

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, August 18, 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
(absent)	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:	Roy Soyars, RECNO

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:

Wayne Johnson, Pastor of Trinity Wesleyan Church, gave the invocation followed by the Pledge of Allegiance led by Fire Chief Bernie Moore.

INTRODUCTION:

Mayor Grogan introduced Mr. Roy Soyars, a new member of the news media and asked him to explain what he did.

Mr. Soyars explained that he was with Rockingham County Events and News Online, an informational website that he started a year ago.

PROCLAMATIONS AND SPECIAL PRESENTATIONS:

SET MEETING AGENDA:

A motion was made by Council Member Ellis seconded by Council Member Burnett to set the meeting agenda. All Council Members present voted for this motion.

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PUBLIC HEARINGS:

There were no public hearings scheduled.

COMMENT BY COUNCIL MEMBER BURNETTE:

Council Member Burnette commented that he would like to personally thank Mr. Mike Dougherty (Economic Development), Ms. Tammy Amos (Engineering), and Mr. Darren Gatewood (Streets), for the manner in which they looked into the requests from last meeting.

Mayor Grogan added that at the last meeting there were a couple of people, Mr. Jim Smith, regarding sidewalks and light poles, etc., at his place of business and that has been addressed and also the lady who had a problem at her house, city workers were up there today to help correct some of that problem. He agreed with Council Member Burnette one hundred percent. It speaks well for their city, the city staff and the city manager by listening and trying to honor the request of citizens.

REQUESTS AND PETITIONS OF CITIZENS:

Mr. Warren Hairston, 865 Morgan Road addressed the Council:

Mr. Hairston explained that he had some concerns about the recent rate increase on the services. He pointed out that they had just recently changed the billing of the sewage and water to monthly versus two months. He explained that he was single, retired from the military and also on social security. He explained that he was out of town 5 or 6 days a week. He pointed out that this did not affect him financially as much as it did some other people and as a matter of fact he was sure it did not affect them (Council) that much as he noticed in the parking lot they were driving a nice car like he did.

He stated that he looked at his bill and he had a red sticker on his trash can. He stated that he placed it out once every two weeks because he only had a small amount of trash, but there was a standard rate they have to pay regardless. He noted that it had just doubled from \$28 to \$56. He stated that he had talked to people there at the city and they said that the City Council approved it. That was a 100% increase on the trash because you went to a monthly bill.

He stated that if you check your water they were taking the meter reading for more than the days it was in the month when they were supposed to charge by the gallon. Now for that little guy out there that had just got a minimum raise or worked for minimum wages or was even going out of town to work to make ends meet, he did not think that was fair. For senior citizens who were not as fortunate, that was not fair, on fixed income and living on social security.

He just thought they all need to take a look at it. He did not bring a petition. He just came in to speak to them about it but he would be glad to go back and get a petition if that was what they needed, signatures. A 100% rate increase on trash made no sense whatsoever. He stated that he could understand a moderate increase and they just had one of those a couple of years ago and that affected everybody.

He pointed out that he played professional pinochle so he traveled on all the tours but as a single man, he would receive bills in excess of \$100 and he paid them, then he would come back and adjustments

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were made. He had no broken pipes and there was no one there so something was wrong. He also pointed out that on that end of town up there a lot of people was getting muddy water, they were complaining to the city about it but he did not see any increase in the amount of people up there that was doing utility work and he did not see any new sidewalks and the grass was not even being cut along the side of the streets. If you want grass cut in front of your house, which was part of the city's easement, you have to mow it yourself. He stated that he did not mean to take up their time but they really needed to look at it.

Mr. Corcoran commented that he had a copy of the budget there and he was not sure where he had gotten his information but he sincerely doubted that the staff told him the rates were doubled. He explained that his red stickered container prior to July 1<sup>st</sup> was \$12.94 a month and his red stickered container now was \$16.81 for an increase of \$3.87 a month, not a 100% increase and not \$56.00, but \$16.81.

Mr. Hairston questioned his water bill.

Mr. Corcoran explained that he would be happy to meet with him and pointed out that on that bill was his water, sewer and garbage, but the garbage was \$16.81, which went up \$3.87.

Mr. Hairston (standing in the audience) made a comment about changing water bill rates.

Mr. Corcoran replied that they would just have to look at his bill because he just last week received his bill, and he might think, unless he took a close look at it because he also received his bill at the end of July and since they went to once a month billing on July 1<sup>st</sup> that that was just for one month but the bill he just received last week was actually for usage in the month of May and June. So even though he (Corcoran) received it last week it was still a two month bill. So the first thing he would suggest is to look at the bill and see exactly what the time period was. If he had just got his bill recently, he could assure him that his garbage was \$16.81 and it had been \$12.94 a month.

Mayor Grogan asked Mr. Hairston to get his bills and come in at his convenience and meet with the City Manager. He added that they want to do what was right for Eden and all of Eden. He asked Mr. Hairston to remember that they have lost \$4 million in income in the past 18 months. They were certainly not going to try to make that up every month but hopefully they could work out a plan of a long term thing in the long run to recapture some of that income. He then thanked Mr. Hairston for coming.

