State Rep. Nelson Cole is the guest speaker this year. As always the Morehead High School JROTC will have a part in the ceremony as well as the DAV. The student council members will present the veterans with a patriotic flower to commemorate the event during the song portion of the program.

I cannot say enough good things about this event and the fact that the school and merchants are so involved. It is one of those rare partnerships that works for the betterment of everyone involved. Laura Bradford and Tammy Heath of Draper Elementary are great to work with and are very proud of their students and what their students give back to the community. And they are equally as grateful for what the community gives to them.

CANDLELIGHT DOWNTOWN

This event is becoming very exciting. We discussed this at the monthly merchants meeting and found there was a lot of interest. So far we have over 17 shops that are going to be open late and serving Christmas treats and some are even going to have their own live music. For example, Elaine’s Antiques will host Bill Rakes and his dulcimer music.

The centerpiece of the event is going to be the guided walking Lantern Tour of the historic district led by the Eden Preservation Society and the Eden Historical Museum volunteers. The guides will be dressed in period dress which will add so much character to the night. Some other features will include the Doggie Costume Contest, Santa Visits in House of Health, a kettle corn vendor, and Melanie Paschal’s dance troop. We want but have not confirmed a live nativity, Salvation Army Brass Band, carolers and live greens and berries for sale.

This wonderful holiday event will take place Tuesday, December 9 from 6 to 8 p.m. The streets will be blocked from Monroe to Patrick for safety and noise issues that may interrupt the tours.

HOLIDAY CALENDAR

We are formulating a handy holiday planner in the form of a calendar page that can be sent to all the media, given to merchants, posted on websites, mass emailed, etc. that includes all the holiday festivities taking place in Eden this year. You will be surprised when you see it – there is A LOT going on!

STRATEGIC PLANNING

Included in this packet are the ideas that were generated during the strategic planning session late October. The next step will be for the Tourism Board to prioritize and get to work. The next board meeting is set for November 19 at 4:00.

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TRAVEL SOUTH

One of the things I talked about in my weekly report was the fact that Rockingham County may have the opportunity to showcase itself at Travel South in early spring. The delegates would include Robin Yount, Tammy Spencer and myself.

This could truly be an opportunity of a lifetime. Nowhere else will there be such a large and interested audience in what we have to say and offer. Last year 150 tour groups were represented from 37 states and 3 countries. This is the premiere tourism related conference of the year.

Another great thing about this opportunity is that the cost will be shared by three instead of just one. This should make this more affordable for all involved.

Mrs. Adams briefly discussed the Strategic Planning Session results. *A copy of this is located in the office of the City Clerk.*

- F. Parks, Recreation & Facility Maintenance – *No Report*
- G. Police – *No Report*
- H. Fire – *No Report*
- I. Planning & Inspections - *No Report*
- J. City Attorney - *No Report*
- K. City Manager- *No Report*

CONSENT AGENDA:

- (a) Approval and adoption of minutes: October 21, 2008.
- (b) Consideration and approval of fire department vehicle financing for 5 years with the successful bid by BB&T.

In the 2008-2009 Budget, City Council approved the purchase of (2) Fire Department vehicle to replace those that are being used by the Fire Chief and Deputy Chief. The following quotes for a five year lease purchase have come in on the vehicles:

BB&T 3.64%
First Citizens Bank 3.97%

As you can see the lowest quote is from BB&T at 3.64%. We will be making an annual payment of \$13,114.33 which is within the amount of \$13,200 that is included in the 08-09 budget. There is a prepayment penalty of 1% but the City should not incur that penalty as we will pay on schedule.

I would respectfully ask that the Council approve BB&T as the successful bid on the above mentioned vehicles for the Fire Department so that we could begin the financing process. Also attached, you will find the financing contract for your approval.

- (c) Consideration and approval of budget amendment #2.

When preparing the fiscal year 08-09 budget, we included the revenues and expenditures for the Municipal Service District tax in the General Fund. After discussing this with our auditor and the Local

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Government Commission, we have discovered that this should be accounted for in a special revenue fund. The attached budget amendment moves the related revenues and expenditures to a special revenue fund.

General Fund

Revenues

Municipal Ser District Tax - Leaksville	10-3190-19200	6,800.00\$	-\$
Municipal Ser District Tax - Draper	10-3190-19300	1,700.00\$	-\$

General Fund

Expenditures

Spec Approp: MSD Tax - Leaksville	10-9920-83100	6,800.00\$	-\$
Spec Approp: MSD Tax - Draper	10-9920-83200	1,700.00\$	-\$

Municipal Service District Tax Fund

Revenues

Municipal Ser District Tax - Leaksville	17-3190-19200	-\$	6,800.00
Municipal Ser District Tax - Draper	17-3190-19300	-\$	1,700.00

Municipal Service District Tax Fund

Expenditures

MSD Tax Expense - Leaksville	17-4135-29900	-\$	6,800.00
MSD Tax Expense - Draper	17-4135-29901	-\$	1,700.00

Allocate Municipal Service District Tax funds from the General Fund to a Special Revenue Fund. Adopted and effective this 18th day of November, 2008.

