

**EDEN CITY COUNCIL
REGULAR MEETING AGENDA
Council Chambers
308 E. Stadium Drive
December 17, 2019
6:00 p.m.**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Pastor Lem Hardison, North Spray Christian Church
3. Pledge of Allegiance: Led by Fire Chief Tommy Underwood
4. Recognitions & Proclamations:
 - a. Recognition of Bayberry Retirement Inn's 30th Anniversary
 - b. Recognition of Tri-City Glass & Mirror Co.'s 70th Anniversary
 - c. Proclamation honoring Dana Weston
 - d. Recognition of outgoing Council Members Jim Burnette and Sylvia Grogan
5. Oaths of Office:
 - a. Introduction of the Honorable Judge Stan Allen
 - b. Swearing in of newly elected Council Member Bernie Moore – Ward 1
 - c. Swearing in of newly elected Council Member Bruce Nooe – Ward 2
 - d. Swearing in of newly elected Council Member Phil Hunnicutt – Ward 6
 - e. Swearing in of newly elected Council Member Jerry Ellis – Ward 7
6. Selection of Mayor Pro Tem.
7. Mayoral Appointments:
 - a. ABC Board
 - b. ABC Board Chair
 - c. Rockingham County Solid Waste Committee
 - d. Piedmont Triad Regional Council
8. Roll Call.
9. Set Meeting Agenda.
10. Audit Report: Presentation of the 2018-2019 Audit by Rouse, Rouse, Rouse & Gardner
11. Public Hearings:
 - a. (1) Consideration of a zoning map amendment request to rezone 104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674) from Industrial-1 to PUD-Mixed Use. Submitted by James Maynard, member of Nantucket Mill, LLC, property owner. **Kelly Stultz, Director of Planning & Inspections**

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment request to rezone 104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674) from Industrial-1 to PUD-Mixed Use. **Kelly Stultz, Director of Planning & Inspections**
12. Requests and Petitions of Citizens.

13. Unfinished Business:
14. New Business:
 - a. Consideration of 2020 Boards and Commissions appointments.
Kelly Stultz, Director of Planning & Inspections
 - b. Consideration to select a consultant for the Unified Development Ordinance.
Kelly Stultz, Director of Planning & Inspections
15. Reports from Staff:
 - a. City Manager's Report. **Terry Shelton, Interim City Manager**
16. Consent Agenda:
 - a. Approval and adoption of the November 19, 2019 minutes. **Deanna Hunt, City Clerk**
 - b. Approval and adoption of an ordinance to lower the speed limit on E. Harris Place.
Greg Light, Police Chief
 - c. Approval and adoption of an ordinance to lower the speed limit on Merriman Street.
Greg Light, Police Chief
 - d. Approval of financing for 2019-20 budgeted items: vacuum leaf machine, passenger van, sewer camera van and two police vehicles.
Tammie McMichael, Director of Finance and Personnel
17. Announcements.
18. Adjourn.



Economic Development Department

December 2, 2019

To: The Honorable Mayor and Eden City Council

Thru: Terry Shelton, Interim Eden City Manager

From: Mike Dougherty, Director of Economic Development

Re: Recognitions and Proclamation

Time is requested at the December 2019 City Council meeting to recognize the following:

- **Bayberry Retirement Community**
Celebrating its 30th Anniversary in 2019
- **Tri-City Glass & Mirror Co.**
Celebrating its 70th Anniversary in 2019
- **Dana Weston Proclamation**
Honoring Dana Weston for her contributions to the hospital and the Eden community at large.

These recognitions and proclamation will take place at the beginning of the December City Council meeting prior to the new City Council members being sworn in. Please let me know if you have any questions concerning these items. Thank you.



PROCLAMATION HONORING DANA WESTON

WHEREAS, Dana Weston first came to Eden in 2014 as a consultant with Novant Health and in 2015 was named president of Morehead Memorial Hospital, bringing a wealth of energy and talent to the position; and

WHEREAS, Dana managed the difficult task of shepherding the hospital through a bankruptcy and into the UNC Health Care system as UNC Rockingham Health Care, giving new hope and optimism to the Eden community and its largest employer; and

WHEREAS, the employees at UNC Rockingham Health Care admired and respected Dana's work ethic and dedication as she navigated the arduous process of converting the hospital into the UNC system; and

WHEREAS, Dana also found time to serve on the boards of the Eden YMCA, United Way, and Citizens' for Economic Development, providing her valuable expertise; and

WHEREAS, Dana assumed the chairman's position of the Eden Strategic Planning Commission, leading the members in support of projects resulting in the betterment of the Eden community; and

WHEREAS, Dana used her frequent speaking engagements to promote the welcoming nature of Eden and benefits of living in our City; and

WHEREAS, Eden is a far better place for having Dana Weston as one of its residents; an inspirational leader, citizen and advocate who so many people admire,

NOW, THEREFORE, BE IT RESOLVED that the Eden City Council does hereby honor Dana Weston for her leadership and commitment to the hospital and the Eden community at large and someone who will be greatly missed.

This the 17th day of December, 2019

Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



Memorandum

To: Honorable Mayor and City Council

From: Terry Shelton, Interim City Manager; Tammie McMichael, Finance Director; and Amy Winn, Assistant Finance Director

Date: December 17, 2019

Re: Synopsis of Audit Report for Fiscal Year Ending June 30, 2019

Attached to this memorandum is a copy of the audit report for the financial period ending June 30, 2019 as prepared by our independent auditing firm of Rouse, Rouse, Rouse & Gardner, L.L.P. The audit document has now been formally approved by the Local Government Commission (LGC). We have asked Mr. and Mrs. Rouse to formally present their audit findings to the City Council during the regularly scheduled City Council meeting set for December 17, 2019. If you have any questions concerning anything related to the audit prior to December 17th please let us know or contact Mr. and Mrs. Rouse.

A copy of the audit document, cover letter, and management letter as prepared are being distributed to each of you prior to the completion of this audit synopsis for your review and consideration.

As each of you are already aware, the audit for the fiscal year ending June 30, 2019 was prepared by Rouse, Rouse, Rouse & Gardner, L.L.P., Certified Public Accountants. Page 1 of the Independent Auditor's Report notes that the audit was conducted "...in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards, issued by the Comptroller General of the United States*".

The section in the middle of page 2 referred to as "*Opinions*" is very important because it notes the auditor's had a "clean opinion" of our financial statements. It reads in part as follows: "*In our opinion, based on our audit, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Eden,*

North Carolina as of June 30, 2019, and the respective changes in financial position and cash flows...”.

This audit has been presented in accordance with the State Single Audit Act and it includes information required as a result of GASB or what is called Governmental Accounting Standards Board Statements. Also, it is noteworthy to point out that the Eden ABC Store Financial Statement is also presented in this report (see pages 15-16 and 44) as the ABC Store is a component unit of the City of Eden.

General Fund

The General Fund is the general operating fund of the City. The General Fund accounts for all financial resources except those that are required to be accounted for in another fund.

If you refer to page 94, you will note near the bottom of the page that the Fund Balance in the General Fund increased from \$9,408,745 to \$10,189,842 an increase of \$781,097 or approximately 8.31%.

Near the bottom of the page, the information indicates that the Fund Balance available for Appropriations or called the “unassigned” fund balance equals \$6,783,552 which is an increase of \$171,305 or approximately 2.59% when compared to the June 30, 2018 total of \$6,612,247. This reflects the \$500,000 in “assigned” fund balance allocated in the current budget for FY 2019-20. In addition, \$1,739 is listed under “Streets-Powell Bill” for June 30, 2019 compared with \$4,106 for June 30, 2018. You will also note that \$2,479,028 is listed under “Restricted – Stabilization by State Statute” for June 30, 2019 compared with \$1,928,746 for June 30, 2018. Furthermore, there are some additional line item changes from year to year as indicated near the bottom of this same page.

As you may remember, the City Council voted back in 1998-99 to keep an unassigned fund balance, equal to at least three months operating expenses. On page 110 near the bottom of the page it indicates that the total expenditures during FY 2018-19 for the General Fund amounted to \$16,597,232. One-twelfth of that amount is \$1,383,103. As such, three months operating expenses would equal \$4,149,309. The amount unassigned at June 30, 2019 of \$6,783,552 is actually \$2,634,243 over that threshold. According to the most recent data available from the State Treasurer’s Office, the 2018 General Fund statewide unassigned fund balance average for municipalities was \$4,935,376 or 45.81% of General Fund expenditures and the General Fund statewide average for municipalities without electricity was \$4,412,680 or 46.56% of General Fund expenditures. The 2018 General Fund statewide average for municipalities without electricity with a population ranging from 10,000 to 49,999 was \$10,877,192 or 55.47% of General Fund expenditures. Eden’s unassigned balance as of June 30, 2019 equaled \$6,783,552 or 40.87% of General Fund expenditures \$16,597,232 for FY 2018-19.

On pages 95-96 you will find the Revenues for the General Fund. At the bottom of page 96 you will note that the budget revenues were \$15,910,100 and the actual revenues were \$16,102,982 for a favorable variance of \$192,882 or approximately 1.21%. Overall, the revenues for the General Fund were up from the prior year \$14,972,326 by \$1,130,656 or approximately 7.55%.

At the top of page 95 is the information concerning the collection of “Ad Valorem Taxes”. It should be noted that the combined revenues for this revenue category increased by \$97,640 or approximately 1.64% from \$5,968,423 during FY 2017-18 to \$6,066,063 during FY 2018-19. The primary reason for this increase is an increase under “Current Year” of \$34,005 or approximately 0.58% from \$5,871,791 in 2018 to \$5,905,796 for 2019 and an increase under “Prior Year” of \$59,239 or approximately 81.64% from \$72,558 in 2018 to \$131,797 for 2019.

Near the top of page 95 you will see the “Other Taxes & Licenses” category of revenues. This group of revenues decreased by \$85,467 or approximately 9.02% from \$947,409 during FY 2017-18 to \$861,942 during FY 2018-19. The primary reason for this reduction is a decrease under “Payments in Lieu of Taxes” of \$127,666 or approximately 20.98% from \$608,425 in 2018 to \$480,759 in 2019 due to the reduced assessed valuation for the former MillerCoors facility.

In the middle of page 95 you will see “Unrestricted Intergovernmental Revenues”. It is noteworthy to point out that this group of revenues increased by \$216,815 or approximately 4.78% from \$4,539,420 for the period ending June 30, 2018 to \$4,756,235 for the period ending June 30, 2019 due to additional funds being received from some of the revenue sources itemized in that section of the audit report. The “Utilities Sales Tax” increased by \$10,011 or approximately 1.09% from \$917,223 for 2018 to \$927,234 for 2019 and the “Local Options Sales Tax” and “Local Options Sales Tax – ½ Cent” increased a combined \$156,099 or approximately 6.08% from \$2,565,986 for 2018 to \$2,722,085 for 2019. The “State Hold Harmless Payment” increased by \$33,275 or approximately 3.76% from \$884,060 for 2018 to \$917,335 for 2019 and “ABC Profit Distribution” increased by \$17,587 or approximately 18.37% from \$95,763 for 2018 to \$113,350 for 2019.

Near the bottom of page 95 you will see the “Restricted Intergovernmental Revenues”. It should be noted that this group of revenues increased by \$897,334 or approximately 97.03% from \$924,814 for the period ending June 30, 2018 to \$1,822,148 for the period ending June 30, 2019. Although there was a reduction of \$24,975 due to the loss of a Dan River Basin Grant there was a combined increase of \$923,909 due to the “COPS Grant” (\$97,151), “SGRTEX Foreclosure Sale” (\$300,000), “Get Fit Grant” (\$19,360), “NC Community Foundation Grant” (\$7,398), “NCDRC Splash Pad Grant” (\$500,000).

At the top of page 96 is the information concerning the collection of “Permits and Fees”. It should be noted that the combined revenues for this revenue category increased by \$10,512 or approximately 7.02% from \$149,649 during FY 2017-18 to \$160,161 during

FY 2018-19. The primary reason for this increase is an increase under “Nuisance Fees” of \$44,923 or approximately 70.16% from \$64,027 in 2018 to \$108,950 in 2019. However, there is a decrease under “Building Permits” of \$28,025 or approximately 62.15% from \$45,090 in 2018 to \$17,065 in 2019.

In the middle of page 96 you will see the “Sales and Services” revenues. You will note that this group of revenues increased by \$38,475 or approximately 1.80% from \$2,133,157 for the period ending June 30, 2018 to \$2,171,632 for the period ending June 30, 2019 due to increases in several different line items. There is combined increase of \$13,797 for revenues collected for Touch-A-Truck (\$0 to \$3,123) and Grown and Gathered (\$0 to \$10,674) due to new events being accounted for in the city budget. There is also a combined increase of \$31,556 or approximately 52.97% from \$59,569 in 2018 to \$91,125 in 2019 in funds received under “Police Security” (\$49,803 to \$76,799) and “Police Security-Fringe Benefits” (\$9,766 to \$14,326). There is also an increase under “Restitution” of \$23,214 from \$1,524 in 2018 to \$24,738 in 2019 along with an increase under “Solid Waste-Commercial” of \$14,604 or approximately 3.19% from \$457,489 in 2018 to \$472,093 in 2019. Offsetting a portion of the increases within this revenue category is a combined decrease of \$45,203 which includes a decrease under “Concessions” of \$12,728 or 37.20% from \$34,219 in 2018 to \$21,491 in 2019. This combined decrease also includes a decrease under “Police Revenue” of \$11,874 or approximately 74.41% from \$15,957 to \$4,083 which is due to the loss of a FBI reimbursement for a task force position. Finally, the combined decrease includes a decrease under “Riverfest” of \$20,601 or approximately 37.19% from \$55,401 in 2018 to \$34,800 in 2019 which is due to funds being transferred in 2018 from the Downtown Development Corporation for Riverfest.

Just under the “Sales and Services” revenues on page 96 is the “Investment Earnings” revenue total. You will note this revenue source increased by \$76,396 or approximately 78.69% from \$97,090 during FY 2017-18 to \$173,486 during FY 2018-19.

At the bottom of page 96 you will find the “Miscellaneous Revenue” section for the General Fund. This revenue category decreased from a combined \$212,364 for FY 2017-18 to \$91,315 for FY 2018-19 which is a decrease of \$121,049 or approximately 57.00%. This is due primarily to the “Tornado Reimbursement” \$102,466 to \$0, the “Sale of Fixed Assets” \$78,411 to \$15,538. “Insurance Proceeds increased from \$7,699 in prior year to \$50,279 in the current year.

On page 110 you will find the Total Expenditures for the General Fund. Near the middle of the page you will note that the total budgeted operating expenditures were \$17,767,000 and the total actual expenditures for the General Fund amounted to \$16,597,232. This was a favorable variance of \$1,169,768 or approximately 6.58%. Overall, the expenditures for the General Fund were up from the prior year by \$504 or approximately 0.003% from \$16,596,728 in 2018 to \$16,597,232 in 2019.

As each of you is aware, the General Fund is reimbursed by the Water and Sewer Fund for expenses within the General Fund that are related to Water and Sewer activities but charged to the General Fund. Page 129 (near the top of the page) indicates that the Water & Sewer Fund reimbursed the General Fund for the “Utility Service Fee – General Fund” in the amount of \$2,175,460. This is an increase of \$104,067 or approximately 5.02% from the \$2,071,393 that was reimbursed during FY 2017-18. Due to the magnitude of projects being addressed in the Water and Sewer Fund staff is spending much more time on Water and Sewer activities.

We are very pleased to report that there is **NO** department/division within the General Fund that exceeded the budgeted amount of funds. An examination of the various operating departments/divisions reveals the following:

<u>Department/Division</u>	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
Governing Body Page 97	\$ 52,600	\$ 45,892	\$ 6,708

Reimbursement from W/S Fund is at 55% so this total is actually 45% of total costs attributable to this Department

Administration & Legal Page 97	\$ 201,600	\$ 164,745	\$ 36,855
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Reimbursement from W/S Fund is at 20% so this total is actually 80% of total costs attributable to this Department

Finance/HR Page 98	\$ 232,600	\$ 219,842	\$ 12,758
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Reimbursement from W/S Fund is at 70% so this total is actually 30% of total costs attributable to this Department

Planning Page 99	\$ 566,100	\$ 545,117	\$ 20,983
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Reimbursement from W/S Fund is at 20% so this total is actually 80% of total costs attributable to this Department

Economic Development Page 100	\$ 424,600	\$ 369,569	\$ 55,031
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<u>Department/Division</u>	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
Engineering	\$ 36,100	\$ 35,682	\$ 418

Page 101

Reimbursement from W/S Fund is at 90% so this total is actually 10% of total costs attributable to this Department

Information Technology	\$ 444,200	\$ 432,726	\$ 11,474
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Page 102

Reimbursement from W/S Fund is at 35% so this total is actually 65% of total costs attributable to this Department

Police	\$4,762,900	\$4,587,637	\$ 175,263
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Pages 103-104

Fire	\$1,618,600	\$1,561,943	\$ 56,657
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Page 104

Street	\$1,750,900	\$1,604,323	\$ 146,577
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Page 105

Reimbursement from W/S Fund is at 15% so this total is actually 85% of total costs attributable to this Division

Powell Bill	\$ 856,700	\$ 851,087	\$ 5,613
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Page 105

City Garage	\$ 430,600	\$ 352,779	\$ 77,821
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Page 106

Reimbursement from W/S Fund is at 25% so this total is actually 75% of total costs attributable to this Division

Facilities & Grounds	\$ 583,400	\$ 545,546	\$ 37,854
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Page 107

Reimbursement from W/S Fund is at 50% so this total is actually 50% of total costs attributable to this Division

Solid Waste	\$1,764,200	\$1,691,560	\$ 72,640
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Page 108

<u>Department/Division</u>	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
Recreation	\$1,910,300	\$1,773,201	\$ 137,099

Pages 109

Special Approp. Page 110	\$ 1,269,300	\$ 970,312	\$ 298,988
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<u>Other</u>	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
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Debt Service Page 110	\$ 812,300	\$ 807,910	\$ 4,390
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Non Departmental Page 110	\$ 50,000	\$ 37,361	\$ 12,639
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Capital Project Funds

Capital Project Funds are used to account for the proceeds and expenses of specific projects that are active/developed over the course of at least two fiscal years. Information concerning the Fire Training Facility Capital Project Fund can be found on pages 114-115. If you refer to page 114 you will note the Fire Training Facility Capital Project Fund had a June 30, 2019 fund balance of \$8,972. This Fire Training Facility Capital Project Fund was created during FY 2017-18.

Special Revenue Funds

Special Revenue Funds are used to account for the proceeds of specific revenue sources (other than special assessments, expendable trusts or major capital projects) that are legally restricted to expenditures for special purposes. The City had one (1) Special Revenue Fund during FY 2018-19: Municipal Service District Tax Fund.

The Municipal Service District Tax Fund (pages 116-117) includes the tax that was voted on by the Washington Street and Draper Village Merchants and is designated for various projects within those areas. It had a June 30, 2019 fund balance of \$31,597 (page 116) which is an increase of \$5,263 or approximately 19.99% when compared to the June 30, 2018 fund balance of \$26,334.

Water and Sewer Fund – Enterprise Fund

Page 118 includes the Comparative Balance Sheets for the Water and Sewer Fund comparing the period ending June 30, 2019 to the period ending June 30, 2018. Near the bottom of this page it indicates that the net assets in the Water and Sewer Fund (“Net Position in Water & Sewer Fund”) increased by \$4,135,370 or approximately 8.66% from \$47,769,488 to \$51,904,858. The information at the top of the page indicates that the “Cash & Investments” decreased by \$640,286 or approximately 12.34% from \$5,190,502 in the prior year to \$4,550,216 for FY 2018-19. “Other Receivables”

increased by \$1,953,583 from \$425,557 in the prior year to \$2,379,140 for FY 2018-19. This is due to grant and loan receivables from the EPA/AOC project. Near the top of the page you will note that the “Total Current Assets” increased by \$1,322,282 or approximately 16.75% from \$7,896,277 in the prior year to \$9,218,559 for FY 2018-19 due to the reduction in “Cash and Investments” and increase in “Other Receivables”. Near the middle of the page you will note that the “Capital Assets Net of Accumulated Depreciation” increased by \$3,172,098 or approximately 5.65% from \$56,177,330 to \$59,349,428.

In the middle of page 118 you will note that the “Total Assets” of the Water and Sewer Fund increased from \$64,073,607 to \$68,567,987. This is an increase of \$4,494,380 or approximately 7.01%. The total assets include the entire water and sewer infrastructure, including all of the water and sewer lines throughout the city. It should be noted that we have taken another year of depreciation on all of our older assets. Once a specific improvement is put into operation the auditors start depreciating it. The middle of page 119 illustrates this fact. You will note that the “Depreciation Expense” decreased by \$265,990 or approximately 10.34% from \$2,572,825 during FY 2017-18 to \$2,306,835 during FY 2018-19.

At the bottom of page 118 you will see where our total liabilities (things that were owed by the Water and Sewer Fund) increased by \$489,534 or approximately 2.94% from \$16,672,037 as of June 30, 2018 to \$17,161,571 as of June 30, 2019.

The Income Statement for the Water & Sewer Fund is on page 119. Starting at the top of the page the Water and Sewer Fund “Total Operating Revenue” amounted to \$12,900,326 for FY 2018-19 compared to \$10,241,441 for the prior year. This is an increase of \$2,658,885 or approximately 25.96%. This was due primarily to revenues received from Duke Energy for the treatment of their leachate.

Near the bottom of page 119 it indicates that the “Capital Contributions” increased by \$1,240,835 due to \$100,961 being received from a “Duke Energy Reimbursement”, \$750,000 received for “Rockingham County Reimbursement-Land Purchase” and \$969,286 received for “NC Connect Bond Grant”.

Also near the bottom of page 119 it indicates that the “Non-Operating Deductions: Interest Expense” decreased by \$60,052 or approximately 22.26% from \$269,803 to \$209,751 due to a reduction in our interest expense.

Near the bottom of page 119 it indicates that the Water and Sewer Fund realized a “Net Income” gain (“Change in Net Position”) of \$4,135,370 compared to a net income gain of \$366,417 in the prior year. The primary reason for this change is the “Capital Contributions” from various outside funding sources that were received during FY 2018-19 but not in FY 2017-18.

As stated many times before, our future planning will require us to be mindful about the reduced usage patterns and actions that may be needed to make sure the revenues being generated on an annual basis are sufficient enough to pay for all of our annual expenses. As an enterprise fund, it is absolutely imperative that our water and sewer rate structures be established so as to generate the level of revenues that are needed on an annual basis to cover all of our operational, capital and debt related costs.

The bottom of page 129 indicates that “Total Capital Outlay” expenses increased by \$1,864,420 or approximately 146.93% from \$1,268,892 during FY 2017-18 to \$3,133,312 during FY 2018-19. Our Capital Outlay spending for various Water and Sewer related expenditures will be increasing significantly over the course of the next few years as a result of the work that must be completed to remain in compliance with the unfunded mandate from the US Environmental Protection Agency (EPA) in reference to the Administrative Order Consent (AOC) and our Sanitary Sewer Overflows (SSOs) as well as the waterline extension to the Mega Park.

The top of page 130 indicates that “Debt Service” expenses decreased by \$46,373 or approximately 2.32% from, \$1,994,893 during FY 2017-18 to \$1,948,520 during FY 2018-19.

We are very pleased to report that there is **NO** department/division within the Water and Sewer Fund that exceeded the budgeted amount of funds. An examination of the various operating departments/divisions reveals the following:

<u>Department/Division</u>	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
Administration Page 123	\$ 649,100	\$ 648,665	\$ 435
Water Resources Page 124	\$ 571,400	\$ 551,939	\$ 19,461
Billing & Collections Page 125	\$ 532,200	\$ 491,419	\$ 40,781
Water Filtration Page 126	\$1,314,450	\$1,209,010	\$ 105,440
Maintenance (C&D) Page 127	\$1,996,600	\$1,774,079	\$ 222,521
Waste Treatment Page 128	\$1,208,000	\$1,149,146	\$ 58,854
Water Construction	\$ 8,800	\$ 6,216	\$ 2,584

<u>Department/Division</u>	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
Sewer Construction	\$ 15,000	\$ 1,295	\$ 13,705

Mega Park Waterline Project Fund

Information concerning the Mega Park Waterline Project Fund can be found on pages 132-133. You will remember that on March 21, 2017, City Council approved the creation of the Mega Park Waterline Project Fund. The funding for this project includes the following:

• Drinking Water State Reserve Grant	\$ 1,018,225
• Loan @ 0%	\$ 3,000,000
• Loan @ 1.53% (maximum rate)	\$ 54,675
• City of Eden Funds	\$ 66,000
• EDA Grant	\$ 2,000,000
• General Assembly Appropriation	<u>\$ 1,000,000</u>
Total	\$ 7,138,900

You will remember that the City Council voted to transfer \$500,000 to this newly created project fund and page 133 shows the \$500,000 for the Mega Park Waterline Project Fund under “Other Financing Sources: Contribution for W/S Fund”. The “Total Expenditures” (page 133) for this project fund during FY 2018-19 equaled \$224,340 and were related to professional services. Also on page 133, under “Net Change in Fund Balance” it indicates a June 30, 2019 Fund Balance of \$141,709.

EPA AOC Sewer Project Fund

Information concerning the EPA AOC Sewer Project Fund can be found on pages 134-135. You will remember that on March 21, 2017, City Council approved the creation of the EPA AOC Sewer Project Fund. It was noted that as of January 31, 2017, a total of \$15,391,673 had already been spent on this unfunded mandate and the funding to date had included:

• 0% and low interest loans	\$10,961,507
• Principal forgiveness loans	\$ 4,034,000
• City of Eden Funds	<u>\$ 396,166</u>
Total	\$15,391,673

It was also noted that the remaining work had a projected cost of \$33,725,600 at that point in time, and thanks to the NC Connect Bond, funding for the remainder of this work would come from the following:

• NC Connect Bond grant	\$16,666,000
• NC Connect Bond loan @ 0%	\$15,000,000
• City of Eden Funds	<u>\$ 2,059,600</u>
Total	\$33,725,600

You will remember that the City Council voted to transfer \$2,059,600 to this newly created project fund and page 135 shows the \$2,059,600 for the EPA AOC Sewer Project Fund under “Other Financing Sources: Contribution for W/S Fund”. The “Total Expenditures” (page 135) for this project fund during FY 2018-19 equaled \$2,121,282 with \$1,275,911 being spent for “Professional Services”, \$147,820 being spent on the “Junction/Bridge Street Pump Station Rehab” project and \$697,551 being spent on the “Mebane Bridge WWTP Improvements” project. Also on page 135, under “Net Change in Fund Balance” it indicates a June 30, 2019 Fund Balance of \$1,675,243.

It should be noted that we are currently making a combined principal/interest payment of \$1,251,000 on \$14,375,755 in loans that were taken out during 2007 and 2008 with an average interest rate of 3.73%. These loans will be paid in full at the conclusion of FY 2021-22. One of the funding strategies we identified several years ago and still intend to pursue, is to roll-over this existing \$1,251,000 in debt service payments that is already built into our existing rate structure and will become available for re-appropriation in FY 2022-23. This should cover the future debt service payments related to the NC Connect Bond \$15,000,000 loan at 0%.

Self-Insurance Fund – Internal Service Fund

On July 1, 1995, the City began its self-insured insurance coverage program. The City carries a reinsurance policy for payment on all specific claims in excess of \$55,000 once the one-time aggregating specific corridor of \$155,000 has been met. Once the one-time aggregating specific corridor has been met, any excess above \$55,000 claimed on any individual is reimbursed to the City by the reinsurance carrier unless the reinsurance carrier has assigned a pre-determined laser on a specific individual due to an existing condition and/or previous claims history. The lifetime maximum per covered individual is currently unlimited.

The comparative balance sheet of the Self-Insurance Fund is shown on page 136. This year the Fund Equities showed an increase of \$78,919 or approximately 39.69% from \$198,814 in 2018 to \$277,733 in 2019.

The income statement can be found on page 137. The “Total Revenues” for 2019 increased from \$3,057,269 for the year ending June 30, 2018 to \$3,496,349 for the year ending June 30, 2019. This translates into an increase of \$439,080 or approximately 14.36%.

On page 137 (near the middle of the page) it indicates the “Total Expenditures” increased from \$3,030,537 for the year ending June 30, 2018 to \$3,418,426 for the year ending June 30, 2019. This translates into an increase of \$387,899 or approximately 12.80%. On this same page you will note that “Insurance Claims” went up from \$2,553,221 in FY 2017-18 to \$2,870,686 in FY 2018-19 for an increase of \$317,465 or approximately 12.43% while the “Group Insurance Fixed Costs” increased by \$70,424 or approximately 14.75% from \$477,316 in FY 2017-18 to \$547,740 in FY 2018-19.

Law Enforcement Officers Special Separation Allowance – Actuarial Study

The Law Enforcement Officers Special Separation Allowance is a public employee retiree system pension plan that provides retirement benefits to the City’s qualified sworn law enforcement officers. The separation allowance is equal to .85 percent of the annual equivalent of the base rate of compensation most recently applicable to the officer for each year of creditable service.

