

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, April 17, 2018 at 6:00 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Council Members:	Bernie Moore
	Jim Burnette
	Angela Hampton
	Jerry Epps
	Darryl Carter
	Jerry Ellis
	Sylvia Grogan
City Manager:	Brad Corcoran
City Clerk:	Sheralene Thompson
City Attorney:	Erin Gilley
Deputy City Clerk:	Deanna Hunt
Representatives from Departments:	
News Media:	Justyn Melrose, Rockingham Now
	Roy Sawyers, Rockingham Update

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council meets the third Tuesday of each month at 6:00 p.m. and works from a prepared agenda; however, time would be set aside for business not on the printed agenda.

INVOCATION:

Rev. Lem Hardison, of North Spray Christian Church, gave the invocation followed by the Pledge of Allegiance led by Fire Chief Tommy Underwood.

RECOGNITIONS AND PROCLAMATIONS:

- a. NCADD & MADD Alcohol Awareness Month

Mayor Hall asked Kevin London, leader of the Rockingham County Chapter of MADD, to come forward.

Mr. London said most people in Eden and Rockingham County knew his story that started July 21, 2012. He knew he wanted to make good come from the tragedy. He had been led to raise awareness against alcohol and drugs, especially with teens. At the end of each day, 29 people would not come home because of alcohol-related crashes. Concerning their youth, excessive

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drinking was responsible for the deaths of 4,300 teens each year. In the entrance of the building, there was a display set up featuring the story of father and son David and Trey Doolittle. Mr. London had met Trey’s mother and she had allowed him to share their story through their display. David and Trey were riding their bikes training for a triathlon when they were struck by a drunk driver. They both died. Mr. London said it could happen to anyone and he urged everyone to be aware.

NCADD & MADD ALCOHOL AWARENESS MONTH 2018

WHEREAS, alcohol is the most commonly used addictive substance in the United States; and

WHEREAS, more than 1.6 million young people report driving under the influence of alcohol in the past year; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, drinking by persons under the age of 21 is linked to 189,000 emergency room visits; and

WHEREAS, kids who drink are more likely to be victims of violent crime, to be involved in alcohol-related traffic crashes, and to have serious school-related problems; and

WHEREAS, a supportive family environment is associated with lowered rates of alcohol use for adolescents; and

WHEREAS, kids who have conversations with their parents and learn a lot about the dangers of alcohol and drug use are 50 percent less likely to use alcohol and drugs than those who don’t have such conversations.

THEREFORE, I, Neville Hall now join the National Council on Alcoholism and Drug Dependence, Inc. and Rockingham County MADD and do hereby proclaim that April 2018 is Alcohol Awareness Month in the City of Eden. As Mayor, I also call upon all in the City of Eden to support efforts that will provide early education about alcoholism and addiction and increase support for individuals and families coping with alcoholism.

Presented this 17th day of April, 2018.

Neville Hall
Mayor

ATTEST

Sheralene Thompson
City Clerk

b. Junior Achievement Recognition

Mayor Hall asked Mike Dougherty, Economic Development Director, to come forward.

Mr. Dougherty said the City was recognizing officials and companies participating in the Junior Achievement program in Eden. He recognized Brandy Plouff, of Junior Achievement of the Triad, and the following people: Principal Elizabeth Covell, Central Elementary Schools, and serving with Central were David Stepps, Eden Police Department; Jeremy Phillips, Elite Performance Chiropractic; and Justin Cates, Guilford County Schools; and serving with Draper Elementary School were First National Bank employees Nancy McCollum, Amy Brown, Vickie Washburn, Krystal Luegars and Carlissa Wall.

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**RESOLUTION OF SUPPORT FOR THE JUNIOR ACHIEVEMENT PROGRAM
IN THE ROCKINGHAM COUNTY SCHOOLS**

WHEREAS, the Junior Achievement organization was established in 1919 by forging relationships with local businesses and the schools to improve economic development; and

WHEREAS, Junior Achievement is an invaluable addition to the curriculum of the Rockingham County Schools as the Junior Achievement program seeks to expand upon economic development to also add workforce development and entrepreneurship concepts in the classroom; and

WHEREAS, Junior Achievement is widely respected and valued for providing experiences at an early age to young students that promote the skills, understanding and perspectives needed to succeed in a global economy; and

WHEREAS, those skills learned help our young to become productive contributing members of society because JA believes in the boundless potential of young people; and

WHEREAS, Junior Achievement is so uniquely successful because it partners with local industries to instill in young students financial literacy, work readiness and entrepreneurship;

NOW, THEREFORE, BE IT RESOLVED, that the City of Eden believing in the importance of a strong Junior Achievement program in the Rockingham County Schools, hereby recognizes the efforts of

**EDEN POLICE DEPARTMENT, ELITE PERFORMANCE CHIROPRACTIC, GUILFORD COUNTY SCHOOLS,
HOME TRUST BANK, PROLIANT, VIRGINIA EMPLOYMENT COMMISSION, FIRST NATIONAL BANK,
GILDAN, WGSR-TV, WOODFOREST NATIONAL BANK**

and their employee volunteers to help instill in our young students the values and concepts that will not only make them better suited to go out into the workforce upon graduation but also to help make the City of Eden and Rockingham County a place ideally primed for economic development.

Presented this 17th day of April, 2018.

Neville Hall
Mayor

ATTEST

Sheralene Thompson
City Clerk

SET MEETING AGENDA:

Mayor Hall said that Item 10f was requested to be removed by staff. Item 12f was moved from the Consent Agenda to New Business under Item 10h. A motion was made by Council Member Ellis to set the meeting agenda. Council Member Carter seconded the motion. All members voted in favor of the motion.

PUBLIC HEARINGS:

- a. (1) Consideration of a zoning map amendment request and adoption of an Ordinance to rezone 405 Church Street from Industrial-1 to PUD-Mixed Use. ZONING CASE Z-18-02.

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- (2) Consideration of a Resolution adopting a statement of consistency regarding the rezoning of 405 Church Street from Industrial-1 to PUD-Mixed Use.

Mayor Hall declared the public hearing open and called Kelly Stultz, Planning and Inspections Director, to come forward.

Ms. Stultz said Mr. Khan purchased the Spray Cotton Mill Complex with the exclusion of the mercantile building. He planned to do all kinds of uses there, like a restaurant and a pub. Before permits were issued or anything actually happened, a final development plan would have to be brought back for the Council to approve based on the first phase of development. Mixed use PUD was designed to provide flexibility for development; greater freedom for developers to submit plans that used a creative approach to land use and adaptive reuse of historic properties, an efficient use of land and existing utilities and infrastructure which reduced environmental impact and development costs; simplification of the procedures for obtaining approval of proposed development through timely review of proposed land use, site plan, public needs and other relevant factors. Staff recommended in favor of the request with the following exceptions: no new development should occur and no permits should be issued until a final development plan was approved subject to all regulations of the PUD-MU district; provisions should be met in order to protect the natural environment and character of the area; provisions for on-site parking should be met subject to the regulations of the PUD-MU district; the Articles of Incorporation for the owners' association should be submitted with the Preliminary Development Plan and filed with the Rockingham County Register of Deeds; and the permit-issuing authority must impose other appropriate or more stringent conditions deemed necessary to protect the public health, safety, and general welfare, and the character of the neighborhood. Based upon the character of the area and the potential for mixed-use redevelopment of the property, staff recommended approval of the request.

Council Member Burnette said he noticed properties on either side of the bridge were being rezoned but not the bridge. He asked if that was a concern.

