

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, July 21, 2009 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: WGSR 47 News

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:

Rev. Patrick Hamrick, Pastor of the Leaksville United Methodist Church, gave the invocation followed by the Pledge of Allegiance led by Fire Chief Bernie Moore.

PROCLAMATIONS AND SPECIAL PRESENTATIONS:

SET MEETING AGENDA:

Mayor Grogan noted that Consent Agenda Item (c) needed to be pulled from the agenda. A motion was made by Council Member Tuggle seconded by Council Member Carter to set the meeting agenda. All Council Members voted for this motion.

PUBLIC HEARINGS:

There were no public hearings scheduled.

REQUESTS AND PETITIONS OF CITIZENS:

Ms. Annette McCubbins of 524 Highland Drive:

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

Ms. McCubbins explained that she has lived at this address for about 12 years. She stated that when she first moved there she complained to the city about the drainage problem in front of her house. They came out and put a curb in front of her house to help keep the drainage from coming onto her property. She stated that it may have helped but she has had some really serious problems. The corner of her house has completely fallen in because of water damage. The water stands on top almost 2 inches at her porch. She explained that she has been in touch with the city many times and she has not gotten anybody to speak with her or even come to see the results and so she was there to let them know that this was a problem and she has tried her best to take care of it and she wanted them to help her get this water off of her home so that it did not happen again. She added that she has had severe mold damage underneath her house and she has had to repair 16 floor joists in her home. She then presented some photographs of what happened in June. Those photographs were passed among the Council.

She noted on the photos that the floor just left from the wall. She stated that she was a single mother so she did not know a lot about construction or water but it was plain to see that it was not a small issue. She explained that she lived right next to the bridge on Highland. She lived on a hill and you would not think it would be a problem. She added that she kept the drains cleaned out so that the water will not get stopped up. She pointed out that she thought that the drains on both sides of the road were not big enough to carry the load of water.

The City Manager, Mr. Brad Corcoran, asked if she could tell him who she had spoken to as he had not spoken with her at all.

Ms. McCubbins replied that she had not spoken with hardly anybody.

Mr. Corcoran stated that he thought she had said she had talked with several people with the city and they have never done anything.

Ms. McCubbins explained that her husband had dealt with him and he had talked with a few people but she had not talked to anybody personally. She added that she had called the city but no one has returned her call.

Mr. Corcoran asked her what department she had called to which she replied she had called the Engineering Department. Mr. Corcoran replied that he would get on this and he promised that someone would be getting back with her tomorrow or the next day.

Ms. McCubbins added that the mold in her house has made her very sick and she has had migraines for many years. She had not realized what was causing them but now she knows.

Mayor Grogan explained that just as the City Manager said, someone would be in touch with her tomorrow or certainly no later than the next day and look at the problem and see what the city's responsibilities were and hopefully they could help her. He then thanked her for coming.

Mr. Jim Smith, 810 Washington Street, addressed Council:

Mr. Smith explained that his gripe concerned the tax assessments for the downtown. He mentioned that for instance the Christmas lights; they never come to his shop. He explained that he ran the

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

Exhaust Center and no Christmas lights have ever been down to the shop. When they have a parade, the streets are always blocked at Hamilton Street. They use his parking lot for public parking and it takes him an hour and a half to two hours to clean up his parking lot the next day. He thought the new streetlights for the downtown were beautiful, but they stopped at Patrick Street, before they get to his shop and the poles there were still gray. If you look on into town all the poles are black and the sidewalks are nice. He questioned their thinking. They did not even come all the way down there with the sidewalks.

He pointed out that they wanted his tax money and it looked like he would have been just as good to get what the rest of the people got. He also pointed out that they went all over town repairing sidewalks. They did a driveway right behind the shop on Hamilton Street and he bet there were not over ten cars a year that goes over that driveway, but the sidewalk right beside the shop was so bad that he has had to put asphalt sealer on it to cover it up. He noted that out front where the water meter was, they came around 4 or 5 years ago and raised the water meter and repaired that, but the cement was all busted up now. He stated that from his lot all the way up to where he had the big muffler it was busted up. He added that he had started putting asphalt sealer on it when he sealed the parking lot and that has taken care of most of that but it looked to him that whoever decided which sidewalks needed to be replaced, they must have been blind when they saw that the driveway behind the shop needed to be done but did not even look over 6 inches and see that the rest of the sidewalk needed to be replaced as well.

