

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, September 20, 2011 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	John E. Grogan
Mayor Pro Tem:	Wayne Tuggle, Sr.
Council Members:	Donna Turner
	Darryl Carter
	Jerry Epps
	Gene Hagood
	Jim Burnette
	Jerry Ellis
City Manager:	Brad Corcoran
City Clerk:	Sheralene Thompson
City Attorney:	Erin Gilley

Representatives from Departments:

Representatives from News Media: Roy Sawyers, *RCENO*, Latala Payne, *Eden Daily News*

MEETING CONVENED:

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

INVOCATION:

Council Member Jerry Epps, Pastor of Church of the Living God, gave the invocation followed by the Pledge of Allegiance led by Deputy Fire Chief Todd Harden.

PROCLAMATIONS & PRESENTATIONS:

(a) Keep Eden Beautiful Certification

The City of Eden will be officially certified as a Keep America Beautiful affiliate at the City Council meeting on September 20, 2011. Mrs. Brenda Ewadinger with Keep North Carolina Beautiful will be here that night to present our certification.

Mayor Grogan asked Ms. Debbie Galloway, Planner, to come forward for the presentation. Ms. Galloway introduced Ms. Brenda Ewadinger, the state leader for Keep America Beautiful for the State of North Carolina. Ms. Ewadinger was in Eden doing some training with their Keep America

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Beautiful Board today. Ms. Galloway introduced the Keep America Board Members and members of the Community Appearance Commission. She also wanted to recognize Ms. Deanna Hunt, Accounting Technician, who created the beautiful logo.

Ms. Ewadinger stated that it was a pleasure to be there and that this was her third trip to Eden and she loved it. It was a joy to be there and the seed was planted for the City of Eden to become an affiliate back in 2009. The journey to become an affiliate was not necessarily complex but a lot of hard work. She did want to compliment this group of people because their pre-cert packet that they submitted was one of the most comprehensive that she had ever seen. A lot of energy went into this and a lot of great things were going to happen. On behalf of Keep America Beautiful, they welcome the City of Eden as a network affiliate and on behalf of North Carolina Keep America Beautiful; this was their 33<sup>rd</sup> North America affiliate. She then presented the certificate to the board.

Ms. Galloway pointed out that Council Member Burnette was the one who really got the ball rolling on this project.

(b) Fall Litter Sweep Proclamation

**FALL LITTER SWEEP  
2011 PROCLAMATION**

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

**WHEREAS**, the fall **2011 LITTER SWEEP** roadside cleanup will take place September 17 - October 1, 2011, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

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

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

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

**WHEREAS**, the fall **2011 LITTER SWEEP** cleanup will celebrate the 23<sup>rd</sup> anniversary of the North Carolina Adopt-A-Highway program and its 5,760 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

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

**NOW, THEREFORE, I, JOHN E. GROGAN**, Mayor of the City of Eden, do hereby proclaim September 18 through October 2, 2010, as “**FALL LITTER SWEEP**” time in the City of Eden and encourage citizens to take an active role in making our community cleaner.

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By: John E. Grogan, Mayor

ATTEST:

Sheralene Thompson, City Clerk

(c) Presentation: Aging, Disability, Transport Services

Mayor Grogan asked Mr. Lee Covington to come forward to give his presentation:

Mr. Covington explained that he was the executive director for Aging, Disability & Transport Services, formerly Council on Aging. He also introduced Ms. Megan Odell, Director of Transportation and Ms. Tanya Fargis, Transportation Specialist.

Mr. Covington began by explaining that they have been in Rockingham County since 1973 and had provided public transit services for a number of years. They currently have a fleet of 19 vehicles averaging about 55,000 miles a month within Rockingham County. The system they currently have in place was a demand response or door to door system where folks have to call typically four days in advance to make an appointment to go to where they need to go. They currently operate only Monday through Friday with limited routes on Saturday for dialysis patients. They also do not operate after 6:00 p.m. with their existing system. So, they continue to hear that the lack of public transportation was a major concern for Rockingham County. He stated that they were present that night to tell them that mass transit was coming to Rockingham County, and soon. He then asked Ms. Odell to come forward to provide further information.