Ms. Stultz said the bridge was part of PUD. There was a public right-of-way that went through there right where the bridge was. There was an easement across the bridge.

As no one wanted to speak in favor or in opposition, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Epps to adopt an Ordinance to rezone 405 Church Street from Industrial-1 to PUD-Mixed Use and to adopt a Resolution issuing a statement of consistency regarding the rezoning of 405 Church Street from Industrial-1 to PUD-Mixed Use. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

April 17, 2018

City of Eden, N.C.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

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

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

BEING all of Parcel F containing 15,987.0 Sq. ft. and all of Parcel J containing 5.608 acres, both as shown on survey entitled "Plat of Survey for Spray Cotton Mills, Leaksville Township, Rockingham County, North Carolina," by C. E. Robertson & Associates and recorded in Map Book 61, Pages 13, 14 & 15, Rockingham County Registry, and as last revised on 10/12/2016 and re-recorded in Map Book 79, Page 62, Rockingham County Registry, to which reference is hereby made for more particularity in description.

TOGETHER WITH and subject to various access easements and pedestrian easements for the properties as shown and described on plats recorded in Map Book 61, Pages 13, 14 & 15, Rockingham County Registry, and on plat recorded in Map Book 79, Page 62, Rockingham County Registry, and in documents recorded in Deed Book 1326, Page 653, Deed Book 1326, Page 668, Deed Book 1424, Page 1746, Deed Book 1424, Page 1754, Deed Book 1448, Page 1157, Deed Book 1530, Page 1030, Deed Book 1530, Page 1033, and Deed Book 1530, Page 1037, Rockingham County Registry.

The above described property being identified by the Rockingham County Tax Department as PIN 7070-15-73-2821 and Parcel Number 177124.

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED
AMENDMENT TO THE CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-18-02 MAP AMENDMENT

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

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

WHEREAS, the City of Eden Planning Board received a request to rezone property at 405 Church Street from I-1 (Industrial-1) to PUD-MU (PUD-Mixed Use);

WHEREAS, On March 27, 2018, the City of Eden Planning Board voted to recommend changes to the Zoning Ordinance as follows:

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To approve the rezoning of property located at 405 Church Street from I-1 to PUD-MU.

STATEMENT OF NEED:

This area contains some of the City’s most historic resources, however most of the buildings and the entire area has been in a state of decline since the closing of the mills. This property is a notable exception, in that the building has been well-preserved and is more susceptible to adaptive reuse due to its condition. Also its location adjacent to the Smith River makes it a good candidate for redevelopment and possible revitalization of the area. The PUD-MU district is specifically designed for such uses. This property is located in an area designed as Town Center in the City of Eden Land Development Plan.

STATEMENT OF CONSISTENCY:

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

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

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment not is consistent with the City of Eden Land Development Plan, and why the City Council does not consider the proposed amendment to be reasonable and in the public interest;

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

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

- b. (1) Consideration of a zoning map amendment request and adoption of an Ordinance to rezone 1815 NC 135 and 2401 Harrington Highway from Residential-20 to Business-General. ZONING CASE Z-18-03.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the rezoning of 1815 NC 135 and 2401 Harrington Highway.

Mayor Hall declared the public hearing open and called on Ms. Stultz.

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Ms. Stultz said the request was to rezone approximately 1.65 acres from R-20 to B-G. The R-20 District was established as a district in which the principal use of the land was for single-family residences. It was designed to protect large lot, post WWII traditional development. It was zoned R-20 at the time of the ETJ in 1979. There had been no development pressure in the area except the intersection. The subject parcels were located in an area of mixed residential and commercial uses on the western edge of the city limits. Staff did recommend rezoning the property as did the Planning Board.

Council Member Burnette said with the surrounding area already zoned that way he thought it was a good use of the property.

A motion was made by Council Member Burnette to adopt an Ordinance to rezone 1815 NC 135 and 2401 Harrington Highway from Residential-20 to Business-General and to adopt a Resolution issuing a statement of consistency regarding the rezoning of 1815 NC 135 and 2401 Harrington Highway. Council Member Carter seconded the motion. All members voted in favor of the motion.

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE CITY OF EDEN

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

Section 1 - Change from Residential-20 to Business-General the following parcels:

PARCEL 1:

BEGINNING at a stake on the north edge of the Leaksville-Madison Road (now defined as State Highway No.770); thence North 19 deg. 51' West 400 feet to a stake, the southeast corner of Lot No. 70; thence North 70 deg. 09' West 100 feet to a stake; thence South 16 deg. 38' East with the dividing line of lots 26 and 27, 400 feet to a stake on the north edge of the Leaksville-Madison Road; thence with the north edge of said Leaksville- Madison Road North 70 deg. 09' East 100 feet to a stake, the point of beginning, same being lots Nos. 25 and 26 as per map of J. S. Trogdon, of the re-division of the P. W. Ziglar property as recorded in the office of the Register of Deeds of Rockingham County. Deed Reference: Book 361, page 485 and Book 1432, page 799.

The above described property being commonly known as 1815 NC 135 and identified by the Rockingham County Tax Department as PIN 7969-04-63-3445 and Parcel Number 133467.

PARCEL 2:

BEGINNING at a stake set in the eastern edge of a dirt road, which stake is N. 16 deg. 38' W. approximately 400 feet from where said dirt road intersects with the Leaksville-Madison hard surfaced highway and which beginning point is also a rear corner with Lot No. 31; thence with said dirt road N. 16 deg. 38' W. 100 feet to a stake, a corner between Lots Nos. 71 and 72; thence with the dividing line between Lots 71 and 72, and parallel with the Leaksville-Madison hard surfaced highway N. 70 deg. 09' E. approximately 325 ft. to a stake, a rear corner between Lots 71 and 72; thence with the dividing line between Lots No. 24 and the rear line of Lots 70 and 71, 100 feet to a stake, a corner of Lot No. 25; thence parallel with the Leaksville-Madison hard surfaced highway S. 70 deg. 09' West 327. 5 feet to a stake set in the edge of the dirt road, the point of beginning and being Lots Nos. 70 and 71, as per map of the P. W. Ziglar property dated July 16, 1937, and revised July 7, 1945, by J. S. Trogdon, Eng., which map is recorded in map book 3, page 53, and to which reference is hereby made.

The above described property being commonly known as 2401 Harrington Hwy and identified by the Rockingham

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County Tax Department as PIN 7969-04-63-1634 and Parcel Number 133463.

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING
A PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE CASE
NUMBER Z-18-03 MAP AMENDMENT

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

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

WHEREAS, the City of Eden Planning Board received a request to rezone property at 1815 NC 135 and 2401 Harrington Highway from R-20 to BG;

WHEREAS, On March 27, 2018, the City of Eden Planning Board voted to recommend changes to the Zoning Ordinance as follows:

To rezone property located at 1815 NC 135 and 2401 Harrington Highway from R-20 to BG.

STATEMENT OF NEED:

It is unlikely that any residential development pressure would occur in this area, as the immediate location is more suited for commercial uses due to its location at the intersection of two major traffic arteries. Due to the existing commercial uses in the area, and the proximity of two major roads, staff is of the opinion that these properties are more suited for commercial uses, and the BG designation would be appropriate. This area is designated as a Town Center in the City of Eden Land Development Plan.

STATEMENT OF CONSISTENCY:

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

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden’s community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.