As of December 31, 2018, the most recent actuarial valuation date, the actuarial accrued liability for benefits was \$2,042,190 (page 52). This represents a decrease of \$216,548 or approximately 9.59% when compared to the previous year total of \$2,258,738 (page 52). Near the middle of page 51 it indicates that “*for the year ended June 30, 2019, the City recognized pension expense of \$152,301*” for our retired police officers. This is a decrease of \$40,303 or approximately 20.93% when compared to the \$192,604 paid during FY 2017-18 (page 51 – June 30, 2018 Audited Financial Statements).

It is important to note that most municipalities fund their separation allowance on a pay as you go basis and this is what we have been doing. The City continues to be committed to funding this ongoing obligation on an annual pay as you go basis. Other information related to this separation allowance can be found on pages 50-53 and pages 90-91.

Fiduciary Funds

Fiduciary Funds account for assets held by the City in a trustee capacity or as an agent for individuals, private organizations, other governmental units, and/or other funds. The City maintains one fiduciary fund: The Agency Fund - Runabout Travel Club Fund.

The Agency Fund – Run-About Travel Club Fund is custodial in nature and does not involve the measurement of operating results. The Run-About Travel Club Fund accounts for money deposited with the City of Eden Parks and Recreation Department for those individuals participating in the programs of its department sponsored club. Page 139 shows the schedule of changes in assets and liabilities for this fund. The fund balance on June 30, 2019 equaled \$16,629 which is a decrease of \$2,904 or approximately 14.87% from the amount on hand as of June 30, 2018 which was \$19,533. Again, this is merely a fund for its members who contribute monies for scheduled activities and trips.

Capital Assets

The Governmental Activities Capital Assets can be found on page 41. At the bottom of the page you will note that on June 30, 2019 the “Governmental Activities Capital Assets, Net” totaled \$24,571,722 compared to the June 30, 2018 total of \$22,848,036. This represents an increase of \$1,723,686 or approximately 7.54%. The Business-Type Activities Capital Assets can be found on page 42. At the bottom of the page you will note that on June 30, 2019 the “Water and Sewer Fund Capital Assets, Net” totaled \$59,349,428 compared to the June 30, 2018 total of \$56,177,330. This represents an increase of \$3,172,098 or approximately 5.65%.

Additional information on the City’s capital assets can be found on pages 35-36 and 41-42 in the notes to the financial statements.

Long-Term Debt

The details of long-term debt can be found on pages 63-83. Page 82 gives a detailed schedule which summarizes the City’s annual requirements to amortize all long-term debts outstanding. On page 82 it shows that the combined total outstanding principal and interest debt for the City on June 30, 2019, was \$19,784,551. This is an increase of \$492,374 or approximately 2.55% compared to the total of \$19,292,177 on June 30, 2018 (page 80 – June 30, 2018 Audited Financial Statements). This is made up from two numbers: the “Governmental Activities” debt that equals \$5,202,796 (2018 was equal to \$4,406,303) and the “Water and Sewer” debt that equals \$14,581,755 (2018 was equal to \$14,885,874).

The information concerning the specific installment purchases, capital lease purchases and other projects (pages 63-83) indicates that nine of the obligations with a total annual principal payment of \$230,128 will be paid off prior to June 30, 2020, one additional obligation with a total annual principal payment of \$26,924 will be paid off prior to June 30, 2021. Three additional obligations with a total annual principal and interest payment of \$1,282,505 will be paid off prior to June 30, 2022.

The bottom of page 81 indicates that the legal debt margin for the City as of June 30, 2019 equaled \$71,761,909 up from \$71,374,122 (page 79 – June 30, 2018 Audited Financial Statements) on June 30, 2018. As each of you are aware; the N. C. General Statutes limits the amount of general obligation debt that a unit of government can issue to eight (8) percent of the total assessed value of taxable property located within the government’s boundaries.

Analysis of Current Tax Levy

Page 141 is an analysis of the current tax levy for the year ending June 30, 2019. Near the bottom of the page you will note that the total property tax valuation is \$897,023,866.

This is higher than the total property tax valuation as of June 30, 2018 which was \$892,176,523 (page 138 – June 30, 2018 Audited Financial Statements).

The current year tax collection rate increased slightly to 98.54% compared to the 2018 rate of 98.21%. The property excluding registered motor vehicles collection rate equaled 98.33% and is also a slight increase from last year’s rate that was 97.97%. Finally, the registered motor vehicles collection rate equaled a perfect 100% for the fourth consecutive year (page 138 – June 30, 2018 Audited Financial Statements for 2018 collection rate information).

Interest Income

The \$295,425 in interest income earned on investments during FY 2018-19 has increased from last year’s total of \$162,564 by \$132,861 or approximately 81.73%. Unfortunately, the total amount of interest income earned continues to be significantly less than it was several years ago due to the weakened economy. Information for the past three years reveals the following:

<u>Fund</u>	<u>Year Ended 06-30-2019</u>	<u>Year Ended 06-30-2018</u>	<u>Year Ended 06-30-2017</u>
General	\$173,486	\$ 97,090	\$ 32,083
Special Revenue	\$ 73	\$ 11	\$ 3
Water & Sewer	\$120,870	\$ 65,354	\$ 32,865
Self Insurance	\$ 996	\$ 109	\$ 8
Police Pension	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
Total	\$295,425	\$162,564	\$ 64,959

Construction Commitments

There are Notes to the Financial Statements entitled, *Construction Commitments*. This information is outlined on page 43 of the audit document. A total of two (2) projects are highlighted on page 43 with a combined total cost of \$42,864,500. Of this total, \$20,684,225 (see page 43) will be received in the form of grants and an additional \$18,000,000 will be received in the form of a 0% interest forgiveness loan. This leaves a balance of \$4,180,275 to be funded through additional low interest loans and/or revenues from the Water and Sewer Fund. Page 43 indicates that as of June 30, 2019 \$4,681,220 of the \$42,864,500 in identified costs had actually been spent with the remaining commitment being equal to \$38,183,280.

Management Letter

The first item outlined in the auditor’s management letter (loose handout included with audit document) deals with audit adjustments. The number of audit adjustments in the General Fund for the period ending June 30, 2019 was 13 with 9 of those adjustments

proposed by city personnel. The number of audit adjustments in the Water and Sewer Fund for the period ending June 30, 2019 was 7 with 4 of those adjustments proposed by city personnel. We will continue as a staff to do what we can to keep the number of audit adjustments to a bare minimum.

In the management letter the auditor's state, *"This was a low number of adjusting entries for a City of this size. The staff was proactive in completing the schedules and reports necessary to accurately complete this audit report. This stresses the importance of the accounting personnel attending Local Government Commission and School of Government classes to keep abreast of new accounting and auditing issues related to the City's financial reporting requirements"*.

The second area discusses actuarial studies and the need for the City to continue getting actuarial studies on (a.) Net Other Post-Employment Benefits for the Health Care Plan to comply with GASB 74 and 75, and (b.) Law Enforcement Officers' Special Separation Allowance Plan to comply with GASB 73. We will continue as a staff to have actuarial studies done each year.

The third area addressed in the management letter deals with the Water and Sewer Fund. Specifically, the auditors state they are "pleased" that the City Council has created the Mega Park Waterline Capital Project Fund and the EPA AOC Sewer Capital Project Fund as sub-funds of the Water and Sewer Fund to report the revenues and expenditures related to these two projects.

The fourth area addressed in the management letter deals with Management Overrides of Control. The City Council approved Policy Council-1 Oversight of the Manager's Travel and Discretionary Expenditures on November 19, 2019. The purpose of this policy is to establish financial control procedures for oversight of travel and discretionary expenditures by the City Manager. City Council also approved Policy Council-2 Annual Review of the City Manager by Council on November 19, 2019. The purpose of this policy is to establish an annual review of the City Manager's previous year's performance, consider any revisions to the City Manager's contract, and consider any change in the City Manager's salary or benefits. This annual review will provide an opportunity for all members of Council to participate in the oversight of the City Manager, who is their employee.

The fifth and final area addressed in the management letter deals with the Internal Control Policy. City Council approved Policy Fin-2 Payroll Checks/Direct Deposit on November 19, 2019. The purpose of this policy is to establish procedures for eliminating the issuing of Payroll Checks, issuing Payroll Vouchers, and requiring all employees to have Direct Deposit. We also have addressed in a staff meeting to all Department Heads and Superintendents the importance of reviewing and signing off on timesheets for their employees. Each Department Head and Superintendent must take responsibility of their employees in reporting their hours worked, vacation time used, sick time used, and comp time used on their timesheets that are submitted for payroll.

Concluding Remarks

In this memorandum we have attempted to give you some of the highlights that are contained in the audit as well as the location of essential information. We would like to take this opportunity to thank Mr. Rex Rouse, CPA and Ms. Judy Rouse, CPA, of Rouse, Rouse, Rouse & Gardner, L.L.P. for their continued assistance throughout the course of the past year. They are always there when we need a question answered and they deserve a great deal of thanks. They do a tremendous job for the City. Thanks and appreciation is also due for Mr. Trevor Gardner, CPA of Rouse, Rouse, Rouse & Gardner, L.L.P. for his dedication and hard work in completing this audit. We sincerely appreciate his efforts.

Please feel free to contact me if you have any questions or need additional information.

Cc: Ms. Tammie McMichael, Director of Finance & Personnel
Ms. Amy Winn, CPA, Assistant Director of Finance
Ms. Judy Rouse, CPA – Rouse, Rouse, Penn & Rouse, L.L.P.
Mr. Rex Rouse, CPA – Rouse, Rouse, Penn & Rouse, L.L.P.
All Department/Division Heads
FILE



Planning and Inspections Department

P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

MEMO

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Kelly K. Stultz, AICP, Director
Subject: **Zoning Case Z-19-14 – 104 Morgan Road and Adjoining Parcels**
Date: December 3, 2019

The City has received a zoning map amendment request filed by James Maynard, Member of Nantucket Mill, LLC, property owner, to rezone 104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674). The request is to rezone the property from Industrial – 1 to PUD – Mixed Use.

The Planning and Inspections Department recommends approval of the map amendment request. At a regular meeting in November, the Planning Board voted to recommend that the City Council approve this request.

CERTIFICATE SHOWING THAT NOTICES WERE MAILED TO THE OWNER(S) OF PROPERTY SUBJECT TO REZONING AND TO OWNER(S) OF ALL PARCELS OF LAND ABUTTING SUBJECT PROPERTY AND/OR WITHIN 100 FEET OF SUBJECT PROPERTY.

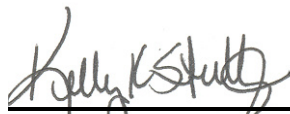
RE: ZONING CASE Z-19-14

104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674)

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EDEN:

I, Kelly K. Stultz, Planning & Inspections Director of the City of Eden North Carolina, do hereby certify that notices of the proposed zoning map amendment requested by James Maynard to rezone 104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674) from Industrial – 1 to PUD – Mixed Use were mailed first-class mail to the owners of property in the proposed rezoning and all property owners adjacent to or within 100 feet of the subject area on the 4th day December, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand this the 4th day of October, 2019.



Kelly K. Stultz, AICP
Planning and Inspections Director



PLANNING & INSPECTIONS DEPARTMENT
APPLICATION FOR ZONING ORDINANCE AMENDMENT
PETITION FOR MAP AMENDMENT

INSTRUCTIONS: Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

(1) APPLICANT INFORMATION:

NAME: James Maynard TELEPHONE: (704) 351-3248
MAILING ADDRESS: PO Box 3916
CITY Hickory STATE NC ZIP CODE 28603
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S): _____
Owner

(2) PROPERTY OWNER INFORMATION:

NAME: Nantucket Mill LLC TELEPHONE: (828) 324-6774
MAILING ADDRESS: PO Box 3916
CITY Hickory STATE NC ZIP CODE 28603

(3) PROPERTY INFORMATION:

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 707015636765, 707015648087, 707015649674
STREET LOCATION: 104 Morgan Road, Eden, NC 27288
DEED BOOK: 1500 PAGE NUMBER 1733
YEAR CURRENT OWNER ACQUIRED PROPERTY: 12/29/15
PROPERTY SIZE (in acres or in square feet if less than 1 acre): 6 acres
PUBLIC WATER AVAILABLE YES NO PUBLIC SEWER AVAILABLE YES NO
CURRENT USE OF PROPERTY: Vacant, Original Use - Industrial

(4) ZONING INFORMATION:

EXISTING ZONING DISTRICT: I-1 REQUESTED ZONING DISTRICT: PUD-MR

(5) ADDITIONAL INFORMATION:

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

(6) APPLICANT CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

[Signature]
Applicant's Signature

9/16/19
Date of Signature

(7) PROPERTY OWNER(S) CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

[Signature]
Property Owner's Signature

9/17/19
Date of Signature

Property Owner's Signature

Date of Signature

(8) CORPORATION CERTIFICATION:

IT IS HEREBY CERTIFIED, that _____, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this _____ day of _____, 20_____.

CORPORATE SEAL

Secretary

Name of Corporation

By: _____

President

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: 2-19-14

FEE PAID: _____

RECEIVED BY: _____

DATE: _____

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
October 25, 2019**

CASE NUMBER:	Z-19-14
EXISTING ZONING DISTRICT:	I-1
REQUESTED ZONING DISTRICT:	PUD-MU
APPLICANT:	James Maynard
APPLICANT'S STATUS:	Property Owner/ Nantucket Mill LLC

PROPERTY INFORMATION

LOCATION:	104 Morgan Road
PIN:	7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674
SIZE:	6 acres
ACCESS:	Morgan Road
LAND USE:	Former textile mill
PHYSICAL CHARACTERISTICS:	Former mill building and outbuildings
ZONING HISTORY:	Zoned I-1 at time of original zoning

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by vacant I-1 property; bordered on the west by Morgan Road and BG property; bordered on the south by Church Street and I-1 property containing the Governor Morehead Park; bordered on the east by vacant I-1 property and the Spray Canal.		
ADJACENT ZONING:	North:	I-1	
	South:	I-1	
	East:	I-1 and PUD-MU	
	West:	BG	

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
-----------------------------	-----

PUBLIC WATER AVAILABLE: Yes
PUBLIC SEWER AVAILABLE: Yes

LAND DEVELOPMENT PLAN (2007): Town Center

FLOOD HAZARD AREA: Yes

WATER SUPPLY WATERSHED: Yes – WS-IV (Critical)

STAFF ANALYSIS

The request is to rezone approximately 6.0 acres from I-1 (Industrial-1) to PUD-MU (PUD-Mixed Use). The I-1 Industrial District is established as a district in which the principal use of land is for industries which can be operated in a clean and quiet manner. The PUD-Mixed Use District (PUD-MU) is established for the development of new and existing commercial and industrial properties for mixed uses including residential, commercial and light industrial, and is intended to provide for:

- (1) Flexibility in design to take greatest advantage of historic resources while protecting historic and natural resources;
- (2) Greater freedom for developers to submit plans that use a creative approach to land use and adaptive reuse of historic properties, utilizing innovative techniques to enhance the aesthetic quality of the development;
- (3) Efficient use of land and existing utilities and infrastructure which may reduce environmental impact and development costs;
- (4) Simplification of the procedures for obtaining approval of proposed development through timely review of proposed land use, site plan, public needs and other relevant factors.

The PUD-MU zoning must be approved by the City Council, upon recommendation from the Planning Board.

The subject parcel is located in an area of former textile mills and associated structures, most of which have been vacant for years. The subject property is also a former textile mill. This area contains some of the City's most historic resources; however, most of the buildings and the entire area has been in a state of decline since the closing of the mills. The PUD-MU district is specifically designed for such uses. Staff is of the opinion that this zoning would be suitable for the property, with the following exceptions:

- (1) No new development shall occur and no permits shall be issued until a final development plan is approved subject to all regulations of the PUD-MU district.
- (2) Provisions shall be met in order to protect the natural environment and character of the area.
- (3) Provisions for on-site parking shall be met subject to the regulations of the PUD-MU district.
- (4) The Articles of Incorporation for the owners' association shall be submitted with the Preliminary Development Plan and filed with the Rockingham County Register of Deeds.

- (5) The permit-issuing authority may impose other appropriate or more stringent conditions deemed necessary to protect the public health, safety, and general welfare, and the character of the neighborhood.

Based upon the character of the area and the potential for mixed-use redevelopment of the property, staff recommends approval of the request.

STAFF RECOMMENDATION:

Approval of the PUD-MU request.

ZONING CASE

Z-19-14

AERIAL MAP



Subject Property

Subject Property

Subject Property

104 Morgan Road

**PIN 7070-15-64-8087,
7070-15-63-6765
and 7070-15-64-9674**

**Zoned:
Industrial - 1**

**Requested:
PUD-MU**

ZONING CASE

Z-19-14

ZONING MAP



104 Morgan Road

**PIN 7070-15-64-8087,
7070-15-63-6765
and 7070-15-64-9674**

**Zoned:
Industrial - 1**

**Requested:
PUD-MU**



AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, the Zoning Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Industrial-1 to PUD-Mixed Use the following tracts:

Being all of Parcel A and Parcel C as shown on a plat entitled "Survey Plat – Exhibit B to the Notice of Brownfields Property, Property of Riverwalk Development, LLC" by C. E. Robertson & Associates, P.C. dated September 4, 2007 and revised April 8, 2008, and recorded in Map Book 64 at page 24 in the Office of the Register of Deeds for Rockingham County, N.C.

The above properties identified by the Rockingham County Tax Dept. as PIN 7070-15-63-6765 (Parcel 106522), PIN 7070-15-64-8087 (Parcel 173438), and PIN 7070-15-64-9674 (Parcel 173440).

Section 2 - The Official Zoning Map of the City of Eden is hereby amended to conform with this Ordinance.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of December, 2019.

CITY OF EDEN

BY: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-19-14
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

WHEREAS, on August 21, 2007, the Eden City Council adopted the Land Development Plan. Plans such as the City of Eden Land Development Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances;

WHEREAS, the City of Eden Planning Board received a request to rezone 104 Morgan Road and adjoining parcels (PIN 7070-15-63-6765, 7070-15-64-8087, and 7070-15-64-9674). from Industrial – 1 to PUD – Mixed Use.

WHEREAS, On November 26, 2019, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

STATEMENT OF NEED:

The subject parcels are located in an area of former textile mills and associated structures, most of which have been vacant for years. The subject properties were also a former textile mill. This area contains some of the City's most historic resources; however, most of the buildings and the entire area has been in a state of decline since the closing of the mills. The PUD-MU district is specifically designed for such uses.

STATEMENT OF CONSISTENCY:

The goals of the 2007 City of Eden Land Development Plan, as amended, are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Land Development Plan, as amended, and why the City Council considers the proposed amendment to be reasonable and in the public interest;

NOW THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL THAT:

1. The Eden City Council finds that the proposed amendment to the City of Eden Zoning Ordinance is consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended.
2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Zoning Ordinance is reasonable and in the public's best interest.

Approved and adopted and effective this 17th day of December, 2019.

CITY OF EDEN

BY: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



Planning and Inspections Department

308 East Stadium Drive, Eden, North Carolina 27288 Phone: (336) 623-2110 Fax: (336) 623-4057

MEMO

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Debbie Galloway
Subject: **2020 Boards and Commissions Appointments**
Date: December 3, 2019

The following seats on the City Boards and Commissions are up for appointment or reappointment in 2020. When making appointments, please consider whether these persons have the time or the ability (for whatever reason) to attend regular meetings and participate in the activities of the board or commission.

If you have questions, please do not hesitate to call.

Ward 1 Councilman Moore

Everall Peele – Historic Preservation Commission term expired
Eddie Barker – Planning Board term expired

Ward 2 Councilman Nooe

Vacant – Historic Preservation Commission (Jean Harrington resigned)

Ward 3 Councilwoman Hampton

Frank Reid – Community Appearance Commission – attended no meetings in 2019
Barbara Garland – Planning Board term expired
Brian Ferris – Tree Board new appointment

Ward 4 Councilman Epps

Hope Gilley – Board of Adjustment term expired and resigned
Faye Shelton – Community Appearance Commission term expired

Ward 5 Councilman Carter

Cathy Carter – Community Appearance Commission term expired
Amelia Dallas – Planning Board term expired

Ward 6 Councilman Hunnicutt

Mike Ayers – Tree Board term expired

Ward 7 Councilman Ellis

Frank Wyatt – Planning Board term expired
Tyra Hinton – Tree Board term expired

Mayor Hall

Dale Warren – Tree Board new appointment

ETJ (Must be appointed by City Council and approved by County Commissioners)

David Everett – Board of Adjustment term expired



Planning and Inspections Department

P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

MEMO

TO: Honorable Mayor and City Council
THRU: Terry Shelton, Interim City Manager
FROM: Kelly K. Stultz, AICP, Director
SUBJECT: Selection of Consultant for Unified Development Ordinance
DATE: December 6, 2019

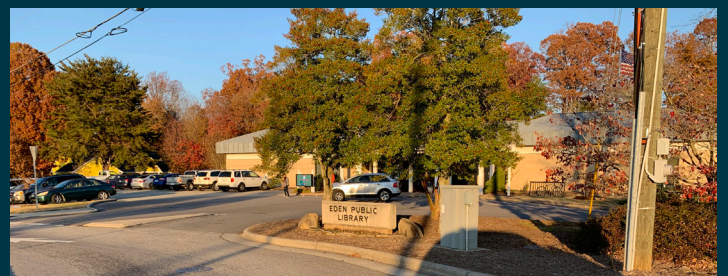
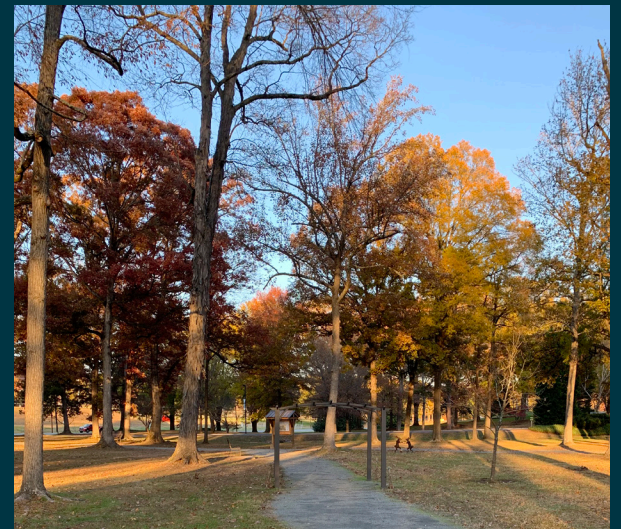
At your November regular meeting approval was given to hire a consulting firm to guide us through the process of adopting land use regulations and meeting the new statutory requirements.

There is no requirement for local governments to seek bids for professional services. However, after speaking with the City Attorney, we both thought that seeking proposals was the best route.

The day after the November meeting, we sent out a Request for Proposal. It was posted on the UNC Planner's Listserv and the State procurement website. We received one bid.

Over the past couple of years, I have met with and talked with several firms that are qualified to do the project. Stewart Inc., is in my professional opinion, the best fit for Eden. They are also the firm that answered our request. Stewart is a firm with wide ranging experience and experienced land use planning team that can deliver us a user-friendly and impactful UDO. Time is of the essence due to statutory changes. We must have this project complete and adopted by January 1, 2021.

I am recommending that you engage Stewart Inc., and allow us to sign a contract with them that has been reviewed and approved by the City Attorney.



CITY OF EDEN

UNIFIED DEVELOPMENT ORDINANCE

Stewart
 223 S. West Street / Suite 1100 / Raleigh, NC 27603
 O 919.380.8750
 F 919.380.8752
 stewartinc.com

DECEMBER 5, 2019





December 5, 2019

Kelly Stultz
Planning and Inspections Director
City of Eden Planning and Inspections Department
308 E. Stadium Drive
Eden, NC 27288

RE: Request for Proposal - City of Eden Unified Development Ordinance

Dear Ms. Stultz:

The City of Eden is embarking on an important planning initiative - seeking to create a Unified Development Ordinance (UDO). Our team is pleased to submit this planning services proposal to work with the City to update the existing land use regulations and merge related codes into a UDO. We will ensure the new document is in compliance with the applicable Comprehensive Planning documents, implements goals from the City's Strategic Plan "Positively Eden!", is in conformance with current state statutes, and formatted in a way that is user-friendly.

We believe that our background and knowledge developing codes and ordinances in other North Carolina communities will be an asset to this effort. We are skilled in preparing UDOs that are well-organized, graphic-heavy, user-friendly, and in conformance with current North Carolina General Statutes.

We have assembled a team of professionals for this assignment that are available to begin immediately upon receipt of a notice to proceed. **I will oversee this project as the Principal-in-Charge. Chad Sary, AICP will serve as Project Manager, responsible for regular communication with the City.** He will be supported by a team of Certified Planners with years of public and private sector planning experience, as well as professional landscape architects and engineers.

A combination of several factors makes the Stewart Team the best choice for your project:

- **Experienced Municipal Planning Team** – Our team has five AICP planners with decades of North Carolina-centered planning experience and are well-versed in current best practices needed to create a user-friendly and impactful UDO.
- **Local Government Planning and Private Development Experience** – Many firms can write and update Development Ordinances. Stewart is different in that our planners, landscape architects, and engineers also utilize these documents on a daily basis assisting clients throughout the state. Our experience in land development projects allows us to "ground truth" in the documents prior to implementation.
- **Stewart's Municipal Planning & Mobility practice is endorsed as a Preferred Partner by the NC League of Municipalities.**

We appreciate the opportunity to submit this RFP response. We look forward to the prospect of working with you on this project. Please call me at **919.866.4823** or email at **cszwarckop@stewartinc.com** should you have any questions or need additional information.

Sincerely,
STEWART

Cindy Szwarczkop, AICP
Associate Vice President | Practice Leader, Municipal Planning & Mobility

Principal-in-Charge:
Cindy Szwarczkop, AICP
919.866.4823 • cszwarckop@stewartinc.com

Project Manager:
Chad Sary, AICP, CZO, CFM
919.866.4742 • csary@stewartinc.com

FIRM PROFILE

STEWART STRONGER BY DESIGN

Stewart is a design, engineering, and planning firm located in Raleigh, Durham, Charlotte, and Wilmington, NC, and Columbia, SC, serving clients throughout the southeastern US. With a unique collaborative cross-discipline approach that results in stronger and more creative design solutions, Stewart offers a full range of services to meet the needs of its clients, including:

- Landscape Architecture
- Civil Engineering
- Structural Engineering
- Sports & Events
- **Municipal Planning & Mobility**
- Transportation
- Geomatics
- Geotechnical & Construction Services

Founded in 1994 by Willy E. Stewart, PE, the firm has more than **210 employees**. Stewart is owned by a select group of professionals who are personally involved in our clients' projects.

Stewart provides services in a variety of markets within the public and private sectors. Clients include education, healthcare, institutions, municipalities, architects, departments of transportation, and the federal government as well as commercial, retail, residential, mixed-use, and private developers.

Stewart has developed a rich culture of servant leadership, summarized by the acronym, THREAD: Trust, Humility, Respect, Excellence, Accountability, and Discipline. These core values are at the heart of how we work with each other, our clients, our partners, and our community. THREAD has evolved into a curriculum that is taught to employees through our THREAD Institute.

MINORITY BUSINESS STATUS

The firm is a certified Historically Underutilized Business (HUB) with the State of North Carolina through the Statewide Uniform Certification (SWUC) program.

NAMES AND EXPERIENCE OF PRINCIPALS OR DIRECTORS

Cindy Szwarcop, AICP

Associate Vice President | Practice Leader, Municipal Planning & Mobility

As Practice Leader of the Municipal Planning & Mobility Practice Area, Cindy leads a group of planners, landscape architects and engineers and is responsible for overall management to include oversight and management of projects, client development and retention, financial success and profitability, and personnel and general administrative management. She supervises the execution of professional planning activities within the context of the practice area. Cindy is a Certified Planner specializing in land use, demographics, municipal coordination, and public engagement. She uses her skills and experience in project management to deliver highly successful projects.



Cindy has broad experience in UDO drafting. To date, Cindy has conducted unified development ordinance updates for numerous municipalities across the state of North Carolina, including the Town of Ayden, Pender County, Town of Lillington, Town of Indian Trail, Town of Pittsboro, Jackson County, Guilford County, and the Town of Clayton. These projects involve extensive public involvement strategies, analyses of the strengths and weaknesses of existing ordinances, and revisions to zoning and maps.



