

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, July 16, 2015 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Wayne Tuggle, Sr.
Council Members:	Donna Turner
	Jim Burnette
	Angela Hampton
	Jerry Epps
	Darryl Carter
	Neville Hall
	Jerry Ellis
City Manager:	Brad Corcoran
City Clerk:	Sheralene Thompson
City Attorney:	Erin Gilley
Representatives from Departments:	
News Media:	Dallas Britt, Eden News

MEETING CONVENED:

Mayor Tuggle 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. Les Herod, Pastor, Pleasant View Baptist Church, gave the invocation followed by the Pledge of Allegiance.

RECOGNITIONS:

Recognition: Oink & Ale Presentation to Friends of Eden Animal Shelter.

Mayor Grogan asked Ms. Cindy Adams, Coordinator of Tourism & Events to come forward. She explained that on May 30th the Eden Tourism & Development, in conjunction with the Leaksville Merchants held its first annual Oink & Ale in downtown Leaksville and it was very successful. Part of that success was to be able to give back. The Friends of the Eden Animal Shelter were chosen as beneficiaries of the proceeds this year and they received half of the proceeds from the ticket sales. These ladies and many

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others were doing great work to foster and find homes for animals in need and so they hoped that this small token of \$2500.00 would help them towards their effort.

The check was then presented to Friends of Eden Animal Shelter members Lori Lowrimore, Wanda Stophel and Sheralene Thompson.

Recognition: Sarah Elizabeth Birks.

Mayor Tuggle asked Ms. Sarah Elizabeth Birks to come forward. He then read the following letter of recognition:

Sarah Elizabeth Birks has been affiliated with the Salvation Army since her birth in 1983. Sarah, the daughter of John and Elizabeth Birks, has immersed herself into our community and made many friends. The Eden Salvation Army Church has grown under her leadership.

Sarah's heritage is here in Eden. Her mother is a native of Leaksville (now Eden) and her grandfather was a Methodist Minister here in Eden and surrounding areas.

Sarah is a follower of Christ who loves children and she has a great talent working with them.

Sarah is being transferred to Sevierville, Tennessee to serve as Corp Commander for that area. I, Wayne R. Tuggle, Sr., as Mayor of the City of Eden, and the City Council congratulate her on her outstanding service here in Eden and we wish her the best and much success in her future endeavors.

Dated this 16th Day of June, 2015

By: Wayne R. Tuggle, Sr.

Mayor Tuggle recognized the members of the Salvation Army Board, Charlie Hall, Carol Kasten, Reece Pyrtle and Amelia Dallas as well as asking members of Sarah's family and church family to stand.

SET MEETING AGENDA:

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

PUBLIC HEARINGS:

No Public Hearings were held.

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REQUESTS AND PETITIONS OF CITIZENS:

Ms. Jan Flowers, Stokesdale area of Rockingham County, addressed the City Council:

Ms. Flowers explained that she was there representing a lot of people who would like for them to look at their animal control ordinance and specifically in how feral cats are dealt with by the city. At the present it appears that feral cats are trapped and euthanized at the rate of 300 per year that is a lot of animals.

There was a recent situation where a sign was put up near the Eden Mall by animal control saying not to feed any feral cats. She stated that it was their belief that the present policy was inhumane and a better solution can be developed that will save the city the money used to euthanize these animals.

They would like for the City Council consider a policy that would be more humane. The TNR program (trap, neuter and release) is being used in a variety of cities and has proved to be very successful. She explained that the feral cats are trapped, neutered, they get the left ear tipped (which is an indication that the animal has been spayed or neutered) and is no longer a danger to anybody and can no longer reproduce. They also receive a rabies vaccine and then they are released back to where they were trapped at.

She explained that their group recently got permission from Chief Pyrtle to work on removing the feral cats at the mall. They captured them and removed them from the city. A website called City Cats has developed and their group is working diligently with other interested groups to make the situation better.

They are in the development stage of getting citizens from Eden to take ownership in this situation and many have already shown passionate interest. She explained that they were asking that the City Council review the present ordinance and change it to a more humane ordinance that includes TNR as a way to deal with the feral cat population. She stated that they would be willing to work with someone through the city in developing this policy. She then thanked them for their consideration.

Ms. Flowers explained that she had been a volunteer and board member with the Feral Cat Assistance Program for about 8 to 10 years. She was no longer with them but she still had contacts there. They are an advocacy group for feral cats and they have a very low cost spay or neuter program and that is their desire to get TNR going in any area that will accept it.

She stated that she had a lot of information about TNR if anyone was interested in seeing it.

Mayor Tuggle asked that she get some information together to give to each Council Member.