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E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment not is consistent with the City of Eden Land Development Plan, and why the City Council does not consider the proposed amendment to be reasonable and in the public interest;

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

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
 BY: _____
 Neville A. Hall, Mayor

Attest: _____
 Sheralene Thompson
 City Clerk

- c. (1) Consideration of a request to amend Chapter 2, Article III of the Eden City Code to add Division 9 – Strategic Planning Commission. CITY CODE AMENDMENT CCA-18-01.

Mayor Hall declared the public hearing open and called on Ms. Stultz.

Ms. Stultz said there had been a lot of focus on strategic planning and the Council had adopted a plan. Now that it had been a year, she and the Planning Board agreed the committee should be created officially and a regular part of their planning organization just like the other boards and commissions. She requested that the Council name the group the Strategic Planning Commission. They would have attendance policies, rules and procedures and function under the same auspices as the rest of the boards and commissions. She thought it was extremely important that they have the same permanence and legitimacy as the others.

Mayor Hall agreed. They had already completed many of their goals. It was time to make it part of the ordinance.

Council Member Ellis asked how many people were on the steering committee.

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Ms. Stultz said 12. She said they would have some people who would not want to continue to serve. She expected their next meeting to be the first week in May.

Council Member Grogan said it gave importance and continuity to the Strategic Plan.

Ms. Stultz said they had learned that type of planning was vital to their community and this could be a part of the Council’s legacy.

Council Member Hampton asked what day the next meeting would be in May.

Ms. Stultz said it had not been set yet. They had to contact the existing membership and make sure they could get there.

As no one wanted to speak in favor or in opposition, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Ellis to amend Chapter 2, Article III of the Eden City Code to add Division 9 – Strategic Planning Commission. Council Member Hampton seconded the motion. All members voted in favor of the motion.

AN ORDINANCE AMENDING THE
CITY CODE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a 4public hearing and the holding of a public hearing relative thereto, Chapter 2, Article III, of the Eden City Code is hereby amended to add the following Division 9 Strategic Planning Commission:

DIVISION 9 STRATEGIC PLANNING COMMISSION

§ 2-148. Created.

The City of Eden Strategic Planning Commission is hereby created pursuant to Chapter 160A-361 of the N.C. Gen. Statutes and the provisions of this ordinance.

§ 2-149. Membership and vacancies.

The Strategic Planning Commission shall consist of 12 members. Members shall be citizens and residents of the City of Eden, its ETJ, local business owners or shall be persons with expertise deemed to be appropriate for inclusion on the Commission. The members shall be appointed for terms of three (3) years, with the exception of the initial members. Four (4) of the initial members shall be appointed for a term of one (1) year; four (4) for two (2) years; and four (4) for three (3) years. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term. Members may be re-appointed. The Strategic Planning Commission shall make recommendations to the City Council for members either to fill unexpired terms or new members.

§ 2-150. Absence and attendance.

It shall be the duty of all Strategic Planning Commission members to inform the administrative assistant of the board of any anticipated absence and notification shall be immediately after receipt of the agenda. A member who misses three (3) consecutive regular meetings or more than 30% of the meetings in a calendar year loses his status as a

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member of the Commission until reappointed or replaced by the governing body of his respective unit after the receipt of a recommendation from the Strategic Planning Commission.

§ 2-151. Rules of Conduct for Members.

Members of the Strategic Planning Commission may be removed for cause by the City Council, including violation of the rules stated below.

(1) Faithful attendance at all Commission meetings and conscientious performance of the duties required of Commission members shall be considered a prerequisite of continuing membership on the Commission.

(2) Each member of the Commission shall be familiar with all statutes, laws, ordinances and rules of procedure relating to the Commission as time and circumstances permit.

(3) It shall be the duty of every Commission member to avoid even the appearance of conflict of interest. Therefore, no member shall vote on, discuss, debate, advocate, influence, or otherwise participate before the Commission in any matter that would substantially affect, directly or indirectly, his or her personal financial interests or the financial interests of a member of his household. This prohibition includes formal or informal consideration of the matter by the Commission, whether conducted in public or private. This provision does not prohibit participation in advisory decisions that will have a similar effect on all citizens of the Eden planning area or in which the financial interest is so insignificant or remote that it is unlikely to affect the member's official action in any way. In applying this rule, the following procedure shall govern:

(a) A member who has a conflict of interest shall disqualify himself and withdraw from participation in the matter. The member shall not sit with the Commission during the consideration and discussion of that matter.

(b) Withdrawal from participation in any matter is necessary only in those specific cases in which a conflict arises. There shall be no attempt to exclude entire categories of consideration because of the business or profession with which a member is associated.

(c) Any Commission member may seek an opinion from the City Attorney as to the applicability of this section to a particular decision or set of facts. The response to such a request shall be made to the member making the request, and a copy shall be provided to the chairman of the Commission. By majority vote, the Commission may seek the opinion of the City Attorney as to the applicability of this section to a particular decision or set of facts.

(d) If an opinion is received from the City Attorney that a member has an impermissible conflict of interest pursuant to a particular decision or set of facts and the member does not disqualify himself or herself, the commission may, by majority vote (not considering the vote of the member with the alleged conflict) disqualify that member from all participation in the matter involved.

(4) Members of the Commission shall not commit themselves on any question scheduled to be considered by the Commission prior to the consideration of the matter at a duly authorized meeting. Members shall use discretion in discussing with individuals scheduled agenda items which are later to be voted on by the Commission.

§ 2-152. Organization, rules, meetings and records.

The Strategic Planning Commission shall elect a chair and create and fill such offices as it may determine. The term of the chair and other officers shall be one (1) year, with eligibility for reelection. The Planning and Inspections Director or his designated appointee shall act as the administrative assistant to the Commission, and subject to the direction of the chair, shall be responsible for taking minutes of all meetings, conducting all correspondence of the Commission, supervising all clerical work of the Commission, maintaining a file of all studies, plans, reports, recommendations and actions of the Commission, as well as, providing other technical and professional assistance to the Commission. The administrative assistant shall not be eligible to vote on any matter. The Commission shall adopt

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rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings and recommendations, which shall be a public record. The Strategic Planning Commission shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with its duties. All meetings shall be open to the public. A majority of the members, excluding vacant positions, shall constitute a quorum.

§ 2-153. General powers and duties.

It shall be the duty of the Strategic Planning Commission, in general:

- (1) To acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;
- (2) To identify needs and problems growing out of those needs;
- (3) To prepare and, from time to time, amend and revise a strategic and coordinated plan for the physical, social, and economic development of the area;
- (4) To prepare and recommend to the City Council projects, ordinances, initiatives and programs along lines indicated in the Strategic Plan and advise it concerning these issues;
- (5) To keep the City Council and the general public informed and advised as to these matters;
- (6) To monitor the progress and success of the Strategic Plan and to inform the City Council and the Citizens of the City of Eden Planning Jurisdiction; and
- (7) To perform any other duties that may lawfully be assigned to it.

§ 2-154. Basic studies.

As background for its Strategic Plan and any ordinances it may prepare, the Strategic Planning Commission may gather maps and aerial photographs of physical features of the area; statistics on past trends and present conditions with respect to population, property values, the economic base of the area, and land use; and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.

In addition, the Strategic Planning Commission may make, cause to be made, or obtain special studies on the location, the condition, and the adequacy of public facilities.

All city officials shall, upon request, furnish to the Strategic Planning Commission such available records or information as it may require in its work. The Commission or its agents may, in the performance of its official duties, enter upon lands and make examinations of surveys and maintain necessary monuments thereon.

§ 2-155. Annual report, budget request, receipt and expenditure of funds.