Mr. Corcoran commented that he had just been given a copy of Mr. Hairston's bill and he noted that even if he had the red sticker he had been billed at the blue sticker rate. Mr. Hairston's previous bill was \$17.00 and that was for 2 months so that means he was paying \$8.50 a month which was not the red sticker rate. The blue sticker rate was 0 to 30 gallons so that may be part of the reason why the increase seemed much larger because if that was true then he was paying \$18.50 a month but now with the new blue rate he was paying \$15.33 a month which was an increase of \$6.83 so again even though he was saying he had a red sticker his bill showed a blue sticker rate.

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Mr. Phillip W. Nelson, 1802 East Delaware Avenue addressed the Council:

Mr. Nelson explained that he had a petition with 216 names on it (*he later presented the petition to the City Council*). Three years ago the city dug up a sewage system across Delaware Avenue and right after they did that you could smell sewer really strong there for about 30 days. Then it got to where people did not smell it but then a couple hundred buzzards moved into the neighborhood. They have been there for 3 years. He stated that he had talked with the Wildlife Association and they told him to shoot a shotgun or some fireworks into the air, which was against the law, and then they told him to hang a stuffed dead buzzard in the top of a tree.

He stated that Council Member Ellis gave him permission to shoot some fireworks up into the air and the first day he spent well over an hour shooting fireworks, it scared them away, but the second day it took 15 fireworks to scare them away. He explained that they were smart birds. The Wildlife people told him that they would not harm a living creature but they picked the scalp off of a puppy and it died. He stated that he had sat on his balcony and watched them. They were aggressive and people would give their dog a little too much food and the buzzards would come in, just out of reach of the dogs on a chain, and they would fly in and peck them on the head and fly right back out.

He was told that the reason they were roosting at the top of the church was because that was the highest point, but a quarter of a mile away you have the elementary school and that right there was quite a bit higher so it was not that. He stated that the pet food might be what was drawing them in or maybe that sewer problem, maybe they filled it in with contaminated soil and lime might take care of it, but they did have a problem and there were infant children down there and he would hate to see one of them get hurt.

Mayor Grogan commented that he thought that the City Manager along with the Police Department, as well as the game people, would be in touch with him.

Mr. Nelson also added that while he was getting the names for the petition, one gentleman told him that they were pulling the shingles off of his house and he shot one of them and hung it up in a tree and they have not been there since, so maybe the dead decoy bird might be the answer.

Mayor Grogan thanked Mr. Nelson for coming in.

UNFINISHED BUSINESS:

No Unfinished Business to discuss.

NEW BUSINESS:

- (a) Approval and adoption of ordinance for the demolition of a structure at 1328 George Street under the City of Eden Human Habitation Ordinance.

Mrs. Kelly Stultz, Director of Planning & Inspections, explained that the City Council would find a section of the Human Habitation Standards Ordinance relating to the steps to be taken when an owner fails to comply with an order to repair or demolish and a copy of the Complaint and Notice of Hearing Before Housing Inspector Under Housing Code which sets out the violations. The City of Eden

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Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure. An estimate for the demolition of the structure on this property is \$3,700.00. Once the demolition is done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

She explained that this house partially burned on June 12, 2008. When the housing code action was initiated in September of 2008, the owners came to the office to discuss having the Fire Department burn the house under its training program. The Fire Department determined that there was not enough left of the house to fulfill its requirements for training. Therefore, the Planning Department notified the owners that the City could not burn the house and the owners said they would demolish the house themselves. On June 4, 2009, a letter was mailed to the owners notifying them that they had until the July meeting to pull a demolition permit and begin the demolition of the house. At this time, a permit has not been pulled and the Planning Department has not heard from the owners about their plans for the house.

A motion was made by Council Member Ellis seconded by Council Member Carter to approve and adopt the ordinance to demolish the structure at 1328 George Street. All Council Members present voted in favor of this motion.

(b) Consideration of recommendation to surplus City owned real property.

Mrs. Stultz noted that the City has recently obtained ownership of the properties listed below:

1. 627 S. Fieldcrest Road
2. 886 Morgan Road
3. 1422 Ridge Avenue
4. 306 Henry Street

The first three properties previously had structures located on them which were demolished under the minimum housing standards and were acquired at public auction through the collection process. The fourth property at 306 Henry Street currently has a house situated on the lot. The city has mowed this property for several years after the owner abandoned it and moved to Texas to be with her son. She communicated with staff that she had moved out and has no intention of moving back to the house. Therefore, staff proceeded with the collection process to stop the nuisance expenses.

It was the recommendation that the above properties be declared surplus and advertised for bids:

Council Member Burnette commented that she had said that the owner communicated with them that she has moved out and has no intention to move back in the house. He asked what that really meant.

Mrs. Stultz replied not a thing. She has abandoned it but they have to go through the normal steps.

Ms. Erin Gilley, City Attorney, clarified that the city owns the property now.

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

(c) Consideration of recommendation to accept bid on 911 McConnell Avenue.