STEWART

TYPE OF ORGANIZATION

S-Corporation

CONTACT INFORMATION/ PRIORITY LOCATION OF FIRM

Stewart Headquarters

223 S. West Street, Suite 1100
Raleigh, NC 27603
919.380.8750
info@stewartinc.com

AWARDS

2019 Preferred Partner

NC League of Municipalities

2019 Best Places to Work

Triangle & Charlotte Business Journal
Charlotte Observer

2019 Great Street in the Making Award, American Planning Association, North Carolina Chapter
Kinston Queen Street Streetscape

2019 ENR Top 500 Firm

2019 TCREW Champion Award for Best Redevelopment

The Dillon

2019 Business North Carolina Building North Carolina Awards, Best Commercial Design
Durham Innovation District

2019 AIA Triangle Design Honor Award

2019 Excellence in Structural Engineering, National Council of Structural Engineers Association (NCSEA)

NC A&T University Student Center

2019 SEA of North Carolina Award for Excellence in Structural Engineering

2019 Business North Carolina Building North Carolina Awards, Best Overall Design
East Carolina University Campus Student Center

2019 Eagle Award in the ABC Excellence in Construction Awards
Durham Police Headquarters Complex

PRACTICE AREA OVERVIEW

MUNICIPAL PLANNING & MOBILITY

Since its inception, the Municipal Planning & Mobility practice area has impacted numerous municipalities and counties in the state, in part due to its focus on small to mid-sized communities as well as the firm’s emphasis on interdisciplinary collaboration and years of combined experience across planners, urban designers, and engineers.

The Municipal Planning & Mobility Practice has *10 full-time employees* with several employees from other practice areas to aid in interdisciplinary cross-collaboration. The practice is uniquely positioned to lead the City of Eden Unified Development Ordinance effort based on our experience in bringing these intertwined disciplines together. Projects currently underway include developing comprehensive plans, small area plans, Unified Development Ordinances, corridor and mobility plans as well as providing on-call planning services. Through these projects, Stewart is making an impact that can be seen throughout the state by providing communities with the tools they need to monitor, support and manage growth while enhancing quality of life.

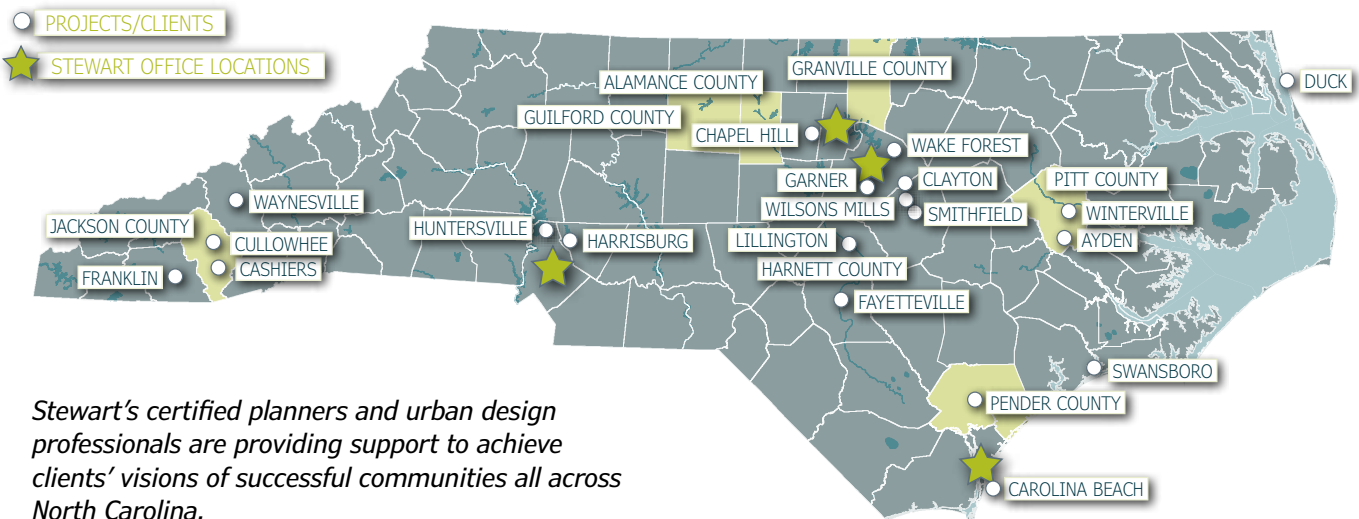
Stewart emphasizes the importance of building relationships with its clients and communities - even after project completion. The Municipal Planning & Mobility Practice provides continuing service following project completion, including addressing questions and providing support as clients navigate their new codes and plans. The team also volunteers regularly to help bring big ideas to life.

Stewart’s Municipal Planning & Mobility Practice understands the unique challenges and requirements of the communities we serve and customizes a team to address them. Stewart brings together the technical skills of civil engineers and GIS professionals, the keen attention to design of landscape architects, and the community vision of planners for each project. This emphasis on interdisciplinary collaboration effectively delivers on the clients’ needs and expertly positions the firm to create documents and underpinning spatial decision support systems that will guide future policy.

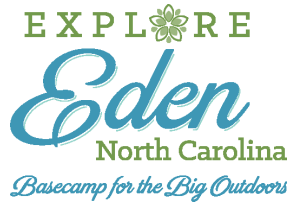
“Stewart’s planning team used a collaborative approach that incorporated infrastructure analysis, scenario planning, and opportunities for meaningful public input that resulted in a quality plan that will provide a strong foundation for Granville County for years to come.”

- Barry Baker
Planning Director
Granville County

Municipal Planning & Mobility Projects



Stewart’s certified planners and urban design professionals are providing support to achieve clients’ visions of successful communities all across North Carolina.

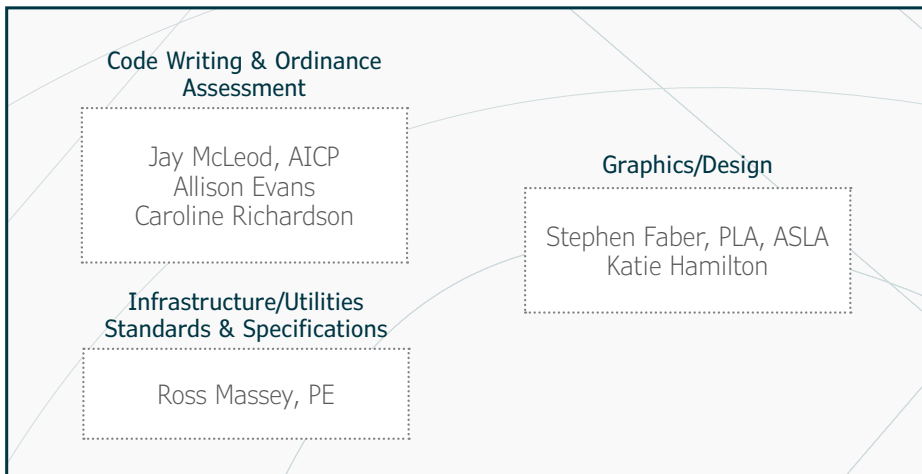


CINDY SZWARCKOP AICP
PRINCIPAL-IN-CHARGE



CHAD SARY AICP, CZO, CFM
PROJECT MANAGER

STEWART



We partner with multiple land use attorneys throughout the state to provide legal review of all UDO projects. These attorneys serve as an extension of Stewart staff but are not shown on the organization chart. This proposed team also has the support of additional certified planners and planning professionals in our Municipal Planning & Mobility practice as needed.



CINDY SZWARCOP AICP
TITLE: AVP | PRACTICE LEADER

ROLE: PRINCIPAL-IN-CHARGE

As Practice Leader of the Municipal Planning & Mobility Practice Area, Cindy leads a group of planners, landscape architects and engineers and is responsible for the overall management of the group to include oversight and management of projects, client development and retention, financial success and profitability, and personnel and general administrative management. She supervises the execution of professional planning activities within the context of the practice area. Cindy is a Certified Planner specializing in land use, demographics, municipal coordination, and public engagement. She uses her skills and experience in project management to deliver highly successful projects. **Cindy has worked for Stewart for nearly 14 years.**

EDUCATION

Master of Urban and Regional Planning, (concentration in Urban Management and Physical Development)
Virginia Tech

Bachelor of Science in Public Administration and Political Science
James Madison University

REGISTRATION

American Institute of Certified Planners (AICP): #019412

RELEVANT EXPERIENCE

- **Town of Lillington Unified Development Ordinance | Lillington, NC**
Principal-in-Charge
- **Jackson County Unified Development Ordinance | Jackson County, NC**
Principal-in-Charge
- **Town of Ayden Land Use Plan Update and Unified Development Ordinance Update | Ayden, NC**
Principal-in-Charge
- **Pitt County Zoning Update | Pitt County, NC**
Principal-in-Charge
- **Pender County Unified Development Ordinance | Pender County, NC**
Principal-in-Charge
- **Town of Clayton UDO Update | Clayton, NC**
Principal-in-Charge
- **Guilford County UDO | Guilford County, NC**
Principal-in-Charge



CHAD SARY AICP, CZO, CFM
TITLE: PLANNING MANAGER

ROLE: PROJECT MANAGER

Chad is a certified planner with over 20 years of community planning, development services, transportation, zoning and general government administration experience in North Carolina. Before joining Stewart, he served as the Assistant Town Manager of Knightdale, Assistant Planning Director for the Town of Wake Forest and Planning & Inspections Director for Chowan County. During his tenure in Wake Forest, he served as the Town Project Manager for the Town's first UDO. He is experienced in consensus building with municipal and county departments, federal and state agencies, the general public, development community and elected/appointed officials. His primary responsibilities include oversight and management of projects and business development. Chad specializes in current planning and development ordinances. **Chad has worked for Stewart for nearly three years.**

EDUCATION

Bachelor of Science in Applied Geography, Urban, and Regional Planning
East Carolina University

Graduate Certificate in Facilities Planning & Management
Ohio State University

REGISTRATION

American Institute of Certified Planners (AICP): #022793

NC Associate of Floodplain Managers
CFM #NC-05-0157

UNC School of Government
Certified Zoning Official

RELEVANT EXPERIENCE

- **Town of Lillington Unified Development Ordinance | Lillington, NC**
Planning Manager
- **Jackson County Unified Development Ordinance | Jackson County, NC**
Project Manager
- **Town of Ayden Land Use Plan Update and Unified Development Ordinance Update | Ayden, NC**
Planning Manager
- **Pitt County Zoning Update | Pitt County, NC**
Planning Manager
- **Town of Clayton UDO Update | Clayton, NC**
Project Manager
- **Wake Forest Unified Development Ordinance | Wake Forest, NC***

**performed prior to joining Stewart*



JAY W. MCLEOD AICP
TITLE: SENIOR PLANNER

ROLE: CODE WRITING/
ORDINANCE ASSESSMENT

Jay has over nine years of planning experience in long-range, regional, and local/current planning. He likes to focus on research and analysis before focusing on achieving desired outcomes through placemaking and public realm enhancement and design. Generating place-sensitive solutions relating to climate resilience and climate planning have become focal areas in recent years. He has coordinated urban and long-range planning projects and is also experienced in ordinance creation and implementation with a focus on progressive and achievable outcomes. **Jay has worked for Stewart for two years.**

EDUCATION

Master of Urban and Regional Planning
University of Florida
(two semesters of Landscape Architecture)

Master of Urban Ecology
University of Louisville

Bachelor of Science in Biology
Florida State University

REGISTRATION

American Institute of Certified Planners (AICP):
#268453

RELEVANT EXPERIENCE

- **Town of Ayden Land Use Plan Update and Unified Development Ordinance Update | Ayden, NC**
Senior Planner
- **Town of Pittsboro Unified Development Ordinance Assessment | Pittsboro, NC**
Planner/Code Analysis
- **Pender County Unified Development Ordinance Update | Pender County, NC**
Project Manager
- **Town of Indian Trail Unified Development Ordinance | Indian Trail, NC**
Planner/Code Analysis



ALLISON EVANS
TITLE: PLANNER

ROLE: CODE WRITING/
ORDINANCE ASSESSMENT

Allison recently joined Stewart's Municipal Planning & Mobility group as a Planner. She began her career in Boston, where she studied at Northeastern University and spent time working at Boston City Council. After, she spent time abroad while enrolled at the Bartlett School of Planning at University College London. In the Urban Design & City Planning program, she focused on the relationship between urban design and economic development. Most recently, she worked for the City of Raleigh's Urban Design Center, assisting with area plans and design policy. **Allison has worked for Stewart for less than one year.**

EDUCATION

Master of Science in Urban Design and City Planning
University College London

Bachelor of Arts in Urban Studies
Northeastern University

RELEVANT EXPERIENCE

- **City of Raleigh Municipal Government* | Raleigh, NC**
Urban Designer/Planner
- **City of Boston* | Boston, MA**
Research Assistant
- **Boston Cyclists Union* | Boston, MA**
Urban Planning Intern

** Performed prior to joining Stewart*



CAROLINE RICHARDSON

TITLE: PLANNER

ROLE: CODE WRITING/
ORDINANCE ASSESSMENT

Caroline recently joined Stewart after spending two years as a Planner with the Town of Rolesville, North Carolina. She has experience in the private, public, and non-profit sectors. She began her career with several event planning internships and was the Events and Media Coordinator for the Greater Irmo Chamber of Commerce. She is a member of the Junior League of Raleigh and has a passion for local politics. Caroline looks forward to earning her AICP certification and her future at Stewart. **Caroline has worked for Stewart for less than one year.**

EDUCATION

Master of City and Regional Planning (graduating in May 2020)
Clemson University

Bachelor of Science in Tourism Management
University of South Carolina

RELEVANT EXPERIENCE

- **Town of Rolesville*** | Rolesville, NC
Planner
- **Greenville County Planning Department*** | Greenville, SC
Planning Intern
- **University of South Carolina*** | Columbia, SC
Undergraduate Tourism Research Assistant

** Performed prior to joining Stewart*



STEPHEN FABER PLA, ASLA

TITLE: PROJECT LANDSCAPE ARCHITECT

ROLE: GRAPHICS/DESIGN

Stephen has over 11 years of experience across multiple project types. Through research, design and real estate advisory services, Stephen combines design and strategic planning to drive positive outcomes for clients, users, and the environment in projects of varying scales from residential design to large master-planned communities. Stephen's work includes mixed-use development, education planning and design, urban infill design, residential design, resort planning, brownfield reclamation, public open space and park design, greenways and roadway corridors, campus and community master-planning, and ecological restoration. **Stephen has worked for Stewart for two years.**

EDUCATION

Master of Real Estate Development
Clemson University

Bachelor of Landscape Architecture, minor in Horticulture
University of Arkansas

REGISTRATION

Professional Landscape Architect (PLA):
North Carolina #2054

RELEVANT EXPERIENCE

- **Town of Ayden Land Use Plan and Unified Development Ordinance Update** | Ayden, NC
Graphics
- **Cashiers Small Area Plan** | Cashiers, NC
Landscape Designer
- **Pitt County Southwest Bypass Land Use Plan** | Pitt County, NC
Landscape Designer
- **Winterville Land Use Plan** | Winterville, NC
Landscape Designer
- **Franklin Small Area Plan** | Franklin, NC
Lead Designer/Project Landscape Architect



KATIE HAMILTON
TITLE: PROJECT DESIGNER
ROLE: GRAPHICS/DESIGN

Katie is a Landscape Designer with over five years of experience within the field. She provides assistance to the Municipal Planning & Mobility group by designing graphics that aid in the understanding of key concepts. **Katie has worked for Stewart for over five years.**

EDUCATION

Masters of Urban Design
University of North Carolina - Charlotte

Bachelor of Landscape Architecture
North Carolina State University

RELEVANT EXPERIENCE

- **Pender County Unified Development Ordinance Update | Pender County, NC**
Graphics
- **Town of Ayden Land Use Plan and Unified Development Ordinance Update | Ayden, NC**
Graphics
- **Pitt County SW Bypass Land Use Plan | Pitt County, NC**
Graphics
- **Town of Indian Trail Unified Development Ordinance | Indian Trail, NC**
Graphics
- **Town of Winterville Land Use Plan | Winterville, NC**
Graphics
- **Cashiers Small Area Plan | Cashiers, NC**
Graphics



ROSS MASSEY PE
TITLE: STUDIO LEADER, CIVIL ENGINEERING
ROLE: INFRASTRUCTURE & UTILITY STANDARDS

Ross has facilitated design and construction oversight to infrastructure projects including municipal water and wastewater system expansions, hospital and university expansions and additions, development master-planned communities, and mixed-use development. His design and construction administration experience includes infrastructure projects such as land development, pumping stations, earthen dams, on-site wastewater systems, water and wastewater treatment plants, elevated water storage tank rehabilitation, and new construction. Ross has extensive experience working with municipalities to evaluate budgetary expenditures, obtain jurisdictional approvals, and oversees engineering and infrastructure standards in all Stewart planning projects. **Ross has worked for Stewart for over two years.**

EDUCATION

Bachelor of Science in Civil Engineering
North Carolina State University

REGISTRATION

Professional Engineer:
North Carolina #19779

RELEVANT EXPERIENCE

- **Town of Ayden Land Use Plan and Unified Development Ordinance Update | Ayden, NC**
Civil Project Engineer/Infrastructure
- **Jackson County Unified Development Ordinance | Jackson County, NC**
Civil Project Engineer
- **Town of Indian Trail Unified Development Ordinance | Indian Trail, NC**
Civil Project Engineer
- **Town of Wake Forest | Wake Forest, NC**
Manual Standards/Specifications

STATEMENT OF QUALIFICATIONS

STEWART STRONGER BY DESIGN

INTRODUCTION

Eden is located in the northern Piedmont region of North Carolina. It is the largest city in Rockingham County covering approximately 14 square miles. The existing land development regulations are included in the City's Code of Ordinances and have been modified multiple times through the last several decades. The City is seeking to update these regulations so that they can be easily understood by the community and more efficiently administered by City staff through the creation of a Unified Development Ordinance (UDO).

PROJECT APPROACH

Stewart understands that the City of Eden is embarking on an important initiative to create the City's first UDO. It is anticipated that Stewart will assist the City in updating its existing land use codes and merge these regulations into a UDO that will:

- Ensure consistency with the goals, recommendations and implementation strategies of the City's applicable comprehensive planning documents;
- Be reflective of the most current North Carolina State Statutes (including 160D) and case law;
- Be user-friendly with graphics, tables and illustrations used to supplement written regulations;
- Provide a consistent overall document formatting (using Article-Section-Subsection-List-Number format);
- Introduce form- or design-based code elements where applicable;
- Minimize inconsistencies, redundancies and unnecessary cross-references;
- Provide a modernized table of permitted uses with associated individual use standards and general development standards;
- Modify existing zoning districts and introduce potential new base and/or overlay districts;
- Remove and replace outdated standards, definitions and terminology.



Cross-collaborative teamwork sessions like this allow Stewart's planners to gain insights from designers that use UDOs on a daily basis, creating a stronger final product.

The proposed work program is divided into **five phases**:

PHASE 1: PROJECT INITIATION – 1 MONTH

To facilitate discussion about creating a Unified Development Ordinance, we will research and review the City's existing land use regulations, and conduct interview style stakeholder meetings with City staff, elected/appointed officials and various members of the community. The purpose of these stakeholder meetings will be to help begin the code preparation process, provide an opportunity for general input into the process, review the existing land use codes and record valuable information on the experience of those involved with using and administering the existing land development regulations. During this phase, Stewart will participate in a community tour. The initial Steering Committee Meeting will be held during this phase to introduce the project and review the outcome from the Stakeholder Meetings.

Deliverables: Meeting Summaries, updates for the City's website

Meetings: Stakeholder Meetings; Steering Committee Meeting #1

PHASE 2: PREPARE CODE ASSESSMENT REPORT & REVISED UDO FRAMEWORK – 2 MONTHS

Stewart will take the information obtained during Phase 1 and prepare a Code Assessment Report of the existing land use regulations. We will review the documents for efficiency, conflicts with state law, and overall strengths and weaknesses (in terms of structure, organization, clarity, user-friendliness, zoning districts, overall development standards, definitions, and processes.) Our team will also analyze the the existing codes for conformance with applicable goals, recommendations and implementation strategies of the City's applicable comprehensive planning documents. The following is expected to be accomplished as part of this phase:

- Review and evaluate the City's applicable comprehensive planning documents as they relate to existing land development regulations and prepare a diagnostic analysis that will assess the overall structure and organization;
- Provide specific recommendations on major sections of the ordinance(s);

- Provide recommendations on the organization, format, and user-friendliness of the existing land development codes;
- Review the ordinances for compliance with applicable North Carolina General Statutes and court rulings;
- Identify areas where graphics, charts and illustrations will improve user-friendliness;
- Ensure that all language is clear and consistent, and that there is a thorough and up-to-date definitions section;
- Following completion of the Code Assessment Report, it is recommended that the first Public Open House Meeting be held to introduce the project to the public and detail the findings of the Code Assessment Report.

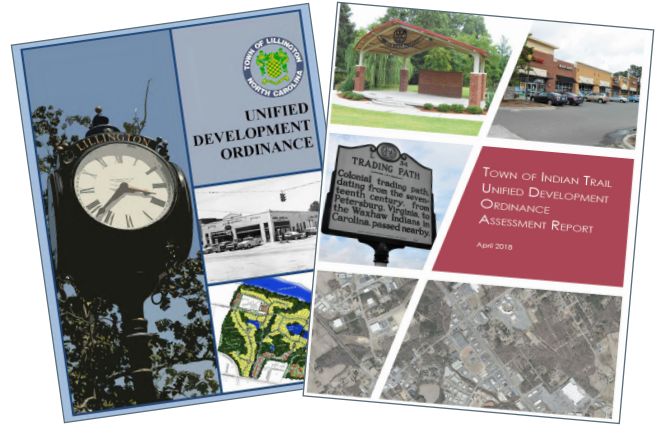
Deliverables: Code Assessment Report and new UDO Framework, updates for City's website

Meetings: Public Open House Meeting #1; Steering Committee Meeting #2

PHASE 3: UDO PREPARATION & COMPOSITION – 6 MONTHS

We will draft the UDO in accordance with the outline created in the Code Assessment Report and under the guidance of staff and the UDO Steering Committee. Based on the outcome of the assessment, we will prepare drafts of the revised UDO to be delivered via groupings of similar topics allowing staff to more easily digest the information. The following is expected to be completed with this phase:

- Draw on recommendations provided in Phase 2 and prepare articles for review;
- Research major topics of the ordinance and provide best practice option(s);
- Review, revise, and draft the new UDO;
- Provide new and updated graphics, charts, and illustrations to visually demonstrate the applicable sections of the ordinance;
- Provide a final layout including all appropriate text, tables, and graphics.



UDO Composition

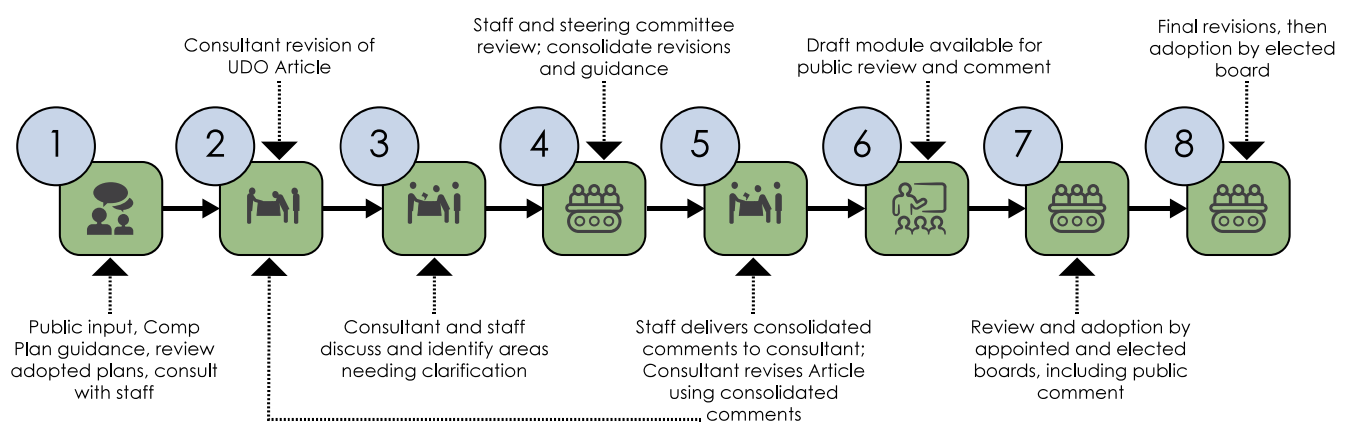
Code Layout: Prepare a page layout that will serve as a template for the preparation of all drafts. Graphics and illustrations will be created using other programs and inserted as .jpeg images in Microsoft Word.

Research: Under the general provision of the City staff, major topics will be researched. The Code Assessment Report will identify best practices and detail innovations in code writing practices for similar cities (in terms of geography, land uses, size and population).

Existing Code Formatting and Organization: The Code Assessment Report outline will be utilized to transfer sections of the existing codes into the revised UDO and format accordingly. We will record all existing references into new locations so previous text can be tracked. Suggested schedule of draft categories:

- General Provisions, Administration, & Development Processes
- Zoning Districts & Use Standards
- Subdivisions & Infrastructure Standards
- Environmental Regulations
- Development Standards
- Non-Conformities & Enforcement
- Definitions & Interpretations

UDO Revision Procedure



Stewart will work with the City to provide updates on the UDO project via the City’s website. It is anticipated that the UDO Steering Committee will meet with Stewart three times during Phase 3 to review sections of the draft UDO. All requested revisions shall be transmitted to Stewart in the form of a consolidated set of redlines. We will then deliver a full working draft of the UDO in Microsoft Word and Adobe PDF format.

To demonstrate additional transparency, it is suggested that the second Public Open House Meeting be held once the draft UDO has been prepared. Stewart will prepare a powerpoint presentation for use by City staff to make any additional presentations to local groups. It is recommended that members of the development community, environmental community, local business owners, area Chamber of Commerce and professionals from the engineering and design field be personally invited to the meeting.

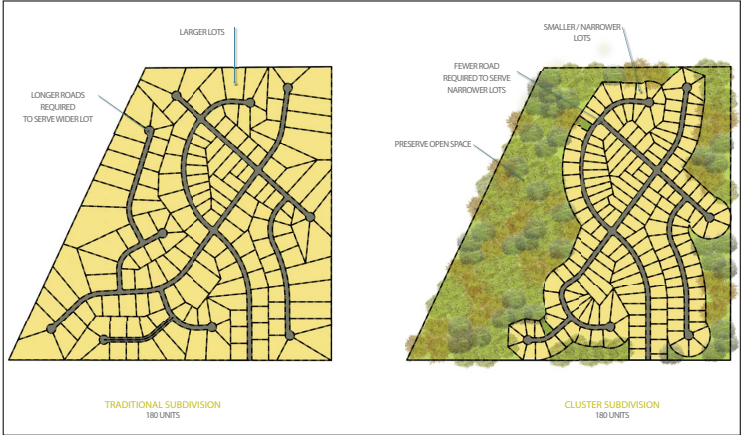
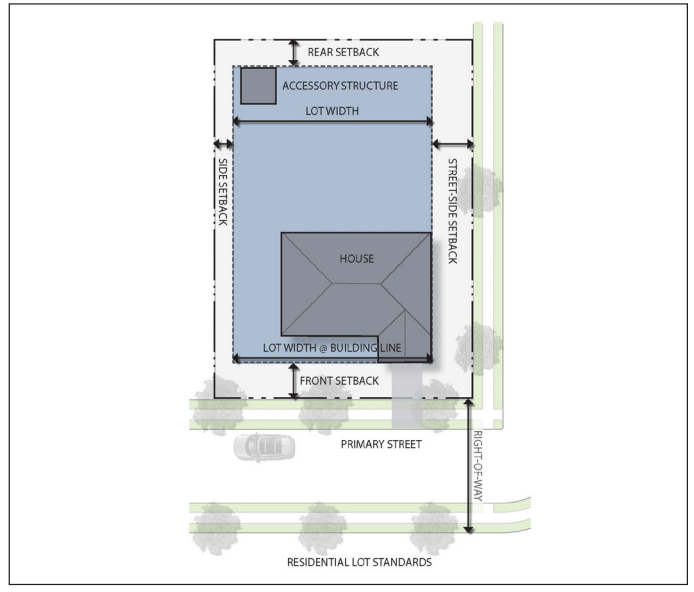
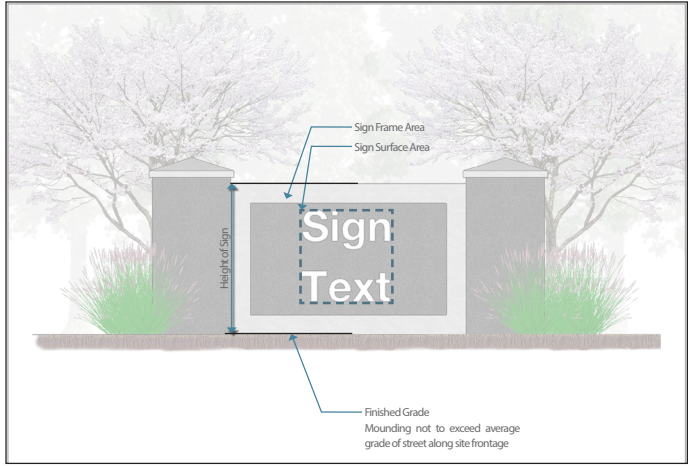
Deliverables: Code Layout Template, Meeting Summaries, Draft and Revised UDO Articles, PowerPoint for City Staff Use, updates for the City’s website
Meetings: UDO Steering Committee Meetings #3 through #5; Public Open House Meeting #2

PHASE 4: ADOPTION – 2 MONTHS
 Following the final Public Open House Meeting, Stewart staff will make revisions (as requested) and prepare the final consolidated UDO document. Stewart, in conjunction with City staff, will present the UDO to the Planning Board and City Council. Once the UDO has been adopted, Stewart will make all final revisions/edits and provide the final electronic version in a static or “stand-alone” format as well as an interactive version utilizing hyperlinks and other searchable functions.