Ms. Odell explained that they applied for a grant through the Federal Transit Administration as well as a pass-thru through with the North Carolina Department of Transportation. The actual grant application was called a Targeted Transit Assistance program application. They actually applied for funding for three different fixed routes hoping that they would get one to add in all the major areas in Rockingham County however NCDOT and the Federal Transit Administration saw it only fit for them to have one, which was probably a good idea, so that they could really make the one work. She explained that after pulling statistics together and deliberating with their Transportation Advisory Board appointed by their County Commissioners the city that was chosen to be the pioneer of this mass transit was Eden. They were very excited about that since it was on the heels of the All-America City award of 2011 and there were just lots of great things going on in Eden.

She explained that 46% of their current ridership in the existing fleet comes from the Eden area. She explained that the specifics of the grant included two 25' LTV buses and both would be lift equipped and handicap accessible. They will seat 16 passengers and have two wheelchair stations. One will be in service and one will be used as a backup. The service will be provided 7 days a week 7:00 a.m. until 8:00 p.m. and Saturday and Sunday transportation from 8:00 a.m. until 6:00 p.m.

The grant was a two year grant and would provide at least two new jobs in Rockingham County. Obviously this will target the elderly and disabled in the area but it will be open to the general public. It will allow for partnership and for them to be able to be more involved with the city. It will also open up doors for them to apply for more funding in the future.

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The total dollars awarded for this initiative was \$120,000 awarded by the Federal, the State matched that at \$15,000 and the locals matched that at \$15,000 which made a total of \$150,000 for the two buses. The operating expenses for a two year period for the maintenance, fuel and drivers was \$133,822 from Federal and the local match was at 50% but we have come up with some ingenious ways to hopefully match that funding and then sustain it past the two years.

For matching funds they were looking at fare charges for passengers, likely a \$1.00. Also selling advertisements on the back of the vehicles, the route maps and the transit shelters. They do hope to have some of those at some of the initial stops. They will be solar paneled in the back so that the ads would be able to be seen at night and then working with the county and city level governments to include some matches in the future.

She then explained the proposed route that included their furthest outlying area going towards Reidsville on NC14 would be Eden Family Dentistry off of South Park Terrace. Then the Meadow Greens Shopping Center would be a proposed stop, the Walmart Super Center, the Wright Diagnostic Center, Arbor Glen Apartments and the Eden Library on Pierce Street; Morehead Hospital and the Medical Arts Building on Thompson Street; the DaVita Dialysis, Day Spring Medical and Kingsway Plaza on Kings Highway. Also the Eden YMCA on Kennedy Street and the downtown Leaksville Shopping District on Washington Street. Chadwick Apartments on Oakland Avenue; Mitchell's Drug which is right across the street from Dollar General on Morgan Road and then Rhode Island Mill Apartments on Riverside. In the Draper area the route includes the Dollar General and downtown, Brownstone Commons and the Eden Mall on Meadow Road. Ms. Odell then turned the presentation back over to Mr. Covington.

Mr. Covington explained that they did plan to have covered shelters, probably not at every stop, initially, but at the busier ones. These shelters run about \$4500 a piece. They will have solar lighted panels where they can do advertising. They did hope to sell advertising and perhaps get business sponsorship to help pay for the shelters. He then presented a mockup of the bus to give them an idea of what it would look at. It would be known as the SKAT bus. It would be marketed differently than their RCATS fleet. It was a different service with a different route. They wanted it to be colorful and very visible. He stated that he believed that this service would be on the road sometime during the first quarter of 2012, no later than March 31. He also pointed out again that this will be open to the general public. At that point he concluded the presentation and asked for questions or comments.