Mrs. Stultz explained that the city has received a bid on the vacant lot at 911 McConnell Avenue in the amount of \$1,500.00 from Lorilee South. The tax value of the property is \$7,845.00.

The original advertisement for bids was run in the Eden Daily News on June 3, 2009. The bid was received from Ms. South and the advertisement for upset bids was run in the Eden Daily News on July 5 and 12, 2009. No upset bids were received.

The house situated on the lot was demolished by the City of Eden as a result of a housing code violation and the lot was purchased by the City at public auction through the collection process. The cost of the demolition was \$5,375.00. The property is being sold subject to unpaid property taxes. The amount due as of August 3, 2009, is \$2,621.26.

Based upon the foregoing information it was recommended that the City Council accept Ms. South's bid.

Council Member Burnette stated that he was basically in agreement with it but they were caught between a rock and a hard place, as they put \$5300 in it and were getting 28% of their cost back. He explained that they were getting 19% of the property tax value and he understood that she was paying 53% of the property tax value with the back taxes. He stated that he guessed he was uncomfortable that they lose money in trying to make the city a better place to live. He stated that he agreed with the recommendation, but asked what they based the recommendation on and did they use any kind of formula or pay back.

Mrs. Stultz replied that sometimes they were fortunate enough because the property was in an area that they might get close and they even had one incident in recent months where they got a little more than what was owed. The issue was if they did not sell it, in order to stop the bleeding, they were going to have to pay the \$2,621.26. They would get some of that back but they have to pay the county and then that was just more out of pocket and as long as they owned it they were not going to get any revenue from it for taxes and there was no hope that anything would be put on it.

Council Member Burnette asked if she had not bid on it and someone else had bid was \$10 would she recommend that they sell it.

Mrs. Stultz replied no it would be more value than that to which Council Member Burnette stated that he would feel more comfortable if they had some way of looking at this in the future and he did not know what that was.

Mrs. Stultz explained that in looking at them and the amount of traffic they get, they put real estate signs up and they have done everything they know to do to try to attract interest. Some of them were in more desirable areas than others and some of the lots, particularly in older neighborhoods were of such a shape and size that ....

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Council Member Burnette pointed out that this one has a pretty good slope on it.

Mrs. Stultz added that they weigh all of that before they come to the Council for a decision.

A motion was made by Council Member Carter seconded by Council Member Epps that the recommendation be accepted. All Council Members present voted in favor of this motion.

**REPORTS FROM STAFF:**

**A. Monthly Financial Report**

A motion was made by Council Member Epps seconded by Council Member Ellis 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*
- F. Police - *No Report*
- G. Fire – *No Report*
- H. Planning & Inspections - *No Report*
- I. City Attorney - *No Report*
- J. City Manager- *No Report*

**CONSENT AGENDA:**

- (a) Approval and adoption of minutes: July 21, 2009.
- (b) Consideration and approval of a request for temporary signs from Cindy Adams, Coordinator of Tourism and Special Events for the Annual RiverFest.

The Planning Department has received a request for a temporary sign to be located in the public right-of-way at NC 14 and Arbor Lane (at BB&T). The request was submitted by Cindy Adams, Coordinator of Tourism and Special Events, for the Annual RiverFest to be held on September 18 and 19, 2009.

- (c) Approval and adoption of Budget Amendment #1.

The attached budget amendment appropriates grant funds that the Police Department and Fire Department received from the Annie Penn Community Trust. The funds received for the Police Department are being used to purchase computer forensics software and the funds received for the Fire Department are being used to purchase 3 defibrillators with supplies and 5 shore rescue bags.

	Account #	From	To	Amount
<b>General Fund</b>				
<b>Revenues</b>				
Police Grant	10-3431-82000	\$ -	\$ 4,225.00	\$ 4,225.00
Fire Grant	10-3434-42000		\$ 7,400.00	\$ 7,400.00

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\$ -

\$ 11,625.00

**General Fund  
Expenditures**

Police Prof Services	10-4310-38100	\$500.00	\$ 4,725.00	\$ 4,225.00
Fire Safety Equipment	10-4340-21300	\$6,000.00	\$ 13,400.00	\$ 7,400.00
				<u>\$ 11,625.00</u>

Appropriate grant funds received from the Annie Penn Community Trust.

Adopted and effective this 18th day of August, 2009.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

**(d) Consideration and approval of COPS Hiring Recovery Program Grant.**

The memorandum explained the grant award for the COPS Hiring Recovery Program Grant for 2 officer positions and \$291,672 in federal funds over a three-year grant period to cover the salaries and benefits. Also following the grant award are the grant terms and conditions. By accepting this grant, the city agrees to retain these positions a minimum of 12 months at the conclusion of the 36 months of federal funding. It is my recommendation that the city council accepts this grant award and proceeds in hiring 2 full-time officers to fill these positions.

**(e) Consideration and approval of agreement between CGI Communications and the City of Eden.**

A motion was made by Council Member Burnette seconded by Council Member Tuggle to approve all consent agenda items. All Council Members present voted in favor of this motion.

**ADJOURNMENT:**

A motion was made by Council Member Tuggle seconded by Council Member Ellis 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