

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, May 17, 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
	(absent)	Jerry Ellis
City Manager:		Brad Corcoran
City Clerk:		Sheralene Thompson
City Attorney:		Erin Gilley

Representatives from Departments:

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

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:

Mr. Danny Leonard, Pastor of the Leaksville United Methodist Church, gave the invocation followed by the Pledge of Allegiance led by Fire Chief Tommy Underwood.

SET MEETING AGENDA:

A motion was made by Council Member Carter seconded by Council Member Tuggle to set the meeting agenda. All Council Members present voted in favor of this motion.

PUBLIC HEARINGS:

(a) Consideration and adoption of the FY2011-2012 Budget Ordinance.

**CITY OF EDEN, NORTH CAROLINA  
2011-2012 BUDGET ORDINANCE**

BE IT ORDAINED by the City Council of the City of Eden, North Carolina in regular session assembled:

Section 1: The following amounts are hereby appropriated for the operation of the City of

Minutes of the regular May 17, 2011 meeting of the City Council, City of Eden:

Eden government and its activities for the fiscal year beginning July 1, 2011, and ending June 30, 2012, according to the following summary and schedules.

Summary (Funds)	Estimated Revenues	Total Budget Appropriation
General	\$12,667,700	\$12,667,700
Self Insured Insurance	\$2,008,200	\$2,008,200
Emergency Communications	\$178,700	\$178,700
Water and Sewer	\$14,961,500	\$14,961,500
Police Pension	\$206,400	\$206,400
Runabout Travel	\$24,000	\$24,000
Municipal Service Tax District	\$8,600	\$8,600
 (Less inter-fund transfers)	 <u>\$1,826,400</u>	 <u>\$1,826,400</u>
 (Less Appropriated Fund Balances)	 <u>\$2,994,500</u>	 <u>\$2,994,500</u>
 (Less Grants/Principal Forgiveness Loans)	 <u>\$2,805,500</u>	 <u>\$2,805,500</u>
 (Less Loan Proceeds)	 <u>\$1,908,200</u>	 <u>\$1,908,200</u>
 (Less Pass Thru Funds – Ex. Runabout Travel)	 <u>\$32,600</u>	 <u>\$32,600</u>
 <b>TOTAL</b>	 <b><u>\$20,487,900</u></b>	 <b><u>\$20,487,900</u></b>

Section 2: That for said fiscal year there is hereby appropriated out of the General Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
10-4110	City Council	\$36,000
10-4120	Administration	\$132,500
10-4125	Environmental Services	\$59,200
10-4130	Finance/Human Resources	\$209,400
10-4135	Economic & Tourism Development	\$231,900
10-4145	Information Technology	\$102,300
10-4150	Legal	\$56,200
10-4310	Police	\$4,069,100
10-4340	Fire	\$1,463,400
10-4350	Engineering	\$60,500
10-4510	Streets	\$1,349,500
10-4515	Powell Bill	\$467,200
10-4710	Solid Waste	\$1,813,400
10-4910	Planning & Code Enforcement	\$577,600
10-6120	Recreation/Facility Maintenance	\$1,117,500
10-6220	Public Building Services	\$69,600
10-6920	Fleet Maintenance	\$243,400
10-9100	Special Appropriations	\$359,000
10-9990	Contingency	<u>\$250,000</u>
 <b>TOTAL</b>		 <b><u>\$12,667,700</u></b>

Section 3: It is estimated that the following General Fund Revenues will be available during the fiscal year beginning July 1, 2011, to meet the foregoing General Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3189-11092	Ad Valorem: Prior Years – Rock Co.	\$93,400

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3189-18000	Interest on Delinquent	\$22,000
3190-11000	Ad Valorem: Current Year	\$4,720,400
3190-12093	DMV-Vehicle Tax – Current Year	\$418,100
3190-12093	DMV-Vehicle Tax – Prior Year	\$79,000
3190-12094	Short Term Rental Vehicle Tax	\$10,000
3190-15000	Dog License	\$1,500
3190-18000	Interest on Current Taxes	\$17,500
3190-19097	Payment in Lieu of Annexation	\$623,800
3190-19098	Rockingham Co. DMV Collection Fee	(\$8,000)
3190-19099	Prepaid Tax Discounts	(\$21,000)
3190-19100	Occupancy Tax	<u>\$60,200</u>
Tax Revenue Total		<u>\$6,016,900</u>

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3260-11000	Privilege Licenses	\$41,700
3260-17000	Privilege License Penalties	\$100
3270-11000	Franchise Fees/Time Warner	\$27,400
3270-12000	Franchise Fees – State	\$145,100
3343-41000	Building Permits	\$35,000
3343-41100	Plumbing Permits	\$8,500
3343-41300	Mechanical Permits	\$16,000
3343-41400	Sign Permits	\$600
3343-41500	Electrical Permits	\$23,000
3434-48000	Fire Department Permits	\$2,000
3491-41100	Planning Zoning Permits	<u>\$300</u>
Licenses & Permits Total		<u>\$299,700</u>

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3350-00200	Donations & Fees – Pottery Festival	\$3,700
3350-00300	Farmer’s Market Fees	\$900
3413-58000	Misc/Returned Checks	\$100
3431-41800	Police Controlled Sub State Excise Tax	\$1,000
3434-49000	Fire on Behalf Payments	\$15,800
3612-48000	Freedom Park Concessions	\$29,000
3612-48100	Bridge Street Center Concessions	\$2,000
3612-48200	East Eden Center Concessions	\$6,100
3612-48300	East Eden Pool Concessions	\$7,000
3612-86000	Pool Admissions	\$14,700
3612-86100	Building Use	\$16,500
3612-86200	Field Use & Lights	\$7,700
3711-58000	G/F Return Check Fee	\$100
3831-49000	Interest: Checking	\$1,500
3831-49100	Interest: Temporary Investments	\$28,500
3831-49500	Interest: NC Cash Mgt. Trust	\$2,000
3831-49700	Interest: Powell Bill Funds	\$400
3831-49900	Eden PD/Forfeiture Interest	\$200
3839-89000	Miscellaneous Revenue	\$4,000
3850-85000	Insurance Proceeds	\$20,000
3984-95000	Contribution to Emergency Communications	<u>\$17,400</u>
Use of Money & Property Total		<u>\$178,600</u>