Council Member Tuggle stated that he thought this was a terrific idea and probably something they needed for a long time. He asked if he had said that it was funded initially and after that then what, what was the proposal then because they did get a lot of things that were funded with federal money, such as the COPS program and they have new police officers and then after two years somebody has to fund that and usually it was the city. He asked what they had in mind after two years.

Mr. Covington explained that a lot of the costs were upfront costs for the buses, the shelters, things of that nature, so they believe that after two years that a combination of advertising revenue, the rider fares, and perhaps some funding from the county and perhaps the city would sustain it.

Council Member Tuggle stated that they would want to initially do it in Eden and if it was successful then possibly move to other parts of the county to which Mr. Covington replied that was their plan, a

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goal would be to have a route in Eden, a route in Reidsville and a route in Western Rockingham with perhaps more than one route as the need justifies it.

Ms. Odell added that they were actually going to apply for the same type funding in the other areas as well so they could get the two year upfront and they could get their feet wet in each of the areas before they could actually sustain it.

Mayor Grogan thanked them for their presentation and coming to the All-America City of Eden.

Council Member Turner asked if they had considered Pierce Street at all for the high school traffic. They have that huge population at the high school that has no way to stay after school and this looks like a great opportunity to have a way to get home for students who need tutoring and have after school activities.

Mr. Covington replied that they would certainly take that under consideration.

(d) Constitution Week Proclamation

PROCLAMATION

WHEREAS, the Constitution of the United States, the guardian of our liberties, is a product of reflection and choice, embodying the principles of limited government in a Republic dedicated to rule by law, not by men; and

WHEREAS, September 17, 2011 marks the two hundred twenty fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this memorable anniversary, and to the patriotic exercises that will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, John E. Grogan, as Mayor of the City of Eden do hereby proclaim the week of September 17 through 23 as

**CONSTITUTION WEEK**

And urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Eden to be affixed this 20<sup>th</sup> day of September of the year of our Lord two thousand and eleven.

Signed: John E. Grogan, Mayor

Attest: Sheralene Thompson, City Clerk

(e) National Truck Driver Appreciation Week Proclamation

Mayor Grogan read the following resolution:

September 20, 2011

City of Eden, N. C.

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City of Eden Resolution  
National Truck Driver Appreciation Week  
September 11-17, 2011

**WHEREAS**, truck drivers are the backbone of U.S. commerce by transporting 70% of all freight tonnage across the nation; and

**WHEREAS**, 80% of U.S. communities receive goods exclusively by trucks and more than 3.5 million commercial truck drivers deliver those goods; and

**WHEREAS**, 5% of the U.S. domestic product is generated through the trucking industry; and

**WHEREAS**, Eden is proud to be the home of many trucking firms and drivers serving its industries and commercial businesses; and

**WHEREAS**, Eden has benefited from the employment and revenue generated by these firms and the companies they serve; and

**WHEREAS**, we value the generosity of the Eden trucking firms demonstrating their fine corporate citizenship in supporting the recent All-America City Award process;

**BE IT THEREFORE RESOLVED** that the Eden City Council recognizes September 11-17, 2011 as National Truck Driver Appreciation Week for the City of Eden.

This the 20th day of September, 2011.

John E. Grogan, Mayor

Attest:  
Sheralene Thompson

Mayor Grogan then presented copies of the framed proclamation to the following trucking companies:

Mabe Trucking Company, Mr. Mike Ussery  
Transpo (Gildan), Mr. Butch Matthews  
Carolina Freightways, accepted by Mr. Butch Matthews

*Fleetmaster Express and Millis Trucking had no representatives present.*

**SET MEETING AGENDA:**

Mayor Grogan stated that he would like to add to Consent Agenda item 12(i) Approval of a request for a temporary sign – All-America City, placed at BB&T along NC Highway 14.

A motion was made by Council Member Ellis seconded by Council Member Tuggle to add approval of a request for a temporary sign – All-America City, placed at BB&T along NC Highway 14 to the Consent Agenda and to set the agenda. All Council Members voted in favor of this motion.