Deliverables: Final UDO in Microsoft Word and PDF formats
Meetings: Planning Board; City Council

PHASE 5: IMPLEMENTATION & TRAINING – 1 MONTH
 Following adoption of the new UDO, the Stewart team will facilitate a training session for the Planning Board, Board of Adjustment, and the City Council on the implementation of the UDO.

Optional Service: Updated Development Forms
 As an optional service and following the finalization of the revised UDO, Stewart will update the City’s land development and land use application forms and checklists. Applications will be in MS Word & fillable .pdf format



Sample graphics from previous UDO projects.

STATEMENT OF AVAILABILITY

Before deciding to submit our proposal for this project, we evaluated our Stewart Planning project backlog and available manpower and determined that the Eden Unified Development Ordinance project fits well with our current workload. Our team is confident that we can meet the proposed 12 month schedule to complete the UDO and deliver high quality customer services and deliverables.

AVAILABILITY OF KEY PERSONNEL

Stewart is headquartered in Downtown Raleigh, less than a two hour drive from the City of Eden. As such, we prefer and can accommodate face-to-face meetings with City staff, Steering Committee, Planning Board, and City Council.



Stewart is excited for the opportunity to work in the Land of Two Rivers.

FEES AND COSTS

Stewart proposes a fixed fee, not to exceed, cost of \$55,000 for the Unified Development Ordinance Establishment Project. Please note that this fee is inclusive of all anticipated expenses (travel, lodging, staffing, research, printing of draft materials, and other project related expenses).

- Phase 1 - Project Initiation: \$2,250
- Phase 2 - Code Assessment Report: \$7,000
- Phase 3 - UDO Preparation: \$41,000
- Phase 4 - Adoption: \$2,500
- Phase 5 - Implementation & Training: \$1,250
- Expenses: \$1,000
- Update of Development Forms (optional): \$3,500

The fixed fee of \$55,000 includes five Steering Committee Meetings, two Public Open Houses, one day of Stakeholder Meetings, and attendance at one Planning Board Meeting, one City Council Meeting, and one training session. Stewart staff can attend additional in-person meetings for a cost of \$1,000 per meeting.

Please note that the fee does not include the support of a land use attorney. If desired by the City, Stewart will work with an Attorney and City representatives to determine an appropriate hourly NTE fee to either be added to the Stewart contract or as a separate contract.



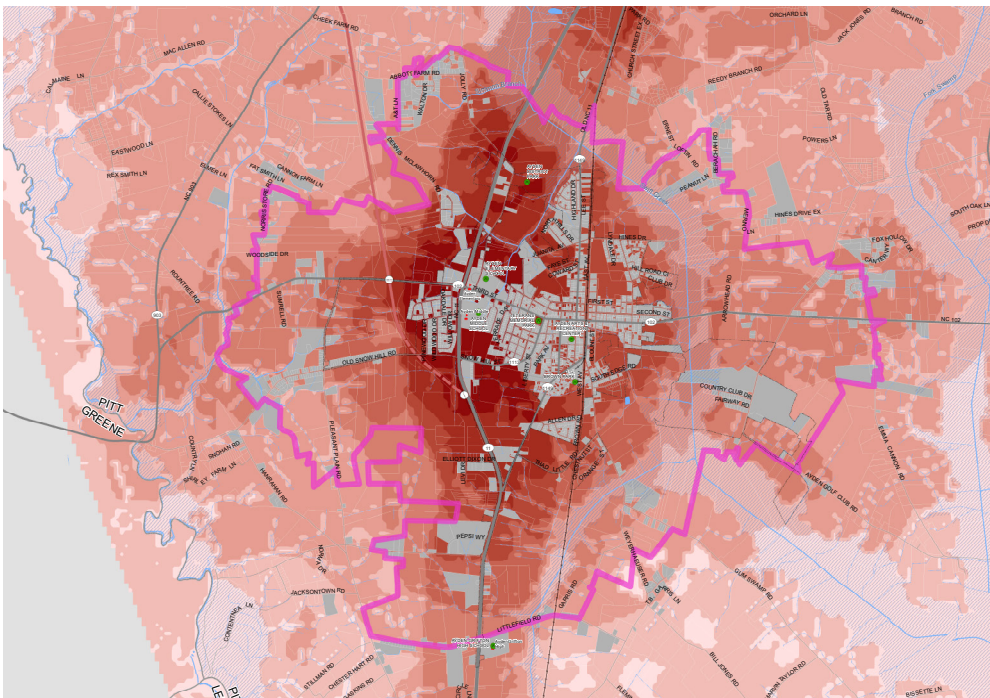
STANDARD HOURLY RATES

STANDARD HOURLY RATES	
Classification	Hourly Rate
Student Intern	\$50.00
Administrative Specialist	\$65.00
Planner I	\$95.00
Planner II	\$110.00
Senior Bike/Ped Planner	\$125.00
Bike/Ped Planner	\$110.00
Project Manager	\$135.00
Chief Engineer	\$140.00
Bridge Engineering Manager	\$130.00
Senior Bridge Engineer	\$125.00
Bridge Engineer	\$110.00
Bridge Engineering Intern	\$90.00
Senior Planner	\$135.00
Studio Leader, Planning	\$150.00
Planning Manager	\$170.00
Practice Area Leader	\$200.00
Project Designer	\$100.00
Project Landscape Architect	\$115.00
Studio Leader, Civil Engineering	\$160.00

REIMBURSABLE EXPENSES	
Classification	Rate
Plotted Base Paper	\$5.00/sheet
Plotted Base Vellum	\$7.50/sheet
Plotted Base Mylars	\$14.00/sheet
Plotter Base Paper (Colored)	\$10.00/Sq. foot
Photocopies (8 1/2 x 11)	\$.08/sheet
Photocopies (11 x 17)	\$.15/sheet
Mileage	\$.505/mile
Telephone/Courier	As Incurred
Double Sided Photocopies	\$.15/sheet
Color Copies (8 1/2 x 11)	\$1.00/sheet
Card Stock	\$.15/sheet
Fax (Local)	\$.50/sheet
Fax (Long Distance)	\$.75/sheet

TOWN OF AYDEN

LAND USE PLAN AND UNIFIED DEVELOPMENT ORDINANCE UPDATE



LOCATION

Ayden, NC

PROJECT MANAGER REFERENCE

Town of Ayden
Stephen Smith
Planning Director
4061 N East Avenue
Ayden, NC 28513
252.481.5828
ssmith@ayden.com

START DATE

2018

COMPLETION DATE

2019

DISCIPLINES

Master Planning
Municipal Planning
Bicycle & Pedestrian Planning
Economic Development
Public Involvement

TEAM

Cindy Szwarcokop, AICP
Principal-in-Charge
Chad Sary, AICP, CZO, CFM
Project Manager
Jay McLeod, AICP
Code Writing/Land Use Planning/
Mapping
Ross Massey, PE
Infrastructure
Katie Hamilton
Graphics

PROJECT OVERVIEW

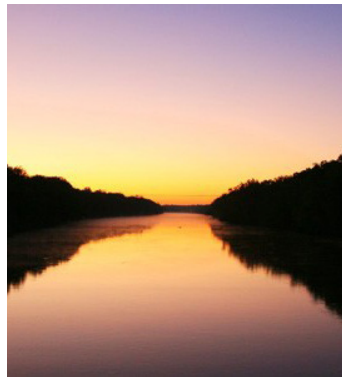
Stewart is currently working on a new Land Use Plan and preparation of a Unified Development Ordinance for the Town of Ayden. By utilizing the Stewart team's experience in both long range planning and development, the project prompts the community to address multiple topics over a long-time horizon, and contemplate how a development ordinance could incrementally achieve the vision in the near term.

The Town's development regulations have been modernized and organized to a more user-friendly UDO. The Land Use Plan was recently adopted and the UDO is expected to be adopted in Winter of 2019.



We combined the comprehensive plan and UDO creation processes together to provide the Town with an efficient process that will address the future growth and development challenges.

TOWN OF LILLINGTON
UNIFIED DEVELOPMENT ORDINANCE



LOCATION

Lillington, NC

PROJECT MANAGER REFERENCE

Town of Lillington
Alicia Gregory, Management Analyst/Town Clerk
102 E. Front Street
Lillington, NC 27546
910.893.0306
AGregory@lillingtonnc.org

START DATE

2016

COMPLETION DATE

2017

DISCIPLINES

Planning

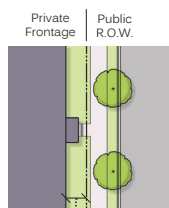
TEAM

Cindy Szwarcokop, AICP
Principal-in-Charge
Chad Sary, AICP, CZO, CFM
Senior Planner

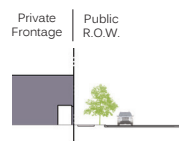
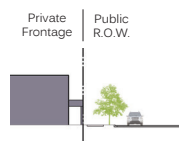
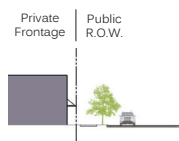
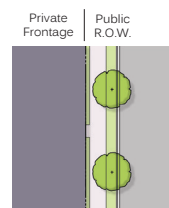
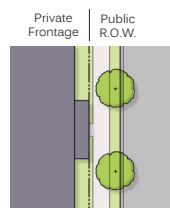
PROJECT OVERVIEW

Stewart was engaged to provide planning services to the Town of Lillington. The first phase of the project included the preparation of an assessment of the Town's land development ordinances and evaluation of how well they are equipped to implement the Town's Land Use Plan. During this task, Stewart staff identified overarching strengths and weaknesses of the general format, zoning districts, development standards, review procedures and overall user-friendliness of the ordinances. At the conclusion of the assessment report, we made recommendations to guide the Town on how to improve their land development ordinances and prepared an outline for developing a Unified Development Ordinance. Drawing on the recommendations provided in the assessment report, Stewart began to develop the Town's first Unified Development Ordinance. Stewart staff presented the UDO to staff, Planning Board and Town Council and the Town's first UDO was successfully adopted in February of 2017.

Downtown Overlay District
Central Business/Main Street Areas



10' max. setback on primary street



Our involvement did not end with the UDO adoption. The Town has retained our services for a variety of planning related projects including their Downtown Master Plan and Bike & Pedestrian Plan.

JACKSON COUNTY

UNIFIED DEVELOPMENT ORDINANCE



LOCATION

Jackson County, NC

PROJECT MANAGER REFERENCE

Jackson County
Michael Poston
Planning Director
401 Grindstaff Cove Road
Sylva, NC 28779
828.631.2255
michaelposton@jacksonnc.org

START DATE

2017

COMPLETION DATE

2018

DISCIPLINES

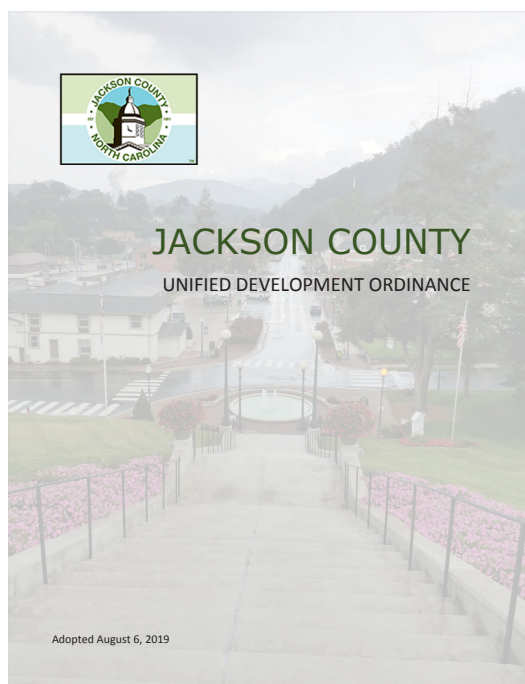
Planning
Engineering
Community Outreach

TEAM

Cindy Szwarcop, AICP
Principal-in-Charge
Chad Sary, AICP, CZO, CFM
Project Manager

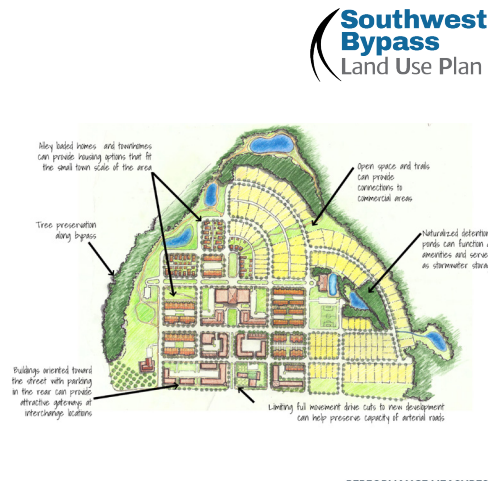
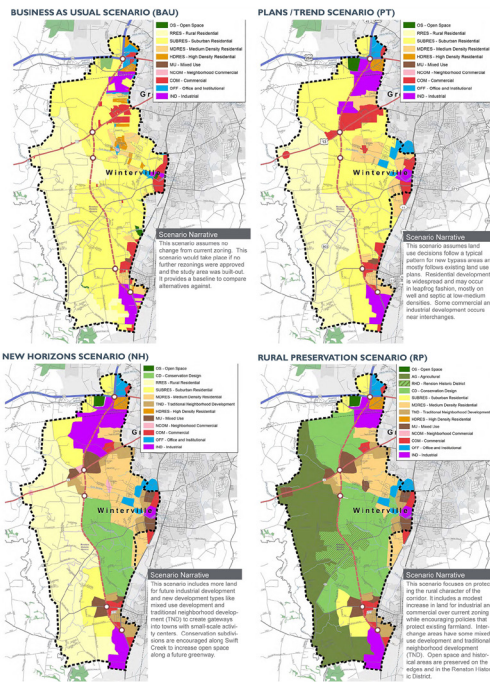
PROJECT OVERVIEW

Stewart was engaged to provide planning services to Jackson County for the development of the County's first Unified Development Ordinance. The project included an assessment of their existing Land Use Ordinances and how they are equipped to implement the newly adopted Comprehensive Land Use Plan. This was a very technical effort that involved reformatting and reorganizing the existing 21 separate ordinances into a new UDO. The new UDO was unanimously approved by the Jackson County Board of Commissioners in 2018.



This project was unique in that it required a massive overhaul and reorganization of 21 separate ordinances. Stewart has also been engaged by the County on two other planning projects as a result of the success of the UDO effort.

PITT COUNTY SOUTHWEST BYPASS LAND USE PLAN & ORDINANCE UPDATES



PERFORMANCE MEASURES
A GIS based model was utilized to compare impacts of alternative land use scenarios. The results below show which scenarios perform better or worse than the Business As Usual (BAU) scenario.

	BAU	PT	NH	RP
FISCAL IMPACT				
POTENTIAL FOR COMMERCIAL DEVELOPMENT	●	●	●	●
POTENTIAL FOR INDUSTRIAL DEVELOPMENT	●	●	●	●
SEWER DEMAND IN UTILITY SERVICE AREAS	●	●	●	●

LOCATION
Pitt County, NC

PROJECT MANAGER REFERENCE
Pitt County
Eric Gooby, AICP, Senior Planner
1717 W. 5th Street
Greenville, NC 27834
egooby@pittcountync.gov
252.902.3250

START DATE
2017

COMPLETION DATE
2019

DISCIPLINES
Public Engagement
Planning
GIS
Civil Engineering

TEAM
Cindy Szwarcok, AICP
Principal-in-Charge
Chad Sary, AICP, CZO, CFM
Principal-in-Charge
Stephen Faber, PLA
Landscape Designer
Ross Massey, PE
Infrastructure
Katie Hamilton
Graphics

PROJECT OVERVIEW

Stewart was engaged by Pitt County (in conjunction with Greenville, Ayden, Winterville, and NCDOT) to prepare the Southwest Bypass Corridor Land Use Plan and the associated zoning and subdivision ordinance updates for implementation. Pitt County and the surrounding area is experiencing growth in anticipation of the Southwest Bypass. The bypass will improve mobility and alleviate congestion but also presents challenges. Existing land use policy and regulations did not address the type, scale, and design of non-residential uses typically associated with a transportation facility of the magnitude of the bypass.

The intent of the plan is to help local governments take advantage of development opportunities along the corridor while ensuring that future development is managed appropriately, and is compatible with existing communities and long term plans for growth in the County and partner municipalities.

The planning effort included a scenario planning exercise to determine impacts of different land use policies. Stewart created a custom GIS-based forecasting model created using ArcGIS and CommunityViz to provide build-out forecasts for the effort. The preferred scenario will be used as the future land use plan for the county and will inform infrastructure and land use decisions for towns as well. Policy recommendations and the associated ordinance updates related to land use, economic development, aesthetics and user experience, natural resources and open space, and infrastructure and transportation will help guide growth and development for the participating jurisdictions for years to come.

Upon the adoption of the land use plan, Stewart was engaged to provide a comprehensive update to the County's zoning and subdivision ordinances to implement the recommendations of the new land use plan.

GUILFORD COUNTY
UNIFIED DEVELOPMENT ORDINANCE



LOCATION
Guilford County, NC

PROJECT MANAGER REFERENCE
Guilford County
Leslie Bell
400 W Market Street
Greensboro, NC 27401
336.641.4409
lbell@guilfordcountync.gov

START DATE
2018

COMPLETION DATE
Spring 2020

DISCIPLINES
Municipal Planning
Design Guidelines
Traffic Control Planning

TEAM
Cindy Szwarcop, AICP
Principal-in-Charge
Chad Sary, AICP, CZO, CFM
Project Manager

PROJECT OVERVIEW

Stewart was engaged by the County to prepare an update to their existing Unified Development Ordinance. The first phase of the project included an assessment of the County's existing ordinances, review procedures, and applications as well as public comment and feedback. The project is currently in the drafting phase and is expected to be completed by Spring of 2020.

The County's UDO, adopted in 1992, is applicable to land development in the unincorporated areas of Guilford County. There have been more than 30 text amendments to the UDO over the years to align with changes in state laws, changing economy and planning practices, and the needs of an ever-changing community. This project represents the first comprehensive update to a county undergoing significant growth and change.

Goals of this project include increased transparency, improved procedural efficiency, predictability in development processes, consistency between jurisdictions and acknowledgment of the distinctive rural development patterns and transitions on the urban fringe of the County.

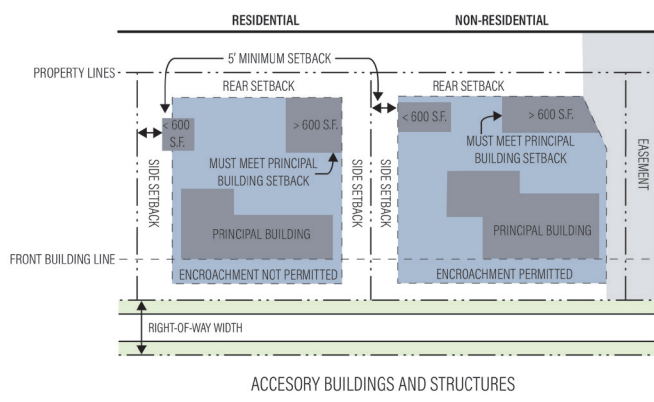
A. Intent
This district is intended to accommodate moderate to large scale retail, business, and service uses along major thoroughfares and at key intersections. The district is characterized by medium to high density, off-street parking, quality design, shared access, and shared parking are encouraged.

B. Lot Standards
Dimensional Requirements - GB

Standard	Dimension	Note
Min. Development Area (DA)	75%	
Min. Development Width (DW)	75%	
Min. Lot Area (LA)	15,000	
Min. Lot Depth (LD)	75'	
Min. Lot Frontage (LF)	75'	
Min. Interior Setback (IS)	15'	(5)
Min. Side Setback (SS)	15'	(5)
Min. Rear Setback (RS)	15'	(5)
Min. Front Setback (FS)	15'	(5)
Min. Side Yard (SY)	15'	(5)
Min. Front Yard (FY)	15'	(5)
Min. Side Yard (SY)	15'	(5)
Min. Front Yard (FY)	15'	(5)
Min. Side Yard (SY)	15'	(5)
Min. Front Yard (FY)	15'	(5)
Min. Side Yard (SY)	15'	(5)
Min. Front Yard (FY)	15'	(5)
Min. Side Yard (SY)	15'	(5)
Min. Front Yard (FY)	15'	(5)
Min. Side Yard (SY)	15'	(5)

C. References

Environmental	Art. 9
Landmarking	Art. 9
Lighting	Art. 9
Nonconforming	Art. 13
Permitted Uses	Art. 4
Signs	Art. 7
Subdivisions	Art. 8



REFERENCES

Additional references and contact information are listed on the project pages starting on page 15.

“Stewart’s Planning & Municipal Services group approaches each project wanting to learn about the community, and help you find the things that will make your community better – whether it’s a streetscape master plan to enhance a downtown area or updates to the zoning code to better serve the community. We chose to bring in Stewart’s planning and municipal services group due to the firm’s responsiveness and ability to see what our needs are to deliver a quality product. When we hire Stewart, they function as an extension to our current staff.”

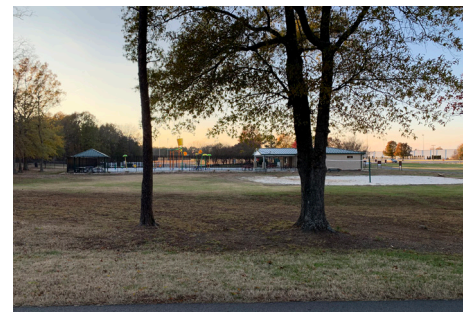
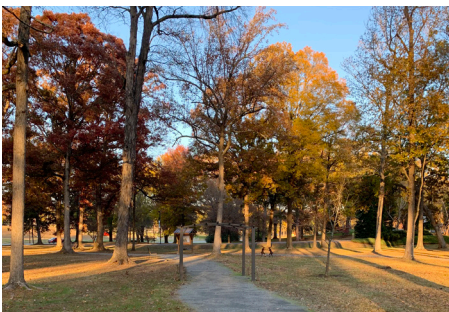
- David DeYoung
Economic and
Community
Development Director,
Town of Clayton

“I have worked with Stewart’s Municipal Planning & Mobility group in two separate municipalities and they are wonderful to work with. Their responsiveness and accountability is phenomenal. You will not want to work with anyone else after working with them. They are the best in the business.”

- Alicia Gregory
Management
Analyst/Town Clerk
Town of Lillington

Pitt County and its partners, the City of Greenville, the Towns of Ayden and Winterville, the Greenville Urban Area MPO, and the North Carolina Department of Transportation chose Stewart’s planning group to assist with the development of the Southwest Bypass Land Use Plan due to their collaborative, hands-on approach and their commitment to innovative land use modeling techniques. Their team members became intimately familiar with the unique characteristics of southwestern Pitt County and the people that live and work within the study area. In doing so, Stewart developed a plan that can be readily implemented and that truly reflects the needs and wants of the community.

- Eric T. Gooby, AICP
Senior Planner
Pitt County Planning
Department



Stewart team members visited the City to get a feel for the area as we considered the project scope and developed our tailored project approach. Our experience creating and updating UDOs for small and mid-sized localities across North Carolina will translate into a smooth and successful project for Edén.



December 11, 2019

Kelly Stultz
Planning and Inspections Director
City of Eden Planning and Inspections Department
308 E. Stadium Dr.
Eden, NC 27288

RE: City of Eden Unified Development Ordinance

Dear Ms. Stultz:

STEWART is pleased to submit this scope and fee proposal to provide planning consulting services to work with the City of Eden on creating a Unified Development Ordinance project.

The proposed work program is organized into the following five key tasks:

- Phase 1 - Project Initiation
- Phase 2 - Prepare Code Assessment Report & UDO Framework
- Phase 3 - UDO Preparation and Composition
- Phase 4 - Adoption
- Phase 5 - Implementation & Training

The proposed scope of work includes the following meetings:

- 2 Public Open House/Workshop Meetings
- 5 Steering Committee Meetings
- 1 Planning Board Meeting
- 1 City Council Meeting
- 1 Joint Training Session (Planning Board, Board of Adjustment & City Council)

PROJECT SCOPE OF SERVICES

Stewart understands that the City of Eden is embarking on an important initiative to create the City's first Unified Development Ordinance (UDO). It is anticipated that Stewart will assist the City in updating its existing land use codes and merge these regulations into a UDO that will:

- Ensure consistency with the goals, recommendations and implementation strategies of the City's applicable comprehensive planning documents
- Be reflective of the most current North Carolina State Statutes (including 160D) and case law
- Be user-friendly with graphics, tables and illustrations used to supplement written regulations
- Provide a consistent overall document formatting (using Article-Section-Subsection-List-Number format)
- Introduce form- or design-based code elements where applicable;
- Minimize inconsistencies, redundancies and unnecessary cross-references
- Provide a modernized table of permitted uses with associated individual use standards and general development standards
- Modify existing zoning districts and introduce potential new base and/or overlay districts
- Remove and replace outdated standards, definitions and terminology

PHASE 1 | PROJECT INITIATION

To facilitate discussion about creating a Unified Development Ordinance, we will research and review the City's existing land use regulations, and conduct interview style stakeholder meetings with City staff, elected/appointed officials and various members of the community. The purpose of these stakeholder meetings will be to help begin the code preparation process, provide an opportunity for general input into the process, review the existing land use codes and record valuable information on the experience of those involved with using and administering the existing land development regulations. During this phase, Stewart will participate in a community tour. The initial Steering Committee Meeting will be held during this phase to introduce the project and review the outcome from the Stakeholder Meetings.

Stakeholder Meetings

The Stewart team will participate in one (1) day of Stakeholder Meetings (45-minute sessions followed by 15 min. interlude, with up to 6 sessions). The purpose of these interviews is to introduce the project and gain initial input about existing regulations and issues that need to be addressed in the UDO project. We will work with City staff to identify the appropriate categories of stakeholders (local experts on the development process, business interests, community and neighborhood groups, economic development officials, neighborhood leaders, representatives from the environmental community, etc.).

Steering Committee Meeting

To facilitate education and discussion about the UDO re-write process, we will conduct a meeting with City staff and the project Steering Committee. During this meeting we will begin discussions related to schedule, Steering Committee roles and responsibilities, document format document template preferences, and document hosting options.

Deliverables:

- Meeting Summaries
- Updates for the City's Website

Meetings:

- Stakeholder Meetings
- Steering Committee Meeting #1

Staff Responsibilities:

- Provide existing documents and plans in electronic format;
- Post Stewart supplied information to City website;
- Coordinate meeting dates, attendees, and locations;
- Facilitate flow of information between Consultant and City of Eden staff, stakeholders, Steering Committee, Planning Board, and City Council;
- Identify and schedule key focus groups and individuals to represent each of the groups.

PHASE 2 | PREPARE CODE ASSESSMENT REPORT & REVISED UDO FRAMEWORK

Stewart will take the information obtained during Phase 1 and prepare a Code Assessment Report of the existing land use regulations. We will review the documents for efficiency, conflicts with state law, and overall strengths

and weaknesses (in terms of structure, organization, clarity, user-friendliness, zoning districts, overall development standards, definitions, and processes.) Our team will also analyze the existing codes for conformance with applicable goals, recommendations and implementation strategies of the City's applicable comprehensive planning documents. The following is expected to be accomplished as part of this phase:

- Review and evaluate the City's applicable comprehensive planning documents as they relate to existing land development regulations and prepare a diagnostic analysis that will assess the overall structure and organization;
- Provide specific recommendations on major sections of the ordinance(s);
- Provide recommendations on the organization, format, and user-friendliness of the existing land development codes;
- Review the ordinances for compliance with applicable North Carolina General Statutes and court rulings;
- Identify areas where graphics, charts and illustrations will improve user-friendliness;
- Ensure that all language is clear and consistent, and that there is a thorough and up-to-date definitions section.

Public Open House Meeting

The Stewart team will facilitate one (1) Public Open House meeting during Phase 2 to introduce the project to the public and detail the findings of the Code Assessment Report.

Deliverables:

- Code Assessment Report and UDO Framework
- Updates for the City's website

Meetings:

- Public Open House Meeting
- Steering Committee Meeting #2

Staff Responsibilities:

- Post Stewart supplied information to Town website;
- Coordinate meeting dates and locations;
- Facilitate flow of information between Consultant and City of Eden staff, Steering Committee, Planning Board, and City Council;
- Provide consolidated list of comments from staff.

PHASE 3 | UDO PREPARATION & COMPOSITION

We will draft the UDO in accordance with the outline created in the Code Assessment Report and under the guidance of staff and the UDO Steering Committee. Based on the outcome of the assessment, we will prepare drafts of the revised UDO to be delivered via groupings of similar topics allowing staff to more easily digest the information.

The following is expected to be completed with this phase:

- Draw on recommendations provided in Phase 2 and prepare articles for review;
- Research major topics of the ordinance and provide best practice option(s);
- Review, revise, and draft the new UDO;



- Provide new and updated graphics, charts, and illustrations to visually demonstrate the applicable sections of the ordinance;
- Provide a final layout including all appropriate text, tables, and graphics.