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<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3231-31000	Local Option Sales Taxes	\$847,700
3232-31000	½ Cent Sales Taxes	\$619,700
3233-31000	½ Cent Sales Taxes	\$423,900
3234-31001	State Hold Harmless Payment	\$647,100
3234-31002	Solid Waste Disposal Tax Distribution	\$10,000
3322-31000	Wine & Beer Taxes	\$67,700
3324-31000	Utilities Franchise Taxes	\$751,000
3325-33000	Powell Bill: State Street Aid	\$466,800
3335-32000	County Grants: Fire Department	\$2,400
3336-33000	County Grants: School Resource Officer	\$83,900
3431-86000	Federal Grants: COPS Program	\$95,300
3612-48400	Recreation Grant-Sr. Center	\$4,000
3837-89000	ABC Revenues	\$97,300
3837-89100	ABC Revenues: Law Enforcement	<u>\$2,000</u>
Other Agencies Revenues Total		<u>\$4,118,800</u>

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3350-00100	Historic Preservation Book Sales	\$600
3412-41000	Other Departmental Revenues	\$4,500
3431-41000	Police Revenue: Dog Fines	\$300
3431-41100	Police Security Charges	\$50,000
3431-41200	Police Security Fringe Benefit Charges	\$10,000
3431-41300	Court Costs	\$7,200
3431-41400	Parking Violations	\$1,500
3431-41500	Police Fingerprinting Supplies	\$800
3431-41600	Police Department: Sale of Materials	\$200
3431-41700	Police Revenue	\$600
3431-84000	Police Department Restitution	\$500
3434-41000	Outside Fire Protection Charges	\$6,900
3435-82000	Engineering Testing Fees	\$3,000
3451-41100	Street Dept. Revenue: Driveways	\$4,000
3451-81000	Street Mowing	\$9,800
3491-40000	Planning Dept. Nuisance Fees	\$34,000
3491-41000	Planning Department Applications	\$900
3491-41600	Planning: Code Compliance Ins.	\$900
3491-81000	Planning Department Sale of Materials	\$200
3491-84400	Comm. Appearance Projects Revenue	\$1,300
3612-41000	Non-city User's Fees	\$5,600
3612-41100	League Entrance Fees	\$8,000
3612-41200	Recreation Dept. Revenue: Lesson	\$1,300
3612-86400	Recreation Dept. Miscellaneous	\$15,000
3612-87000	Fuel Purchases – County Agencies	\$25,000
3839-49900	Cash Discounts Earned	<u>\$300</u>
Charges for Current Services		<u>\$192,400</u>

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3471-41100	Residential Fees – Solid Waste	\$1,368,000
3471-41101	Commercial Fees – Solid Waste	\$462,100
3471-81000	Sale of Material/Scrap – Solid Waste	\$3,500
3471-81100	Recycling Income – Solid Waste	\$14,000

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3471-81200	Sale of Compost/Mulch–Solid Waste	\$5,000
3471-81400	Demolition – Abatement	\$5,700
3714-52000	Dumpster Late Fee	<u>\$3,000</u>

Total Solid Waste Revenue \$1,861,300

General Fund Revenue Total \$12,667,700

Section 4: That for said fiscal year there is hereby appropriated out of the Self Insured Insurance Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4145-18300	Group Insurance Fixed Cost	\$449,300
4145-30000	Claims	<u>\$1,558,900</u>

Self Insured Insurance Fund Total \$2,008,200

Section 5: It is estimated that the following Self Insured Insurance Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012, to meet the foregoing Self Insured Insurance Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3351-01000	Charges to other Funds/GF	\$1,557,300
3351-03000	Charges to Other Funds/W/S	\$391,600
3351-07700	Charges to Other Funds/Pension	\$34,500
3831-49000	Interest: Checking Acct.	\$800
3839-83000	Refunds	<u>\$24,000</u>

Self Insured Insurance Fund Total \$2,008,200

Section 6: That for said fiscal year there is hereby appropriated out of the Emergency Communications Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4330-32100	Telephone M/R	\$28,200
4330-76000	Lease Payments	\$125,700
4330-76100	Lease Payments – Interest	\$7,400
4330-99000	Transfer to General Fund	<u>\$17,400</u>

Emergency Comm. Fund Total \$178,700

Section 7: It is estimated that the following Emergency Communications Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012, to meet the foregoing Emergency Communications Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3255-34000	NC 911 PSAP	\$154,100
3831-49000	Interest Checking	\$300
3991-99100	Fund Balance Appropriated	\$24,300

Emergency Comm. Fund Total \$178,700

Section 8: That for said fiscal year there is hereby appropriated out of the Water & Sewer Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
7110	Water Resources	\$338,200
7115	Billing & Collections	\$1,637,600

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7120	Water Filtration	\$1,364,200
7125	Collection & Distribution	\$1,449,900
7130	Water Reclamation	\$1,300,900
8120	Water Construction	\$300,000
8130	Sewer Construction	\$5,894,700
9920	Special Appropriations	\$2,426,000
9990	Contingency	<u>\$250,000</u>
Water & Sewer Fund Total		<u>\$14,961,500</u>