The Strategic Planning Commission shall, in February of each year, submit in writing to the City Council a report of its activities, an analysis of its expenditures to date for the current fiscal year, and its requested budget of funds needed for operation during the ensuing fiscal year. All accounts and funds of the Strategic Planning Commission shall be administered substantially in accordance with the requirements of the Local Government Fiscal Control Act all as shown in Article 3, Chapter 159, Section 7 of the N.C. General Statutes.

The Strategic Planning Commission is authorized to receive contributions from private agencies, organizations and individuals, in addition to any funds that may be appropriated for its use by the City Council. It may accept and disburse such contributions for special purposes or projects, subject to any specified conditions that it deems acceptable, whether or not such projects are included in the approved budget.

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§ 2-156. Special committees.

The Strategic Planning Commission may from time to time establish special committees to assist it in studying specific questions and problems. The membership of such committees shall not be limited to commission members. The Commission shall not delegate to any such committee its official powers and duties.

§ 2-157. Reserved.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

REQUESTS AND PETITIONS OF CITIZENS:

Melissa Galloway, 205 N. Main Street, Eden, was there to give a Home of Refuge Outreach report where they tried year-round services. They went from December 2016 to November 2017. They housed 137 people, 37 were children ranging in age from 2-16. They had been averaging 21-27 people each day at the shelter. She thanked the Council for allowing them to use the shelter. During the 8 years they had been at that facility, they had housed between 255-300 people. They did run into funding issues to keep the shelter going. They spent about \$11,000 during the year. A lot was spent transporting people to appointments. Another issue was hosting. Everyone was a volunteer so finding overnight hosts was difficult. She did just want to thank the Council for what they had done to help Home of Refuge Outreach.

Mayor Hall said the Council owed Ms. Galloway and her organization a thank you for what they did. It was a hard job. They appreciated her and the volunteers who were there and spent the night and did the difficult work. He thanked Ms. Galloway for attending.

UNFINISHED BUSINESS:

- a. Consideration of the Certificate of Sufficiency by the City Clerk and adoption of a Resolution calling for a public hearing on the annexation petition of property located at 343 Wilshire Drive. A-18-01.

Mayor Hall asked Ms. Stultz to come forward.

Ms. Stultz said when the former Northridge was changed to Summit Place, that was submitted for voluntary annexation. At that time there were a few lots that had been sold prior to the developer bringing it all in. There were two properties on the agenda and once they were done, there were two left. This was a voluntary petition and she was requesting a public hearing be called in May. The Draper Rural Volunteer Fire Department had been contacted about debt they had and once annexed, the City would be required to pay them \$14.85 for five years.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

Council Member Burnette asked if the City was making payments on previous properties they had annexed.

Ms. Stultz said only if the City had submitted information and there had been debt and there had not been.

A motion was made by Council Member Epps to adopt a Resolution calling for a public hearing on the annexation petition of property located at 343 Wilshire Drive. Council Member Carter seconded the motion. All members voted in favor of the motion.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a Petition requesting annexation of the contiguous areas described herein have been received; and

WHEREAS, the Eden City Council has by resolution directed the City Clerk to investigate the sufficiency of the Petition at their meeting on March 20, 2018; and

WHEREAS, certification by the City Clerk of the City of Eden as to the sufficiency of the Petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eden, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held in the Eden City Hall in the City Council Chamber at 6:00 P.M. on May 15, 2018.

Section 2. The area proposed for annexation is described as follows:

Being all of Lot 11, Section A, Phase One, Northridge Mobile Home Subdivision, as recorded in Map Book 22, page 10, Rockingham County Registry, to which plat reference is hereby made for a more complete description.

Section 3. Notice of the public hearing shall be published in the Rockingham Now, a newspaper having general circulation in the City of Eden, at least ten (10) days prior to the date of the public hearing.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

NEW BUSINESS:

- a. Request for the City Council to ask the City Clerk to investigate the sufficiency of an annexation petition for property located at 344 Wilshire Drive.

Mayor Hall asked Ms. Stultz to come forward.

Ms. Stultz said this was another case where the lot was outside the city limits. In reviewing different rates, the owner decided to request to be annexed.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

A motion was made by Council Member Carter to adopt a Resolution directing the City Clerk to investigate the sufficiency of an annexation petition for property located at 344 Wilshire Drive. Council Member Ellis seconded the motion. All council members voted in favor of the motion.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER N.C.G.S. 160A-58.1

WHEREAS, a Petition requesting annexation of a lot described in said Petition were received on March 26, 2018, by the City Council of the City of Eden; and

WHEREAS, N.C.G.S. 160A-58.2 provides that the sufficiency of the Petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Eden deems it advisable to proceed in response to these requests for annexation:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eden that:

The City Clerk is hereby directed to investigate the sufficiency of the above described Petition and to certify as soon as possible to the City Council the result of her investigation.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

- b. Community Appearance Commission appointments.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said her department monitored the attendance of their boards and commissions closely. Currently, three members had lost their seats for failure to attend three consecutive meetings: Ann Fair, Pam Adkins and Raven Brown.

Mayor Hall had reached out to Mr. Brown. Mr. Brown would like to stay on the Commission, he had conflicts with a few meetings. He planned to have better attendance in the future. Mayor Hall nominated Mr. Brown to stay on the Commission.

Council Member Burnette nominated Michael Hutchinson, Jr., 612 John Street. Council Member Burnette had spoken with Mr. Hutchinson who said he would like to be a part of the Commission.

Council Member Moore had spoken with Ms. Fair and she currently had a lot of things going on and decided not to stay on the Commission. He had spoken with Bob Whitt and would have a definite answer the next week about Mr. Whitt serving.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

A motion was made by Council Member Hampton to approve Mr. Raven Brown and Mr. Michael Hutchinson, Jr., to serve on the Community Appearance Commission, and to table a nomination by Council Member Moore until the May regular Council meeting. Council Member Moore seconded the motion. All members voted in favor of the motion.

- c. Consideration and approval of a request to award the contract for the Bridge Street Municipal Parking Lot project.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said this was part of the Strategic Plan projects. The bids were received that day and she apologized for the lateness of that. The Council had appropriated \$125,000 for the project. It came in a little high. She requested that the difference, \$14,925, be allocated from the remaining balance in the Strategic Plan funds and that the Council allow the contract to be awarded to the lowest bidder, J.C. Joyce Trucking and Paving. (The other bids were Sam W. Smith, Inc. \$143,500 and Waugh Asphalt, Inc. \$ 143,260.)

Mayor Hall said they did have multiple bids and that was the lowest bid, even though it was higher than what was allocated in the original budget, there was still money left in the Strategic Plan budget from last year. They were also under a time situation.

Council Member Ellis asked what the balance of the remaining funds was.

Ms. Stultz replied it was about \$22,000. In one of their projects, she did not think they would spend as much as they thought because City staff was doing more of the work.

Council Member Burnette said the bids were more than they thought and asked if there was any particular reason why.

Ms. Stultz answered asphalt prices. She said the low bidder was the lowest because they had their own asphalt plant according to Director of Transportation Engineering Tammy Amos. They made the best estimates they could on those kinds of projects.

Mayor Hall said the majority of it was budgeted in the current year's budget which ended in June.

Council Member Burnette asked if that included the striping.

Ms. Stultz said it did not. She hoped they could get that done when Ms. Amos did some striping work in the future.

Council Member Burnette asked if that was an additional cost and Ms. Stultz said it was.