He also stated that a city employee came by and talked to him about painting the poles but they came back by and told him they had to get with Duke Power.

Mayor Grogan commented that they heard his concerns and they would have someone come out and look. He did know that those poles did belong to Duke Power. As for the sidewalk, that was done initially by the merchant's group downtown.

Mr. Smith pointed out that the merchant's group did not go around town replacing sidewalks...

Mayor Grogan replied that the downtown merchant's group met and they only had so much money they could spend and they voted on where those sidewalks would go. He did not know about the sidewalk situation but he assured him that someone would be able to look at it and whether anything was done or not, he could not make that commitment. He added that he thought everyone there had heard how disturbed he was.

Mr. Smith stated that he appreciated them letting him speak. He stated that he tried to keep his shop clean and nice but evidently that does not do any good for the City Council.

Council Member Carter commented that he had been by there and had personally spoken to some members of the downtown about this problem.

Mr. Corcoran stated that they would get somebody to come and look at the sidewalk tomorrow. The big thing about the extra taxes, as Mr. Smith was aware, he was in a Municipal Service Tax District and the city has no control over that money. That money goes into that fund. There was a board created of the downtown merchants and that money goes into that account and the board decides how that money is spent. So for instance the Christmas decorations, they were who he would go to, they

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

could take money out of that pot to which he (Smith) contributes to help do those. He added that he did ask a couple of employees to paint the poles to try to tie them in with the others but he had received the same response that there may be some liability issues with Duke Energy, but just to let him know, they were working on that to try to see what those issues were.

Mr. Smith replied that he understood that but this should have been addressed when the poles were painted at the time it was done downtown. It could have been addressed at that time.

Mayor Grogan pointed out that they knew his concerns and hopefully they would be able to address them.

UNFINISHED BUSINESS:

NEW BUSINESS:

(a) Consideration of 2008-2009 Landscape Maintenance Contract.

The City advertised for bids for landscape maintenance for the various projects on city property or in the public right-of-way. A notice was sent to every potentially eligible contractor with a related privilege license and to every contractor with a Registered Landscaper's License. An advertisement was also run in the local newspaper.

Only two (2) bids were received. The request for bids outlined the various areas that are to be maintained and plainly noted that the successful bidder would not necessarily be the lowest one. The contractor would be chosen on merit, experience and cost.

James DePriest meets all of the requirements and is the lowest bidder. There was another bidder that was also qualified whose bid was \$13,000 per year higher.

Significant amounts of public funds have been spent on these landscaping projects. They are all highly visible and have a great deal to do with the appearance and livability of our community. Therefore, based upon the foregoing information, it was recommended that James DePriest be given the contract for the months from August 1, 2009 through July 31, 2010. Their bid is in the amount of \$4,000 per month for the above described time period.

The bid and contract documents outline a process for review of the work done under the contract and the city will have the option void the contract if performance standards are not met.

Council Member Tuggle commented that he noticed that on the voucher list for June there were like 9 entries for lawn care as a total of \$9,890.00. He asked if this contract of \$48,000 superseded any of those to which Ms. Stultz replied that was their nuisance abatement projects.

Council Member Tuggle stated that he also noted that there were businesses like Belcher's Lawncare, etc., and if that was the same thing to which Ms. Stultz replied yes, they have a list of folks and they have a rotation with them and all of that was separate from the contract.

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

Council Member Tuggle also noted that on the contract it said 12 months to which 9 months were considered active months.

Ms. Stultz explained that there were three (3) months in the winter where there was not as much to do but they were dealing with mulch and litter issues.