**PUBLIC HEARINGS:**

(a) Consideration of a zoning text amendment request and ordinance to amend Section 11.24(g)(3)

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**Business - General to require fences around the exterior storage areas on any side that faces a public street and that the fence be a minimum of 10 feet from the property line. Request submitted by the Planning Board. ZONING CASE Z-11-14.**

The City has received a zoning text amendment request initiated by the Planning Board to amend Section 11.24(g)(3) – the Business-General zoning district regulations of the City of Eden Zoning Ordinance to require fences to have a minimum setback from any property line facing a public street. Staff recommended that the text amendment be approved.

The Planning Board considered this request at their regular meeting in August 2011 and recommended that the amendment be approved.

Mayor Grogan asked Mrs. Kelly Stultz, Director of Planning & Inspections to come forward with a report.

Ms. Stultz explained that the request was initiated by the Planning Board. The Business General districts are generally located on the fringe of the central business district and along major radial highways leading out of the city. The principal use of land is for dispensing retail goods and services to the community and to provide space for wholesaling and warehousing activities. Because these commercial areas are subject to public view and are important to the economy of the area, they shall have ample parking, controlled traffic movement and suitable landscaping.

Over the years, there have been some businesses in the BG districts which have become eyesores for the surrounding areas. These businesses, although they are legal permitted uses in the BG district, have managed to meet only the very minimum standards set forth in the Zoning Ordinance for screening and setback requirements. Staff is of the opinion that providing additional standards for setbacks and screening requirements will encourage better future development in these areas and improve the appearance of the community at large. Based upon the foregoing information, staff recommends that the text amendment requiring fencing with a minimum setback for certain uses in the BG district be approved.

Council Member Tuggle stated that he was just curious as to if this was clearly defined. It says solid fence and he asked if there was something that could actually be written out as to what types of fences they were talking about as far as solid. He explained that from a businessman's point of view they were struggling anyway and to add an extra fence there and that cost...

Ms. Stultz replied that there was no extra fence added. She explained that if you are going to have a towing and temporary storage business you have already got to put up a fence. All they were proposing was that the fences do a better job of screening when it was erected.

Council Member Tuggle stated that another question was the fact that one guy does a great job with the fence but if you have minimum standards and somebody else puts a stack of cars up and calls it a fence...to which Ms. Stultz explained that was eliminated in the definitions for automobile towing and temporary storage and oddly she had found a case where somebody had done that in California. Council Member Tuggle explained that he just did not want to put an unfair burden on somebody that they had to add something but it was already there anyway.

Council Member Ellis questioned what she was calling a solid fence.

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Ms. Stultz explained that wooden fences like most of them have, some of them have chain link fences with wood around them. There have also been questions as to whether or not this would require, should somebody in Business-General want to do a car business where they store cars, that they have to fence the whole property in, absolutely not, they just have to fence in where they store the cars and they want that fence to meet the normal setback.

Council Member Tuggle added that it also said in there that you only have to have a fence on the side where there was a public right of way and where there was a public street so it would not necessarily mean they would have to have a 6' fence all the way around or was he wrong on that.

Ms. Stultz replied that the minimum required front setback for buildings shall be ten (10) feet which shall be developed for sidewalks (not including public sidewalks), grass and plants and the necessary entrances and exits of driveways. Off-street parking shall not be permitted in this front yard area.

For properties with exterior storage areas (including, but not limited to, automobile towing and temporary storage services, contractor storage yards, and other such uses) a minimum six (6) foot tall solid fence must be provided around the exterior storage area on any side which faces a public street or right-of-way. (Fence does not have to be around entire parcel, but only around the exterior storage area.) Setback for such fencing shall be a minimum of ten (10) feet from the property line. This area shall be developed for sidewalks (not including public sidewalks), grass and plants and the necessary entrances and exits of driveways. Uses which require fencing shall be determined by the Zoning Administrator.