A motion was by Council Member Burnette to award the Bridge Street Municipal Parking Lot Project contract to J.C. Joyce Trucking & Paving and to approve the additional \$14,925 be allocated from the Strategic Plan funds. Council Member Ellis seconded the motion. All members voted in favor of the motion.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

- d. Request to adopt an ordinance for the demolition of a structure at 1254 Irving Avenue under the City of Eden Human Habitation Ordinance.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said this house was a priority. They had learned there was a cost of \$500 to clear asbestos that would have to be taken to the asbestos landfill. Beyond that, the Fire Department would burn the property. She was asking the Council to approve the expenditure for the asbestos and to make the order for the demolition.

Council Member Burnette said he noticed this was the only one that had asbestos. He asked if the others had been checked.

Ms. Stultz said they had one other with a test that came back that day and she would talk to them about that one in a little bit. Chief Codes Inspector Bob Vincent did asbestos testing.

Mayor Hall said he was glad to see the Fire Department burn the buildings. It gave the firefighters training and it saved the City money.

Ms. Stultz said it did. Fire Chief Tommy Underwood was to be commended for working with them on burning. The State would only allow them to burn so many properties, there were many regulations.

Mayor Hall said he knew they burned as many as they could and he was glad this one turned out to be one they could demolish by that means.

A motion was made by Council Member Carter to adopt an ordinance for the demolition of a structure at 1254 Irving Avenue under the City of Eden Human Habitation Ordinance. Council Member Hampton seconded the motion. All members voted in favor of the motion.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF
PROPERTY AT 1254 IRVING AVENUE, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A-443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 1st day of February, 2017, the Director of the Planning and Inspections Department examined the structure owned by John N. Brim, Sylvia B. Battle, Robert R. Brim and Ellis R. Brim at 1254 Irving Avenue, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEING Lots 21 and 22 as per map of S.B. Dameron for the First National Bank in July 1924 showing property of R. L. Moir and described as follows: BEGINNING at an iron stake the southeast corner of Lot 21, said stake being on the north side of Center Church or new soil road; thence North 20° East 90 feet to a branch, iron stake; thence in a northwesterly direction with the meanderings of said branch to a sycamore tree; thence meandering on with said branch in the same direction to the drive shaft at the northeast corner of Lot #23; thence South 20 East 253.40 feet following the division line of Lots 22 and 23 across Irving Street to an iron stake; thence running with the Center Church or new soil road East 200 feet to the BEGINNING. SAVE AND EXCEPT the following which is a

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

portion of the above described premises which was conveyed to J. H. and W.A. Leisure July 27, 1926, and more particularly described as follows: BEGINNING at a point in Allen Leisure's line on the N.W. side of the Kings Mill Road and running with said road in a northeast direction to the branch at the fill of said road; thence down said branch to an iron stake in Allen Leisure's line; thence with Allen Leisure's line to the POINT OF BEGINNING. For title reference see Deed Book 292, page 627 and Deed Book 921, page 2058.

The above described property being more commonly known as 1254 Irving Avenue, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7060-20-90- 8780-00.

WHEREAS, on the 2nd day of February, 2017, the Director caused to be issued a Complaint and Notice of Hearing for the 2nd day of March, 2017, which was served on the property owners by publishing in the Greensboro New and Record on the 15th and 22nd day of February, 2017; on John N. Brim and Ellis R. Brim by certified mail, return receipt requested on the 3rd day of February, 2017; on Sylvia B. Battle by certified mail, return receipt requested on the 7th day of February, 2017; by first class mail to the address listed with the Rockingham County Tax Department and by posting on the subject property on the 7th day of February, 2017; that the certified mail, return receipt requested, was returned by the U. S. Postal Service marked "unclaimed;" and

WHEREAS, the hearing was held on the 2nd day of March, 2017, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owners by publishing in the Rockingham Now on the 24th day of May, 2017, by certified mail, return receipt requested, and first class mail to the address listed with the Rockingham County Tax Department and a copy of the Order was posted on the subject property on the 23rd day of May, 2017; that the certified mail, return receipt requested, addressed to Ellis R. Brim was received on the 19th day of May, 2017; that the certified mail, return receipt requested, addressed to John N. Brim was returned by the U.S. Postal Service marked "Deceased;" and that the certified mail, return receipt requested, addressed to Sylvia B. Battle was returned by the U.S. Postal Service marked "Unclaimed;" and

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 16th day of June, 2015, when a previous action for violation of the Human Habitation Standards set out in Article IV of Chapter 4 of the Eden City Code had been initiated on the property; and

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

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

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

IT IS FURTHER ORDERED that a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina, and indexed in the name of John N. Brim, Sylvia B. Battle, Robert R. Brim and Ellis R. Brim in the Grantor and Grantee index.

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

- e. Request to adopt an ordinance for the demolition of a structure at 1238 Irving Avenue under the City of Eden Human Habitation Ordinance.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the low bidder at \$2,900 was Kenny Frith Grading and he was local (the other bids were Sam W. Smith, Inc. \$ 4,000; J. W. Saunders Construction \$ 4,500; and Rabco, Inc. \$ 3,890). The house could not be burned.

Council Member Burnette said the owners were invited to the hearing and sometimes they came and sometimes they did not.

Ms. Stultz said most of the time they did not.

Council Member Burnette said when they did come, they were given a final deadline for compliance and usually a lot more time than that.

Ms. Stultz said often with a property like this, it got in this shape because of lack of funds for upkeep or there were many heirs and they could not agree how to pay. They had been reading a lot about abandoned properties and their economic impact on communities. For the neighborhood's and community's sake, this property needed to come down.

Council Member Ellis asked how long they had been working on the property.

Ms. Stultz said they had mowed it for years and finally been paid for that.

Mayor Hall said it may just be a business decision for the property owner, letting the City handle the demolition instead of him paying for it up front. Hopefully the City could recoup the funds.

A motion was made by Council Member Epps to adopt an ordinance for the demolition of a structure at 1238 Irving Avenue under the City of Eden Human Habitation Ordinance and to award the bid to Kenny Frith Grading. Council Member Moore seconded the motion. All members voted in favor of the motion.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF PROPERTY AT
1238 IRVING AVENUE, EDEN, NORTH CAROLINA

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A- 443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 1st day of February, 2017, the Director of the Planning and Inspections Department examined the structure owned by R. Martin Melvin and wife, Doris Melvin, at 1238 Irving Avenue, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at an iron set in the Southern edge of Irving Avenue, said beginning point being a corner with Lot No. 2, owned by Annie Smith and running thence with the dividing line between said Lot No. 2 and Lot No. 3, South 12 degrees 08' East 91.49 feet to an iron a rear corner between Lots No. 2 and No. 3; thence continuing South 12 degrees 08' East 19 feet to a stake set in the branch; thence and with the run of said branch South 62 degrees 07' East 44.46 feet to an iron, a rear corner between Lots 3 and 4; thence with the dividing line between Lots 3 and 4, North 3 degrees 27' East 5 feet to an iron; thence continuing with the dividing line between Lots 3 and 4, North 3 degrees 27' East 137.37 plus feet to an iron set in the Southern edge of Irving Avenue a front corner between Lots 3 and 4; thence with the Southern edges of Irving Avenue, South 77 degrees 52' West 70 feet to an iron, the POINT OF BEGINNING and containing 6,55 sq. ft. more or less and being Lot No. 3, as per map showing property of subdivision of John Adams, by W. T. Combs, C.E. dated September 4, 1953, to which map reference is hereby made. See Book 367, page 178; Book 396, page 382; and Book 425, page 245, page 249. Also see Book 481, page 171 and Book 661, page 969.