Council Member Tuggle stated so, even in those times they were not mowing they were doing other things to which Ms. Stultz replied yes and they bid it based on all the activities they were going to do during the calendar year and then they just divide it in a monthly payment and pay them that way.

Council Member Tuggle stated that he just wondered how you can keep up with that much stuff and make sure that they were doing it and if they turned something in to them every month and do they actually have somebody go out and check each one of those things that they are responsible for.

Ms. Stultz replied that the staff will go out and take pictures before the contract period starts and they will have to do routine checks. Also, Mr. Farmer's staff (Parks, Recreation & Facility Maintenance) will also probably help out and also they will receive calls from the public.

Council Member Ellis questioned why they could not get Mr. DePriest to let them know what he was doing.

Ms. Stultz replied that he does, he has to give them a list and also someone from the company has to attend the Tree Board meetings.

Council Member Epps asked if they had a checklist to which Ms. Stultz replied that they will have to have a more formal one.

Council Member Myott questioned state right of ways such as Church Street. She pointed out that they did not touch the right of ways along the road.

Ms. Stultz explained that most of their citizens mow those things in front their property but they have a few that don't. The city has a contract with NCDOT to do mowing but it was not the type of mowing that they would like to live next to.

Council Member Ellis questioned Highway 700 South and if Mr. DePriest was going to cut what was coming back into Draper.

Ms. Stultz replied no, but he would be required to do maintenance at that ramp. They could not cut anymore than that because of the easement.

A motion was made by Council Member Tuggle seconded by Council Member Ellis that this contract be approved. All Council Members voted in favor of this motion.

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

(b) Consideration and adoption of the Central Area Pedestrian Transportation Small Area Plan.

The North Carolina Department of Transportation is planning to install at least a part of the sidewalk along King's Highway that is shown as a part of both our Greenway Master Plan and our Pedestrian Plan.

In order to meet the stimulus package and ADA requirements, we have to send NCDOT copies of the approved plans. The Greenway Plan is already approved. The Pedestrian Plan is nearing completion and the entire plan should be available for your August regular meeting. To meet NCDOT deadlines, the City Council needs to consider and recommend for approval that portion of the Pedestrian Plan entitled Central Area Pedestrian Transportation Small Area Plan at the July meeting.

There will be a public meeting before the Council Meeting to give the public a second chance to comment on the entire plan.

Ms. Stultz introduced Mr. Jesse Day, Consultant for the Piedmont Triad Council of Governments.

Mr. Day explained that they have a piece of the larger plan and they were asking them to adopt this tonight. He also wanted to briefly mention the larger plan. He then presented a map that would be a supplement to the Comprehensive Transportation Plan once it was presented to them in a couple of months. He explained that basically they were asking the Council to approve and adopt the Central Area Plan tonight that includes all the projects. He also explained that the other areas that were included in the larger plan are Leaksville, Draper and Spray and there was also a detailed analysis of those ready in draft form and presented in a public meeting earlier this evening in the conference room. He noted that it was currently being reviewed by the NCDOT and then they would be asking for comments from citizens.

Mayor Grogan added that this was really to get a plan to the DOT to try to get stimulus money and it was an area that he thought they have all looked at before.

A motion was made by Council Member Tuggle seconded by Council Member Ellis to approve and adopt this plan. This motion carried.

(c) Consideration and approval of the Northern Smith River Sanitary Sewer Improvements Phase I and Dry Creek Sanitary Sewer Improvements, Phase I Recommendation of Award.

The recommendation was to award the project to Prillaman & Pace, Inc. at the base bid of \$612,946.00.

Mr. Dennis Asbury, Director of Environmental Services, explained that he had asked Mr. Mark Fisher, the Project Manager for W.K. Dickson, to speak to them for just a few minutes. He noted that the project has changed and it was also a stimulus project. It started out a little bit larger but due to the economic conditions they tried to hit a shrinking, moving target.

Mr. Fisher began by providing the Council with some background on the project and how they got to this particular phase and also some information about the funding and what action they have taken about the recommendation of award and a quick update on another project, Special Order by Consent.