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Ms. Esther Murray, 371 Pine Road, addressed the City Council:

Ms. Murray stated that she wondered how much they paid for each cat to be euthanized. She stated that she was told by certain feral cat organizations that to get on their list to have an animal spayed or neutered there was a waiting period and they could do it from \$10.00 a cat. So, she stated that she had a feeling they were paying at least that much to kill them. She stated that she believed that everything had a right to live and just to kill is wrong.

Mayor Tuggle stated that he was going to ask that they create an ad hoc committee to take a look at the present policy. He would like to ask if there was anyone on the City Council who would like to volunteer to head up this committee. He explained that this would be a diverse committee with city people, City Council and the feral cat advocates. He stated that Council Member Turner had volunteered earlier that she would be glad to chair this committee.

He asked that they provide their names, email addresses and telephone numbers on a sheet of paper then Council Member Turner could get back with them. Mayor Tuggle stated that he appreciated them coming.

Mr. J.T. Tolbert, 232 N. Pierce Street, addressed the City Council:

Mr. Tolbert explained that he also rescued cats. He stated that he wanted to ask a couple of questions. He asked that they roll back to elementary days in school when they ask you to raise your hand. He stated that he would like to ask them that if they had a choice or any decision to be born into this world to please raise their right hand.

Mayor Tuggle explained that this was really a time for him to speak and the City Council does not really have a conversation back and forth on things like this.

Mr. Tolbert explained that he had a point he wanted to make.

Mayor Tuggle stated that he could make his point but the Council did not interact back and forth.

Mr. Tolbert stated that he did not expect him to and that was why he had one more question. He asked if any of them had a choice in being born male or female. If they did he asked them to raise their left hand. He stated that these cats do not have a choice either. Cats do what they do and he has loved them since he was 7 years old. He stated that he had watched some of the traps being set out and if they catch a mother cat that has kittens the kittens starve to death. That was the thing he would like to see stopped. He stated that they would do all that they can if the City Council would do all that they can.

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Mayor Tuggle stated that Council Member Turner would head the committee and they would take a look at everything and come back with a recommendation. He then thanked him for coming.

UNFINISHED BUSINESS:

No Unfinished Business was scheduled.

NEW BUSINESS:

No New Business was scheduled.

REPORTS FROM STAFF:

No Reports were scheduled.

CONSENT AGENDA:

- a) Consideration and Approval of Minutes for May 19, 2015.
- b) Approval and Adoption of Resolution adopting the Northern Piedmont Regional Hazard Mitigation Plan.

**RESOLUTION TO ADOPT THE
NORTHERN PIEDMONT REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, Eden, North Carolina is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the City of Eden desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Eden City Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Eden City Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the City of Eden; and

WHEREAS, the City of Eden, in coordination with Rockingham County, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Northern Piedmont Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures;

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NOW, THEREFORE, BE IT RESOLVED that the EDEN CITY COUNCIL of EDEN, NORTH CAROLINA hereby:

1. Adopts the Northern Piedmont Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on June 16, 2015.

Wayne R. Tuggle, Sr., Mayor
CITY OF EDEN

ATTEST:

Sheralene S. Thompson, Clerk

c) Consideration and Approval of Pyrotechnics Permit for July 4th Fireworks Display.

The attached information includes an application for a permit to display pyrotechnics at the annual July 4th Celebration at Morehead High School. The applicant is the Eden Kiwanis and it also includes a contract between Hale Artificer, Inc., and Eden Kiwanis. Hale Artificer has also included their Federal Explosives License/Permit, a Certificate of Insurance, and a copy of their Safety Procedures. The Fire Marshall's Report is also attached.

According to the City Code Chapter 7 Article X: Fireworks Displays, the City Council may issue the applicant a permit to display pyrotechnics if the applicant has provided the required proof of insurance and the Fire Marshal has made the required certifications and satisfactory evidence has been produced to the effect that the pyrotechnics will be used in connection with the conduct of concerts or public exhibitions.

d) Consideration and Approval of Proposed Water Main Installation by Dan River Water, Inc., on Talley Road.

Dan River Water, Inc. has submitted preliminary plans, prepared by William E. Mitchell, P.E., showing the proposed installation of replacement and new water mains along Talley Road. The engineer's report submitted with the preliminary plans indicates that 2,840 LF of 6-inch diameter water main, as well 815 LF of 2-inch diameter water main is proposed for the Talley Road project. The improvements to their system would allow for the possible addition of 26 existing houses as new customers in the project area.

Mike Lemons, Utility Supervisor for Dan River Water, Inc., is requesting that City Council grant approval for the proposed water main installation so that it can be constructed, in accordance with the water purchase agreement between the City of Eden and Dan River Water, Inc.

The plans are available for review in the Engineering Department, and scanned images have been made for your review.

If you have any questions, please do not hesitate to contact me or Mike Lemons prior to the June City Council meeting.

e) Approval and Adoption of Budget Amendment 14.