Section 9: It is estimated that the following Water & Sewer Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing Water & Sewer Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3362-51200	Sale of Water	\$4,272,900
3362-53000	Leak Adjustments/Water	(\$15,000)
3363-51300	Sewer Service Charges	\$2,769,400
3363-53000	Leak Adjustments/Sewer	(\$28,000)
3363-53900	One-Time Pool Adj.	(\$1,500)
3711-58000	Miscellaneous Returned Checks	\$4,500
3713-53000	Pre-Treatment Charges	\$16,700
3714-42000	Water Service Application Fees	\$18,000
3714-51000	W/S Meter Tampering Fees	\$400
3714-52000	Reconnection Charges	\$173,000
3714-52200	Water Taps	\$8,000
3714-52300	Sewer Taps	\$5,000
3831-49000	Interest: Checking	\$9,000
3831-49100	Interest: Temp. Investments	\$17,000
3831-49300	CWMTF – N. Smith River III	\$1,175,400
3831-49400	CWSRF – Dry Creek Phase II	\$461,100
3831-49410	CWSRF – Kuder Street Phase III	\$400,000
3831-49800	Golden Leaf Grant – Mega Park	\$769,000
3834-86000	Rent of Equipment	\$25,000
3835-81000	Sales of Materials	\$1,000
3839-49900	Cash Discount Earned	\$200
3839-89000	Miscellaneous Revenues	\$2,000
3850-86000	Loan Proceeds	\$1,908,200
3991-99100	W/S Fund Balance Appropriated	<u>\$2,970,200</u>
Water & Sewer Fund Total		<u>\$14,961,500</u>

Section 10: That for said fiscal year it is hereby appropriated out of the Police Pension Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4310-12900	Separation Payments	\$190,400
4310-18100	FICA	\$15,500
4310-19300	Professional Services	<u>\$500</u>
Police Pension Fund Total		<u>\$206,400</u>

Section 11: It is estimated that the following Police Pension Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing Police Pension Fund Appropriations:

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<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3831-49000	Interest: Checking	\$300
3981-98000	Pension Fund – Contribution from G/F	<u>\$206,100</u>
Police Pension Fund Total		<u>\$206,400</u>

Section 12: That for said fiscal year there is hereby appropriated out of the Runabout Travel Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
9100-31200	Runabout Travel Expense	<u>\$24,000</u>
Runabout Travel Fund Total		<u>\$24,000</u>

Section 13: It is estimated that the following Runabout Travel Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3612-84000	Runabout Travel Fees	<u>\$24,000</u>
Runabout Travel Fund Total		<u>\$24,000</u>

Section 14: That for said fiscal year there is hereby appropriated out of the Municipal Services Tax District Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4135-29900	MSD Tax – Leaksville	\$7,000
4135-29901	MSD Tax – Draper	<u>\$1,600</u>
Municipal Service Tax District Fund Total		<u>\$8,600</u>

Section 15: It is estimated that the following Municipal Services Tax District Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3190-19200	MSD Tax – Leaksville	\$7,000
3190-19300	MSD Tax – Draper	<u>\$1,600</u>
Municipal Service Tax District Fund Total		<u>\$8,600</u>

Section 16: There is hereby levied for the fiscal year ending June 30, 2012 the following rate of taxes on each one hundred dollars (\$100) assessed valuation of taxable property as listed as of January 2011 for the purpose of revenue, and in order to finance foregoing appropriations:

A GENERAL FUND (for the general expense incident to the proper government of City of Eden, North Carolina) TAX RATE of \$0.620000 per hundred dollars (\$100) of assessed valuation.

Such rates are based on an estimated total appraised value of property for the purpose of taxation of approximately \$851,651,655 with an assessment ratio of 100% of appraised value. Estimated collection rate of 98.05%.

Section 17: The Tax and Service Rates section of the FY 2011-2012 budget sets forth the applicable fees for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

Section 18: The Personnel section of the FY 2011-2012 budget sets forth the grade and positions classification plan for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

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Section 19: Copies of this Budget Ordinance shall be furnished to the Director of Finance & Personnel and City Manager of the City of Eden, to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated.

Section 20: The City Manager, by authority of this ordinance, may transfer/reallocate between & within departments up to a maximum of ten percent (10%) of the moneys appropriated within any of the above stated funds, not including any transfers between funds.

Adopted this the 17<sup>th</sup> day of May, 2011.

John E. Grogan  
Mayor

ATTEST:

Sheralene Thompson  
City Clerk

Mayor Grogan called for a public hearing and asked Mr. Brad Corcoran, City Manager for comments.

Mr. Corcoran explained that as each of them were aware, they had their Budget Work Session on April 20 and the budget has been available to the public since that time and this evening they have the public hearing followed by a vote on the budget ordinance.

Mayor Grogan asked if anyone would like to speak in favor or in opposition of this budget ordinance. As no came forward or had a comment he then called the public hearing closed.

Council Member Hagood asked if there had been any changes since their last meeting on the budget.

Mr. Corcoran replied that there has been one change which he had emailed each of them about. It did not change the bottom line. He noted that under General Fund Special Appropriations the total amount was \$359,000 and that amount was still \$359,000. He explained that the change was due to a request to add a line item which was Special Appropriation Eden Historical Museum in the amount of \$3,600 and that line item has been added and another line item has decreased. So, again the total has not changed and that was the only change.

Council Member Hagood stated that if he recalled, he left open the tax rate based on information he may or may not have received yet.

Mr. Corcoran explained that what will happen, and he had discussed it with the City Attorney, once they get the final tax value numbers they will bring that assessed valuation back to the Council and the recommendation in the budget was to maintain a revenue neutral tax rate. The information they have been given from the County at this point was that the city's tax value was going up. He explained that means that to maintain the revenue neutral tax rate the proposal will be to lower the tax rate. Exactly what that figure was he did not know yet because he did not have the assessed valuation but once they get those numbers they would bring that immediately to the Council.

Council Member Hagood asked if that would be before they start the next fiscal year.



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Mr. Corcoran replied that it could be and it could not be and again he had asked the City Attorney about that. It was not a problem if it was not done prior to July 1, again the minute they get it from the County they would bring it to Council. Hopefully the answer to his question was yes but again that was totally out of his control.

Ms. Erin Gilley, City Attorney, added that the General Statute just required that it be done by January and she was sure that they would have the information by that time.