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

He explained that the Smith River Sanitary Sewer Improvement and the Dry Creek Sanitary Improvement Phase I was part of a larger sewer improvement project in those subsystems. The Dry Creek was in the Draper end of the community and Smith River was along the West Aiken Road – Smith River up from the old mill towards the Warren Avenue area.

He pointed out that the Sanitary Sewer Evaluation Studies they did a couple of years ago highlighted that these areas were in critical need of repair. So, they began with a two phase approach. Phase I was the current project going toward construction and it was in desperate need of repair. The problems they found were exposure for the city, imminent overflows, the integrity of the pipe and inaccessibility issues for operation and maintenance, so all of those factors justified why that was phased as an immediate repair. There were some other portions of the project that were just as severe but not as severe for imminent overflows.

He explained that the holistic approach was to try to get as much funding in hopes to finance it. Unfortunately there have been some wrinkles thrown the city's way. The Clean Water Management Trust Fund which was going to be a sizeable grant opportunity was hit by an unforeseen crisis and the funds from that program used in other parts of the State. He stated that it kind of forced them to rethink the funding and with that came about the American Recovery and Reinvestment Act. He explained that the City and W.K. Dickson moved forward with a stimulus fund application for Phase I. Given that those projects need to be done, they were fortunate to be selected for funding. He noted that was why they phased it and broke it out in a separate fund. He pointed out that those other problems were still there and they were still looking at some other alternatives, perhaps some economic development agency grants and they certainly hoped they could get some favorable news from the Clean Water Management Trust Fund. He added that there were also the Rural Center Grants, so they were still looking and hope to apply for funding with those programs.

He explained that with that in mind, the American Recovery and Reinvestment Act funds to the Clean Water State Revolving Fund Program that was administered by the Department of Environment and Natural Resources Construction Grants and Loans. The funding was a fifty (50 %) percent grant. They did not like using that term because it was Federal money so it was basically a loan that does not have to be repaid and fifty (50%) percent loan with no interest. The project budget was approximately \$700,000 so the city would have to repay \$350,000 at a zero (0%) percent interest loan. The project was bid in June and approximately five (5) contractors sent in bids. The bids came in within the engineer's estimate and one bid was very close to the estimate. So the project was within budget and within the budget that has been allocated by the loan process. The contractor was Prillaman & Pace. They have worked on numerous projects for the city before and have a good reputation. The background check turned out solid so based on that and their experience with the community they recommend that they be awarded Phase I. He noted that the total construction cost was approximately \$612,946. The work was anticipated to begin sometime in August however work was being done on private property up near the trestle so there was a special provision that the work cannot begin there until mid October due to the use of that canal they will be crossing so the project did have a little bit larger time frame than they had wanted but that was part of the negotiations with the property owner.

He added that the other item that he wanted to speak about was the Special by Consent Project. They were in the final phase of that project. The first phase involved about 3,000 linear feet of sewer repair

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

replacement. That was completed a couple of years ago and since then they have been refurbishing and replacing three pump stations. He was pleased to tell them that this project was ahead of schedule. He explained that two of those pump stations have been in operation for about six (6) weeks and one of them had been in operation about a week ago. The project deadline was July 15 and the Special Order by Consent deadline was July 28. So with that in mind by next week they will be able to formally apply for removal of the Special Order by Consent for the Meadow Greens, Dan River and Covenant Branch.

Council Member Tuggle commented that to follow up on NCDENR, he knew how important that has been to them and they have worked very hard and put a lot of money on trying to make sure their water and sewer systems were in good shape. Once they were out of the Special Order by Consent then obviously they still need to keep on trying to maintain and make sure they do not get under it again. He added that he would say long term that this was something that needed to be done year after year or they would be back in it again he would assume.

Mr. Fisher agreed and stated that he thought that was the recommended strategy that has been placed in the different studies. So keep in mind that Special Order by Consent was a voluntary action by the city at that time and it was well received by DENR and a lot of times that was a good tool for implementing because it gives the owner time to correct the problem and it also gives DENR the buy-in that they were going to get a way to correct the overflows and some of the problems that they were seeing.