After discussing the Grogan Park construction project with the auditor, it has been recommended that we set up a capital project fund to account for the donations and expenditures. This recommendation was based on the fact that the project will not be completed by June 30, 2015 and this is also better way to show how the

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funds were received and expended. The attached budget amendment creates a Capital Project fund for the Grogan Park.

	Account #	From	To	Amount
General Fund				
Revenues				
Grogan Park Donations	10-3350-00900	\$ 50,000.00	\$ -	\$ (50,000.00)
Fund Balance Approp - Grogan Park	10-3991-99500	\$ 200,000.00	\$ -	\$ (200,000.00)
				<u>\$ (250,000.00)</u>
General Fund				
Expenditures				
Recreation C/O Land Improvements	10-6120-52000	\$ 290,000.00	\$ 40,000.00	<u>\$ (250,000.00)</u>
Grogan Park Fund				
Revenues				
Grogan Park Donations	20-3350-00900	\$ -	\$ 50,000.00	\$ 50,000.00
Fund Balance Approp - Grogan Park	20-3991-99500	\$ -	\$ 200,000.00	\$ 200,000.00
				<u>\$ 250,000.00</u>
Grogan Park Fund				
Expenditures				
C/O Land Improvements	20-6120-52000	\$ -	\$ 250,000.00	<u>\$ 250,000.00</u>

To set up new capital projects fund and allocate donations for the Grogan Park.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

f) Approval and Adoption of Budget Amendment 15

When the City purchases vehicles with installment purchases, it is required to show the loan proceeds as revenue and the payment to the vendor as an expenditure in the financial statements. The attached amendment increases the Water & Sewer Fund revenue line item "loan proceeds" and also increases the W/S Maint Capital Outlay – Vehicles for the purchase of a service truck.

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	Account #	From	To	Amount
Water & Sewer Fund Revenues				
Loan Proceeds	30-3850-86000	\$ -	\$ 43,800.00	<u>\$ 43,800.00</u>
Water & Sewer Fund Expenditures				
W/S Maint C/O Vehicles	30-7125-55000	\$ -	\$ 43,800.00	<u>\$ 43,800.00</u>

Appropriates loan proceeds for C&D service truck.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

g) Approval and Adoption of Budget Amendment 16.

The attached budget amendment appropriates the Occupancy Tax Fund Balance for additional advertising expenses and grants approved by the tourism board that were not originally budgeted.

	Account #	From	To	Amount
General Fund Revenues				
Fund Bal Approp - Occupancy Tax	10-3991-99400	\$ -	\$ 8,000.00	<u>\$ 8,000.00</u>
General Fund Expenditures				
Occupancy Tax Expenditures	10-4135-83000	\$ 41,800.00	\$ 49,800.00	<u>\$ 8,000.00</u>

Appropriate Occupancy Tax fund balance for additional advertising expenses and grant approvals by Tourism Board.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

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h) Approval and Adoption of Budget Amendment 17.

The attached budget amendment transfers money from the drug forfeiture account to the General Fund to cover expenditures in the drug forfeiture line items. Below is a breakdown of each line item and the specific expenditures.

Training & Travel \$ 1,300

	Account #	From	To	Amount
General Fund Revenues				
Police Fed/State Drug Forfeiture	10-3431-41900	\$ 9,500.00	\$ 10,800.00	<u>\$ 1,300.00</u>
General Fund Expenditures				
Police Training/Travel Drug Forfeiture	10-4310-39501	\$ 1,600.00	\$ 2,900.00	<u>\$ 1,300.00</u>

Transferring money from the Federal Forfeiture bank account to the General Fund.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

i) Approval and Adoption of Budget Amendment 18.

The attached budget amendment allocates proceeds from a Governor’s Crime Commission grant. The grant is for the purchase of interview audio and video equipment for the police department. This amendment increases the Police Grant and Police C/O Equipment Depreciable line items.

	Account #	From	To	Amount
General Fund Revenues				
Police Grant - Governor's Crime Comm	10-3431-72000	\$ -	\$ 9,500.00	<u>\$ 9,500.00</u>
General Fund Expenditures				
Police C/O Equipment Depreciable	10-4310-57000	\$ 9,800.00	\$ 19,300.00	<u>\$ 9,500.00</u>

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To allocate Governor’s Crime Commission Grant proceeds for the Police Department.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

j) Approval and Adoption of Budget Amendment 19.

The attached budget amendment allocates grant proceeds for the SGRTEX Building Reuse Grant from the NC Department of Commerce. This grant is completely funded by the North Carolina Department of Commerce.