Council Member Tuggle stated, so it was just on the side where it was visible for the sake of appearance to which Ms. Stultz replied, anything that borders a public street, yes.

Council Member Hagood asked if she was saying that already exists in the current text.

Ms. Stultz explained that if you want to have an automobile towing and temporary storage business, you have to have a fence that was enclosed on all sides by an opaque fence at a minimum of 6 feet in height. The fence shall consist of a masonry or stone wall, a solid wood fence constructed of pressure treated wood, a chain link fence with panel inserts or other acceptable screening material approved by the zoning administrator, no automobile bodies or other materials not normally used for fencing shall be permitted as fencing material.

Council Member Hagood noted that earlier in the conversation she had mentioned that a chain link fence with panels in it was not acceptable.

Ms. Stultz explained that they were recommending that it not be in Business-General. She added that obviously it was like anything else if the Council did not want to change it that was up to them, that was a policy decision. She stated that she could think of one owner in his ward who has one with the slats in it and you can see the cars just as well. It was one of those things that most folks were doing and it was a recommendation for them, as they consider those map amendments in order to make this a little more compatible.



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The City Attorney, Erin Gilley, added that to answer his question and what changes, those fences had to meet the setback requirements in the new text and that was what was changing.

Ms. Stultz added that the existing ones were grandfathered.

Mayor Grogan then called for the public hearing and asked if there was anyone who would like to speak in favor or in opposition of this request.

Mr. Jesse Meeks, 807 Washington Street, explained that this text amendment would not affect him, however since this economy was so strapped and stretched, he would recommend that the Council form a committee to go out and talk with these business people and see how this would adversely affect them. There were some really smart people on this Council and he would say that this was probably the best Council that ever was.

As far as the chain link fences with slats, you can get slats to go on those fences that you cannot see through. He suggested that they do some research to find out what they could do and send some of these guys out and talk to the business people. He also suggested that they talk with the fence companies and see what could be done as far as saving people money and see what could be done inside the chain link fence.

As there were no other comments or concerns Mayor Grogan closed the public hearing.

Council Member Turner questioned if this was the first reading to which Ms. Stultz replied that it was.

Council Member Burnette commented that he thought that Mr. Meeks made some excellent points about how there might be something else out there. His suggestion was to delay this; however he would recommend that they not delay it but if something was found later on that was as good as the opaque wooden fence then the Council could amend it. He noted that the longer they wait it just gives more opportunity for unsightly appearance in some of their communities.

Mayor Grogan stated that hopefully nothing was going to change right now. What was out there was going to stay there and they did not have to do anything.

Ms. Stultz agreed and pointed out that if they were to adopt this text amendment, then any brand new businesses, after today, would have to adhere to these requirements.

Council Member Tuggle asked, say they pass this and they go out and look around and talk with business people and to the fence companies and they did find something that would certainly work, was there any reason why they could not amend it to put whatever they find in there. They could do this anytime they want.

Ms. Stultz replied that they absolutely could. Their zoning ordinance was not designed to be static and it never has been. So, the whole point of there being the process they use and four members of this Council making the decisions about what was in there and what was not was so that they could continue to change as times change.

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Council Member Tuggle stated that they could change it next month if they want to and if they find something that works. They could go out there and do as Mr. Meeks said and check these things out and find new ways of doing it and ways that would save the businessman money.

Council Member Ellis questioned why she did not like the inserts to which Ms. Stultz replied that you could see through the ones that they have seen in this community. Council Member Ellis questioned the age of the inserts to which Ms. Stultz replied that you could see through them the first day. Age did not have anything to do with it. They met the basic requirements and they were not changing it in any of the other zoning districts. They were not expecting to change it anywhere else you can have automobile towing and storage yard except Business-General.

Mayor Grogan asked if there were other questions or comments and thought that it was a good idea to do research and he asked for a motion.