As there was no other comments Mayor Grogan explained, for clarification, that they used last year's tax rate that the County had and that was how they came up with the budget as far as income from taxes. He stated that he had spoken with a County Commissioner today and they were going to be reviewing their budget the rest of this week and hopefully by the weekend they would know what the budget was and what numbers they would be working with.

Action on the motion was as follows:

A motion was made by Council Member Epps and seconded by Council Member Tuggle to approve and adopt the FY 2011-2012 Budget Ordinance. Council Members Epps, Turner, Carter, Burnette and Tuggle voted in favor of this motion. Council Member Hagood voted in opposition. This motion carried.

(b) Consideration of a zoning map amendment request and ordinance to rezone a portion of the property located at 1308 E. Stadium Drive from Business-Highway #2 to Residential-6. Request submitted by Lucy N. Hairston. ZONING CASE Z-11-05.

The City has received a zoning map amendment request filed by Lucy N. Hairston for a portion of the property located at 1308 E. Stadium Drive. The request is to rezone this portion of the property from Business-Highway #2 to Residential-6.

The Planning and Inspections Department recommends approval of the map amendment request. At a special meeting on May 4, 2011 the Planning Board voted to recommend that the City Council approve this request.

Mayor Grogan called for a public hearing and asked Ms. Kelly Stultz, Director of Planning & Inspections to come forward for a report.

Ms. Stultz explained that the request is to rezone approximately 0.36 acres from Business Highway-2 to Residential-6. The BH-2 district is established primarily for selected existing business areas long the major thoroughfares in Eden. As the businesses in this district have inadequate front and side yards, this district was created primarily for such uses so that they could be classified as conforming uses. The R-6 residential district is established as a district in which the principal use of land is for single family, two family and multi-family residences. The regulations of this district are designed primarily for the developed residential area where dwellings already exist on small lots creating relatively high density neighborhoods. The regulations are intended to discourage any use which because of its character would interfere with the residential nature of the district.

The subject parcel is located on a major east-west thoroughfare (Stadium Drive) in a primarily residential neighborhood with some existing commercial uses. The property is adjoined on the west

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and south sides by single family residential uses. The property across Stadium Drive to the north also contains single family residential uses. There is a small restaurant immediately to the east of the property. Until recently, the subject parcel was a larger parcel which contained the existing single family residence and the restaurant, along with an outbuilding, on a single parcel. The property owner has recently subdivided the property into two parcels, one containing the residence and outbuilding, and one containing the restaurant. The request is to rezone only the parcel containing the residence. The property was most likely zoned BH-2 at the time of original zoning since it contained an existing business. The 2007 Land Development Plan recommends Traditional Neighborhood development for this area. There has been no recent development pressure in the area.

Based upon the character of the area and the high density residential uses in the area, staff recommends in favor of the request.

Mayor Grogan asked if anyone would like to speak in favor or in opposition of this ordinance. As no came forward or had a comment he then called the public hearing closed.

A motion was made by Council Member Burnette seconded by Council Member Hagood to approve the request to rezone a portion of the property located at 1308 E. Stadium Drive from Business-Highway 2 to Residential 6. All Council Members present voted in favor of this motion.

(c) Consideration of Adoption of countywide Hazard Mitigation Plan.

The Federal Government adopted regulations in 2000 and 2001 mandating that local governments have Hazard Mitigation Plans in order to receive Federal assistance and the State of North Carolina adopted similar regulations for State assistance.

These regulations require that each local government plan include Flood Damage Prevention regulations, which the City has had since the 1970's, along with other requirements of the plan.

The regulations permit the City of Eden and all other local governments in our County to adopt the County's Plan. The County and all the other Cities in our county have adopted the plan. The adoption resolution retains authority and responsibility for disasters in Eden with the City.

On January 17, 2006 the City of Eden adopted the Rockingham County Hazard Mitigation Plan Resolution.

Mayor Grogan called for a public hearing and asked Mr. Tommy Underwood, Fire Chief, to come forward for a report.

Chief Underwood explained that this was an adoption of the county-wide hazard mitigation plan. The Emergency Management Coordinator was also present to answer any questions they may have. He explained that this plan was adopted 5 years ago and it comes up for renewal every 5 years. He noted that there have been some minor changes in it and he recommended that the resolution be adopted.

Mayor Grogan asked if anyone would like to speak in favor or in opposition of this resolution. As no came forward or had a comment he then called the public hearing closed.

A motion was made by Council Member Carter seconded by Council Member Tuggle to adopt the resolution approving the countywide Hazard Mitigation Plan. All Council Members present voted in favor of this motion.

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## REQUESTS AND PETITIONS OF CITIZENS:

Jean Ann Wood, 237 Ray Street, addressed Council regarding the Resource Center:

Ms. Wood explained that recently President Obama delivered a commencement address to the graduating class at Booker T. Washington in Memphis, Tennessee. She stated that while he was talking to 18 year olds at that time a lot of the stuff that he said applied to all Americans and to those in Eden.

She then quoted portions of President Obama's address: "I'm standing here as President because of the education I received...I was raised by a single mom and sometimes she struggled to provide for me and my sister. But my mother and my grandparents they pushed me to excel. They refused to let me make excuses. I'm so blessed that they kept pushing, I'm so lucky that my teachers kept pushing because education made all the difference in my life."

She also noted that he goes on and talks about how Michele's education and his education together had propelled them as a couple. In talking to the students he says, "It is going to make an even greater difference in your lives – not just for your own success, but for the success in the United States of America. Because we live in a new world now. It used to be that you did not have to have an education. If you were willing to work hard you could go to work in a factory somewhere and get a job. Those times have passed."

She stated that believe or not, when you go out there looking for a job, you're not just competing against people in Nashville or Atlanta, or Reidsville or Raleigh or Charlotte, you were competing against young people in Beijing and Mumbai and that was a tough competition. These kids were hungry and these people were hungry. They were working hard and they need to be prepared for it. So as a country, they need all of their people to be ready, they cannot just have some of their people successful, they have to have every person contributing, earning high school degrees or college diplomas, getting certified in their trade or profession, they cannot succeed without it.