Stewart will work with the City to provide updates on the UDO project via the City's website. It is anticipated that the UDO Steering Committee will meet with Stewart three times during Phase 3 to review the draft UDO. All requested revisions from staff shall be transmitted to Stewart in the form of a consolidated set of redlines. We will then deliver a full working draft of the UDO in Microsoft Word and Adobe PDF format.

To demonstrate additional transparency, it is suggested that the second Public Open House Meeting be held once the draft UDO has been prepared. Stewart will prepare a PowerPoint presentation for use by City staff to make any additional presentations to local groups. It is recommended that members of the development community, environmental community, local business owners, area Chamber of Commerce and professionals from the engineering and design field be personally invited to the meeting.

Deliverables:

- Code Layout Template
- Meeting Summaries
- Draft and Revised UDO Articles
- PowerPoint for City Staff Use
- Updates for the City's Website

Meetings:

- Steering Committee Meetings #3 through #5
- Public Open House Meeting #2

Staff Responsibilities:

- Post Stewart supplied information to Town website;
- Coordinate meeting dates and locations;
- Facilitate flow of information between Consultant and City of Eden staff, Steering Committee, Planning Board, and City Council;
- Provide consolidated list of comments/revisions from staff.

PHASE 4 | ADOPTION

Following the final Public Open House Meeting, Stewart staff will make revisions (as requested) and prepare the final consolidated UDO document. Stewart, in conjunction with City staff, will present the UDO to the Planning Board and City Council. Once the UDO has been adopted, Stewart will make all final revisions/edits and provide the final electronic version in a static or "stand-alone" format as well as an interactive version utilizing hyperlinks and other searchable functions.

Deliverables:

- Final UDO (in Word and PDF format)

Meetings:

- Planning Board
- City Council

Staff Responsibilities:

- Post Stewart supplied information to Town website;
- Coordinate meeting dates and locations;
- Public noticing;
- Facilitate flow of information between Consultant and City of Eden staff, Planning Board, and Town Council;
- Provide consolidated list of comments/revisions from public, Staff, Steering Committee, Planning Board, and Town Council (as applicable);
- Attend Planning Board and Town Council Meetings.

PHASE 5 | IMPLEMENTATION & TRAINING

Following adoption of the new UDO, the Stewart team will facilitate a training session for the Planning Board, Board of Adjustment, and the City Council on the implementation of the UDO.

SCHEDULE

According to the project schedule, as proposed in the RFP response, the anticipated completion date of this project will be on or before January 1, 2021.

CLIENT RESPONSIBILITIES

It shall be the responsibility of the Client to provide the following items:

- Provide any available electronic information
- Secure meeting spaces and coordinate meetings, including refreshments.
- Identify, invite, coordinate and follow up with Steering Committee Members, staff, and stakeholder groups.
- Provide notice of scheduled meetings (with reasonable advance notice).
- Provide decisions on critical issues as necessary in a timely manner.
- Assist with facilitation of meetings.
- Payment of all invoices per Conditions of Agreement.

COMPENSATION

Stewart agrees to provide professional services as outlined above in the Scope of Services for a lump sum fee as detailed below in the Compensation and Fee Schedule. A breakdown of the estimated cost per phase is shown below.

Compensation and Fee Schedule:		
Task	Description	Fee
Phase 1	Project Initiation	\$ 2,250
Phase 2	Code Assessment Report	\$ 7,000
Phase 3	UDO Preparation	\$41,000
Phase 4	Adoption	\$ 2,500
Phase 5	Implementation & Training	\$ 1,250
Expenses	Travel, Meals, Printing	\$1,000
Project Total		\$55,000

ADDITIONAL SERVICES

Any item not contained Stewart staff can attend additional in-person meetings outside of the scope of services for a cost of \$1,000 per meeting.



As an optional service and following the finalization of the UDO, Stewart will update up to ten (10) City land development and land use related application forms/checklists for an additional \$3,500.

Please note that the fee does not include the support of a land use attorney. If desired by the City, Stewart will work with an Attorney and City representatives to determine an appropriate hourly NTE fee to either be added to the Stewart contract or as a separate contract.

CONCLUSION

This document may serve as a Client-Consulting Agreement. Included in the agreement are the standard Hourly Rate Schedule and Conditions of Agreement. If this proposal is acceptable, please execute and return a copy of the Agreement to this office.

Do not hesitate to contact us if you have any questions regarding our proposal. Please give us the opportunity to clarify any details or revise the proposal if it appears that we have misunderstood any element of the proposed project.

Respectfully submitted:

Approved by:

STEWART

CITY OF EDEN

Chad Sary, AICP
Planning Manager
Municipal Planning & Mobility

Signature/Date

Cindy Szwarcop, AICP
Associate Vice President
Practice Leader, Municipal Planning & Mobility



Stewart Conditions of the Agreement

1.0 Payments on Account

- 1.1 Invoices for Stewart's services shall be submitted, at Stewart's option, either upon completion of any phase of service or on a monthly basis. Invoices shall be payable when rendered and shall be considered PAST DUE if not paid within 45 days after the invoice date.
- 1.2 Any inquiry or questions concerning the substance or content of an invoice shall be made to Stewart in writing within 10 days of receipt of the invoice. A failure to notify Stewart within this period shall constitute an acknowledgment that the service has been provided and is correct.

2.0 Late Payments

- 2.1 A service charge will be charged at the rate of 1.5% (18% annual percentage rate) per month or the maximum allowable by law on the then outstanding balance of PAST DUE accounts. In the event any portion of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.
- 2.2 In the event that any portion of an account remains unpaid 30 days after billing, Stewart may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, suspend or terminate the performance of all services.

3.0 Insurance

- 3.1 Stewart shall secure and endeavor to maintain professional liability insurance and commercial general liability insurance to protect Stewart from claims for negligence, bodily injury, death or property damage which may arise out of the performance of Stewart's services under this Agreement, and from claims under the Worker's Compensation Acts. Stewart shall within 30 days of execution of contract, issue certificates confirming such insurance to the Client.

4.0 Standard of Care

- 4.1 The standard of care for all professional services performed or furnished by Stewart under this Agreement will be the skill and care used by members of Stewart's profession practicing under similar circumstances at the same time and in the same locality. Stewart makes no warranties, express or implied, under this Agreement or otherwise, in connection with Stewart's services.

5.0 Indemnifications

- 5.1 To the extent permitted by applicable law, the Client shall indemnify and hold harmless Stewart and all of its personnel, from and against any and all claims, damages, losses and expenses (including reasonable attorney's fees) to the extent they are caused by the negligent act, error, or omissions by the Client in performance of its services under this Agreement, subject to the provisions in the paragraph below on Risk Allocation.



5.2 Stewart shall indemnify and hold harmless the Client and its personnel from and against any and all claims, damages, losses, and expenses (including reasonable attorney's fees) to the extent they are caused by the negligent act, error, or omissions by Stewart in performance of its services under this Agreement, subject to the provisions in the paragraph below on Risk Allocation.

5.4 Sub-Consultant(s) shall indemnify & hold harmless Consultant & Client from and against all claims, losses, damages, and expenses (including attorney's fees and defense costs) to the extent such claims, losses, damages, or expenses are caused by any negligent act, error, or omission of Sub-Consultant or any person or organization for whom the Sub-Consultant is legally liable.

6.0 Risk Allocation

6.1 In recognition of the relative risks, rewards and benefits of the Project to both the Client and Stewart, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, Stewart's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses rising out of this Agreement, from any cause or causes, shall not exceed the amount of \$250,000. Such causes include, but are not limited to, Stewart's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

7.0 Mediation

7.1 Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to binding dispute resolution. If such matter relates to or is the subject of a lien arising out of the Stewart's services, Stewart may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation or by binding dispute resolution.

7.2 The Client and Stewart shall endeavor to resolve claims, disputes and other matters in question between them by mediation which, unless the parties mutually agree otherwise, shall be in accordance with the North Carolina Rules Implementing Statewide Mediated Settlement Conferences in Superior Court Civil Actions currently in effect and administered by counsel for the parties. A request for mediation shall be made in writing and delivered to the other party to the Agreement. The request may be made concurrently with the filing of a complaint or other appropriate demand for binding dispute resolution but, in such event, mediation shall proceed in advance of binding dispute resolution proceedings, which shall be stayed pending mediation for a period of 60 days from the date of filing, unless stayed for a longer period by agreement of the parties or court order.

7.3 The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in Wake County, North Carolina, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.



7.4 If the parties do not resolve a dispute through mediation pursuant to this Section 7.0, the method of binding dispute resolution shall be the following:

(Check the appropriate box. If the Client and Stewart do not select a method of binding dispute resolution below, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, the dispute will be resolved in a court of competent jurisdiction.)

- Arbitration pursuant to Section 7.3 of this Agreement
- Litigation in a court of competent jurisdiction
- Other (Specify)

8.0 Termination of Contract

8.1 Client may terminate this Agreement with thirty days prior written notice to Stewart for convenience or cause. Stewart may terminate this Agreement for cause with thirty days prior written notice to Client. Failure of Client to make payments when due shall be cause for suspension of services or, ultimately, termination, unless and until Stewart has been paid in full all amounts due for services, expenses and other related charges.



MUNICIPAL PLANNING & MOBILITY STANDARD HOURLY RATES

CLASSIFICATION	HOURLY RATE
Engineering Intern	\$ 90.00
Planner	\$ 95.00
Project Planner	\$110.00
Project Engineer	\$110.00
Senior Planner	\$125.00
Senior Engineer	\$125.00
Project Manager	\$135.00
Senior Project Manager	\$150.00
Planning Operations Manager	\$160.00
Planning Manager	\$160.00
Mobility Manager	\$160.00
Principal in Charge	\$180.00

Note: This schedule of rates are subject to adjustment in accordance with annual wage and cost of living increases.



Stewart's Project #: _____

PROJECT INFORMATION FORM

Client Name: _____

Client Project #, PO or Contract #: _____
(to be shown on invoice)

Client Project Manager or Key Contact: _____

Email Address _____ Phone # _____

Client Project Name for Invoicing: _____

Invoice Mailing Address:

Client's Accounts Payable Contact:

Name: _____

Phone: _____

Email: _____

Invoices should be sent to the attention of:

Invoices should be sent by: Mail _____ Email _____ Both _____

Date invoices must be received by Client: _____

Special invoice format required: _____ Yes _____ No (If yes, please forward the template)

Billing Percentages:

Does contract stipulate percentages we can bill per month/phase? : ___ Yes ___ No

Construction Phase Billing -

Specify percentage/amount per month to be billed during Construction Admin:

Please complete all information and return to
accountsreceivable@stewartinc.com

**City Manager's Report
December 2019**

BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Gildan Yarns

More than 150 people have applied for the 85 positions available at the 335 Summit Road facility. They are still taking applications at the plant so do not hesitate to complete an application if you are interested.

Morgan Olson Manufacturing

The former IKEA employees are being given first consideration for the 700 available jobs at this Danville, Va., facility. In February or March of 2020, the company will be advertising in Eden for potential applicants. More will be reported as the company progresses in their new location.

Loparex

This is the first Eden industry to participate in the Rock-A-Top Apprenticeship program offered through the Rockingham County Schools system. High school participants are paid during their apprenticeship period, then often are offered permanent positions within the companies for whom they apprentice. The program has been very successful in other county industry.

Lidl

The company has dedicated an individual to dispose of the Eden property and other locations they have closed or abandoned. We are hopeful that they will have a broker list the property by the first of the year. The City tried for nine weeks to obtain entry into the building to show a viable prospect before the company announced it would assign the property to a real estate broker to facilitate the sale of the property.

KFC

Construction is well on its way at this Highway 14 facility.

Bayberry Retirement Village – 30th Anniversary

Bayberry has six N.C. locations, the Eden location celebrating its 30th year in operation this year. The company will be honored at the December 17 Eden City Council meeting. We wish them another 30 successful years in Eden.

Tri-City Glass & Mirror – 70th Anniversary

This Eden company is celebrating its 70th anniversary this year. Earlier in December, the Rockingham County Board of Commissioners honored them. On December 17th, the Eden City Council will also honor owners Dana and Dustin Hussey. One great story about Tri-City Glass & Mirror is how they established a relationship with Sheetz, their Stadium Drive neighbor. When Sheetz was building the Eden store, they had issues with another supplier and gave Tri-City an opportunity to supply their glass. Almost 10 years later, Tri-City continues to supply glass for Sheetz stores, recently completing their 100th store. This is an example of a large business helping an Eden small business. If you see Dana or Justin, please congratulate them for reaching such a significant milestone.

Women's League in Preppy Pirate Outfitters

The Eden Women's League has opened a Dewey's Bakery retail shop inside Preppy Pirate Outfitters, located at 347 Washington Street in Historic Downtown Eden. The Women's League raises funds annually through different projects they undertake with all of the funds going to community causes. "We know there are needs in the Eden community, so we wanted to do a bigger fundraiser to help more," stated President Tammy Shelton. "We have added members who will join us in serving the Eden community." Past projects include giving annual scholarships to Morehead High School seniors, supporting Help Inc., the Eden Public Library and various classes in Rockingham County Schools such as the Morehead High School robotics team, as well as the Salvation Army. The store will be open Monday-Friday 11a.m. to 6 p.m. and Saturday from 10 a.m. to 4 p.m. On December 15 and 22, the store will be open from 1 p.m. to 4 p.m. Santa will be in the store on the December Saturdays from 11 a.m. to 1 a.m. and 2 to 4 p.m. He will also be there on the two Sundays they are open. The Dewey's bakery items include a variety of cookies and other delicious snacks. Your purchases help this organization help the Eden community. For more information, contact Preppy Pirate Outfitters at 336-589-9668.

Panther Pride: Good News

Over the last several months, the City of Eden has worked with Morehead High School in publishing the Panther Pride: Good News column about what great things are taking place in our local high school in Eden's Own Journal. We have covered young professionals who have returned home to start their careers in Eden, the Automotive Technology Class led by Instructor Blair Pruitt and how he has helped students who thrive in a hands-on learning environment as well as students who visited the RCC Simulated Hospital to learn more about healthcare careers. The January issue will feature the MHS JROTC program and February will include a story about how students are learning entrepreneurship through the high school food and nutrition programs. There are lots of great things happening at Morehead High School. Learn more about them by following these columns each month.

Winterfest

What a great night! A huge thank you to everyone who came out and celebrated winter and the Christmas season with us! It was wonderful seeing all the children's smiles and wide eyes! We would also like to thank everyone that made this the fun night it was:

- Santa Claus
- Elsa, Anna and Olaf from Frozen – Once Upon A Time Fairytale Parties
- Michael Gravely of Outdoor Entertainment – slide and movie screen
- Kris Robbins & Family – lighted balloon ice castle and oversized games
- Rockingham County Schools – fabulous raffle baskets
- Debbie Ellis & Dale Warren – manning the smore's bar
- Hot Stuff Beverages – delicious hot chocolate, cider and coffee
- Tim & Diana Biggs – popcorn
- Councilman Jim Burnette & Family – lighting the Christmas tree
- Mike Dougherty, Randy Hunt & Jamison Taylor – setup and breakdown
- Eden Police Department – John Edwards – lighting
- Jimmy Dillon – duty over and above to make sure lights worked.
- Drew Chilton, Johnny Massey & Brett Curry – decorating Grogan Park

2020 Signature Event Dates – Mark Your Calendars

- May 12 – Hispanic Heritage Day
- May 21 – Spring Grown & Gathered
- June 6 – Piedmont Pottery Festival
- June 20 – Oink & Ale
- July 25 – Shaggin’ on Fieldcrest
- August 13 – Summer Grown & Gathered
- August 22 – Touch-A-Truck
- September 18 & 19 – RiverFest
- December 5 – WinterFest

ENGINEERING

Waterline Replacement Projects Update

Preparation of preliminary plans is underway for three waterline projects for proposed improvements along George Street, a section of Primitive Street south of Spring Street, the section of Spring Street west of Dameron Street, and for the installation of a small booster pump station off the east side of Jackson Street.

PARKS & RECREATION

Construction of Phase II of the Matrimony Creek Greenway has begun and this facility should be completed by December 27.

Staff hosted the Parks & Recreation podcast with Mike Moore Media on December 9.

The City of Eden Prowlers Football program held its banquet on December 8.

The Santa Calling and Visits began December 1 and will continue through December 22.

There was a NSA Tournament at Freedom Park December 7 – 8.

Staff participated in the Leaksville Christmas Parade on November 29 and the Draper Christmas Parade on December 7.

Staff attended a Be Healthy Rockingham County meeting on December 11.

Coming up, Staff will conduct the monthly podcast with Mike Moore Media on January 3 and attend a Be Healthy Rockingham County meeting on January 8.

The City’s Youth Basketball program is in full swing and players are practicing at the Bridge Street Recreation Center and the Mill Avenue Gym. Games will continue through March 2020.

PLANNING & INSPECTIONS

Community Development Block Grant

The City received a \$750,000 Housing and Infrastructure Grant aimed at the mill village in the Draper area. We have not been given the grant agreement yet. Work cannot start until we get that from the State. This is the first housing related grant we have received strictly aimed at this section of the City.

NCDOT Stadium Drive Sidewalk Project

In partnership with NCDOT, we are underway with a sidewalk project that will extend from the intersection of Pierce Street and Stadium Drive east to the intersection of Edgewood Road and Stadium Drive. This sidewalk is a part of our Greenway Master Plan and our existing Pedestrian Plan. The NCDOT portion of the project is estimated to be \$394,000 and the City portion to be \$98,106. Wetherill Engineering has been engaged to prepare the plans.

NCDOT Bike and Pedestrian Plan

We have recently been notified that we have received funding from NCDOT to update our Bike and Pedestrian Plan. This process will begin soon. The Piedmont Triad Council of Governments will assist us with the plan. A plan of this type is a requirement to receive funds for pedestrian and bike facilities from the NCDOT.

Unified Development Ordinance

Our land used regulations are still in the framework that they were in when adopted in the 1960s. In 2019, the N.C. General Assembly overhauled all of the statutes relating to land use planning and put them in an entirely new chapter. Beginning January 1, 2021, all related ordinances must be amended to be in compliance with the statutes. The Strategic Planning Commission recommended to the City Council that \$60,000 be committed for this vital project. The City Council approved the funds at the November regular meeting. We are expecting bids to be in for a consultant in time to be approved at the December regular City Council Meeting.

Nantucket Mill Rehabilitation

The Nantucket Mill located at the intersection of Morgan Road and Church Street is owned by Nantucket Mill LLC. The zoning case to create a mixed use planned unit development as approved by the Planning Board at their November meeting and will be on the City Council agenda for December. The owners are preparing for a \$26,000,000 renovation of the property. We are seeking grant funds to help them. The property is a Brownfield property but the State has recently released the prohibition of residential uses of the property. Engineering and design work is expected to begin in early 2020.

POLICE DEPARTMENT

Anti-Litter

The Eden Police Department continues to post a Public Service Announcement on the Eden Police Department's Facebook page asking citizens to Stand Against Litter as part of the countywide campaign to aggressively enforce littering and illegal dumping violations. We will

continue to replay the announcement each month and aggressively enforce littering and illegal dumping statutes.

Fundraiser for County employee

This year, our department is participating in ‘No Shave November/December’ and ‘Crazy Nail / Casual Dress November/December’ fundraising campaign. We will be supporting one of the members of our “First Responder” family this year. Emily Thacker is a Rockingham County 9-1-1 Telecommunicator and a volunteer in the Eden Rescue Squad. Emily is a 34-year-old single mother of three children (ages 11, 6, 5) and lives in Eden. Emily was diagnosed with Stage 1 Invasive Ductal Carcinoma Breast Cancer. Emily has been a trooper since her diagnosis. She has had multiple doctor’s appointments for testing, scans, and biopsies. Emily has had to leave work for appointments and came back to work afterwards. This will be not only a lengthy process for her but a costly one as well.

Firearms replacement

In 2016, we applied for a grant to replace our aging duty firearms. We received the funding, \$24,244, in 2019. We have completed the transition to the new Ruger American Duty Firearm.

Keep our streets safe

As we approach the Christmas holidays and New Year’s Eve, we would encourage all our citizens to drink responsibly and utilize designated drivers. The Eden Police Department will have additional officers working throughout the holidays and New Year’s Eve to keep our streets and highways safe.

Facebook

The Eden Police Department would like to continue to encourage the citizens of our community to utilize the Eden Police Department’s Facebook page for updates and information concerning our community, as well as Crimestoppers, to provide anonymous information concerning illegal activity to keep our community safe. We all have to work together to keep our community safe.

CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, November 19, 2019 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Bernie Moore
	Jim Burnette
	Angela Hampton
	Darryl Carter
	Jerry Ellis
	Jerry Epps
	Sylvia Grogan
Interim City Manager:	Terry Shelton
City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley
News Media:	Roy Sawyers, Rockingham Update
	Susie Spear, Rockingham Now

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council met the third Tuesday of each month at 6 p.m. and worked from a prepared agenda; however, time would be set aside for business not on the printed agenda.

INVOCATION:

Council Member Epps gave the invocation followed by the Pledge of Allegiance led by Fire Chief Tommy Underwood.

PRESENTATIONS & PROCLAMATIONS:

- a. Proclamation – Small Business Saturday

Mayor Hall read the proclamation.

PROCLAMATION SUPPORTING SMALL BUSINESS SATURDAY

WHEREAS, The City of Eden recognizes local small businesses and the contributions they make to our local economy; and

WHEREAS, there are currently 30.2 million small businesses in the United States, representing 99.7 % of all businesses with employees, and small businesses are responsible for 65.9 % of net new U.S. jobs from 2000-2017; and

WHEREAS, small businesses employ 47.5 % of workers in the private sector in the United States; and

WHEREAS, 96% of consumers who plan to shop on Small Business Saturday said the day inspires them to go to small, independently-owned retailers or restaurants that they have not been to before or would not have otherwise visited; and

Minutes of the regular November 19, 2019 meeting of the City Council, City of Eden:

WHEREAS, 92% of companies planning promotions on Small Business Saturday said the day helps to promote their business during the busy holiday shopping season; and

WHEREAS the City of Eden supports our local businesses that create jobs, boost our local economy, and improve the value of and preserve our community; and

WHEREAS, advocacy groups across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday;

NOW, THEREFORE, BE IT RESOLVED, that the Eden City Council does hereby proclaim Saturday, November 30, 2019 as Small Business Saturday

This the 19th day of November, 2019

CITY OF EDEN

Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

SET MEETING AGENDA:

Mayor Hall said there was one change to the agenda - Item 14 would be changed to Closed Session and Item 15 would be Adjourn.

A motion was made by Council Member Ellis to set the amended meeting agenda. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

PUBLIC HEARINGS:

- a. Consideration and approval of an incentive package for Gildan, appropriating an amount not to exceed \$91,131 from the General Fund to be distributed to the company in annual installments following the project parameters.

Mayor Hall called on Economic Development Director Mike Dougherty and declared the public hearing open.

Mr. Dougherty said that the previous month, N.C. Secretary of Commerce Tony Copeland announced 85 new jobs and \$4.7 million in investment for the former SGR Tex facility. Gildan Yarns made about 70 percent of their product, which was then assembled in Honduras and then came back into the U.S. Gildan started in the year 2000 with a 200,000-square-foot distribution center and now occupied 2.2 million square feet and employed more than 500 people. They invested \$12 million in the purchase of the machinery and equipment. The incentive would be over a five-year period and not exceed \$91,131 in new taxable investment in the operation of the facility.

Mayor Hall asked if anyone would like to speak in favor or opposition.

Council Member Burnette said just for a point of clarification, it was for 80 percent of the taxable and there was still 20 percent of the addition.

Mr. Dougherty replied that was correct.

Mayor Hall said the County had previously approved their incentive package for Gildan.

Council Member Ellis asked if Gildan would provide training for the new programs and if that could tie in with the high school.

Mr. Dougherty replied they would and Rockingham Community College had training as well.

Council Member Grogan said she noticed the average wage was generally higher than Gildan was known to pay for jobs. She asked if he could explain that.

Mr. Dougherty replied the starting wage was \$13 per hour because manufacturing jobs paid more.

With no further questions or comments, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Carter to approve an incentive package for Gildan, appropriating an amount not to exceed \$91,131 from the General Fund to be distributed to the company in annual installments following the project parameters. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

A copy of the Performance Agreement between Local Governments and Gildan Yarns, LLC is on file in the Clerk's Office.

REQUESTS AND PETITIONS OF CITIZENS:

Mayor Hall asked City Attorney Erin Gilley to read the City's policy for the speakers.

Mayor Hall said he had promised to update citizens and he had a statement to read. Since the conviction of the previous city manager, there had been many requests for information dealing with his expenses and his contractual compensation during his career at the City. In an effort to address the questions and concerns, Mayor Hall wanted to provide the following information.

The manager's contract provided that his unused vacation and one-half of his sick accrual, which he received each pay period, would be paid out to him upon leaving his employment with the City. The manager's sick leave accrual was increased to 16.2 hours per pay period. That was done in an effort to retain the manager in Eden. At that time, the City was having difficulty retaining a highly qualified manager for more than a couple of years, creating multiple transitions in leadership. The former manager had worked in Virginia for 15 years prior to coming to North Carolina and those 15 years would not be allowed into the North Carolina Retirement System upon retirement. The manager's sick hours from Virginia were also allowed to be transferred into the City via a personnel ordinance amendment on January 16, 2006 so that those sick hours would not be lost. As a result of the amendment, the manager was allowed to transfer 840 hours of accrued sick leave from the town of New Market, Virginia, to the City.

In 2009, the Mayor made the initial decision to allow the manager to begin taking early payouts of his leave as his leave had accumulated significantly. That decision was made to avoid having to make a large lump sum payment at one time when the manager left the City. Both former mayors of the City authorized the payments to be made during the manager's employment over a period of time so that the liability to the City would be gradually reduced over a number of budget years as opposed to one hit at the end of his employment resulting in a several hundred thousand dollar payout. The withdrawals were made

from 2013 to 2018. The total net pay received by the manager was \$241,215.21, representing the total amount after taxes had been deducted. The total amount before taxes were deducted was \$405,840.99. That represented payments from 2006 to 2018.

Mayor Hall said City Council had hired an attorney who specialized in municipal law as well as contract litigation to review the contract and the payouts. William Hill, of Frazier, Hill and Fury, RLLP, reviewed the manager's contract and payouts. He had advised the City that had those payouts not been made during the employment of the manager, the City would have been contractually bound to make a large lump sum payment equal to what was paid out upon Mr. Corcoran's departure. There was no clause in the contract that would have given the City the ability to avoid the payout even though the former manager was convicted of a crime. That was typically known as a moral turpitude clause. His contract also called for a severance payout of nine months of his salary had he been terminated or fired. Because he was allowed to resign, the City was able to avoid paying this severance payout. There was no such provision for the leave accrual. As such, the City has been advised that there was no legal recourse for collection of this money from the previous city manager.

That also confirmed the FBI's and SBI's interpretation of the matter. All payouts were also reviewed by the agencies and not pursued. In addition, credit card expenditures had also been questioned and posted on social media. After a meeting with the SBI and FBI to discuss their investigation, we felt that there had been an adequate investigation into the expenditures. All property that was purchased had been documented and the property purchased was in the possession of the City. Those expenditures were also not pursued by the SBI or FBI. The SBI and FBI were satisfied with the outcome of the investigation and estimates for an outside investigation were up to \$30,000. The City was advised that the results of any findings could be significantly less in value than the cost of an investigation; however, due to the citizens' concerns, Council hired an outside auditor, Bert Davis, Jr. of the Davis Forensic Group, to review all expenditures by the former city manager.

So where was the City now and how do they ensure accountability and transparency in the future? As discussed at the September City Council meeting, they met the FBI and SBI to review their recommendations into checks and balances that need to be instituted. They also worked with the City's auditors and the North Carolina League of Municipalities for similar recommendations. As a result, a series of policies would be voted on that night. They felt the policies would address many of the issues that they faced with the previous manager. The policies included an annual review of the city manager's performance to be done in January every year and would include a review of the terms of the contract, pay, performance and any existing leave accrual. That was important because it ensured that current Council Members would be made aware of what former Council Members had done with respect to the manager's contract.

Mayor Hall said any personnel matter for any city manager or any employee answering to the Council would be made by all members of the Council and reviewed by the city attorney. Any future employment contract for the manager would contain a clause that prevented the manager from collecting any severance or payout if any immoral or criminal activity had occurred. A report containing all accounts payable checks written would be submitted monthly to the Council for their review. That would include all expenses, including credit card expenses. The report had already been disseminated each month, beginning in September. All travel and discretionary expenditures of the manager would have to be approved by the mayor and or mayor pro tem, meaning that no one subordinate to the manager would be approving his or her expenses. The city attorney and the city clerk would now report and answer directly to the Council, allowing a system of checks and balances on all employees who answered to the Council with all other employees answering to the city manager.

Mayor Hall said finally, the Council would review the report of the outside auditor and use any recommendations made to ensure oversight of City expenditures. The Council was committed to restoring the public confidence in the City of Eden.