The above described property being more commonly known as 1238 Irving Avenue, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-17-00-1707.

WHEREAS, on the 2nd day of February, 2017, the Director caused to be issued a Complaint and Notice of Hearing for the 23rd day of February, 2017, which was served on the property owners by certified mail, return receipt requested on the 6th day of February, 2017, by first class mail and by posting on the subject property on the 7th day of February, 2017; and

WHEREAS, the hearing was held on the 23rd day of February, 2017, and the Director subsequently issued an Order to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owners by certified mail, return receipt requested, on the 11th day of March, 2017, by first class mail and by posting on the subject property on the 14th day of March, 2017; and

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 7th day of April, 2017; and

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

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

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

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

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

April 17, 2018

City of Eden, N.C.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

At this time, City Council realized a mistake had been made when item 10f was removed from the agenda. A motion was made by Council Member Burnette to reinstate 10f and remove 10h. Council Member Ellis seconded the motion. All members voted in favor of the motion.

- f. Request to adopt an ordinance for the demolition of a structure at 910 First Street under the City of Eden Human Habitation Ordinance.

Mayor Hall called on Ms. Stultz.

Ms. Stultz said the lowest bidder did not submit any funds for asbestos removal so his bid could not be considered. Staff recommended J.W. Saunders Construction, whose bid was \$14,639.

A motion was made by Council Member Ellis to adopt an ordinance for the demolition of a structure at 910 First Street under the City of Eden Human Habitation Ordinance and to award the bid to J.W. Saunders Construction. Council Member Carter seconded the motion. All members voted in favor of the motion.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF
PROPERTY AT 910 FIRST STREET, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A- 443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 15th day of August, 2017, the Director of the Planning and Inspections Department examined the structure owned by Jill L. Owen at 910 First Street, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING on the South side of First Street and running thence South 3° 15' West 200 feet to a stake in W.D. Stock's line; thence with Stock's line North 86° 30' West 100 feet to a stake; thence North 3° 15' East 200 feet to a stake on First Street; thence with First Street South 86° 30' East 100 feet to the Place of Beginning; the same being Lots Nos.16 and 17 as per map made by E. M. Eutsler, Civil Engineer, showing Subdivision of Section 1, as per map made by W. Robert Kelley, August 1909, and being the same tract or piece of land which J. W. Leach and wife, Maybud C. Leach, conveyed to Leaksville-Spray Insurance & Realty Company by deed dated 24th day of January, 1920, and recorded in the Register of Deeds office of Rockingham County in Book 208 at Page 234.

See Deeds recorded in the office of the Register of Deeds of Rockingham County in Book 205 at Page 68, Book 366 at Page 26, and Book 651 at Page 101. Also see deed in Book 655 at Page 607.

The above described property being more commonly known as 910 First Street, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-18-22-5474.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

WHEREAS, on the 15th day of August, 2017, the Director caused to be issued a Complaint and Notice of Hearing for the 6th day of September, 2017, which was served on the property owner by certified mail, return receipt requested, by first class mail and by posting on the subject property on the 16th day of August, 2017; that the certified mail, return receipt requested, was returned by the U. S. Postal Service marked "Unclaimed;" and

WHEREAS, the property owner, Jill L. Owen, attended the hearing held on the 6th day of September, 2017, and the Director issued an Order to repair, alter, improve or vacate and demolish the property; and

WHEREAS, a copy of the Order was served on the property owner by certified mail, return receipt requested, by first class mail and by posting on the subject property on the 11th day of September, 2017; that the certified mail, return receipt requested was returned by the U. S. Postal Service marked "Unclaimed;" and

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 20th day of September, 2017; and

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

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

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

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

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

- g. Request to adopt an ordinance for the demolition of a structure at 709 Circle Drive under the City of Eden Human Habitation Ordinance.

Ms. Stultz said staff had left a new memo out for Council that changed the deal slightly. The property was moved onto their current list because one that was a higher priority was going to be taken care of by the owner. There were estimates to demolish the property but they had learned the Fire Department could burn it. Estimates for asbestos removal was \$2,800. Before the Fire Department could burn it, they would have to pay someone \$300 to get the debris and junk out of

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

the house for pickup. The Fire Department would not be able to burn the structure until fall, but there was currently funds to take care of the other.

Mayor Hall said as the Council could see, that was a significant savings over the estimates to demolish the property.

Council Member Burnette asked about the cost of the asbestos removal. The house was fairly small.

Ms. Stultz said asbestos was all over, from ceiling to floor.

Council Member Ellis questioned the cost of removing the contents. He asked if there was a community service worker who could handle it.

Ms. Stultz said they currently did not and her staff was too busy.

Council Member Grogan asked if it was just junk.

Ms. Stultz said the former tenants took what they wanted, moved out and left the rest. It was full of stuff.

Council Member Burnette questioned if the property would be a safety hazard still standing until fall.

Ms. Stultz said they would secure the door and property.

A motion was made by Council Member Epps to adopt an ordinance for the demolition of a structure at 709 Circle Drive under the City of Eden Human Habitation Ordinance. Council Member Moore seconded the motion. All members voted in favor of the motion.

AN ORDINANCE AND ORDER FOR THE DEMOLITION OF
PROPERTY AT 709 CIRCLE DRIVE, EDEN, NORTH CAROLINA

THIS ORDINANCE is issued pursuant to the provisions of North Carolina General Statutes §160A-443 and Chapter 4, Article IV of the Eden City Code.

WHEREAS, on the 18th day of July, 2016, the Director of the Planning and Inspections Department examined the structure owned by Carol J. Carter at 709 Circle Drive, Eden, North Carolina and found it to be unfit for human habitation, that said property is more particularly described as follows:

BEGINNING at an iron pipe in the southern line of Circle Drive, said iron being the corner between Lots 1 and 2; thence South 67 deg. 44 min. East 104.85 feet with line of Circle Drive to an iron pipe; thence South 33 deg. 26 min. West 119 feet with line of Lot 3 to an iron pipe; thence North 47 deg. 58 min. West 30 feet with line of Lot 10 to an iron pipe; thence North 4 deg. 24 min. West 119.36 feet with line of Lots 10 and 1 to the POINT OF BEGINNING and is all of Lot 2, Block 4. For further reference see Deed Book 635, page 664 and Deed Book 875, page 2303 in the Office of the Register of Deeds of Rockingham County, N.C.

The above described property being more commonly known as 709 Circle Drive, Eden, North Carolina, and being further identified by the Rockingham County Tax Dept. as PIN 7070-06-48- 7503-00.

April 17, 2018

City of Eden, N.C.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

WHEREAS, on the 22nd day of July, 2016, the Director caused to be issued a Complaint and Notice of Hearing for the 17th day of August, 2016, which was served on the property owner by mailing the same by certified mail, return receipt requested, and first class mail to the address listed with the Rockingham County Tax Department and by posting on the subject property on the 22nd day of July, 2016; that the certified mail, return receipt requested, was returned by the U. S. Postal Service marked "unclaimed;" and

WHEREAS, the hearing was held on the 17th day of August, 2016, and the Director subsequently issued an Order to repair, alter, improve or vacate and close the deteriorated structure; and

WHEREAS, a copy of the Order was served on the property owner by mailing the same by certified mail, return receipt requested, and first class mail to the address listed with the Rockingham County Tax Department and a copy of the Order was posted on the subject property on the 19th day of August, 2016; that the certified mail, return receipt requested, was returned by the U. S. Postal Service marked "unclaimed;" and

WHEREAS, the Director caused a Notice of Lis Pendens to be filed in the Office of the Clerk of Superior Court for Rockingham County, North Carolina, on the 16th day of September, 2016; and

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

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

WHEREAS, more than a year has passed since the Order to repair or vacate was issued; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status will be inimical to the health, safety, morals and welfare of the municipality in that the dwelling will continue to deteriorate, will create a fire and safety hazard, will be a threat to children and vagrants, will attract persons intent on criminal activities, will cause or contribute to blight and the deterioration of property values in the area, and will render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State.