Ms. Wood then read a letter on behalf of the Eden Chamber of Commerce. "Dear Mayor Grogan, Eden City Manager Corcoran and Eden City Council Members, the Eden Chamber of Commerce 2011 Board of Directors representing member businesses throughout Eden and Rockingham County, unanimously support the Eden Training Center and the Mega Park sewer line construction for work force development and economic growth. They encourage the city's continued participation in these projects. With an educated trained work force their city and region will attract new companies and job opportunities. It was signed on behalf of the Board of Directors by Neil Fair.

Mayor Grogan thanked Ms. Wood for her comments.

Ms. Linda Ritchie, 720 Rosewood Lane, addressed Council:

Ms. Ritchie explained that 720 Rosewood Lane was off Edgewood Road going down towards Dan River Steam Station. She stated that this past Saturday afternoon she was dog sitting for her son while he was on vacation. They were taking the dogs across the street to her mother-in-law's fenced

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backyard, that they have done a million times, and this time for some reason her dog went into the fence but her son's two dogs ran across the house behind and over to the next street which was Azalea Lane and behind a house. Her husband was chasing them and he thought they turned to go towards the golf course. Her husband got his vehicle, her brother-in-law got his vehicle and she got her vehicle and they all went out searching for the dogs. She explained that she realized she did not have her cell phone so she drove back home to get it and a friend who was at her home said she had heard several shots fired. She asked which way it came from and was told it sounded like it was at the end of Azalea Lane. She got back in her car and went back down Azalea Lane. There was a lady standing out in the yard talking to someone in a pickup truck and she stopped and asked if she had seen a brown and white dog. The lady said that she did and then went inside and got her husband who was a police officer. He came to her car and asked if she had a brown and white pit bull. She explained to him that it was an American bull dog boxer mix. He then told her that he had killed her dog because he lunged at him. She said that she told him that this was a very gentle dog that has been around dogs and people and has never been in a fight or hurt anything. She said that the officer kept saying that he thought it was a pit bull and he asked her to go and get her husband. She stated that when they came back, her husband asked why he had to shoot him. He was told the same thing, because he had that right, it was in his yard and he thought it was a pit bull. Her husband was a little angry with him and she apologized for that but they were both very upset. Her husband picked the dog up and was going to take him home but as he started down the driveway he realized that he had been shot multiple times. So he laid the dog on the driveway and went back and asked why he shot him so many times (4 times). The officer told him that it was because it kept lunging at him.

Ms. Ritchie pointed out that this was a very gentle dog and she did not believe that statement. She thought that the bottom line was that he thought the dog was a pit bull and he shot him. She stated that she was very upset about it and she had spoken with Sgt. Hart, Lt. Price, Reece Pyrtle, and the City Manager and she wanted something to be done about it.

She stated that Mr. Corcoran has agreed to get an outside source to investigate but now she was hearing that the Eden Police Department was going to do an internal investigation and she was not happy with that. She wanted to request that an outside agency be appointed to investigate this and she just wanted the Council to be aware of what happened and she asked if it was right that he can shoot a dog in the city.

Mayor Grogan stated that he guessed there were three sides to every story to which Ms. Ritchie agreed that there were. Mayor Grogan asked if the Chief would like to speak...to which Ms. Gilley, the City Attorney commented that this may or may not involve a city employee. She explained that the officer was off duty, however discussion of the police officer as an employee, that was a personnel issue so she was advising the Council not to speak. She added that they did not have the results of any investigation so she advised the Council not to speak to this matter.

She explained that there was an investigation going on and it was it was a procedure that the Eden Police Department and the Sheriff's office used and that was the procedure that they were doing right now and having it investigated by their Police Department and then with all the evidence looked at and discussed and seeing what the evidence was a decision would be made by the City Manager.

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Ms. Ritchie replied that was okay, but she questioned why he had to shoot him four times and why did he have to fire eight plus bullets at the dog. She was sure that first bullet brought the dog down and she thought he used poor judgment and assumed the dog was a pit. She thought he used excessive force and they were very unhappy with it and she just wanted them all to be aware of it. She then thanked them for letting her speak.

Mayor Grogan thanked Ms. Ritchie for her comments.

**UNFINISHED BUSINESS:**

- (a) Approval and adoption of Resolution supporting the Eden ABC Store’s Travel Policy.

**RESOLUTION**

**WHEREAS**, the City of Eden is the appointing authority for the local ABC board; and

**WHEREAS**, pursuant to N.C.G.S. § 18B-700(g2), the City of Eden, as the appointing authority, shall approve the travel policy adopted by the local board. Such travel policy shall conform and be the policy used by the City of Eden.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Eden that the local ABC board has adopted a travel policy that is identical to and conforms to the travel policy of the City of Eden, and that the City Council for the City of Eden hereby approves such policy.

APPROVED, ADOPTED AND EFFECTIVE this 17<sup>th</sup> day of May, 2011.

CITY OF EDEN

By: John E. Grogan, Mayor

ATTEST:

Sheralene Thompson, City Clerk

Mayor Grogan asked Mr. Neville Hall, Chairman of the ABC Board, to come forward to answer any questions that the Council might have.

Mr. Hall explained that the North Carolina ABC Commission had recommended that each local ABC Board adopt the travel policy of their appointing authorities, so they were just asking to fall under the same travel guidelines as the city.

Mayor Grogan added that he thought that last month there was some confusion about the policy.

Council Member Hagood commented that he had instigated that and it was more for clarification. He asked that if they adopt Eden’s travel reimbursement policy would that override the zero tolerance obligations that they have from the State ABC.

Mr. Hall replied, yes, it was their (NC State ABC Commission) recommendation that they (local ABC Board) adopt the policy.

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Council Member Hagood asked if they would continue to have a zero tolerance policy.