A motion was made by Council Member Hagood seconded by Council Member Ellis to table the motion for 90 days to allow time for more research. All Council Members voted in favor of this motion. This motion carried.

- (b) Consideration of a zoning map amendment request and ordinance to rezone property located at 279 The Boulevard from Business – Central to Business - General. Request submitted by Joseph G. Maddrey, Attorney for the owner, Rent-A-House, LLC. ZONING CASE NO. Z-11-11.

The City has received zoning map amendment requests from Joseph G. Maddrey, Attorney for property owners, Rent A House, LLC, Floyd Hill of Eden, LLC and LYL, LLC. The requests are as follows:

Z-11-11: 279 The Boulevard – Business-Central to Business-General. Staff recommended approval of the request. After consideration, the Planning Board at their August, 2011 meeting recommended approval of the request.

Z-11-12: 606 Irving Avenue – Business-Central to Business-General. Staff recommended approval of the request. After consideration, the Planning Board at their August, 2011 meeting recommended approval of the request.

Z-11-13: 215 The Boulevard, 223 The Boulevard, 259 The Boulevard and 605 Irving Avenue – Business-Central to Business-General. Staff recommended approval of the request. After consideration, the Planning Board at their August, 2011 meeting recommended approval of the request.

Z-11-13: 730 Oak Street – Residential-6 to Business-General. Staff recommended denial of this request. After consideration, the Planning Board recommended that the request be approved.

Z-11-13: Oak Street (vacant lot across street from 730 Oak Street) – Residential–6 to Business-General. Staff recommended denial of this request. After consideration, the Planning Board recommended that the request be denied. *The Applicant withdrew this lot from the application.*

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Mayor Grogan asked Mrs. Kelly Stultz, Director of Planning & Inspections to come forward with a report.

Ms. Stultz explained they have before them three zoning cases. They are requesting that property that is currently zoned Business-Central or R-6 to be rezoned Business-General.

Mayor Grogan asked the City Attorney if they have to have a public hearing on each one of these issues or could they be consolidated because they are talking about the same thing in the same areas.

Ms. Gilley replied that they could be consolidated.

Council Member Tuggle commented that he thought they made the right decision and from what he had seen on there, at least you have two people who were trying to do the right thing and improve the property in that area.

Ms. Stultz agreed and as they talk about often with zoning cases they cannot count on the fact that they would always own it so it was a fairly difficult decision.

Mayor Grogan called for the public hearing and asked if there was anyone who would like to speak in favor or in opposition of this request.

Mr. Joe Maddrey, local attorney representing the applicants, explained that he had a local photographer take some pictures of the Boulevard (*City Clerk received the copies*). As Ms. Stultz pointed out the present zoning was Business-Central. He noted that the code states that Business-Central, "this district is designed to emit a concentrated development of retailing establishments." All their shopping districts were zoned B-C. The Boulevard was originally zoned B-C in 1967 when Eden adopted zoning and rightfully so. That was 1967 and this was 2011 and things have changed. He then read three sentences from staff's analysis to the Planning Board. "The Boulevard area was once a vibrant commercial district, but the area has been in severe decline for a number of years. There has been no development pressure in this area for many years. There have been efforts to revitalize this area, but the area continues to decline and there are many vacant properties." Obviously that was the reason they were there. It was not realistic to say that the Boulevard area has a constant development of retail establishments. It does not have it now and it will not have it in the future. The nature of the Boulevard has permanently changed. He stated that he went down the Boulevard and reviewed the parcels on the side of the street that they have asked to be rezoned and as he was speaking, there were 10 parcels, 5 were vacant, one a hair salon, one a church, one Helping Hands and two constitutes Mr. Meeks' auction facility. The applicants were trying their best to bring some life to the Boulevard. They have obviously shown their commitment and the way you do that is by your pocket books and they have done it. They have put a lot of money into purchasing these buildings and bringing them to code or try to do enough to get a return out of it. He added that he had been around a while and was involved with a lot of real estate and there were just a very small number of people who would be willing to make a financial investment in the Boulevard area with the hopes of getting a return.