Alice McBride, 244 Fairway Drive, said she had been a citizen of this wonderful town for 55 years and she loved Eden. She had some concerns why a City employee was allowed to take a credit card out of town. The company she worked for had a credit card but it was not allowed for an employee to keep the card out of the building overnight. An employee could use it to buy what was needed and they turned the receipts and card back in. The card would never be taken out of town to be carried around and used whenever an employee wanted to. She would like to see restrictions on the ease of an employee having the credit card in hand. She wanted to know if the forensic audit would be published for the public to review. Regarding Mr. Corcoran's sick leave and vacation accruals, she did not understand how he was paid almost \$85,000 for two days off, January 1 and 2 in 2015.

Mayor Hall said that was when he took the checks, it was not pay for those two days.

Ms. McBride wanted to know if there were any other employees in the City that had any other clause similar to Mr. Corcoran's.

Mayor Hall thanked Ms. McBride and called on Michael Hutchinson, who yielded his three minutes to Dot Bush.

Ms. Bush, 233 Weaver Street, wanted to acknowledge her appreciation to Terry Shelton for stepping into the hornet's nest and for his candid responses to her questions. Mr. Shelton realized that any citizen had the right to ask questions of the governing body and should receive answers immediately. She knew most of Council and respected them. With the theft and fraud committed by former City Manager Mr. Corcoran, there were many questions that required answers. She said the answers given by the Mayor were a little confusing and she would like to see it in writing. She was shocked by the criminal theft that Mr. Corcoran committed against the taxpayers of Eden. Unlike Council, she had no fiduciary responsibility to the citizens. The responsibility had not been met over the past 13 years and the malfeasance was unacceptable. As far as she knew, Mr. Corcoran was charged with one crime - padding the paycheck of one of his children. She asked didn't all three work for the City. What about the receipts of all of the personal purchases, which the Mayor had addressed, and she hoped to get those cleared up with the audit. Elected officials and people who worked for the government worked at the pleasure of the taxpayers and should not ever forget that. Taxpayers deserved respect and transparency from every single person who worked for the City. As far as she knew, Mr. Corcoran was never really arrested, charged or held under any bond. Unlike any regular person, he did not have a mugshot in the media. For the governing body to accept only \$20,000 in restitution was still a puzzle to her. The most shocking issue was Mr. Corcoran's pay, which the Mayor had sort of covered. The pay was a burden to the taxpayers and a betrayal of trust to the citizens because they knew nothing about it. Since 2006, 13 years, from her understanding from what she had received from the City's Finance Department, Mr. Corcoran's salary was based that every month he worked he got an extra week of sick/vacation pay. The term sick/vacation pay was just a cover up for how much he was actually paid. That should never have happened. So every year since 2006, Mr. Corcoran received 12 months regular pay and an extra 12 week's pay for work not performed. No wonder he could afford two expensive homes. Maybe we all could if we made that kind of money. She did not understand why the Council did not review the financial report every month. She asked why would they wait and review just once a year. The manager of every department, the attorney, and Finance Department knew about the issue, but not the citizens. It was unacceptable to her that a city

manager of a small town of 15,000 people made that salary. The average income of a family of four in Eden was \$32,000. Some of the sick/vacation monies came out of the water/sewer fund. She asked if that was the reason the water bills had quadrupled in the last 10 years. Thank goodness, someone came forward and blew the whistle on Mr. Corcoran or this could have continued indefinitely and the taxpayers would have never known. This could not have been a simple mistake and many here must have known about Mr. Corcoran's deal and therein laid the doubt and distrust the citizens of Eden were feeling. She had a printout from the City's Finance Department of four years of Mr. Corcoran's sick/vacation pay and if it was correct, the total for four years was \$347,281. That was just sick/vacation not counting his regular salary. She was sure his salary had increased over the years, but just make that eight years and the total was \$1,388,914 for work not performed. In her opinion, a police officer, a fireman, EMT or the trash truck drivers would be more than happy to make that kind of money.

Mayor Hall said it was not a debate forum by any means but he would be glad to answer some of the things that Ms. Bush asked about now or whenever she wanted to talk about it. The charges did not happen because he surrendered before he was arrested. The district attorney made that decision, not City Council. On the water/sewer fund being a portion of his salary, that was done as general practice because part of his time was attributed to working on the water and sewer side. He managed those people as well. Part of Mr. Corcoran's salary was appropriated to the water/sewer fund and the other to the general fund because his time was spent between those two.

Ms. Bush asked why his duties were split up when he was the city manager.

Mayor Hall replied because there were two funds, the water and sewer fund operated separately from the general fund. If someone worked in both areas and took a vacation day, part of the vacation would come from each fund. It was a percentage. He had seen the document regarding the payouts. Those dates were when he took the checks. The water rate had not quadrupled. Council had not changed the water rate since 2016. If a person's bill had increased, it was their usage, not the rate.

Ms. Bush said she had moved back to Eden in 2008 paying \$52 every two months. It gradually started going up and was currently over \$100 each month.

Mayor Hall said his was too. The City had been put under an administrative order from the Environmental Protection Agency that was unfunded. The City had to have \$40 million to pay for it. There was no choice. The water and sewer fund was a break-even operation. It could not make any or lose any money. Council set the water rates in 2016 to help cover the bill and they hoped industry would help with that. The rates were not involved in the criminal activity.

Eva Washington, president of the non-profit Second Chance of Hope at 421 Vine Street, said 70 percent of women entering substance use disorder treatment services had children. Many women in caregiving roles often would not seek or complete treatment because they were unable to manage their caregiving responsibilities and participate in treatment programs at the same time. Mothers may also fear that their children would be removed from their custody. Those factors, along with stigma and shame, became barriers to women with children receiving treatment, which had long-term and negative implications on the mother and child. She was bringing awareness of the non-profit and inviting Council to attend a ribbon cutting ceremony on Dec. 18 at noon at 421 Vine Street. She wanted community support for their efforts in bringing a sober living environment for pregnant women and women with children under age 18 in need of support in their recovery from substance abuse. She requested support for the transitional house

dedicated to the treatment of pregnant women and mothers in the Eden community. They were in need of sponsorships, household supplies, bedding, personal hygiene items and support from the community.

Mayor Hall noted the organization was making big changes in people's lives at the former boarding house on Vine Street.

Ms. Washington said the previous night, they had taken in a mother who would have lost her children if they had not helped. The mother had a premature 3-month-old and a year-old child. She came with the clothes on her back. Ms. Washington was thankful for the Pregnancy Care Center in Eden who provided the baby with formula, clothing and a car seat. Those types of situations could happen anytime. The facility could help up to 16 women at a time in the home. She invited the Council to come and ask questions or drop off supplies. She said the group did have a website.

UNFINISHED BUSINESS:

- a. Consideration of an updated report on the nuisance violations at the American Warehouse property located at 206 Warehouse Street.

Mayor Hall called on Planning & Inspections Director Kelly Stultz.

Ms. Stultz said two months before, they had a discussion with the owner of the property. Subsequent to that, she and Council Member Burnette met with owner Louise Price at the site. Ms. Price had volunteers there who had a plan to bring the property into compliance. Ms. Stultz assumed they were working on that. They made an agreement to give them time to make the changes.

Council Member Burnette said they needed to understand what the timeline was for completing the work. The volunteers understood what needed to be done. He was in the area a couple of days prior and nothing had been done at that point. A timeframe needed to be set for it to be done.

Ms. Stultz said she did not disagree with that, she had wanted to go ahead and clean it. She would share what the Council thought was appropriate with the owner.

Council Member Grogan said everyone worked better when there was a goal in mind. In their case it particularly would help staff and the Council, as well as the people involved in the project. They had given Piedmont Folk Legacies two months. She made a motion that the cleanup of the American Warehouse be completed by the owners by the regular meeting in February.

Council Member Ellis wanted to amend it to give the group until April to clean the property.

Council Member Burnette noted that when they had visited the site, there was really just removal of some equipment that needed to be done. The trees would be left. Some overgrowth needed to be cut and the fence mended. Ms. Price had volunteers to do it.

Ms. Stultz said the owners of the Nantucket next door had asked them not to take the trees down between them. She asked if the Council planned to vote to clean the property at the end of the timeframe.

Council Member Grogan said yes.

Council Member Burnette seconded Council Member Grogan's motion. All members voted in favor of the motion. The motion carried.

NEW BUSINESS:

- a. Consideration and approval of a façade grant program for historic and at-risk properties.

Mayor Hall called on Mr. Dougherty.

Mr. Dougherty said delinquent property owners who had allowed their buildings to deteriorate had been an issue. He showed a photo of 622 Washington Street, which collapsed in 2011, and 618 Washington Street, which deteriorated over time. The City spent over \$100,000 stabilizing 241 The Boulevard. It was sold for considerably less and was currently an events center and income-producing property. In 2016, the City purchased, with help from a General Assembly grant of over \$90,000, 622 Washington Street because the current owner could not repair it. The City sold the property to a local person who planned to open a business in 2020. The building would produce property and sales tax. Similar downtown grants were subject to budgetary constraints and were highly competitive.

He was requesting a façade grant for properties that were both historic and at-risk. The properties must also have a viable purpose and serve as a catalyst for future economic development. The grant would provide from between \$2,500 and \$20,000. The grant would require a 50 percent match minimum. The projects would be considered on an individual basis. Funding had to be available. Staff would evaluate the project and proceed or deny. The grant must be approved by the Strategic Planning Commission and the City Council. The benefit of the grant would be that taxpayers would not be left with securing or demolishing the historic and at-risk properties.

Mayor Hall said the issue went along with the City's desire to have owners take pride and maintain their properties as opposed to the City having to do it.

Council Member Burnette said it was a 50/50 match and reimbursable.

Mr. Dougherty said yes, the owner would not receive any money up front. All State and local incentives were post performance.

A motion was made by Council Member Burnette to approve a façade grant program for historic and at-risk properties. Council Member Grogan seconded the motion. All members voted in favor of the motion. The motion carried.

- b. Consideration and approval to allocate Strategic Planning Commission funding to

- (1) create and adopt a Unified Development Ordinance

Ms. Stultz said she felt having the development regulations updated was the most important issue for their future. The regulations needed to be in line with others in the State. A Unified Development Ordinance (UDO) was something developers looked for online when they looked at Eden. Inquiring from other departments through the listserv across the State if they had a UDO or not, she received six responses from places that did not and four of those were counties. Rockingham County had one in place since the 1990s and were currently spending a lot of money to update theirs. In 2019, the General Assembly

changed every statute that had to do with land use regulation. Every land use ordinance the City had, had to be updated. She had originally thought the department could do the work in-house but realized with the number of staff she had, the department could not do it. She thought the UDO was an important part of the Strategic Planning Commission's goals and standards. In the early 1990s, the department had spent three and a half years working on a UDO. In July 1993, a local newspaper noted that it took Council less than 20 minutes to end the three years of work on a proposed zoning and land use plan. She said there had been a few people upset with their map requirements. Since that evening, the text of the zoning ordinance had been amended more than 100 times. It would be difficult for a citizen to find what they needed to know if they tried to examine the ordinance themselves. She was asking Council to approve up to \$60,000 to complete the UDO, which had to be done before January 1, 2021. If Council approved the request, a proposal was ready to go out in the morning. Approval for whoever was chosen would come before Council in December.

Council Member Carter asked if the money was already budgeted.

Ms. Stultz said yes, it was part of the Strategic Planning Commission's funding and they had approved it.

Council Member Hampton confirmed that someone would need to be hired to do the work because the department was overwhelmed.

Ms. Stultz replied that they were doing the best they could. She had been working with an antiquated zoning ordinance for the last 29 years of her career. There were things other communities were doing that Eden needed to know about so they would be in the best position to attract good development and to keep their existing development. The City would need a consultant.

Mayor Hall said it seemed like every meeting, Council voted on an ordinance change. In his daily real estate work, he dealt with UDOs and he knew Eden was way behind in the zoning ordinances.

Council Member Burnette said Mr. Dougherty and Council Member-Elect Hunnicutt, who had a real estate background, had also spoken about the importance of a UDO. He said Ms. Stultz had asked the Strategic Planning Commission for \$30,000 over two years, which could not be done because it was not budgeted, so she had to ask for \$60,000 and she would also seek grants if they were available.

Ms. Stultz said all the other ordinances they had to update by 2021 would be done in-house.

A motion was made by Council Member Ellis to approve the allocation of Strategic Planning Commission funding to create and adopt a Unified Development Ordinance. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

- (2) to purchase four water fountains for Morehead High School

Ms. Stultz advised the Strategic Planning Commission had approved the purchase of four water fountains for Morehead High School.

Morehead's Career Development Coordinator Christy Hensley said the request was for \$4,800 for four new water fountains at the school. There was currently one new fountain on the main hall.

Principal Ryan Moody said Morehead needed many upgrades and one of those was the water fountains. Some of the existing fountains were original to the school and the last one that had been updated was in the 1980s. The school had requested all 17 fountains be replaced through a Delta Dental Foundation grant but they only received one which had been installed over the summer. The new fountain had changed the

students' outlooks. As part of the grant, the school received water bottles for all students, which the students used daily. The new fountain was the only one in the school that was ADA compliant, allowing the wheelchair bound students to reach the water. The new fountain also had a bottle filler. The fountain had a cleanable filter so it provided the cleanest water in the school, as determined by AP chemistry students in an experiment. The four fountains would be strategically placed throughout the school.

Ms. Hensley explained that there were four reasons the school needed the four fountains: to combat obesity, to boost cognitive development and energy levels, to eliminate waste from disposable plastic bottles, and to fuel the workforce.

Council Member Carter said the new fountains were a good thing. He asked if the school system would be replacing the other 13.

Mr. Moody said it would be hard to ask the system to fund new fountains when there were schools with leaking roofs and in major disrepair. The cost of doing business in public education had gone up with no real increases in funding since 2009. Projects like the fountains would be on the backburner. There had been security upgrades at the school with funding provided by the school system. Controlled entry/exit and a new roof for the gym were the upgrades the school would be getting in the next few years.

Council Member Moore asked if school maintenance would install the fountains.

Mr. Moody replied the cost of installation was included.

Council Member Ellis and Mr. Moody discussed placement of the fountains.

A motion was made by Council Member Carter to approve the allocation of Strategic Planning Commission funds to purchase four water fountains for Morehead High School. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

(3) for a Reynolds Brewery façade grant

Mayor Hall called on Mr. Dougherty.

Mr. Dougherty said in 2018, 10,000 people turned 65 every day but only 2,330 youth turned 16 and could enter the workforce, meaning there was a deficit of replacement workers for those retiring of more than 7,600. Companies would have to get creative to recruit workers and communities would have to offer amenities to attract young workers. He read a quote from Margo Metzger, director of the North Carolina Craft Brewer's Guild, about craft brewers opening that in part said they were "a powerful kickstarting force, a spark that I have seen time and time again in the State." Mr. Dougherty said in N.C. in 2018, \$2.5 billion was spent in the industry with 17,000 jobs and about 215 microbrewers where the average wage was over \$45,000. In recent years, Rockingham County led all N.C. counties in the number of young people leaving. He was proud to do a recent article about four young professionals returning to the area: Heather Jachimiak of UNC Health Care; Trevor Gardner, a CPA and partner in a local firm; Mackenzie Barham of Eden Internal Medicine; and John LeSueur of Eden Chiropractic. The young people came from areas of education where there were microbrewers and gathering places. Those were big for the millennial generation.

Companies decided where to locate by availability of skilled labor, highway accessibility and quality of life, which was affordable housing, vibrant downtowns, signature special events and things like the Matrimony Creek Nature Trail, Grogan Park and river access points. Area industries were excited about a microbrewer opening because they had visitors they would want to take there. Two weeks prior, the first

industry was announced for the Southern Virginia Mega Site at Berry Hill. It was a \$200 million investment. That was the number one park in Virginia and they were looking at some very big projects. Eden needed to have the amenities in place who would work there and hopefully live in Eden.

Reynolds Brewery was a microbrewery occupying a former water works building, vacant for 30 years and opened for a brief period before closing for another 10 years. It was a historic property at risk and was adjacent to two mill projects in a historic district. Exterior renovations were over \$65,000 and the total investment would be close to \$500,000. It would generate significant tax revenue for Eden and Rockingham County from a previously dormant structure. It would have a pizza oven and offer other beverages, as well as event space. It would be family friendly and a quality location. Owners Chip and Toni Reynolds wanted a safe and fun environment. It would be a three to one match if they were given \$20,000, which was equivalent to what was spent on 624 Washington Street and less than spent on 618. The project coincided with Eden's natural resource promotion, being located next to the Smith River Greenway and Island Ford river access.

Mayor Hall said the City could not open or get involved in a business, but they could offer programs like this to help people open their own business. It was a great step to improve the quality of life. The whole program was great because it was incentive based.

Council Member Grogan asked if there was an estimate on opening.

Mr. Dougherty said the first quarter. They were also working with the SBA to obtain financing there. Five jobs would be initially added with the opening.

A motion was made by Council Member Grogan to approve the allocation of Strategic Planning Commission for a Reynolds Brewery façade grant. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

- (4) for the creation of a Smith River otter habitat

Mayor Hall called on Mr. Dougherty.

Mr. Dougherty said the project was a partnership between the City and the Dan River Basin Association. A \$9,400 Duke Energy grant was received to establish the habitat on the Smith River. It would be the only habitat of its kind in the country. It would give Eden a destination opportunity. They always needed to promote what made them different than other cities. The habitat would promote tourism, natural resources and preservation of wildlife. Otters only lived in clean rivers. U.S. Wildlife would rehome injured or rehabilitated otters there. The majority of the cost would come from the grant. Like at Matrimony Creek Nature Trail, this project would use City employees and equipment to complete the work. He was asking for funding up to \$7,000, he expected it to be far under that. The habitat could be in use in the first quarter and ready for the next tourism season.

Council Member Grogan asked where the habitat would be accessed.

Mr. Dougherty said down river from the Island Ford river access.

Mayor Hall said if it were on a map somewhere and his family was traveling, his wife would make them find it. It may attract visitors. He wanted to point out that all of the projects from the Strategic Planning Commission had funding from that budget.

A motion was made by Council Member Burnette to approve the allocation of Strategic Planning Commission for the creation of a Smith River otter habitat. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

- c. Consideration to accept a bid on the sale of property located at 416 Decatur Street.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the property was once the site of a mobile home park created from a permit that was not legitimate. The City obtained the lot during the Community Development Block Grant process for the Flynt Hill neighborhood and had cleaned it off and maintained it since. The initial bid on the sale of the property was \$1,000 and the final bid was \$15,800. The current tax value was \$16,720. The best outcome was to sell the property and encourage the new owner to create single family home dwellings. Staff recommended in favor of the sale for \$15,800.

A motion was made by Council Member Epps to accept a bid on the sale of property located at 416 Decatur Street. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

- d. Consideration to adopt an ordinance for the demolition of a structure at 105 Periwinkle Road under the City's Human Habitation Ordinance.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the Fire Department would like to burn the structure for training. She proposed charging the owner \$1,500, which was the going rate for burning a structure.

Council Member Moore asked if Station 210 would burn it.

Ms. Stultz said yes.

Council Member Burnette asked about the cleanup.

Ms. Stultz replied staff would get up whatever was left.

Mayor Hall confirmed the owners had made no effort to correct the issue.

Ms. Stultz said they had not.

A motion was made by Council Member Carter to adopt an ordinance for the demolition of a structure at 105 Periwinkle Road under the City's Human Habitation Ordinance. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF PROPERTY AT
105 PERIWINKLE ROAD, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 13th day of May, 2019, the Director of the Planning and Inspections Department examined the structure owned by Karen McDaniel at 105 Periwinkle Road, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

TRACT 1:

BEGINNING at a point in the East edge of the concrete highway leading from Leaksville to Reidsville, N.C. and running thence South 9° West with the East edge of the aforesaid concrete highway 50 feet to a stake, a new corner; thence South 81° 30' East 130 feet to a stake set in a drain ditch; thence North 9° East and parallel with said concrete highway 50 feet to a stake; thence North 81° 30' West 130 feet to a stake, the POINT OF BEGINNING and being a part and portion of that land conveyed by J. Baynes and wife to I. O. Griffith by deed dated October 12, 1936, and recorded in Book 296, page 414 and conveyed by I. O. Griffith to Robert Lee Briggs. See Deed Book 366, page 571 and Book 911, page 2008 . SAVE AND EXCEPT that 0.009 acres conveyed by Norman G. Stiers and wife, Mavis W. Stiers to Rhonda V. Nance and Lisa V. Mays by Deed recorded in Deed Book 914 at page 332.

TRACT 2:

BEGINNING at an iron set in the east edge of the Old Leaksville-Wentworth topsoil road near where it connects with the present Leaksville-Reidsville Highway, said beginning point being the northwest corner of that lot purchased by I. O. Griffith from Jonathan Baynes and running thence in a northeastern direction with the east edge of the Old Leaksville-Wentworth topsoil road 48.7 feet to an iron, a corner with Corum (now Barnes lot); thence with the Corum (now Barnes lot) line in a southeastern direction approximately 167.20 feet to an iron set in the ditch run, said point in the ditch being marked by a reference iron on the bank; thence with and up the run of said ditch 48.7 feet to an iron, the northeast corner of Jonathan Baynes lot; thence and with the line of said Baynes lot in a northwestern direction approximately 139.30 feet to an iron set in the east edge of Leaksville-Wentworth topsoil road THE POINT OF BEGINNING and on which is situated a store-building operated by Edna B. Stone. See Book 934, page 1118.

TRACT 3:

BEGINNING at an iron in southern line between Norman G. Stiers and Rhonda V. Nance, approximately 16.11 feet from a control corner; thence South 27° 47' West 8.72 feet to an iron; thence North 62° 00' West 18.70 feet to an iron; thence North 24° 55' East 6.16 feet to an iron; thence South 69° 41' East 19.18 feet to the POINT AND PLACE OF BEGINNING, being 0.003 acres, as shown on plat of survey by Samuel J. Coleman, R.L.S. entitled "Plat of Survey for Norman G. Stiers and Mavis W. Stiers" dated January 2, 1995, which a copy is attached to that Deed recorded in Book 914 page 329. The above described property being more commonly known as 105 Periwinkle Road, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7979-04-60-0953-00. Deed Reference: Book 948, page 230.

WHEREAS, on the 14th day of May, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 6th day of June, 2019, which was served on the property owner by certified mail, return receipt requested, on the 16th day of May, 2019, and by first class mail; and

WHEREAS, the hearing was held on the 6th day of June, 2019, and the Director subsequently issued an Order on the 19th day of June, 2019, to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owner by certified mail, return receipt requested, by first class mail and by posting on the subject property on the 20th day of June, 2019; that the certified mail, return receipt requested was returned by the U. S. Postal Service marked "Refused;" and

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 3rd day of July, 2019; and

WHEREAS, the property owner did not appeal the Order and, pursuant to Chapter 4, Section 4- 89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owner has had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and she has failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Karen McDaniel and Karen McDaniel Smith in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 19th day of November, 2019.

CITY OF EDEN

Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- e. Consideration to adopt an ordinance for the demolition of a structure at 305 Victor Street under the City's Human Habitation Ordinance.

Four bids were submitted as follows:

Sam W. Smith, Inc.	\$ 12,000
Kenny Frith	\$ 4,200
Brad Fisher Hauling	\$ 5,800
Loye Grading	\$ 5,300

Mrs. Stultz said the structure was in very poor condition and the owner would not do anything about it. Staff recommended that Kenny Frith be awarded the bid for the demolition of the house with the lowest bid being in the amount of \$4,200 and the department be allowed a special assessments collection to recoup the funds owed.

A motion was made by Council Member Epps to adopt an ordinance for the demolition of a structure at 305 Victor Street under the City's Human Habitation Ordinance and to award the bid to Kenny Frith. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF PROPERTY AT
305 VICTOR STREET, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 30th day of January, 2019, the Director of the Planning and Inspections Department examined the structure owned by Hilda L. Smith and Antonio Smith at 305 Victor Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

COMMENCING at an iron, said iron marking the northwest intersection of Victor Street by Fisher street; thence with the Western line of Victor Street, N. 3 deg. 17' W. 80 ft. to an iron, the point of BEGINNING, thence S. 86 deg. 43' W. 75.1 feet to an iron; thence N. 1 deg. 08' W. 75.05 feet to an iron; thence N. 86 deg. 43' E. 72.29 feet to an iron set in the Western line of Victor Street; thence with the western line of Victor Street, S. 3 deg. 17' E. 75 feet to an iron, the POINT OF BEGINNING, and containing 5,542 sq. ft., more or less, the same being all of Lot D, Block No.16, Park Heights, as per Map 3, of the Subdivision of Spray, North Carolina, property of the Leaksville Woolen Mills, Inc., as made by W. T. Combs, C.E., October and November, 1948, and September, 1949, and

Minutes of the regular November 19, 2019 meeting of the City Council, City of Eden:

recorded in the Register of Deeds office for Rockingham County, North Carolina in Map Book 6, Page 96. For title reference, see Deed Book 370, Page 228 and Deed Book 438, Page 465.

The above described property being more commonly known as 305 Victor Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-11-65-5305-00. Deed Reference: Book 873, page 707.

WHEREAS, on the 6th day of February, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 28th day of February, 2019, which was served on the property owners by certified mail, return receipt requested, and by first class mail, the certified mail, return receipt requested was returned by the U. S. Postal Service marked "Unclaimed" and the property was posted on the 7th day of February, 2019; and

WHEREAS, the hearing was held on the 28th day of February, 2019, and the Director subsequently issued an Order on the 13th day of March, 2019, to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owners by certified mail, return receipt requested, on the 20th day of March, 2019; by first class mail and by posting on the subject property on the 14th day of March, 2019; and

WHEREAS, the property owners did not appeal the Order and, pursuant to Chapter 4, Section 4- 89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owners have had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and they have failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Hilda L. Smith and Antonio Smith in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 19th day of November, 2019.

CITY OF EDEN

Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

f. Consideration to adopt an ordinance for the demolition of a structure at 605 Early Avenue under the City's Human Habitation Ordinance.

Four bids were submitted as follows:

Sam W. Smith, Inc.	\$ 8,000
Kenny Frith	\$ 3,000
Brad Fisher Hauling	\$ 4,400
Loye Grading	\$ 4,500

Ms. Stultz said the structure was damaged by fire. Staff recommended that Kenny Frith be awarded the bid for the demolition of the house with the lowest bid being in the amount of \$3,000 and the department be allowed a special assessments collection to recoup the funds owed.

A motion was made by Council Member Epps to adopt an ordinance for the demolition of a structure at 605 Early Avenue under the City's Human Habitation Ordinance and to award the bid to Kenny Frith. Council Member Grogan seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION
OF PROPERTY AT 605 EARLY AVENUE, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 21st day of September, 2018, the Director of the Planning and Inspections Department examined the structure owned by Jerry L. Graves and wife, Celeste B. Graves, at 605 Early Avenue, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows: Being all of Lot 5, Block 46, Glovenia Street Development as shown on a plat thereof recorded in Map Book 3, page 126 in the Office of the Register of Deeds of Rockingham County, to which plat reference is hereby made for a more complete description. Deed Reference: Book 746, page 454, Book 764, page 330, Book 856, page 101 and Book 1567, page 427. The above described property being more commonly known as 605 Early Avenue, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-18-41-9648-00.

WHEREAS, on the 21st day of September, 2018, the Director caused to be issued a Complaint and Notice of Hearing for the 15th day of October, 2018, which was served on the property owners by certified mail, return receipt requested, and by first class mail, the certified mail, return receipt requested was returned by the U. S. Postal Service marked "Unclaimed"; and

WHEREAS, the hearing was held on the 15th day of October, 2018, and the Director subsequently issued an Order on the 26th day of October, 2018,, to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owners by certified mail, return receipt requested, on the 2nd day of November, 2018; by first class mail and by posting on the subject property on the 29th day of October, 2018; and

WHEREAS, the property owners did not appeal the Order and, pursuant to Chapter 4, Section 4- 89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owners have had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and they have failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Jerry L. Graves and Celeste B. Graves in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 19th day of November, 2019.

CITY OF EDEN
Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- g. Consideration to adopt an ordinance for the demolition of a structure at 626 Patterson Street under the City's Human Habitation Ordinance.

Four bids were submitted as follows:

Sam W. Smith, Inc.	\$ 10,000
Kenny Frith	\$ 5,800
Brad Fisher Hauling	\$ 4,400
Loye Grading	\$ 10,000

Ms. Stultz said the structure was damaged by fire and was in a very visible area. Staff recommended that Brad Fisher Hauling be awarded the bid for the demolition of the house with the lowest bid being in the amount of \$4,400 and the department be allowed a special assessments collection to recoup the funds owed.