Attest:

Sheralene Thompson, City Clerk

John Grogran, Mayor

(d) Consideration and approval of budget amendment #3.

When the Fire Department purchased and paid for new pagers in October, they received a rebate of \$900 from Motorola. This budget amendment appropriates this money in the Fire Department Miscellaneous Revenue line item and the Fire Department Capital Outlay (non-depreciable) line item.

Account #	From		To
General Fund			
Revenues			
Fire Dept Miscellaneous Revenue	10-3434-41700	-\$	\$900.00
General Fund			
Expenditures			
Fire C/O Equip - Nondepreciable	10-4340-57001	\$ 7,600.00	\$8,500.00

Appropriate a rebate received from the purchase of new pagers for the Fire Department. Adopted and effective this 18th day of November, 2008.

Attest:

Sheralene Thompson, City Clerk

John Grogran, Mayor

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(e) Consideration and approval of General Purpose Funding: Senior Center.

The Council was provided a copy of the letter received from the North Carolina Department of Health and Human Services, Division of Aging and Adult Services, regarding the General Purpose Funding for the Garden of Eden Senior Center for the 2008-2009 fiscal year. The State of North Carolina allocates these funds each year and the allocation this year is \$4,363. The total match the City will be responsible for in fiscal year 2008-2009 will be \$1,454 for a total grant of \$5,817. The funds to match this grant will be derived from the Senior Center account in the Parks and Recreation Department budget.

The funds will be used to help pay the salary of the temporary employee at this site and help cover the cost of office supplies.

The City of Eden has applied and received this grant for several years. The Parks and Recreation Department would like permission to apply and receive this grant for the Garden of Eden Senior Center for the 2008-2009 fiscal year.

(f) Consideration and approval of a resolution of support for the immediate funding and construction of I73/Highway 68 connectors for I 73 through the western part of Rockingham County and western part of Guilford Co.

RESOLUTION OF SUPPORT

WHEREAS, travel, economic development, employment, and highway safety are matters that are extremely important for the residents and citizens of Rockingham County, North Carolina; and these matters could be better served and enhanced by virtue of the immediate construction of the proposed I-73/68 Connector through the western part of Rockingham County, and

WHEREAS, the current US 220 Highway and NC Highway 68 are extremely heavily traveled and constitute a serious threat to those many commuters who travel the highways daily, and

WHEREAS, a committee, named the I-73/68 Connector Committee has been formed and is composed of the following, Garland Rakestraw, chairman; Mayor of Mayodan, Dwight Lake, vice chairman; Donnie Joyce, Executive Director of Western Rockingham County Chamber of Commerce, secretary; with other members, namely NC Senator Phil Berger, Mayor of Madison, Mickey Silvers; Mayor of Stoneville, Rex Tuggle; Mayor of Eden, John Grogan; former NC Senator, William Goldston; County Commissioner Bobby Stanley; former NC Representative, Homer Wright; NC State Representative Bryan Holloway; and attorney Jack Webster to assist in making the US Highway 220/Highway 68 Connections a top priority with funding of new roads in our area, and

WHEREAS, through this committee's efforts, the route of the proposed Interstate Highway 73 is being strongly supported; and it is the opinion of the said committee that any delay in the planning, funding, and construction of these connectors will be a serious detriment for Rockingham County whose economic development has been slowed and diminished by the loss of many jobs in recent years and would benefit the safety of all persons who travel on U.S. Highway No. 220 and North Carolina Highway No. 68.

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

The City Council of the City of Eden does hereby give its full and complete support for the immediate funding and construction of the Interstate 73/Highway 68 connectors for Interstate Highway 73 through the western part of Rockingham County and western part of Guilford County as soon as possible for the economic growth and safety for the citizens of Rockingham County and Guilford County, North Carolina.

November 18, 2008

City of Eden, N. C.

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This resolution was unanimously adopted by City Council of the City of Eden on the 18th day of November, 2008.

John Grogan, Mayor

Attest:

Sheralene S. Thompson, City Clerk

(g) Approval and adoption of an amendment to the Massage Therapy Ordinance.

A motion was made by Council Member Tuggle seconded by Council Member Burnette to approve all Consent Agenda items. This motion carried.

CLOSED SESSION:

No Closed Session was scheduled.

ADJOURNMENT:

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

Respectfully submitted

Sheralene S. Thompson, CMC
City Clerk

ATTEST:

John E. Grogan, Mayor