Mr. Hall asked if he was referring to the travel policy to which Council Member Hagood replied no, the zero tolerance, that was meals, reimbursements, non-acceptance of meals, they did not have that in the Eden policy. Mr. Hall replied that he was unfamiliar with acceptance of meals on the travel policy.

Council Member Hagood explained that recent ABC problems, especially in a neighboring town, there was management there who did not observe zero tolerance and wound up in bad spot.

Mr. Hall explained that he thought that might be confusing two things. He pointed out that that was an ethics issue and they had an ethics policy and it was in their manual and it addressed acceptance of gifts or meals or tickets, things that apparently got them in a lot of trouble and that was an ethics policy and that was not what they were asking the city to adopt. He explained that they were asking them to adopt the travel policy.

Council Member Hagood stated that by the Council adopting this; it did not override the zero tolerance that they (ABC Board) were obligated to observe.

Mr. Hall replied that it had nothing to do with their ethics policy.

Council Member Hagood explained that when he said ethics, he said meal reimbursements, one day excursions, while traveling at a convention. You could not take anything from a vendor or supplier.

Mr. Hall explained that was their ethics policy to which Council Member Hagood added and that comes under travel. Mr. Hall replied no.

Council Member Hagood asked if that was not included in the travel policy to which Mr. Hall explained that there was an ethics policy in the manual and there was a travel policy. Council Member Hagood asked if they continue zero tolerance to which Mr. Hall replied absolutely. Council Member Hagood stated that was okay, that was the understanding.

As there were no other questions Mayor Grogan asked for a motion.

A motion was made by Council Member Tuggle seconded by Council Member Hagood to adopt the resolution supporting the Eden ABC Board's Travel Policy. All Council Members present voted in favor of this motion.

#### NEW BUSINESS:

(a) Request to adopt an ordinance for the demolition of a structure at 204 Park Road under the City of Eden Human Habitation Ordinance.

The City of Eden Human Habitation Standards Ordinance and the enabling legislation permit the City Council, upon adoption of an Ordinance, to order the repair or demolition of the structure. An estimate for the demolition of the structure on this property is \$4,100.00. Once the demolition is done at the City's expense, actions can be taken to recoup the funds in the same manner as the collection of special assessments.

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Ms. Stultz explained that items 10(a) and (b) reflect issues involving the same piece of property. In January of 2010 Mr. Rieson's home burned and they worked with him until August of last year in hopes of having it repaired. She was happy to tell them that he has since demolished this house and this action needed to be closed.

*No action - property owner demolished the structure.*

(b) Consideration of an appeal on a nuisance violation for 204 Park Road.

Based upon a citizen complaint and staff inspection, a nuisance was sent to the property owner of 204 Park Road owned by Maynard Wayne Rieson. Mr. Rieson appealed the determination that there was a nuisance on his property. Staff recommends that this appeal be denied.

Ms. Stultz explained that the second item was the fact that Mr. Rieson appealed the nuisance violation. They thought they were going to have to tear the house down and they had made the decision to only go on his property once. Mr. Bob Vincent, Codes Inspector, had been working with him for several months cleaning up the debris and other stuff that was on his property that constitutes a nuisance. After they sent the nuisance violation Mr. Rieson came in and appealed the nuisance. She explained that what this appeal asks them to do was to agree with her that he does indeed have a nuisance. She presented photos of the property that was taken the day before. She recommended that they do deny Mr. Rieson's appeal in that it was a nuisance and then allow her staff to continue to work with him as long as he was clearing it. They would not go in and clean the property as long as he was making steady progress and they would continue to monitor it.

The City Attorney, Ms. Erin Gilley, clarified that the Council would be voting to deny the appeal and Ms. Stultz added that the staff would continue to work with him as long as he was making steady progress.

A motion was made by Council Member Tuggle seconded by Council Member Epps to deny the appeal and allow monitoring by Code Enforcement. All Council Members voted in favor of this motion.

#### REPORTS FROM STAFF:

There were no reports at this time.

#### CONSENT AGENDA:

- (a) Approval and adoption of minutes: April 19 & April 20, 2011.
- (b) Approval and Adoption of Budget Amendment 16.

The attached budget amendment allocates grant funds that have been received from the Community Development Block Grant Program for the water & sewer extension in the annexed area (Indian Hills).

Subject: Budget Amendment # 16

Minutes of the regular May 17, 2011 meeting of the City Council, City of Eden:

	Account #	From	To	Amount
<b>Water &amp; Sewer Fund Revenues</b>				
CDBG - W/S Annexation Area	30-3831-49800	\$ -	\$ 485,700.00	<u>\$ 485,700.00</u>
<b>Water &amp; Sewer Fund Expenditures</b>				
W/S Spec Approp - Annexation Initiative	30-9920-69830	\$ 100,000.00	\$ 585,700.00	<u>\$ 485,700.00</u>

To allocate grant funds received from CDBG for the Water & Sewer extension in annexed area (Indian Hills).

Adopted and effective this 17th day of May, 2011.

Attest:

John Grogan, Mayor

Sheralene Thompson, City Clerk

(c) Approval and Adoption of Budget Amendment 17.

The attached budget amendment is to reverse budget amendment #6 which allocated 50% of the Emergency Communications Fund Balance at 6/30/10 to the General Fund for use on “public safety needs.” At the time of the original budget amendment, we understood that we were supposed to transfer this money to the General Fund. After attending a 911 meeting, we discovered that the money could be spent on “public safety needs” that do not qualify for expenditures with 911 money; however, the money needs to remain in the Emergency Communications Fund and the expenditures reported in this fund. This budget amendment just reverses the original budget amendment and appropriates it in the Emergency Communications fund.