A motion was made by Council Member Moore to adopt an ordinance for the demotion of a structure at 626 Patterson Street under the City's Human Habitation Ordinance and award the bid to Brad Fisher Hauling. Council Member Epps seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF PROPERTY
AT 626 PATTERSON STREET, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 17th day of May, 2019, the Director of the Planning and Inspections Department examined the structure owned by Jerry Anderson and Carla P. Anderson at 626 Patterson Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

TRACT 1: Beginning at a stake on the East side of Patterson Street, the same being North 3 deg 15 min. East 132 feet from the intersection of Patterson and Galloway Streets; thence South 87 deg. East and parallel with Lawson Street 200 feet to a stake; thence North 3 deg. 15 min. East and parallel with Patterson Street 80 feet to a stake; thence North 87 deg. West and parallel with Lawson Street 200 feet to a stake on Patterson Street; thence with Patterson Street 80 feet to the place of beginning and containing 16,000 square feet, more or less. For title reference see Deed Book 217, on Page 389 and Deed Book 1021, page 1404.

TRACT 2: Beginning at a stake on the East side of Patterson Street, which stake is a present corner of the Noel Foley and wife, Elsie Foley, tract as deeded to them on April 25, 1922, in Book 217, Page 389, and said beginning point being North 3 deg. 15 min. East 212 feet from the intersection of Patterson and Galloway Street; thence with the line of said Foley lot South 87 deg. East and parallel with Lawson Street 200 feet to a stake, a rear corner of the Noel Foley and wife, Elsie Foley lot or home place; thence North 3 deg. 15 min. East and parallel with Patterson Street 13 feet to a stake, a new corner; thence North 87 deg. West and parallel with Lawson Street 200 Feet to a stake on Patterson Street, another new corner; thence with Patterson Street South 3 deg. 15 min. West 13 feet to a stake, a corner of the present Noel Foley and wife, Elsie Foley, home tract, the place of Beginning, and being a small strip immediately adjoining the present Foley home tract, 13 feet front by 200 feet deep. For title reference see Deed Book 388, on Page 543. The above described properties being more commonly known as 626 Patterson Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7979-05-27-3851-00.

WHEREAS, on the 17th day of May, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 11st day of June, 2019, which was served on the property owners by certified mail, return receipt requested, on the 21st day of May, 2019, by first class mail and by posting on the subject property on the 17th day of May, 2019;

Minutes of the regular November 19, 2019 meeting of the City Council, City of Eden:

and WHEREAS, the hearing was held on the 11th day of June, 2019, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owners by certified mail, return receipt requested, by first class mail and by posting on the subject property on the 13th day of June, 2019; that the certified mail, return receipt requested was returned by the U. S. Postal Service marked "Unclaimed;" and

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 3rd day of July, 2019; and

WHEREAS, the property owners did not appeal the Order and, pursuant to Chapter 4, Section 4- 89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owners have had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and they have failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Jerry Anderson and Carla P. Anderson in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 19th day of November, 2019

CITY OF EDEN

Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

h. Consideration to adopt an ordinance for the demolition of a structure at 110 Dameron Street under the City's Human Habitation Ordinance.

Four bids were submitted as follows:

Sam W. Smith, Inc.	\$ 10,000
Kenny Frith	\$ 2,750
Brad Fisher Hauling	\$ 5,200
Loye Grading	\$ 6,500

Mrs. Stultz said the City had struggled with the property for some time and the owners had made no effort to do any work. Staff recommended that Kenny Frith be awarded the bid for the demolition of the house with the lowest bid being in the amount of \$2,750 and the department be allowed a special assessments collection to recoup the funds owed.

A motion was made by Council Member Hampton to adopt an ordinance for the demolition of a structure at 110 Dameron Street under the City's Human Habitation Ordinance and to award the bid to Kenny Frith. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF PROPERTY
AT 110 DAMERON STREET, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 12th day of February, 2019, the Director of the Planning and Inspections Department examined the structure owned by Samuel David Robertson at 110 Dameron Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

Tract 1: Beginning at an iron stake on the East edge of Land Street, said stake being North 5 deg. and 38' East 110 feet from the Northeast corner of the intersection of Church Street by Land Street; thence running South 84 deg. and 22' East 150 feet to a stake; thence running North 5 deg. and 38' East 100 feet to a stake, marking a corner of Pedd H. Evan's lot; thence running North 84 deg. and 22' West 150 feet to a stake on the East edge of Land Street; thence running with the East Edge of Land Street South 5 deg. and 38' West 100 feet to the beginning, same containing 15,000 sq. ft. more or less. The survey for this boundary was made by W. B. Trogdon for the Spray Water Power and Land Company.

Tract 2: Beginning at an iron stake on the West edge of Davis Street; said stake being 0 deg. and 9' East 283.5 feet from the Southwest corner of the crossing of Spring Street by Davis Street, and marking the southeast corner of lot 12, owned by Vora Evans; thence running with the South line of lot #12 North 84 deg. 22' West 141.2 feet to a stake in said Evan's East line; thence running South 5 deg. 38' West 56.3' feet to a stake in the East line of lot #2, belonging to R . L. Simpson; thence running South 84 deg. 22' East 146.8 feet to a stake on the West edge of Davis Street; thence running with the West edge of Davis Street, North 0 deg. 9' West 56.56 feet to the beginning. Same being lot #13 in section #12 on Primitive Heights as shown by Survey and Map of Primitive Heights made by W. B. Trogdon, Greensboro, N. C. for Spray Water Power and Land Company in the year 1920, the same to be placed on file in the Register of Deeds Office for Rockingham County, N. C.; and to which reference is hereby made. This lot contains 8,099 sq. ft., more or less. The above described properties being more commonly known as 110 Dameron Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-14-44-3159-00.

WHEREAS, on the 13th day of February, 2019, the Director caused to be issued a Complaint and Notice of Hearing for the 8th day of March, 2019, which was served on the property owner by certified mail, return receipt requested, on the 15th day of February, 2019, by first class mail and by posting on the subject property on the 13th day of February, 2019; and

WHEREAS, the hearing was held on the 8th day of March, 2019, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owner by certified mail, return receipt requested, on the 21st day of March, 2019, by first class mail and by posting on the subject property on the 14th day of March, 2019; and

WHEREAS, the property owner did not appeal the Order and, pursuant to Chapter 4, Section 4- 89(b) of the Eden City Code, a copy of the order has been mailed to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notice; and

WHEREAS, the Owner has had a reasonable opportunity to bring the property into conformity with Chapter 4, Article IV of the Eden City Code and he has failed to take any action to comply with the Director's Order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the Director is hereby ordered to proceed to effectuate the purpose of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code with respect to the property described above by demolishing the structures located thereon.

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of Samuel David Robertson in the Grantor and Grantee index.

IT IS FURTHER ORDERED that the amount of the cost of demolishing the dwelling by the Director shall be a lien against the real property upon which the cost was incurred, said lien shall be filed, have the same priority, and be collected as the lien for special assessment provided by North Carolina General Statutes Chapter 160A, Article 10.

APPROVED, ADOPTED AND EFFECTIVE, this 19th day of November, 2019.

CITY OF EDEN

Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- i. Consideration and approval to change oversight of the city attorney.

Interim City Manager Terry Shelton said he recommended moving the attorney from being an employee of the city manager to an employee of the Council. He recommended the attorney continue to advise the Council and staff. It was common practice for the attorney to report to a board. If this item was approved, Council Policy 5 in the next item would call for a review of the attorney's performance annually at the March Council meeting.

Council Member Burnette said it would not have anything to do with his financials but he did want to recuse himself from the vote anyway to satisfy some of the City's social media fans.

A motion was made by Council Member Epps to approve a change in oversight of the city attorney. Council Member Ellis seconded the motion. Council Members Epps, Moore, Grogan, Ellis, Hampton and Carter voted in favor of the motion. The motion carried.

- j. Consideration to adopt five new policies (1) oversight of the manager's travel and discretionary expenditures; (2) annual review of the city manager; (3) monthly voucher list to Council; (4) annual review of the city clerk; and (5) annual review of the city attorney; and to revise one policy (6) requirement for direct deposit.

Mr. Shelton said he had worked with staff members, the auditors and the N.C. League of Municipalities' personnel specialist to create five new policies, Council 1-5. The first policy required any discretionary expenditures or travel of the city manager be approved by the mayor or mayor pro tem. The second policy set an annual review by the full Council of the city manager's performance, salary and any additional compensation or changes to manager's contract at the January meeting. Once enacted, the policies could only be changed by Council. Policy 3 assured the monthly voucher list, which ceased to be sent to Council around March 2007, would be sent to Council with their monthly agenda packet for review. Policies 4 and 5 set annual reviews by the Council of the clerk and the attorney. The 6th policy was Fin-2 and had already been implemented. It was a requirement for direct deposit for payroll funds, which meant that earnings of an employee went directly into their account.

Mayor Hall said the policies may have prevented the situation the City was in and it should never happen again. The policies were developed from solid recommendations the City had received.

Council Member Epps asked if the first policy would address the city manager carrying a credit card.

Mayor Hall said one of the policies they would look at would be to have a credit card checked out from the Finance Department. An issue was that the city manager did travel and could legitimately need a credit card while doing so. They would be talking to other cities to see how they handled that.

Council Member Moore asked if the annual reviews of the city manager, clerk and attorney would be done in closed session.

Mr. Shelton replied yes.

A motion was made by Council Member Epps to adopt five new policies (1) oversight of the manager's travel and discretionary expenditures; (2) annual review of the city manager; (3) monthly voucher list to Council; (4) annual review of the city clerk; and (5) annual review of the city attorney; and to revise one policy (6) requirement for direct deposit. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

- k. Consideration to amend to City Code Chapter 10, Personnel Ordinance (5.5 Employment of Relatives).

Mr. Shelton said the personnel ordinance defined immediate family members (spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, aunt, uncle, nephew, niece plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named) and said that a person could not supervise a member of their immediate family. He was proposing an additional paragraph be added: the City Manager is prohibited from hiring any of his/her immediate family to work for the City of Eden in any capacity to avoid any impropriety, potential for ethical conflicts of interest, and to avoid degradation of overall employee morale or citizen concerns of perceived or actual favoritism. The N.C. League of Municipalities was looking at the current ordinance and policies and would recommend any changes they felt were needed. This was one of the measures the City was taking to address things they knew occurred.

A motion was made by Council Member Epps to amend City Code Chapter 10, Personnel Ordinance, 5.5 Employment of Relatives to include 'the City Manager is prohibited from hiring any of his/her immediate family to work for the City of Eden in any capacity to avoid any impropriety, potential for ethical conflicts of interest, and to avoid degradation of overall employee morale or citizen concerns of perceived or actual favoritism (nepotism).' Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

Mayor Hall said he had met with Reidsville's mayor and learned Eden was very much in line or even more so than other municipalities on the policies they had just adopted.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that Article V of Chapter 10 of the Eden City Code is amended as follows:

§ 10-5.5 EMPLOYMENT OF RELATIVES.

(A) A member of an immediate family shall not be employed as a full-time or part-time employee if such employment will result in an employee directly supervising (immediate supervisor) a member of their immediate family. This policy applies to promotions, demotions, transfers, reinstatements and new appointments. The provisions of this section shall not be retroactive, and no action is to be taken concerning those members of the same family employed at the time of the adoption of this section.

(B) For the purpose of this section, immediate family shall be defined as spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, aunt, uncle, nephew, niece plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named.

(C) The City Manager is prohibited from hiring any of his/her immediate family to work for the City of Eden in any capacity to avoid any impropriety, potential for ethical conflicts of interest, and to avoid degradation of overall employee morale or citizen concerns of perceived or actual favoritism (nepotism).

(Ord. passed 5-17-94; Am. Ord. passed 7- -98; Am. Ord. passed 8-29-09; Am. Ord. passed 11-19-19)

APPROVED, ADOPTED AND EFECTIVE, this 19th day of November, 2019

CITY OF EDEN

Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

REPORTS FROM STAFF:

a. City Manager's Report.

Interim City Manager Terry Shelton said each Council Member had received a copy of the report. It was available online and in the Eden's Own Journal. It was full of information that pertained to the City and he encouraged everyone to pick up a copy.

City Manager's Report – November 2019

Administration

Citizens Academy

The City's Citizens Academy began in 2011 with the aim to provide residents with an in-depth look into municipal government and find out information about the services and programs of the City. This year, we had nine citizens graduate on Oct. 15: Scottie Eanes, Phil Hunnicutt, Karla McDonald, Mike Moore, Fran Peters, Joseph Smith, Earnest Valentine, Jacklin Valentine and Dale Warren. We appreciate these citizens who took the time to learn more about their city and we hope you will do so in the future. Look for information about our 2020 Citizens Academy to come out in July.

Economic & Tourism Development

Industry

Gildan Yarns

On October 16, 2019, Gildan Yarns announced 85 new jobs in Eden. The company will invest approximately \$5 million to revamp and operate a new yarn spinning mill in Eden after acquiring the former SGRTex building and equipment located at 335 Summit Road. Gildan Yarns is the yarn spinning division of Gildan, a leading apparel manufacturer headquartered in Montreal, Canada. This new location will be the company's fifth state-of-the-art yarn spinning mill in North Carolina. Eden is also home to Gildan's first large scale distribution center. Starting with a 200,000 distribution center in 2000, Gildan distribution and yarn spinning will soon occupy a combined 2.2 million SF of four Eden facilities and employ in excess of 600 people. "We are very pleased to expand our operations in the Eden community and to invest in a new yarn spinning facility," said Chuck Ward, President of Gildan Yarns. "This will be the company's seventh yarn spinning facility in the US. We are particularly proud to contribute to creating an additional 85 jobs in Eden in the next year as we open and ramp up our new operation." Gildan is hiring now for technicians and operators to run their state of the art spinning and carding equipment. To apply for these positions, visit their 335 Summit Road facility.

Dominion Energy: First Mega Site Tenant

Dominion is building a 500 megawatt combustion turbine power plant which will be a total investment of more than \$200 million and is projected to be the first business at the Southern Virginia Megasite at Berry Hill, located in Pittsylvania County a few miles west of Danville. The power plant at Berry Hill is projected to be completed and operational by April 2022, said Rayhan Daudani, Dominion Energy spokesman. This project will allow the county to generate revenue to put back into improving the infrastructure at the megasite and attracting additional industry, said Matt Rowe, director of economic development for Pittsylvania County. "It just catalyzes the rest of the development of the park for large automotive and advanced manufacturing users," he said. Though currently unoccupied, the Southern Virginia Megasite, which is jointly owned by the city of Danville and Pittsylvania County, is the largest industrial park in Virginia at 3,528 acres. Daudani said the incentive package still is being negotiated between Pittsylvania County and Dominion Energy.

Morgan Olson Manufacturing

On October 25, 2019, it was announced that Morgan Olson, a company that manufactures aluminum walk-in vans often used by delivery services, will be opening a van assembly plant in Danville, VA bringing 700 jobs. The new plant will take over the site of the IKEA plant, which is closing this December. This is a 1 million square foot facility, only eleven years old and a good fit for this manufacturing company. Morgan Olson is the primary manufacturer of delivery vehicles for UPS, FedEx Ground and laundry companies, among others. This is good news for Eden residents because at least 30% of the employees working there will be NC residents, just as 30% on average of Eden companies are staffed by VA residents.

Dana Weston, Former CEO of UNC Rockingham Healthcare

Dana Weston resigned from her CEO post in October of 2019. To say that Dana had a tremendous impact on the hospital and Eden in general would be a huge understatement. Dana helped navigate Morehead Hospital through bankruptcy and into the UNC Healthcare system. Being an integral part of saving Eden's largest employer is significant indeed. She was a much sought after speaker who always spoke very highly of Eden. The 2016 commencement address she delivered to the graduating class of Rockingham Community College was creative, informative and memorable. Dana imparted much wisdom to these students, lessons that will help them along their future life journeys. It is well worth watching on You Tube. Dana is one of the smartest and most talented executives to ever work in Eden. We wish her the very best in her future career endeavors and thank her for making such a difference in our community. -Mike Dougherty, Director of Economic Development

UNC Rockingham Healthcare—Interim CEO

On Oct. 25, 2019 UNC Health Care announced that veteran health care leader Steve Eblin of Asheboro, NC was appointed to the role of Interim Chief Executive Officer for UNC Rockingham Health Care in Eden, NC. Eblin will lead the organization as a national search for a permanent CEO is conducted. He assumed his new role on Wednesday, October 30th. "We're very pleased to introduce Steve as UNC Rockingham's new senior leader," said Chris Ellington, President UNC Health Care Network Hospitals. "He brings 32+ years of total health care experience to the position, and we are confident he will be able to continue the growth UNC Rockingham has experienced over the past two years of service to the region in and around Rockingham County." Eblin's overall health care experience has included a variety of leadership roles over a 25-year period with Randolph Hospital / Randolph Health. Randolph Health is a comprehensive health system comprised of a 145-bed hospital and 26 outpatient centers and physician offices throughout Randolph County. During his 25 years there, Eblin served as President and CEO of Randolph Health for a six-year period (2012 – 2018). During that time, the organization saw a 25% improvement in team member engagement due to the creation of a culture based on trust, mutual respect, collaboration, and accountability. During his leadership tenure, Eblin was part of a team which led Randolph's evolution from a small community hospital to a large scale, \$120 million, high-quality health system. Eblin's other health care experience with Randolph Health and elsewhere includes: Vice President, Corporate Planning and Development, Randolph Hospital, President, Randolph Medical Associates, President, Randolph Specialty Group, Chairman, Central Piedmont Surgery Center, Director of Marketing & Communications, Adena Regional Medical Center, Chillicothe, OH

At UNC Rockingham, Tonya Brown will serve as one of Eblin's senior-most leaders. Brown was recently named to the dual role of Interim Chief Operating Officer (COO) and Chief Financial Officer (CFO) for UNC Rockingham. Brown has more than 20 years of health care experience and has been a member of UNC Rockingham's Executive Management Team for 16 months.

Commercial

Planet Fitness

An official grand opening for this Kingsway Plaza facility took place on November 13th followed by its first official opening day on November 14th. People can join by calling 336-279-5603 or visiting www.planetfitness.com/gyms/eden-nc

Kentucky Fried Chicken—Returning Soon!

Plans for the new restaurant are being fast-tracked through the City of Eden Planning and Inspections Department so construction can begin as soon as possible on the new restaurant. Initial reports were that the construction process will take 4-5 months.

Minutes of the regular November 19, 2019 meeting of the City Council, City of Eden:

Zip's Car Wash

Hutton Construction has started work on the former Sonic site on which it will place a Zip's Car Wash. This company provides unlimited washes for a monthly fee. Visit their web site to learn more about their monthly plans at www.zipscarwash.com

Gordman's Department Store

Kotis Properties, owner of Kingsway Plaza, has confirmed that this store will soon be coming to Eden in the former Peeble's space. Gordman's is a chain of Midwestern off-price department stores founded in Omaha, Nebraska. The retailer operates 141 locations in 22 states in the United States. In order for this store to remain in Eden it will have to be supported by local residents. Please check them out before buying on-line or shopping out of town.

Small Business Saturday

A proclamation in support of Small Business Saturday will be presented at the November 19, 2019 Eden City Council meeting. Currently there are 30.2 million small businesses in the United States, representing 99.7 % of all businesses with employees, and small businesses are responsible for 65.9 % of net new U.S. jobs from 2000-2017. The proclamation will be read by Mayor Neville Hall whose wife is co-owner of The Front Porch, one of Eden's most successful downtown businesses. Small Business Saturday is Saturday, November 30th. We hope all Eden residents will shop locally that day to support our small business community.

Eden Internal Medicine—Expanding

An open house was held at Eden Internal Medicine on Sunday, November 3rd to celebrate the opening of their new office expansion at 406 Thompson Street, Suite A in Eden. New practitioners Naitik Panwala, PA, Mackenzie Barham, DNP,AGNP-C and Taylor Woodson, FNP-C are the new practitioners at this practice. Call 336- 627-4896 for more information.

WINTERFEST

Please join us for an evening of Winter Fun for the entire family on Saturday, December 7 from 5 to 8 in beautiful Grogan Park located at 308 E. Stadium Drive on the campus of City Hall. Eden Tourism & Rockingham County Schools are very excited about this year's event that will include the following: Tree Lighting at 6:30 p.m., Santa Visits, Characters from FROZEN, Balloon Ice Castle, Outdoor Movie, Inflatable Slide, First-Ever WHO'S WHO OF CHILI, Hot Chocolate and Warm Cider, S'mores Bar, Neighborhood Holiday Light Tour, Extraordinary basket raffle to benefit United Way. SEE YOU THERE!

HOLIDAY HAPPENINGS

November 29 – Leaksville Night-Time Christmas Parade – 6:30 p.m., December 3 – Draper Tree Lighting – 6:00 p.m., December 7 – Draper Children's Christmas Parade – 11:00 a.m., December 7 – Winterfest – 5 to 8 p.m., December 8 – Christmas Home Tour & Bake Sale

DATES FOR 2020 EVENTS – MARK YOUR CALENDARS NOW!!

Hispanic Heritage Day – May 12, Spring Grown & Gathered – May 21, Piedmont Pottery Festival – June 6, Oink & Ale – June 20, Shaggin' on Fieldcrest – July 25, Summer Grown & Gathered – August 13, Touch-A-Truck – August 22, RiverFest – September 18 & 19, Winterfest – December 5

EXPLORE EDEN FACEBOOK PAGE

We have surpassed 8,000 followers and are still growing! Join our page to keep up with all the fun and exciting things happening in Eden, NC!

Downtown

The Henry Street pocket park mural was unveiled Friday, November 8th at an official ceremony at 6:00pm. Mayor Hall spoke of the importance of public art, then was followed by muralist Brandon Hardison.

A Christmas Jingle and Mingle is planned November 29- 31 at Sophisticated Rubbish, 633 Monroe Street, with other Leaksville area merchants participating.

Façade Grant

Two façade grant applications have been approved for 637 and 639 Washington Street. Both buildings have replaced torn/ missing awnings with matching colorfully striped fabric awnings.

Minutes of the regular November 19, 2019 meeting of the City Council, City of Eden:

Draper MSD

The Draper Municipal Service District members are searching for volunteers to help restring new bulb wiring and install LED bulbs on the angel lights that are hung from poles downtown at Christmas time. If you can help, please contact Main Street Manager Randy Hunt at rhunt@edennc.us.

Cars and Coffee

Our last 2019 Cars and Coffee was held at the Family Video parking lot Saturday October 26th. If you would like to help organizer or sponsor 2020 events, please contact Main Street Manager Randy Hunt at rhunt@edennc.us.

Eden Downtown Development Inc.

The fire hydrant painting project has been completed in the downtown areas. There is strong public support for the program. The City of Eden's Appearance Commission has agreed to administer the program in other areas of Eden.

Boulevard Merchants

The merchants hosted a Boo-la-Vard! Halloween parade October 31st featuring trick or treating, face painting and a costume contest. Planning has begun for the Spring Food Truck Rodeo. A Christmas window decorating contest is planned for late November through December. The merchants are arranging to retrofit the donated Christmas Stars from the Leaksville Merchants association.

RCC Small Business Center

Three Eden businesses are working closely with the Center and SBA to purchase property to both open and expand business. The Boulevard project should be completed first then the next project in Draper.

Klyce Street River Landing

Work had been delayed because of bad weather; our goal is to have the steps in by the end of the month. Look forward to an official ribbon cutting this fall.

Engineering

2019-20 Street Resurfacing Contract

APAC Atlantic, Inc. completed the street resurfacing on Price Street, Cedar Street, Anderson Street and Church Street last month. The remaining nine streets on this year's paving contract will be resurfaced in the spring of 2020. This completes all of our paving operations for 2019.

Parks & Recreation

NSA Tournament

There is a NSA Tournament scheduled at Freedom Park November 23-24, 2019. There is a NSA Tournament scheduled at Freedom Park December 7-8, 2019. This is the last tournament scheduled at Freedom Park for 2019. Staff will do the scheduling for Freedom Park for 2020 the first week of December 2019.

Basketball

The City's Youth Basketball program is in full swing and players are practicing at the Bridge Street Recreation Center and the Mill Avenue Gym. Games will begin in December 2019.

Football

The City of Eden Prowlers Football Banquet will be held in the Eden Room at City Hall on December 8, 2019.

Staff

Staff will conduct the Monthly Pod Cast with Mike Moore Media on Parks and Recreation on December 6, 2019. Staff will attend a Be Healthy Rockingham County Meeting on December 11, 2019.

Santa Visits

Staff will be doing Santa Visits from December 1 – 20, 2019, and will take reservations for Santa calling from December 1 -16, 2019 and will have Santa make calls December 17 & 18, 2019.

Planning & Inspections

Code Enforcement

3 notices were mailed by certified mail and first class mail that affect the following number of properties: 1 for disabled vehicles and 1 for zoning violations. We have been told that the construction loans for both 620 and 624 Washington St. have been completed. Construction progress should increase quickly. The plans for 624 Washington St. have now been submitted and the review process is underway. The site prep for the new KFC is complete and footings are expected to be ready some time tomorrow. The new Zip's carwash site prep is close to being finished and actual construction should begin soon. The house at 515 Flynn Street was demolished on October 29, 2019.

Control + Click to access the following link:

<https://www.facebook.com/debra.madison.9/videos/2895162073847692/>

Inspections

182 inspections were made by department staff during the month of October.

GIS

The Planning and Inspections Department staff met with staff from the C & D Division to identify sewer data that needs to be corrected on the GIS maps.

General

Prepared the documents and PowerPoint presentation for the Strategic Planning Commission meeting held on Friday, November 8, 2019. The bids were received for the five demolitions being presented to the City Council and the Memos and Ordinance were prepared for the meeting.

Strategic Planning Commission

At the regular meeting of the Strategic Planning Commission, they recommended projects for approval to the City Council. Those included changes to the façade grant program and awarding of face grants that were submitted by Mike Dougherty. Our department submitted a request for the re-write of our land use regulations into a Unified Development and to meet requirements for changes adopted by the NC General Assembly that have a drop dead date of January 1, 2021.

Community Appearance Commission

Prepared minutes and agenda for meeting on 11-12-19 (rescheduled from 11-5-19). Commission will discuss downtown beautification projects.

Boards and Commissions - Council Agenda

Updated boards and commissions members list and attendance and prepared memo to council for upcoming reappointments.

Stadium Drive Sidewalk

We expect to receive a contract from Wetherill Engineering for this project. We received an email from Don Huffines from NCDOT stating that under the current state budget situation, we cannot proceed further than the design stage without specific permission from the Chief Engineer for NCDOT in Raleigh.

Grants:

CDBG

We received notification that the City of Eden has been awarded a \$750,000 housing and infrastructure grant from the Department of Commerce. This grant will focus on the Draper Mill Village areas.

Pedestrian Plan

The North Carolina Department of Transportation sent word today that the City of Eden has been awarded a Pedestrian Planning Grant, as approved by the Board of Transportation.

Nantucket Mill

In conjunction with the property owner of the Nantucket Mill, I am working with 2 consultants concerning grants for this vital project.

811 Locates and Water /Sewer

Josh helped Kevin London install a tracer wire test station on the Berry Hill sewer line to facilitate easier locates in the future. Josh also assisted in an emergency locate called in for a hit gas line on the Berry Hill water line project. Josh developed a base map for the acquisition of an easement on Hunter St/Circle Dr. There is a drainage issue with a City drop inlet box and will require the city to make repairs on private property. Josh is working with Erin Gilley to draft the required legal documents. Josh completed his Level 1 Erosion and Sedimentation Control Installer/Inspector certification course/test provided by NC State.

Matrimony Creek Greenway

Josh has designed a landscape plan for the Matrimony Creek Greenway. Ray Thomas is going to work with Josh on installing the plants in-house.

Landscaping at Meadow Road and Stadium Drive

Josh met with NCDOT regarding the landscape island located at the intersection of Stadium Dr. and Meadow. NCDOT has requested that some of the plants are changed for sight visibility. Josh expects to have the plans sent back to NCDOT for approval on or before Friday, November 15.

Misc. and Office Support

Debbie Galloway is now performing desk duty every day from 10-2. In that she manned counter, assisted with inspections, assisted customers, issued permits, prepared reports, mailed permits, filed, posted payments and answered phone for dept. Entered inspections, confirmed property owner information, updated inspection spreadsheet information, assisted with other inspection information. Bob Vincent is on the counter from 8-10 and from 2-5. The rest of us are backup when these two staffers are either busy with customers or away from the office.

Police

Stand Against Litter

The Eden Police Department continues to post a Public Service Announcement on the Eden Police Department's Facebook page asking citizens to Stand Against Litter as part of the county wide campaign to aggressively enforce littering and illegal dumping violations. We will continue to replay the announcement each month and aggressively enforce littering and illegal dumping statutes.

Fundraiser

This year, our department will be participating in 'No Shave November' and 'Crazy Nail / Casual Dress November' fund raising campaign. We will be supporting one of the members of our "First Responder" family this year. Emily Thacker is a Rockingham County 9-1-1 Telecommunicator and a volunteer in the Eden Rescue Squad. Emily is a 34 year old single mother of three children (ages 11, 6, 5) and lives in Eden. Emily was diagnosed with Stage 1 Invasive Ductal Carcinoma Breast Cancer. Emily has been a trooper since her diagnosis. She has had multiple doctor's appointments for testing, scans, and biopsies. Emily has had to leave work for appointments and came back to work afterwards. This will be, not only a lengthy process for her but a costly one as well. For our female officers and clerical staff, November and December 2019 will be casual dress and we also encourage our female officers and clerical staff to paint their fingernails a pink or lavender for cancer awareness.