Mr. Maddrey explained that they were there asking for some assistance with the B-G. B-G will give

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them some additional uses. He was sure they were all familiar with the difference between Business-Commercial and Business-General and the under the B-G and on the Boulevard there are not any uses that would be a problem or inconsistent with that area. He also pointed out that there was a B-G already in that area and it was an appropriate zoning for the present and future use and, as Ms. Stultz pointed out, the staff and the Planning Board had also recommended approval of this.

Mr. Jesse Meeks added that he just wanted to thank them for all the help and he would appreciate a motion to accept this request.

Mayor Grogan stated that he thought the City Council really appreciates what both of them have done and their investments in Eden. They have done it in a businesslike fashion and the housing stuff that was bought, property has been kept up and it was not a slum lord situation. It also added to the livability of Eden. He then declared the public hearing closed and asked for a motion.

A motion was made by Council Member Tuggle seconded by Council Member Epps to approve the request including 730 Oak Street. All Council Members voted in favor of this motion. This motion carried.

- (c) Consideration of a zoning map amendment request and ordinance to rezone property located at 606 Irving Avenue from Business – Central to Business - General. Request submitted by Joseph G. Maddrey, Attorney for the owner, Floyd Hill of Eden, LLC. ZONING CASE NO. Z-11-12.

Consolidated - see the motion from 7(b).

- (d) Consideration of a zoning map amendment request and ordinance to rezone property located at 215 The Boulevard, 223 The Boulevard, 259 The Boulevard, 605 Irving Avenue and 730 Oak Street from Residential – 6 and Business – Central to Business - General. Request submitted by Joseph G. Maddrey, Attorney for the owner, LYL, LLC. ZONING CASE NO. Z-11-13.

Consolidated - see the motion from 7(b).

#### REQUESTS AND PETITIONS OF CITIZENS:

*No one spoke at this time.*

#### UNFINISHED BUSINESS:

*No Unfinished Business was scheduled.*

#### NEW BUSINESS:

*No New Business was scheduled.*

#### REPORTS FROM STAFF:

*No Reports were scheduled.*

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**CONSENT AGENDA:**

(a) Approval and adoption of minutes: August 16, 2011.

(b) Approval of a request for a temporary sign from First Presbyterian Church for the Annual Fall Festival.

First Presbyterian Church has requested permission to erect a temporary sign in the right-of-way of Van Buren Road and Arbor Lane. This sign will advertise a fall festival event to be held at First Presbyterian Church at 582 Southwood Drive on Saturday, October 29, 2011. This will be a fellowship event open to the community and is a fundraiser for local mission projects supported by First Presbyterian Church and the Church’s building fund. The banner will be hung on October 8 and taken down no later than October 31. The banner is 9 feet 10 inches long and 4 feet wide. The sign ordinance allows temporary signs in the street right-of-ways upon approval by the City Council. The Planning and Inspections Department recommends approval of the request.

(c) Approval of a request for a temporary sign from the Rotary Club of Eden for the Annual Masquerade Ball.

The Rotary Club of Eden has requested permission to erect a temporary sign in the right-of-way of Van Buren Road and Arbor Lane. This sign will advertise their annual Masquerade Ball to be held on Friday, October 28, 2011. The banner will be hung on October 8 and taken down no later than October 30. The banner is 10 feet long and 4 feet wide. The sign ordinance allows temporary signs in the street right-of-ways upon approval by the City Council. The Planning and Inspections Department recommends approval of the request.

(d) Approval of a request for a temporary sign for the Jazz Fest to be held at Freedom Park.

The Planning Department has received a request for a temporary sign to be located in the public right-of-way at NC 14 and Arbor Lane (at BB&T). The request was submitted by Bruce Mallatratt, Coordinator for the Jazz Fest to be held on Saturday, October 1, 2011, at Freedom Park. The banner will be hung on September 21 and taken down no later than October 2. The sign ordinance allows temporary signs in the street right-of-ways upon approval by the City Council. The Planning and Inspections Department recommends approval of the request.