Subject: Budget Amendment # 17

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Contrib from Emergency Communication	10-3984-95000	\$ 89,700.00	\$ 10,100.00	<u>\$ (79,600.00)</u>
<b>General Fund Expenditures</b>				
Police Emergency Communications	10-4310-32102	\$ 79,600.00	\$ -	<u>\$ (79,600.00)</u>



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**Emergency Communications Expenditures**

Emergency Comm Professional Serv	24-4330-19200	\$	10,100.00	\$	16,100.00	\$	6,000.00
Emergency Comm Equip - Depreciable	24-4330-57000	\$	-	\$	65,700.00	\$	65,700.00
Emergency Comm Equip - Non-Depr	24-4330-57001	\$	-	\$	7,900.00	\$	7,900.00
Emergency Comm Transfer to GF	24-4330-99000	\$	79,600.00	\$	-	\$	(79,600.00)
						<u>\$</u>	<u>-</u>

To reverse the allocation 50% of Emergency Communications Fund Balance @ 6/30/10 to General Fund for use on "public safety needs".

Adopted and effective this 17th of May, 2011.

Attest: John Grogan, Mayor

Sheralene Thompson, City Clerk

**(d) Approval and Adoption of Budget Amendment 18.**

The attached budget amendment is to close out the Water Pressure Improvements Fund. The projects reported in this fund are complete and the money remaining in the fund will be used to pay the interest portion of the Bank of America Water & Sewer Project (2008) loan payment.

Subject: Budget Amendment # 18

	Account #	From	To	Amount
<b>Water &amp; Sewer Fund Revenues</b>				
Contribution from Water Pressure Imprv	30-3986-98400	\$	- \$	77,825.00
				<u>\$ 77,825.00</u>
<b>Water &amp; Sewer Fund Expenditures</b>				
Special Appropriation Holding Account	30-9920-99999	\$	- \$	77,825.00
				<u>\$ 77,825.00</u>

**Water Pressure Improvements Fund Expenditures**

May 17, 2011

City of Eden, N. C.

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Calebl Street BPS	72-8140-24604	\$	800,400.00	\$	722,575.00	\$	(77,825.00)	
Transfer to W/S Fund	72-8140-98000	\$	-	\$	77,825.00	\$	77,825.00	
							<u>\$</u>	<u>-</u>

To close out Water Pressure Improvements Fund.

Adopted and effective this 17th day of May, 2011.

Attest:

John Grogan, Mayor

Sheralene Thompson, City Clerk

(e) Approval and Adoption of Budget Amendment 19.

The attached budget amendment is to reverse budget amendment # 1 that allocated one annual payment of the USDA loan (Viper Radio System) to a reserve account per the loan agreement. After discussions with the auditor, we decided we do not have to appropriate fund balance for this. We will need to do a journal entry at year end to reserve a portion of fund balance (\$34,900) for future payments of the USDA loan to satisfy the requirements in the loan agreement.

Subject: Budget Amendment # 19

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Fund Balance Appropriated	10-3991-91000	\$	34,900.00	\$ - <u>\$ (34,900.00)</u>
<b>General Fund Expenditures</b>				
Reserve for USDA Loan	10-9920-98000	\$	34,900.00	\$ - <u>\$ (34,900.00)</u>

To reverse Budget Amendment # 1.

Adopted and effective this 17th day of May, 2011.

Attest:

John Grogan, Mayor

Sheralene Thompson, City Clerk

Minutes of the regular May 17, 2011 meeting of the City Council, City of Eden:

(f) Approval and Adoption of Budget Amendment 20.

The attached budget amendment allocates fees that have been collected for the Planning Department Community Garden project.

Subject: Budget Amendment # 20

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Community Garden Fees	10-3491-84700	\$ -	\$ 900.00	<u>\$ 900.00</u>
<b>General Fund Expenditures</b>				
Planning - Community Garden	10-4910-29907	\$ -	\$ 900.00	<u>\$ 900.00</u>

To appropriate fees collected for the Community Garden.

Adopted and effective this 17th day of May, 2011.

Attest:

John Grogan, Mayor

Sheralene Thompson, City Clerk

(g) Approval of 5 Year Financing for Solid Waste Road Tractor.

In the 2010-2011 Budget, City Council approved the purchase of a road tractor for the Solid Waste Department. It has been set up in the budget to finance this purchase. On April 12, 2011, I requested bids from our local banks for the financing of this purchase and received the following quotes:

BB&T	2.24%
Home Savings	2.79%
TCP Leasing	3.66%

The lowest quote is from BB&T at 2.24%. The annual payment will be \$25,668.87 which falls under the amount budgeted for principal and interest payments for this fiscal year which is \$27,200. I respectfully ask that Council approve BB&T as the successful bid and adopt the attached Resolution Approving Financing Terms.

Minutes of the regular May 17, 2011 meeting of the City Council, City of Eden:

**Resolution Approving Financing Terms**

**WHEREAS:** The City of Eden, North Carolina (the "City") has previously determined to undertake a project for the purchase of a new 2012 International 7600 Road Tractor from Whites International (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The City hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated April 26, 2011. The amount financed shall not exceed \$120,151.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.24%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 17<sup>th</sup> day of May, 2011.

By: Sheralene S. Thompson  
Title: City Clerk

By: John E. Grogan  
Title: Mayor

SEAL

- (h) Approval of a request for a temporary sign from the Piedmont Pottery Festival Committee for the Annual Pottery Festival on June 4, 2011.

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The Planning Department has received a request for temporary signs to be located in the public right-of-way at NC 14 and Arbor Lane (at BB&T) and in front of Kingsway Plaza shopping center. The request was submitted by Cindy Adams, Coordinator of Tourism and Special Events, for the Annual Pottery Festival to be held on June 4, 2011.

(j) Consideration and approval of the final development plans for the Pratt Family Development, a planned unit development, located at 1951 and 1961 Price Road. ZONING CASE Z-11-02.

Thomas Pratt and Jennifer Pratt Hankins have presented a final development plan for the Pratt Family Development located at 1961 and 1951 Price Road.