We have scheduled our mandated fall in-service training for the fall. The training dates will be November 4, 18 and 25. The training will be from 10am-10pm and include fall firearms qualification.

Facebook Page

The Eden Police Department would like to continue to encourage the citizens of our community to utilize the Eden Police Department's Facebook page for updates and information concerning our community, as well as Crimestoppers, to provide anonymous information concerning illegal activity to keep our community safe. We all have to work together to keep our community safe.

Public Utilities

EPA Administrative Order on Consent (AOC)

The City's efforts to comply with second EPA AOC is now solidly underway. We must now complete our Remediation Plan Work before April 22, 2022 (5 years). The Digester Improvement Project at the Mebane Bridge Wastewater Treatment Plant is now underway.

The Remediation Plan has 10 phases consisting of bid 8 groups of similar projects. The initial bid date for groups I, II, VI, VII and VIII was September 19, 2019. There were not enough bids for any of the project groups and the rebid was held on October 10. The date of the initial bid for groups III, IV, and V was on October 29th, and bid groups IV and V are up for rebid on November 14 2019.

City staff is meeting with NC Division of Water Infrastructure on November 21, in Raleigh to discuss options since many of the bids are coming in higher than expected and time for completion is getting short.

The staff has completed working on the City of Eden's EPA AOC Semi-Annual Update Report that for November 22, 2019. This report is a requirement of the Administrative Order on Consent.

CONSENT AGENDA:

- a. Approval and adoption of the (1) October 8, 2019 and the (2) October 15, 2019 minutes.
- b. Approval of an amended contract between the Eden Fire Department and Rockingham County to provide fire protection.
A copy of this contract is on file in the Clerk's Office.
- c. Approval of an Interlocal Solid Waste Disposal Agreement with Rockingham County.
A copy of this contract is on file in the Clerk's Office.
- d. Approval and adoption of a resolution authorizing the disposal of personal property by public auction.

NOTICE OF RESOLUTION AUTHORIZING THE DISPOSAL
OF PERSONAL PROPERTY BY PUBLIC AUCTION

WHEREAS, the City of Eden owns certain surplus equipment, 5 trucks, 2 mowers, 2 tamps, and 1 backhoe, described on Exhibit A and incorporated herein, hereinafter referred to as "the property"; and

WHEREAS, due to the age of the property, it is no longer economically feasible to maintain it for City use; and

WHEREAS, the City of Eden desires to dispose of the property by public auction as authorized by North Carolina General Statute §160A-270; and

WHEREAS, pursuant to North Carolina General Statute §160A-270 (c), the City Council must authorize the use of the public electronic auction service and the means of publication; and

WHEREAS, the property will be sold at a public electronic auction to the highest bidder excepting any reserve placed on the property. The property will be listed at www.govdeals.com starting on December 2, 2019, and will be posted continuously until it is sold; and

WHEREAS, The City desires to publish this notice solely by electronic means via the City of Eden website; and

WHEREAS, Jason Barnard, Fleet Maintenance Superintendent, is an appropriate city official to dispose of the property by public auction.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the property listed above be disposed of by public auction, that the publication of this sale be solely by electronic means, and that Jason Barnard be authorized to dispose of the property by public auction.

APPROVED, ADOPTED AND EFFECTIVE this 19th day of November, 2019.
 CITY OF EDEN
 Neville Hall, Mayor
 Attest: Deanna Hunt, City Clerk

e. Approval of Budget Amendment #2.

	Account #	From	To	Amount
General Fund Revenues				
Police Grant - Governor's Crime Comm	10-3431-72000	\$ -	\$ 24,200.00	<u>\$ 24,200.00</u>
General Fund Expenditures				
Police Safety Equipment	10-4310-21300	\$ 30,000.00	\$ 54,200.00	<u>\$ 24,200.00</u>

Appropriates NC Governor's Crime Commission grant funds for the purchase of weapons.

Adopted and effective this 19th day of November, 2019.

Attest:

 Deanna Hunt, City Clerk

 Neville Hall, Mayor

Assistant Finance Director Amy Winn said in a memo the budget amendment allocated proceeds from a Governor's Crime Commission grant. The grant was for the purchase of weapons for the Police Department. This amendment increased the Police Grant and Police Safety Equipment line items. There was a budget amendment approved in FY 2018-2019 for this; however, the weapons and grant money were not received until FY 2019-2020.

f. Approval of Budget Amendment #3.

	Account #	From	To	Amount
General Fund Revenues				
NC Community Foundation Grant	10-3350-00960	\$ -	\$ 6,900.00	<u>\$ 6,900.00</u>
General Fund Expenditures				
Freedom Park Nature Trail	10-9920-69860	\$ -	\$ 6,900.00	<u>\$ 6,900.00</u>

Appropriates NC Community Foundation grant funds for signage for the Freedom Park Nature Trail.

Adopted and effective this 19th day of November, 2019.

Attest:

 Deanna Hunt, City Clerk

 Neville Hall, Mayor

Ms. Winn said in a memo the budget amendment allocated proceeds from a NC Community Foundation grant. The grant is for the signage for the Freedom Park Nature Trail. This amendment increased the NC Community Foundation Grant and Special Appropriations – Freedom Park Trail line items.

g. Approval of Budget Amendment #4.

Minutes of the regular November 19, 2019 meeting of the City Council, City of Eden:

	ACCOUNT #	FROM	TO	AMOUNT
General Fund Revenues				
Duke Energy Foundation Grant	10-3350-00970	\$ -	\$ 9,500.00	<u>\$ 9,500.00</u>
General Fund Expenditures				
Eden Otter Habitat	10-9920-69877	\$ -	\$ 9,500.00	<u>\$ 9,500.00</u>

Appropriates Duke Energy Foundation grant funds for the Eden Otter Habitat.

Adopted and effective this 19th day of November, 2019.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

Ms. Winn said in a memo the budget amendment allocated proceeds from a Duke Energy Foundation grant for an Eden Otter Habitat. This amendment increased the Duke Energy Foundation Grant and Special Appropriations – Eden Otter Habitat line items.

h. Approval of Budget Amendment #5.

	Account #	From	To	Amount
General Fund Revenues				
Loan Proceeds	10-3850-86000	\$ 1,468,200.00	\$ 1,001,800.00	<u>\$ (466,400.00)</u>
General Fund Expenditures				
Fire C/O Building Improvements	10-4340-54000	\$ 466,400.00	\$ -	<u>\$ (466,400.00)</u>
Capital Project Fund - Fire Training Facility Revenues				
Loan Proceeds	16-3850-86000	\$ -	\$ 466,400.00	<u>\$ 466,400.00</u>
Capital Project Fund - Fire Training Facility Expenditures				
Fire Training Facility	16-4340-54000	\$ -	\$ 466,400.00	<u>\$ 466,400.00</u>

To transfer fire training facility budget to the capital project fund.

Adopted and effective this 19th day of November, 2019.

Attest:

Deanna Hunt, City Clerk

Neville Hall, Mayor

Ms. Winn said in a memo that in the FY 2019-2020 budget, the fire training facility was budgeted in the General Fund. A capital project fund had been created to account for the revenues and expenditures for this project. The budget amendment transfers the already budgeted line items to the Capital Project Fund– Fire Training Facility.

i. Approval of financing for the purchase of two service trucks.

Ms. Winn stated in a memo that in the 2019-2020 Budget, City Council approved the purchase of a service truck for the Facilities & Grounds department and it had been set up in the budget to be financed. This financing also included the purchase of an additional truck for Public Works that was approved by the city manager in July 2019. On October 24, 2019, she requested bids from our local banks for the financing and received the following quotes: BB&T 2.38%; First National Bank 4.14%; United Financial (Home Trust) 2.19%. The total cost of the equipment was \$63,115 with annual payments of approximately \$13,464.31. She respectfully asked that Council approve United Financial (Home Trust) as the successful bid for financing.

A motion was made by Council Member Moore to approve the consent agenda. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

ANNOUNCEMENTS:

Council Member Ellis said Travis Sigmon, a former athlete he coached who was also an Iraq War veteran, Purple Heart recipient, and a citizen of Draper, had passed away. The country and Eden were indebted to him for his service. He had watched Mr. Sigmon grow up and become a fine person and friend Eden should be proud of.

Council Member Grogan said WinterFest was December 7 at Grogan Park and everyone was invited. Santa Claus would be there, along with chili and apple cider. The park would be decorated with lighted balloons.

Council Member Ellis said the Draper Tree Lighting was December 3. He also had a new grandson born November 9 named Ellis Fox King.

Council Member Hampton said a Harvest Revival would be held in Draper starting Sunday at Sunny Home Baptist, followed by Bold Springs Baptist Church, followed by New St. Paul Baptist Church and wrapping up with Emmanuel Friends. It would be a chance for black and white congregations to worship together. Canned goods would be collected for Cooperative Christian Ministries and a donation would be taken up for Home of Refuge.

Council Member Epps encouraged people to volunteer for the Home of Refuge homeless shelter. He thanked those in attendance and said that was how government worked and he hoped questions had been answered.

Council Member Ellis recognized Logan Hensley of Pit Stop Auto Sales who had given away a free car in order to give back to the community.

CLOSED SESSION:

§ 143-318.11.(a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

A motion was made by Council Member Burnette to go into closed session. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

OPEN SESSION:

A motion was made by Council Member Burnette to return to open session. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

Minutes of the regular November 19, 2019 meeting of the City Council, City of Eden:

ADJOURNMENT:

As there was no further business to discuss, a motion was made by unanimous consent to adjourn.

Respectfully submitted,

Deanna Hunt
City Clerk

ATTEST:

Neville Hall
Mayor

Eden Police Department
308 B East Stadium Drive
Eden, North Carolina 27288

Memorandum

To: The Honorable Mayor and City Council
Through: Chief Greg Light
From: Sgt. Jim Robertson
Subject: Traffic Study Request in reference to changing the speed limit on E. Harris Place
Date: December 5th, 2019

At the beginning of October 2019, the Eden Police Department was informed by Council Member Grogan of an issue of speeding on E. Harris Place.

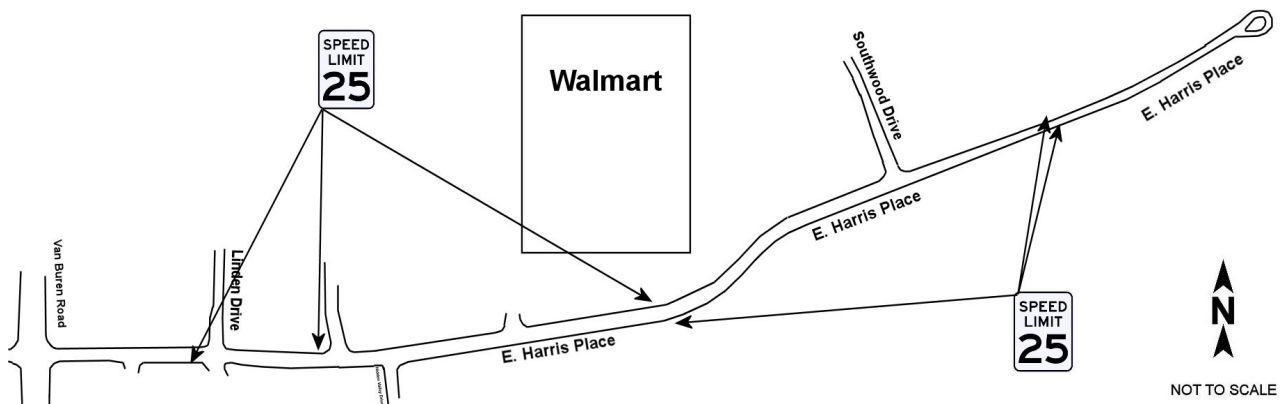
E. Harris Place currently has no speed limit signs in place. There are four apartment complexes along the length and terminus of E. Harris Place.

An order was issued for speed surveys to be completed on E. Harris Place. Speed data was collected from fifty-one (51) vehicles traveling through the area. Data indicated that 29% of the vehicles were traveling 26MPH-30MPH, 25% were traveling 31MPH-35MPH, 22% were traveling 21MPH-25MPH, 8% were traveling 16MPH-20MPH, 8% were traveling 10MPH-15MPH, and 8% were traveling 36MPH- 40MPH. In total, 76% of the recorded speeds were between 21MPH-35MPH. The speed data tends to indicate a pattern where a majority of drivers are adhering to a 35MPH speed limit (the citywide speed limit).

Additionally, several residents were presented a survey letter as to their opinion about whether the speed limit on E. Harris Place should be 25mph, 35mph, neither, or either. Seventy-three (73) residents from the various apartment complexes responded to the survey letter. The responses revealed that 53% of the residents requested a 25MPH speed limit, 25% requested a 35MPH speed limit, 21% did not object to either a 25MPH or 35MPH speed limit, and 1% wanted neither a 25MPH nor a 35MPH speed limit (but actually wanted a lower speed limit). Many residents reported that there are a lot of children and elderly people who frequent the area on foot. Many commented that a reduced speed limit would improve the safety in the area.

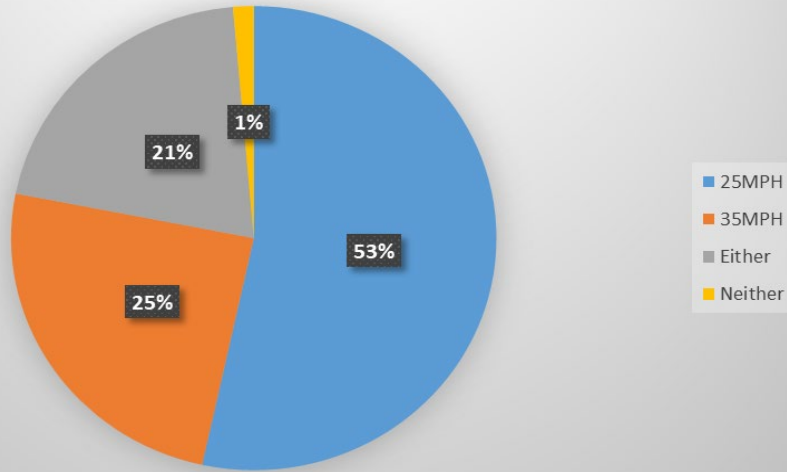
Due to the multiple apartment complexes in the area and the majority opinion of the residents, the recommendation of the Police Department is that the speed limit on E. Harris Place be reduced from the citywide speed of 35mph to 25mph.

Below is a map of the proposed locations of the Speed Limit signs:

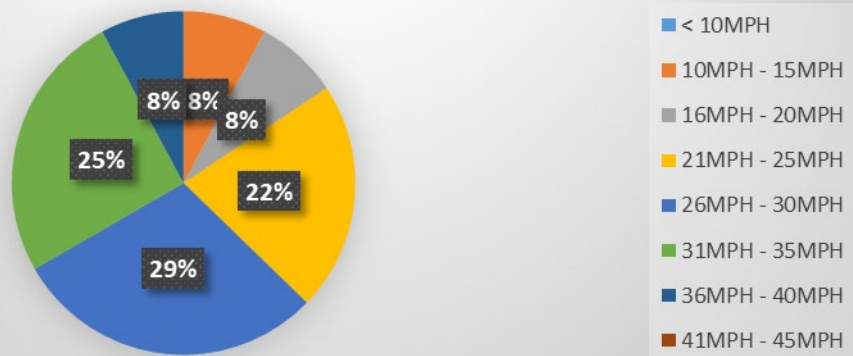


The following are charts depicting the results of the surveys conducted by the Eden Police Department:

E. Harris Place Community Speed Limit Sign Preferences (Based on Surveys)



E. Harris Place Speed Analysis October 11th, 2019 thru November 3rd, 2019



AN ORDINANCE REDUCING THE SPEED LIMIT ON E. HARRIS PLACE FROM S. VAN BUREN ROAD EASTWARD TO THE DEAD END OF E. HARRIS PLACE

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, pursuant to authority granted by N.C.G.S. § 20-141(e) that:

Section 1 – The City Council of the City of Eden has determined that operation of a motor vehicle Thirty-Five (35) miles per hour on E. Harris Place from S. Van Buren Road eastward to the dead end of E. Harris Place is greater than is reasonable and safe under the conditions existing upon E. Harris Place from S. Van Buren Road eastward to the dead end of E. Harris Place.

Section 2 – It shall be an infraction to operate a motor vehicle on E. Harris Place from S. Van Buren Road eastward to the dead end of E. Harris Place in excess of Twenty-Five (25) miles per hour.

Section 3 – Signs shall be placed, erected or installed on each side of E. Harris Place from S. Van Buren Road eastward to the dead end of E. Harris Place giving notice of the speed limit to traffic traveling in each direction on said street/roadway.

Section 4 – The OFFICIAL TRAFFIC MAP of the City of Eden is hereby amended to conform with this Ordinance.

Section 5 – All ordinances in conflict with this Ordinance are hereby repealed.

APPROVED, ADOPTED AND EFECTIVE, this ____ day of _____, 20__.

CITY OF EDEN

By: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk

Eden Police Department
308 B East Stadium Drive
Eden, North Carolina 27288

Memorandum

To: The Honorable Mayor and City Council
Through: Chief Greg Light
From: Sgt. Jim Robertson
**Subject: Traffic Study Request in reference to changing the
speed limit on Merriman Street**
Date: December 6th, 2019

In Mid-October 2019, the Eden Police Department was requested by Council Member Ellis to conduct a traffic study on Merriman Street for the speed to be lowered to 25MPH and signs to be erected.

Merriman Street traverses a residential neighborhood of just over 40 households and currently has 35MPH speed limit signs in place. This road runs from Delaware Avenue southward for half a mile until it dead ends. A visual survey of posted speed limits in the area shows that Maryland Avenue, South Avenue, Hale Street, and Hundley Drive are posted 25 MPH.

An order was issued for speed surveys to be completed on Merriman Street. Speed data was collected from forty (40) vehicles traveling through the area. Data indicated that 45% of the vehicles were traveling 21MPH-25MPH, 27% were traveling 26MPH-30MPH, 15% were traveling 16MPH-20MPH, 8% were traveling 31MPH-35MPH, 3% were traveling 36MPH- 40MPH,

and 2% were traveling 10MPH-15MPH. In total, 80% of the recorded speeds were between 21MPH-35MPH. The speed data tends to indicate a pattern where a majority of drivers are adhering to the posted 35MPH speed limit. Also of note, 63% of the vehicles were already traveling at a speed of 25MPH or less.

The Eden Police Department recommends that the speed on Merriman Street be reduced to 25MPH. This decision is based on the following considerations: the residential nature of the area, the large number of households along the length of Merriman Street, the percentage of vehicle speeds already traveling at 25MPH and below.

Below is a map of the proposed locations of the Speed Limit signs:



AN ORDINANCE REDUCING THE SPEED LIMIT ON MERRIMAN STREET FROM DELAWARE AVENUE SOUTHWARD TO THE DEAD END OF MERRIMAN STREET

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, pursuant to authority granted by N.C.G.S. § 20-141(e) that:

Section 1 – The City Council of the City of Eden has determined that operation of a motor vehicle Thirty-Five (35) miles per hour on Merriman Street from Delaware Avenue southward to the dead end of Merriman Street is greater than is reasonable and safe under the conditions existing upon Merriman Street from Delaware Avenue southward to the dead end of Merriman Street.

Section 2 – It shall be an infraction to operate a motor vehicle on Merriman Street from Delaware Avenue southward to the dead end of Merriman Street in excess of Twenty-Five (25) miles per hour.

Section 3 – Signs shall be placed, erected or installed on each side of Merriman Street from Delaware Avenue southward to the dead end of Merriman Street giving notice of the speed limit to traffic traveling in each direction on said street/roadway.

Section 4 – The OFFICIAL TRAFFIC MAP of the City of Eden is hereby amended to conform with this Ordinance.

Section 5 – All ordinances in conflict with this Ordinance are hereby repealed.

APPROVED, ADOPTED AND EFECTIVE, this ____ day of _____, 20__.

CITY OF EDEN

By: _____
Neville Hall, Mayor

ATTEST:

Deanna Hunt, City Clerk



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn, Assistant Director of Finance
Date: December 17, 2019
Subject: Vacuum Leaf Machine - Financing for 5 years

In the 2019-2020 Budget, City Council approved the purchase of a Vacuum Leaf Machine for the Street Department and it has been set up in the budget to be financed. On November 25, 2019, I requested bids from our local banks for the financing and received the following quote:

BB&T	2.38%
First National Bank	3.56%
United Financial (Home Trust)	2.14%

The total cost of the equipment is \$64,870.00 with annual payments of approximately \$13,818.69, which is within the budgeted amounts. I respectfully ask that Council approve United Financial (Home Trust) as the successful bid for financing.

If you have any additional questions, please do not hesitate to ask.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn, Assistant Director of Finance
Date: December 17, 2019
Subject: 14-Passenger Bus - Financing for 5 years

In the 2019-2020 Budget, City Council approved the purchase of a 14-Passenger Bus for the Recreation Department and it has been set up in the budget to be financed. On November 25, 2019, I requested bids from our local banks for the financing and received the following quote:

BB&T	2.38%
First National Bank	3.56%
United Financial (Home Trust)	2.14%

The total cost of the equipment is \$54,132.00 with annual payments of approximately \$11,531.26, which is within the budgeted amounts. I respectfully ask that Council approve United Financial (Home Trust) as the successful bid for financing.

If you have any additional questions, please do not hesitate to ask.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn, Assistant Director of Finance
Date: December 17, 2019
Subject: (2) Police Vehicles - Financing for 5 years

In the 2019-2020 Budget, City Council approved the purchase of (2) police vehicles for the Police Department and it has been set up in the budget to be financed. On November 25, 2019, I requested bids from our local banks for the financing and received the following quote:

BB&T	2.38%
First National Bank	3.56%
United Financial (Home Trust)	2.14%

The total cost of the equipment is \$88,258.98 with annual payments of approximately \$18,801.04, which is within the budgeted amounts. I respectfully ask that Council approve United Financial (Home Trust) as the successful bid for financing.

If you have any additional questions, please do not hesitate to ask.



MEMORANDUM

To: Honorable Mayor and City Council
Thru: Terry Shelton, Interim City Manager
From: Amy P. Winn, Assistant Director of Finance
Date: December 17, 2019
Subject: Sewer Camera Van - Financing for 5 years

In the 2019-2020 Budget, City Council approved the purchase of a Sewer Camera Van for the Collections & Distributions Department and it has been set up in the budget to be financed. On November 25, 2019 I requested bids from our local banks for the financing and received the following quote:

BB&T	2.38%
First National Bank	3.49%
United Financial (Home Trust)	2.14%

The total cost of the equipment is \$175,954.66 with annual payments of approximately \$37,482.08, which is within the budgeted amounts. I respectfully ask that Council approve United Financial (Home Trust) as the successful bid for financing.

If you have any additional questions, please do not hesitate to ask.



United Financial

A Division of HomeTrust Bank

876 Brevard Rd
Asheville, NC 28806

11/25/2019

Ms. Amy P. Winn
Assistant Director of Finance
City of Eden
308 East Stadium Drive
Eden, NC 27288

Re: Finance proposal for the acquisition of: *New Xtreme trailer mounted Leaf Machine, a New Thomas 14-Passanger Bus, Two Dodge Durango Police Vehicles and a New Ford Transit Sewer Camera Van and Related Equipment.*

Dear Amy,

As per your request, we are enclosing under same cover our proposal for the above captioned transaction. This transaction is calculated at an annual percentage rate of 2.14% (APR). United Financial will take a security interest only in the vehicles and equipment we are financing. There are no closing costs or origination fees related to the transaction and the rate is fixed for the duration of the financial commitment. The concluding payment is calculated as 102% of the outstanding principal balance.

If you have any questions or need additional information, please contact me at your convenience at 828 452-6162. The attached proposal provides for funding up to \$383,215.64 and is broken down into four separate transactions as requested. Thank you for the opportunity to provide this proposal to you.

Very truly yours,

John M. Tench
Senior Vice President
Director of Municipal Finance

Phone 828-684-5643
Fax 828-684-5616



United Financial

A Division of HomeTrust Bank

876 Brevard Road
Asheville, NC 28806

November 25, 2019

Ms. Amy P. Winn
Assistant Director of Finance
City of Eden
308 East Stadium Drive
Eden, NC 27288

Proposal for Acquisition & Finance of: (1) Xtreme Vacuum trailer mounted Leaf Machine, (1) 2019 Thomas 14-Passanger Bus, (2) Dodge Durango Pursuit AWD Police Vehicles and (1) Ford Transit Sewer Camera Van

Dear Amy,

As a follow-up to your recent request for a proposal regarding the above referenced transaction, United Financial is pleased to offer a finance proposal as follows:

LESSOR: United Financial, *A Division of HomeTrust Bank*

LESSEE: City of Eden, NC

COLLATERAL: Equipment as referenced above

AMOUNT: \$383,215.64 (See individual breakdown listed below under PAYMENTS)

START DATE: Immediately upon funding.

TERM: 5 Years

PAYMENTS: \$54,132.00 2019 Thomas 14-Passanger Bus: Lease payments will consist of five (5) annual payments of \$11,531.26 comprised of principal and interest.

\$64,870.00 Leaf Machine: Lease payments will consist of five (5) annual payments of \$13,818.69 comprised of principal and interest.

\$88,258.98 Two Durango Police Vehicles: Lease payments will consist of five (5) annual payments of \$18,801.04 comprised of principal and interest.

\$175,954.66 Ford Transit Sewer Camera Van: Lease payments will consist of five (5) annual payments of \$37,482.08 comprised of principal and interest.

EXPIRATION: Lease payment terms quoted herein shall be fixed and held for Lessee through 03/01/2020.

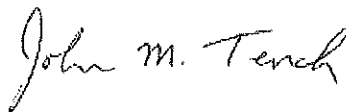
Phone 828-684-5643

Fax 828-684-5616

- LEGAL TITLE:** Legal Title to the Equipment during the Lease Term shall vest in the Lessee with Lessor perfecting a first security interest through Equipment Title, UCC, or other filing instruments as may be required by law.
- NET LEASE:** The Lease will be a net lease, under which all cost and responsibility of maintenance, insurance, taxes and other items of a similar nature shall be for the account of Lessee.
- INSURANCE:** Lessee shall provide evidence of insurance coverage at the time of delivery of the Equipment, in accordance with the provisions of the Lease.
- FINANCIALS:** Lessee shall furnish Lessor with its last three, (3) fiscal years financial statements and its latest interim financial statements, plus such other pertinent information as Lessor may reasonably request.
- APPROVAL:** Closing of the transactions described herein and implementation hereof is expressly conditioned upon review and acceptance hereof by Lessor's Senior Loan Committee, receipt of properly executed documentation acceptable to Lessor, and the absence of any material adverse change in Lessee's financial condition prior to delivery and acceptance of the Equipment.
- ACCEPTANCE:** Lessee acknowledges that the terms and conditions of this proposal are satisfactory and that upon execution hereof by Lessee this proposal shall constitute a valid and binding obligation of Lessee. As further condition to Lessor's approval hereof, Lessee must acknowledge its acceptance of this proposal by signing below in the space provided and returning it to the Lessor by 01/01/2020.

If you determine that any of these finance structures meet the needs of your organization, please have the appropriate officer indicate the chosen option, place their signature at the bottom of this page, and return it to us via fax, email or US Postal Service. Upon receipt of the signed proposal, we will be in touch with you to make provision for documenting the finance. Thank you for the opportunity to submit this proposal letter for your review and approval. Should you have any question or comments regarding the terms and conditions, or if we can be of any further assistance to you, please do not hesitate to call.

Sincerely,



John M. Tench
Senior Vice President

ACCEPTED BY: City of Eden, NC

SIGNATURE: _____

NAME: _____ **TITLE:** _____ **DATE:** _____

	Payment	Interest	Principal
1	11,531.26	1,158.42	10,372.84
2	11,531.26	936.45	10,594.81
3	11,531.26	709.72	10,821.54
4	11,531.26	478.14	11,053.12
5	11,531.26	241.57	11,289.69

2019 Thomas
14-Passenger Bus

Last interest amount decreased by 0.03 due to rounding.

	Payment	Interest	Principal
Loan			
1	13,818.69	1,388.22	12,430.47
2	13,818.69	1,122.21	12,696.48
3	13,818.69	850.50	12,968.19
4	13,818.69	572.98	13,245.71
5	13,818.69	289.54	13,529.15

Leaf Machine

Last interest amount increased by 0.02 due to rounding.

	Payment	Interest	Principal
Loan			
1	18,801.04	1,888.74	16,912.30
2	18,801.04	1,526.82	17,274.22
3	18,801.04	1,157.15	17,643.89
4	18,801.04	779.57	18,021.47
5	18,801.04	393.94	18,407.10

Durango
Police Vehicles

Last interest amount increased by 0.03 due to rounding.

	Payment	Interest	Principal
Loan			
1	37,482.08	3,765.43	33,716.65
2	37,482.08	3,043.89	34,438.19
3	37,482.08	2,306.92	35,175.16
4	37,482.08	1,554.17	35,927.91
5	37,482.08	785.33	36,696.75

Ford Transit Sewer
Camera Van

Last interest amount increased by 0.02 due to rounding.