Council Member Burnette stated that he knew that Phase I was of the highest priority and the environment the most likely to damage with the greatest liability. He asked what would be a sort of follow up to Phase I and II.

Mr. Fisher explained that the decision today should be actual construction documents for Phase I and there were some design plans in Phase II so he encouraged them to take a look at those plans. The scope of work for Phase II was to eliminate a stretch of sewer that was essentially in some cases on top of the Smith River bank, it traverses from the Aiken River bridge back around to the terminus of the city’s sewer collection which was near Caleb Street. A lot of those locations, he guessed, could have been put in by some type of barge and placed right on top of the bluff there and it was extremely rocky so the plan there was to abandon that sewer with a pump station and redirect that flow through a pump station and force main back around just downstream of the Aiken Road bridge. Then Phase II of Dry Creek sewer improvements was the outfall leaving Draper and going to the Railroad Pump Station, the outfall continues on to the Dry Creek Wastewater Treatment Plant and the plan there was to abandon that plant and redirect the whole flow to Railroad Pump Station.

Bid Tabulation Northern Smith River and Dry Creek Sanitary Sewer Improvements – Phase I

Northern Smith River Sanitary Sewer Improvements – Phase I

Prillaman & Pace, Inc.	Virginia-Carolina Paving Co.	Triangle Grading & Paving, Inc.	Gilbert Engineering Company	Yates Construction Company, Inc.
\$299,466.00	\$332,302.50	\$394,822.00	\$337, 955.00	\$470,640.00

Dry Creek Sanitary Sewer Improvements – Phase I

Prillaman & Pace,	Virginia-Carolina	Triangle Grading &	Gilbert Engineering	Yates Construction
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Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

Inc.	Paving Co.	Paving, Inc.	Company	Company, Inc.
\$313,480.00	\$329,355.00	\$382,955.77	\$1,110,845.00	\$363,705.00

Total of Both Projects

Prillaman & Pace, Inc.	Virginia-Carolina Paving Co.	Triangle Grading & Paving, Inc.	Gilbert Engineering Company	Yates Construction Company, Inc.
\$612,946.00	\$661,657.50	\$777,777.77	\$1,448,800.00	\$834,345.00

A motion was made by Council Member Burnette seconded by Council Member Tuggle that the Northern Smith River Sanitary Sewer Improvements Phase I and Dry Creek Sanitary Sewer Improvements, Phase I Recommendation of Award request be approved. All Council Members voted in favor of this motion.

REPORTS FROM STAFF:

A. Monthly Financial Report

A motion was made by Council Member Tuggle seconded by Council Member Turner to approve the Financial Report. All Council Members present 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 - *No Report*

Ms. Adams read the following report:

EDEN DOWNTOWN FARMERS MARKET

The market is off to an excellent start and growing every week! The following is a list of current vendors and the products they sell:

- Deetra Thompson – Goat Lady Cheese
- Dragonfly’s Daughter – Leda Kohler – Soaps & Sundries
- Tuttle’s Farm – Helen Tuttle & Caroline Lineberry – Produce & Berries
- W.G. Bee Farm – Frank Wyatt – Honey & Wax Products
- Jerry Roberts – Produce
- Running Pine Herb Farm – Deborah & Sam Crumpton – Herbs & Fresh Flowers
- Totally Nuts – Charles & Emily Shields – Peanut Butter & Other Nut Butters
- Sandy River Pork, Inc. – Walter Rieck – Fresh Pork, Beef & Eggs
- Massey Creek Farms – Bill McCollum – Natural Pasture Raised Lamb
- Caramel Paws Pastries – Joy Thomas – Dog Treats
- Fifth Generation Farm – Carol Pryor – Produce
- Rising Sun Breads – D.K. Schneider – Bagels, Artisan Breads, Dinner Rolls, Etc.
- Panos Greek Pastries – Debbie Xixis – Greek Pastries
- Sue’s Kitchen – Sue Barber – Baked Goods & Produce

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

- Mitchell's Orchard – Bob Mitchell – Peaches
- Clifton Conway – Produce
- Bob Futrell – Produce
- Bejeweled Creations – Barbara Conroy – Arts & Crafts (Handmade Jewelry)
- White Deer Farm – Julie Cox – Plants (Annuals & Perennials)
- Basic Beginnings – Susanne Szelewski – Soaps, Lotions & Candles

Each market features a live cooking demonstration or music and sometimes both.