IT IS FURTHER ORDERED that it has been determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling.

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

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

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

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

Attest: _____
Sheralene Thompson
City Clerk

- h. Request to adopt an ordinance for the demolition of a structure at 1009 Galloway Street under the City of Eden Human Habitation Ordinance. *This item was pulled.*

Consideration of an amendment to City Code Chapter 3, Animal Control Ordinance.

This item was moved from the Consent Agenda, 12f.

Mayor Hall called on Capt. John Edwards from the Police Department.

Council Member Burnette said in the past, some concerned citizens had come before the Council about animal cruelty ordinances and such. In response, Capt. Edwards and City Clerk Sheralene Thompson had done research and put together recommendations. He wanted to recognize them for the work they had put into this ordinance.

Mayor Hall thanked Council Member Burnette for pointing that out. That was the reason he had asked Capt. Edwards to come up and expand on what had been accomplished since the speakers had addressed the Council about the animal concerns a few months before.

Capt. Edwards said at the Feb. 20 meeting, there were some speakers who addressed Council about concerns regarding animal control and animal ordinances. He and Ms. Thompson had spoken together before about amending some things in the animal ordinance. A couple of Council Members had also suggested reviewing the animal ordinance and making changes. Ms. Thompson by far did most of the work. He and Ms. Thompson looked at ordinances of the communities around them, such as Reidsville and the county so that Eden would be more consistent with the surrounding area. They made some changes and had City Attorney Erin Gilley review those. The final version they recommended was before the Council.

Mayor Hall thought they had done a good job making it more suitable for the safety of the animals. Things continued to evolve as they found things they needed to fix but this was a great step in the right direction and he did appreciate them working on it and compiling it. The enforcement of it was going to depend a lot on neighbors and citizens. If anyone saw a dog they thought was being treated cruelly, they needed to call Animal Control. The City did not have resources to go around and check backyards. If someone knew something was wrong, they needed to say something.

Capt. Edwards said the Animal Control Officer was by far the most called on officer in the department.

Mayor Hall said if anyone saw an issue, they needed to reach out and understand that Animal Control would get to it as quickly as possible.

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Council Member Carter asked about 3.4 prohibiting keeping pigs. He wanted to know how that affected keeping miniature pigs in the house as pets.

Capt. Edwards said that section had not been changed. Those animals were still classified as pigs and were not allowed in the city limits.

A motion was made by Council Member Burnette to amend the City Code, Chapter 3 - Animal Control Ordinance. Council Member Moore seconded the motion. All members voted in favor of the motion.

AN ORDINANCE AMENDING
THE CITY CODE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that Article I and Article II, Division 1 of Chapter 3 of the Eden City Code is amended as follows:

ARTICLE I: IN GENERAL

Section

- 3-1 Running at large prohibited
- 3-2 Animal fights prohibited
- 3-3 Keeping animals generally
- 3-4 Keeping hogs or pigs prohibited
- 3-5 Sanitary enclosures; abatement of nuisance
- 3-6 Removal of dead animals
- 3-7 Compliance with rabies law
- 3-8 Cruel Treatment

Statutory reference:

Municipal regulation of animals, see G.S. §§ 160A-182, 160A-186 et seq.

§ 3-1 RUNNING AT LARGE PROHIBITED.

It shall be unlawful for any person to permit any animal or fowl under his control to run at large in the city except as permitted elsewhere in this chapter.
(’89 Code, § 3-1) Penalty, see § 3-91 *et seq.*

§ 3-2 ANIMAL FIGHTS PROHIBITED.

(A) It shall be unlawful for any person to incite or cause any animal to fight.

(B) It shall be unlawful for any person to commit any of the acts made unlawful by the provisions of G.S. §§ 14-362 and 14-362.1 or to commit any other act made unlawful by any other state law relating to animal fighting or baiting. The repeal of such state law or laws shall have no effect upon this section and the acts made unlawful by this section shall, in the event of such repeal, be those referred to in such law immediately prior to such repeal.
(’89 Code, § 3-2) Penalty, see § 3-91 *et seq.*

Statutory reference:

Animal fighting or baiting prohibited, see G.S. §§ 14-362, 14-362.1

§ 3-3 KEEPING ANIMALS GENERALLY.

(A) *Roosters.*

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(1) The City Council finds that the noise and disturbance associated with the keeping of roosters by individuals, corporations or entities within the City’s corporate limits constitutes a nuisance.

(2) No person, corporation or entity may cause, suffer or permit roosters to be kept on any property situated within the corporate limits of the City.
(’89 Code, § 3-3) (Am. Ord. passed 4-21-09) Penalty, see § 3-91 *et seq.*

(B) *Chickens.*

(1) It shall be unlawful for any person to keep more than twenty (20) female chickens within the corporate limits of the City.

(2) Female chickens must be kept a minimum of one hundred (100) feet from the dwelling house of another person.

(3) All chicken houses and lots must be maintained in a clean and sanitary condition at all times.

(4) It shall be unlawful to raise female chickens for commercial purposes within the corporate limits of the City.

(’89 Code, § 3-3) (Am. Ord. passed 4-21-09) Penalty, see § 3-91 *et seq.*

(C) *Other Animals.*

It shall be unlawful for any person to confine, tie, stake out, keep or allow any cow, horse, goat, sheep or any other animal or fowl not mentioned in paragraphs (A) and (B) above to be kept or to remain on his premises closer than 100 feet from the dwelling house of another person, provided this section shall not apply to a dog or cat confined within the fenced yard of its owner if the fence is located adjacent to three of the outside boundaries of the owner’s yard and the fenced-in area is equal to one-half the minimum required lot area for the permitted use of the property according to the zoning ordinances of the city. (’89 Code, § 3-3) (Am. Ord. passed 4-21-09) Penalty, see § 3-91 *et seq.*

§ 3-4 KEEPING HOGS OR PIGS PROHIBITED.

It shall be unlawful for any person to maintain, keep or raise any hog or pig within the corporate limits.
(’89 Code, § 3-4) Penalty, see § 3-91 *et seq.*

§ 3-5 SANITARY ENCLOSURES; ABATEMENT OF NUISANCE.

(A) Pens, coops and other enclosures where animals or fowl are fed or kept shall be maintained at all times in a clean and sanitary condition so as not to constitute a public nuisance or give offense to persons in the vicinity. Waste shall not be permitted to accumulate but shall be removed and disposed of in a sanitary and lawful manner.

(B) Upon complaint or of his own volition, the City Manager may cause an investigation to be made of any pen, coop or other enclosure where animals or fowl are kept or fed. If during the investigation it appears there is a violation of subsection (A), the investigating official shall direct the responsible person to take necessary action to abate the nuisance within a reasonable time.

(’89 Code, § 3-5) Penalty, see § 3-91 *et seq.*

§ 3-6 REMOVAL OF DEAD ANIMALS.

Dead dogs, cats and smaller animals will be removed from any public way or public property by the city upon notice to the Police Department of the existence of such dead animal. Large animals such as horses, ponies, cows, etc., shall be immediately and properly disposed of by the owner. Any dead animal or fowl on private property shall be immediately and properly disposed of by the property owner and it shall be unlawful for any person to allow a dead animal to remain on any premises in his legal possession or under his control.