(e) Approval and adoption of Rockingham County Big Sweep Week Resolution.

**A RESOLUTION OF THE EDEN CITY COUNCIL  
DECLARING OCTOBER 1 – OCTOBER 8, 2011 AS  
ROCKINGHAM COUNTY BIG SWEEP WEEK**

WHEREAS, the City of Eden and Rockingham County are rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and,

WHEREAS, trash fouls our waterways as well as our landscapes; and,

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings; and,

WHEREAS, North Carolina Big Sweep is a statewide community effort to retrieve trash from North Carolina’s waterways and landscapes; and,

WHEREAS, during the past 25 years thousands of NC Big Sweep volunteers in Rockingham County have removed over 500,000 pounds of debris from our county’s environment, including tires, white goods and other solid waste; and,

Minutes of the regular September 20, 2011 meeting of the City Council, City of Eden:

WHEREAS, this Council wishes to help make this the most successful cleanup yet;

NOW, THEREFORE, BE IT RESOLVED that the Eden City Council of Eden, North Carolina, meeting on Tuesday, September 20, 2011, does hereby declare OCTOBER 1 – OCTOBER 8, 2011 as ROCKINGHAM COUNTY BIG SWEEP WEEK in Eden, and does further hereby urge every citizen to do his or her part to restore the beauty and function of our lakes and streams by volunteering to participate in the Big Sweep event.

In witness whereof I have hereunto set my hand and caused the seal of Eden to be affixed.

John E. Grogan, Mayor

ATTEST:

Sheralene Thompson, Clerk

(f) Consideration of request to rescind automated meter installation bid and authorize staff to rebid the project. **(Erin Gilley, City Attorney)**

Based upon the opinion that the Automated Meter Installation Bid that was awarded to Matchpoint Inc. at the August Council meeting was legally flawed due to unclear bid specifications, it is my recommendation that you rescind the bid and give staff the authority to rebid this project. Please contact me if you should have any questions regarding this.

(g) Approval to appoint Mr. Tony South to the Firemen's Relief Fund Board, replacing Mr. Steve Sherwood. **(Tommy Underwood, Fire Chief)**

(h) Approval of recommendation to create a no left turn for traffic exiting Douglass Elementary school and adoption of ordinance. **(Reece Pyrtle, Police Chief)**

I received a traffic study request from Council Member Turner in reference to reviewing the school zone and traffic flow at the new Douglass Elementary School.

The School Zone established in front of the new Douglass Elementary School on Center Church Road is still sufficient for the location and establishes a 25MPH School Zone speed limit for the hours school lets in and out. The speed limit for Price Street is 25MPH full time.

The only traffic flow issue discovered was the traffic congestion caused by vehicles turning left out of the school parking lot at the car entrance and exit during peak traffic flow (when students are brought to and from school). I spoke with Bill Holcomb, Associate Superintendent, Rockingham County Schools and we both agree that establishing a no left turn for traffic exiting the school at that location during peak traffic flow would be beneficial.

The Police Department's recommendation would be to create a no left turn for traffic exiting Douglass Elementary at the car entrance and exit during school days for the hours of 7:30-8:30 AM and 2:00-3:00 PM (see attached).

12(i) Approval of a request for a temporary sign – All-America City, placed at BB&T along NC Highway 14.

A motion was made by Council Member Tuggle seconded by Council Member Ellis to approve the Consent Agenda items 12a through 12i. All Council Members voted in favor of this motion.

September 20, 2011

City of Eden, N. C.

Minutes of the regular September 20, 2011 meeting of the City Council, City of Eden:

ADJOURNMENT:

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

Respectfully submitted

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Sheralene S. Thompson, CMC  
City Clerk

ATTEST:

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John E. Grogan, Mayor