All our vendors have been very pleased. Helen Tuttle commented that our market is the nicest market that she has ever been a part of. They really appreciate the tents and tables being set up for them and the uniformity of the look, so all they have to worry about is the presentation of their products.

The merchants downtown, including the Eden Museum, extend their hours on market days to help make this a true downtown experience. We make sure the merchants have flyers to post reminding their customers of the upcoming market days. I have attached one for your viewing.

FACEBOOK & www.ExploreEdenNc.com

Both of these have proven to be great ways to communicate with visitors and citizens alike. Our facebook page is approaching 1000 fans!! It is nice to read the comments that people post. It really seems to bring Eden to life for those that live away and long for home and it helps our citizens stay abreast of ways they can get involved in their community.

DESTINATION DOWNTOWN

This is another way of communication that is working. Our subscriber list gets larger after every edition. Deanna does a wonderful job of taking the information and making it inviting and vibrant. All past issues are archived on www.ExploreEdenNc.com

RIVERFEST 2009

We are working hard toward RiverFest that is coming up September 18 & 19. We have made contact with some very interesting potential vendors: Charlie's Soap, The Old Mill of Guilford, Carolina Raptor Center and many others. We are working on putting together a 5K walk/run to kick off the festival Saturday morning and are working with both Three Rivers Outfitters and the Dan River Basin Association to make the River Village a "Don't Want To Miss" part of the festival. Many of the old favorites will be back: The Trolley, Antique Engine Display, Kids Zone, lots of music, 4-H Camp, Little Miss RiverFest and so much more.

Deanna and I have worked on a new poster campaign to promote the event that portrays a more natural look. This will be unveiled in the City Council Meeting on the 21st.

DRAPER CAR SHOW

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

The Three Rivers Car Club was very pleased with the results of the annual Draper Car Show. They surpassed last year's numbers in both entries and spectators. We would like to thank Darren Gatewood and his crew for making sure the street and the beautiful new sidewalks were clean and trash free. The business district looked very nice.

All the merchants were open and many were offering "Car Show Specials". They all had been very supportive of the event and were excited that it was being held in the business district. Several of the restaurants took advantage of the day and set up concessions to accommodate both the car owners and visitors.

UPCOMING ADVERTISING

Eden will be part of a two page advertising spread in the upcoming North Carolina Heritage Magazine. Eden, Reidsville, Rockingham County TDA and Chinqua-Penn will co-op the page. We also we will be advertising in Discover the Triad and Discover Rockingham County.

THANK YOU TO JOHNNY FARMER

I would like to thank Johnny Farmer for bringing the Dixie Youth Baseball Tournament back to Eden for the second time in three years. Nothing enhances tourism dollars like this kind of tournament. He and his crew did an exceptional job and Eden should be very proud to have such a hard working parks and recreation department along with such a great, functional park such as Freedom Park.

F. Parks, Recreation & Facility Maintenance

Mr. Farmer read the following report:

The Parks and Recreation Department will be offering several events at Freedom Park and other Parks and Recreation facilities during the months of July and August 2009.

The Mill Avenue Pool (Draper Pool) will be open from 10:00 a.m. – 12:00 p.m. Monday – Friday for summer day camps, groups and swim lessons, and from 12:00 p.m. – 6:00 p.m. for open swim time for the public. The pool will be available for rental from 6:30 p.m. – 8:30 p.m. Monday – Sunday. The cost is \$3.00 for daily admission for City residents and \$4.00 for non-residents, the City resident season pass is \$35.00 and \$45.00 for non-residents, and the cost for pool rentals is \$42.00 for 20 swimmers or less, \$62.00 for 30 swimmers or less, and \$76.00 for 40 swimmers or less. For more information, please contact the Parks and Recreation Department at 623-2110.