	Account #	From	To	Amount
Building Reuse Grant Fund Revenues				
NC Dept of Commerce - SGRTEX	22-3329-35000	\$ -	\$ 750,000.00	<u>\$ 750,000.00</u>
Building Reuse Grant Fund Expenditures				
Building Reuse Grant Exp - SGRTEX	22-4135-50000	\$ -	\$ 750,000.00	<u>\$ 750,000.00</u>

To allocate grant proceeds for SGRTEX Building Reuse Grant.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

k) Approval and Adoption of Budget Amendment 20.

Since the consolidation of the 911 services with Rockingham County is now complete, we are required by the NC 911 board to send our remaining 911 funds to Rockingham County. The attached budget amendment appropriates the remaining fund balance in the Emergency Communications fund for the transfer to Rockingham County.

	Account #	From	To	Amount
Emergency Communications Fund Revenues				
Emergency Comm Fund Bal Approp	24-3991-99100	\$ -	\$ 200,000.00	<u>\$ 200,000.00</u>
Emergency Communications Fund Expenditures				
Rockingham County Consolidation	24-4330-59000	\$ -	\$ 200,000.00	<u>\$ 200,000.00</u>

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To close out Emergency Communications fund and transfer fund balance to Rockingham County.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

l) Approval and Adoption of Budget Amendment 21.

When the City purchases vehicles with installment purchases, it is required to show the loan proceeds as revenue and the payment to the vendor as an expenditure in the financial statements. The attached amendment increases the General Fund revenue line item "loan proceeds" and also increases the Solid Waste Department Capital Outlay – Vehicles for the purchase of a knuckle boom truck.

	Account #	From	To	Amount
General Fund Revenues				
Loan Proceeds	10-3850-86000	\$ 547,200.00	\$ 679,400.00	<u>\$ 132,200.00</u>
General Fund Expenditures				
Solid Waste C/O Vehicles	10-4710-55000	\$ 56,600.00	\$ 188,800.00	<u>\$ 132,200.00</u>

Appropriates loan proceeds for Solid Waste knuckleboom truck.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

m) Approval and Adoption of Budget Amendment 22.

The first portion of this budget amendment appropriates Water & Sewer fund balance to cover expenses incurred for the Matrimony Creek Project. This project is being funded by CWSRF loan and principal forgiveness funds; however, we are not allowed to request reimbursements until the construction on the project has begun. Construction has just begun on this project and we will most likely not receive any reimbursements until FY 15-16. This amendment appropriates fund balance to cover these expenses until reimbursements are received.

The second portion of this budget amendment allocates General Fund and Water & Sewer Fund contributions to the Self-Insurance fund. Our estimated expenditures (claims) for the Self-Insurance fund for the year-ending June 30, 2015, will possibly be over budget by \$550,000. The estimates for the remaining claims are based on the year-to-date average amount of claims. It is very hard to estimate claims because there is no way of knowing what will be incurred before year end.

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	Account #	From	To	Amount
Water & Sewer Fund				
Revenues				
CWSRF - Matrimony Creek/Loan	30-3831-49420	\$ 1,178,700.00	\$ 998,700.00	\$ (180,000.00)
CWSRF - Matrimony Creek/Prnc Forg	30-3831-49430	\$ 1,000,000.00	\$ 820,000.00	\$ (180,000.00)
Fund Balance Appropriated	30-3991-99100	\$ 800,000.00	\$1,160,000.00	\$ 360,000.00
				<u>\$ -</u>

To appropriate fund balance for the Matrimony Creek project.

**Self-Insurance Fund
Revenues**

Contribution from GF	15-3839-89010	\$ -	\$ 440,000.00	\$ 440,000.00
Contribution from W/S	15-3839-89030	\$ -	\$ 110,000.00	\$ 110,000.00
				<u>\$ 550,000.00</u>

**Self-Insurance Fund
Expenditures**

Insurance Claims	15-4145-30000	\$ 1,903,200.00	\$2,453,200.00	<u>\$ 550,000.00</u>
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To allocate General Fund and Water & Sewer contributions to the Self-Insurance fund.

Adopted and effective this 16th day of June, 2015.

Attest:

Sheralene Thompson, City Clerk

Wayne Tuggle, Mayor

A motion was made by unanimous consent to approve the Consent Agenda. This motion carried.

ANNOUNCEMENTS:

No announcements at this time.

CLOSED SESSION:

- a. Closed Session according to NCGS 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development

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incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

A motion was made by unanimous consent to approve the Closed Session according to NCGS 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session. All Council Members voted in favor of this motion. This motion carried.

OPEN SESSION:

A motion was made by unanimous consent to return to Open Session. All Council Members voted in favor of this motion. This motion carried.

ADJOURNMENT:

A motion was made by unanimous consent to adjourn. All Council Members voted in favor of this motion. This motion carried.

Respectfully submitted,

Sheralene S. Thompson,
CMC, MMC, NCCMC
City Clerk

ATTEST:

Wayne R. Tuggle, Sr., Mayor