The Planning and Inspections Department recommends approval of the plan subject to conditions which are listed below:

1. Prior to the issuance of a building permit, the special use permit listing all conditions of approval along with a copy of the statement of intent shall be recorded in the Register of Deeds of Rockingham County.
2. Prior to issuance of a building permit, the following conditions shall be met:
  - (1) The Homeowners Association documents shall be recorded in the Rockingham County Register of Deeds office.
  - (2) The developer shall provide all sewer easements, drainage easements and grant any rights of way necessary for each phase of the development. All such improvements shall be installed as per the FDP and shall meet all city requirements and specifications.
  - (3) The PUD shall comply with all City of Eden land use regulations including all provisions of the PUD-R district.
  - (4) The size and location of all signs (if any) must be noted.

The Planning Board considered the final development plan at a special meeting on May 4. After consideration the board recommends that the request be approved subject to above stated conditions.

(j) Request for Consideration of a Resolution to Approve an Update Amendment to the Rockingham County Solid Waste Management Plan.

We received an update amendment for the Solid Waste Management Plan from Rockingham County. This update addresses the fact that computer equipment and televisions will be banned from disposal in landfills beginning July 1, 2011. Rockingham County has requested that the City Council approve this update to the Solid Waste Management Plan.

The City of Eden Solid Waste Division has a recycling operation currently in place that recycles electronic equipment. Our current recycling operation is in compliance with the Discarded Computer Equipment and Television Management Plan amendment submitted by Rockingham County. Our recycling operation is voluntarily doing now what will become mandatory by State Law in the future as described in this update.

The Environmental Services staff recommends and requests that the City Council approve this resolution supporting the update amendment to the Rockingham County Solid Waste Management Plan.

**Resolution to Approve the  
Rockingham County Discarded Computer Equipment and Television Management Plan  
That is an Amendment to the Rockingham County Solid Waste Management Plan**

WHEREAS, good planning for solid waste management will help protect public health and the environment, provide for improved solid waste management systems, better utilize our natural resources, and control the cost of solid waste management; and

May 17, 2011

City of Eden, N. C.

Minutes of the regular May 17, 2011 meeting of the City Council, City of Eden:

WHEREAS, North Carolina General Statute 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan and to update the plan every three years; and

WHEREAS, the last plan update was approved on June 16, 2009, when the Eden City Council approved the updated Rockingham County Solid Waste Management Plan.

WHEREAS, the City of Eden is represented on the Rockingham County Solid Waste Planning Committee and has been actively involved in the planning process;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Council of Eden hereby approves this Discarded Computer Equipment and Television Management Plan amendment to the Rockingham County 2009 Solid Waste Management Plan.

Adopted the 17th day of May, 2011.

Attest:

John Grogan, Mayor

Sheralene Thompson, City Clerk

(k) Approval and Adoption of Amendment to Solid Waste Fees §12-34.

Due to requests of citizens and in an effort to provide equitable services to the City of Eden, I have prepared an amendment to of the City Code of Ordinances.

The amendment provides a limited exception to payment of solid waste fees if a resident has a residence more than 1500 feet from the public right of way. This exception is designed to address the practicality of citizens pushing a garbage container more than 1500 feet from their residences. Citizens will be allowed to apply for this exception, and it will be granted upon City Manager approval. However, applicants for this exception should be aware that exemption from solid waste fees also means elimination of all solid waste services.

A proposed amended ordinance has been prepared for your review. The amendment consists of the addition of subsection (H). The proposal contains all new language in italics and red type.

(l) Approval and Adoption of Resolution Standardizing Badger Meters and Itron ERT.

The City Staff is asking the Council to enact the attached resolution in order to document the city-wide, standardization of Badger Meter/Itron ERT configuration. The Council voted unanimously at the Budget Meeting on February 26, 2011 to proceed with the Automated Meter Reading system as it was presented. This included the purchase of 6,442 Badger meters from Carolina Meter and the retrofit of 656 of our existing active meters. N.C.G.S. § 143-129(e)(6) grants an exemption to the competitive bidding process for purchases when the purpose of "standardization or compatibility is the overriding consideration."

Nearly every meter currently in use within the City of Eden is a Badger meter. Because of this, the City would be authorized to retrofit, in lieu of replacement, approximately 9.37% (656) of our existing active meters, resulting in substantial savings. In addition, having the same meter configuration will allow efficiency in meter reading, reduce the need for additional staff and limit revenue/water loss associated with aging meters. Finally, Carolina Meter is the sole source provider for Badger Meters.

The facts stated above support the conclusion that standardization is the overriding consideration in the purchase of these meters. In order to proceed with this purchase, the Staff is asking that the Council document that conclusion with the attached resolution.

May 17, 2011

City of Eden, N. C.

Minutes of the regular May 17, 2011 meeting of the City Council, City of Eden:

**RESOLUTION**

**WHEREAS**, the City of Eden desires to integrate an Automated Meter Reading System; and

**WHEREAS**, that in order to integrate this Automated Meter Reading System, the City will have to purchase 6,442 Badger meters and retrofit 656 existing meters; and

**WHEREAS**, the City of Eden recognizes that city-wide standardization of Badger Meter/Itron ERT configuration is the overriding consideration in the aforementioned purchase due to the following factors:

1. Nearly every meter currently in use within the City of Eden is a Badger meter. Because of this, the City would be authorized to retrofit, in lieu of replacement, approximately 9.37% (656) of our existing active meters, resulting in substantial savings.
2. Having the same meter configuration will allow efficiency in meter reading, reduce the need for additional staff and limit revenue/water loss associated with aging meters.
3. Carolina Meter is the sole source provider for Badger Meters; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Eden, that standardization Badger Meter/Itron ERT configuration is the overriding consideration in the purchase of 6,442 Badger meters and retrofit of 656 existing meters.

APPROVED, ADOPTED AND EFFECTIVE this 17<sup>th</sup> day of May, 2011.

Attest:

John Grogan, Mayor

Sheralene Thompson, City Clerk

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

ADJOURNMENT:

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

Respectfully submitted

\_\_\_\_\_  
Sheralene S. Thompson, CMC  
City Clerk

ATTEST:

\_\_\_\_\_  
John E. Grogan, Mayor