The Parks and Recreation Summer Day Camp program will begin June 15 and run through August 21, 2009. This program is held at the Bridge Street Recreation Center Monday – Friday from 8:00 a.m. – 5:00 p.m. The participants are involved in arts and crafts, sports activities, swimming and go on field trips on a regular basis. The cost is \$250 for City residents and \$260 for non-city residents.

The Concert in the Park for July will be held on Saturday, July 25, 2009 at 6:30 p.m. at the Eden Kiwanis Amphitheater. The featured artist will be The Carolina Roustabouts. This event is free to the public and concessions will be available for purchase.

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

There is a National Softball Association Tournament scheduled for July 25 & 26, 2009, and an International Fast Pitch Tournament August 15 & 16, 2009 at Freedom Park. The games will begin at 9:00 a.m. and will be scheduled through the day and evening. There will be teams from North Carolina and Virginia participating in the tournaments.

There will be Senior Citizens Dance at The Boone Road Community Center on Monday July, 27, 2009 at 7:00 p.m. This event is for individuals 50 years of age or older and the admission fee is \$5.00 per person.

The Smith River Greenway Access Site construction is 98% complete. The only thing that remains unfinished is the canoe rail at the steps that goes into the river, the installation of the sign and minor landscaping at the time of this memorandum. Staff hopes this project is completed with the next two weeks, and hopes to have a ground breaking in August.

The Highway 700 Bridge River Access Site is 99% complete. The only thing that remains unfinished is the installation of the sign. Staff hopes this project is completed within the next couple of weeks, and hopes to have a ground breaking at this site in August. I would like to personally express my thanks and gratitude to employees in the Parks, Recreation & Facility Maintenance Department and the Streets Department for the outstanding job they have done on this project. As all of you are aware, this project was put on hold for over 6 months, but the employees worked very diligently to complete this project in a timely manner.

A third shelter has been installed at Freedom Park near the horseshoe pits and volleyball courts. This shelter was funded by donations from the Friends of Freedom Park and City funds. This shelter will be able to accommodate approximately 40 people.

G. Police - *No Report*

H. Fire - *No Report*

I. Planning & Inspections - *No Report*

J. City Attorney - *No Report*

K. City Manager- *No Report*

The following item was overlooked and needed to be added to Unfinished Business.

Tree Board Appointments.

A motion was made by Council Member Ellis seconded by Council Member Myott to appoint Marty Wall to the Tree Board (Ward 2). All Council Members voted in favor of this motion.

CONSENT AGENDA:

(a) Approval and adoption of minutes: June 16, June 24, 2009.

(b) Approval and adoption of Capital Project Ordinance for Dry Creek Phase I and Northern Smith River Phase I.

The project authorized is the construction of Dry Creek Phase I and Northern Smith River Phase I Sanitary Sewer Collection Improvements to be financed by the American Recovery and Reinvestment Act of 2009 including principal

July 21, 2009

City of Eden, N. C.

Minutes of the regular July 21, 2009 meeting of the City Council, City of Eden:

forgiveness loan and a 0% interest loan from the Construction Grants & Loans section of the North Carolina Division of Water Quality.

In accordance with G.S. 159-26 (b) (6), a capital project fund is required to account for all debt instrument proceeds used to finance capital projects. It is required that a capital project ordinance, in accordance with G.S. 159-13.2, be adopted by the governing board authorizing all appropriations necessary for the completion of the project. It is my recommendation that you approve and adopt the attached capital project ordinance.

(c) Approval of a request to film signs or other "Eden" names for media project. (Pulled)

A motion was made by Council Member Burnette seconded by Council Member Carter to approve consent agenda items a and b. All Council Members present voted in favor of this motion.

ADJOURNMENT:

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

Respectfully submitted

Sheralene S. Thompson, CMC
City Clerk

ATTEST:

John E. Grogan
Mayor