(’89 Code, § 3-6) Penalty, see § 3-91 *et seq.*

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§ 3-7 COMPLIANCE WITH RABIES LAW.

(A) The failure of an owner to comply with any law of the state relating to the control of rabies shall constitute a violation of this section. Specifically, but not to be construed as a limitation hereof, it shall be unlawful for an owner to fail to have each dog or cat owned by him vaccinated against rabies as required by such state law and to procure the metal tag issued upon such vaccination. Such tag shall be referred to in this chapter as the metal rabies tag.

(B) It shall be unlawful for any owner to fail to provide each dog or cat owned by him which is required by state law to be vaccinated against rabies with a collar or harness to which a currently valid metal rabies tag is securely attached.

(C) It shall be unlawful for any person to place or cause or allow to be placed on any dog or cat a metal rabies tag other than such tag duly issued with respect to such dog or cat.

(’89 Code, § 3-7) (Am. Ord. passed 9-21-10) Penalty, see § 3-91 *et seq.*

Statutory reference:

Rabies control law, see G.S. § 130A-184 et seq.

§ 3-8 CRUEL TREATMENT.

(A) It shall be unlawful for any person to needlessly and without justifiable excuse molest, torture, torment, deprive of necessary sustenance, cruelly beat, mutilate or kill, wound, injure, poison, abandon or subject to conditions detrimental to its health or general welfare any animal or to cause or procure such action. The words “torture,” “torment,” or “cruelly” shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted, but such shall not be construed to prohibit an animal control officer or veterinarian from destroying dangerous, unwanted or injured animals in a humane manner or from destroying impounded animals as provided in § 3-67 *et seq.*

(B) It shall be unlawful for any person to keep animals under unsanitary or inhumane conditions; to fail to provide proper food and water daily, shelter from the weather, reasonably clean quarters and proper medical attention for sick, diseased or injured animals, as well as adequate inoculation against disease.

(C) *Tethering:* It shall be unlawful for any person to tether a dog in a manner as to cause injury, strangulation or entanglement of the animal on fences, trees, or other manmade or natural obstacles; or to a fixed-point; or that is under four (4) months of age; or that is sick or injured. It shall be unlawful to fail to provide any dog with adequate space. "Adequate space" means sufficient space to allow each dog to easily stand, sit, lie, turnabout, and make all other normal body movements in a comfortable, normal position for the dog and interact safely with other animals in the enclosure.

When a dog is tethered, "adequate space" means a tether that permits the above actions and is appropriate to the age and size of the dog. The tether must be attached to the dog by a properly applied collar, halter, or harness configured so as to protect the dog from injury and prevent the dog or the tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the dog.

Fixed. Tethered dogs must be attached to a swiveled ground anchor by a coated cable wire at least fifteen (15) feet in length and of sufficient strength to restrain the dog without breaking. Chains, ropes, twine, cords and non-cable wire are not acceptable types of tethers. All tethers must have swivels attached at both ends to prevent twisting. The area should be free of garbage and other debris that can harm the dog. There should be no fences or objects within the radius of the tether that the dog can get hung upon. The tether must be arranged so as to be free from obstacles that may limit the movable length of the tether. Tethers must be attached to a safe and secure harness or collar. Under no circumstances shall the tether be placed directly around the dog’s neck. Tethers are never to be used in conjunction with training collars such as choke or pinch prong style collars. Shelter and water must be present and always within reach of

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a tethered dog. If a tethered dog cannot reach its shelter or water due to a tangled or shortened tether or if the tether does not meet the requirements of this section, the owner or keeper of the dog is considered to be in violation.

Running cable line or "trolley system." A running cable line (minimum of fifteen (15) feet in length) must be firmly secured to fixed anchor points (i.e. posts, trees or fences) and attached at least four (4) feet but not more than seven (7) feet above ground. The tether shall be attached to the running cable line and must have a swivel at both ends to prevent entanglement and must have a stopper device attached near each end of the running cable line to prevent the cable wire tether from entangling around the anchor points. The running cable line must be of sufficient strength to support the tether cable wire and restrain the dog without breaking. Tethers must be attached to a safe and secure harness or collar. Under no circumstances shall the tether be placed directly around the dog's neck. Tethers are never to be used in conjunction with training collars such as choke or pinch style collars. Only one (1) animal may be tethered to a single running cable line or trolley system. Shelter and water must be present and always within reach of the tethered dog. If the tethered dog cannot reach the shelter or water due to a tangled or shortened tether, or if the running cable line or trolley system does not meet the requirements of this section, the owner or keeper of the dog is considered to be in violation.

(D) Adequate Shelter: No person owning or responsible for any animal shall fail to provide the animal with proper shelter, protection from the weather or humanely clean conditions as prescribed in this section.

Adequate shelter means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and, for dogs and cats provides a solid surface, level resting platform, pad, floor mat, or similar device that is large enough for the dog or cat to lie on in a normal manner and can be maintained in a sanitary manner. Adequate shelters for a dog or cat should consist of (3) walls, a top and a floor. Under this chapter, shelters whose wire, grid, or slat floor (i) permit the animal's feet to pass through the openings, (ii) sag under the animal's weight, or (iii) otherwise do not protect the animal's feet or toes from injury are not adequate shelter. Crawl spaces under building/decks, under or in a vehicle, made from materials easily degraded by the elements, carriers or crates designed for temporary housing are not defined as adequate shelter. When sunlight is likely to cause heat exhaustion of an animal tied or confined outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight.

(E) Adequate Food & Water

Adequate food: The provision at suitable intervals, of a quantity of wholesome foodstuff suitable for the species and age, sufficient to maintain a reasonable level of nutrition in each animal. Such foodstuff shall be served in a receptacle, dish, or container that is physically clean.

Adequate water – Means provision of and access to clean, fresh, potable water of a drinkable temperature which is provided in a suitable manner, in sufficient volume, and at suitable intervals, to maintain normal hydration for the age, species, condition, size and type of each animal; and is provided in clean, durable receptacles which are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests or an alternative source of hydration consistent with generally accepted husbandry practices.

(F) Properly fitted collars required. An owner of a dog or cat shall not permit injury or inflict pain upon such animal from an improperly fitting or embedded collar.

(G) Any act in which an animal is found to have been treated in a manner inconsistent with this Article is made unlawful by this section and may be taken up and impounded by the Animal Control Officer. Redemption of such animal may be made by the owner thereof upon compliance with the requirements of § 3-68; provided, however, that

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the Animal Control Officer may impose such other requirements for redemption as are appropriate to ensure treatment of such animal that complies with this section.
(’89 Code, § 3-34) (Am. Ord. passed 11-16-99) Penalty, see § 3-91 *et seq.*

ARTICLE II: DOGS AND CATS

Section

Division 1 Generally

- 3-26 Definitions
- 3-27 Exemptions from article
- 3-28 Acts deemed to be public nuisance
- 3-29 Dog to be kept on owner's premises; exception
- 3-30 Stray dogs and cats
- 3-31 Vicious dogs - restrictions
- 3-32 Vicious dogs - slaying
- 3-33 Notification of owner, Animal Control Officer or Police Department of injured dog
- 3-34 Release of dog or cat by owner to Animal Control Officer
- 3-35 Interference with Animal Control Officer or veterinarian
- 3-36 Control of Dog Feces

Division 2 Licenses

- 3-46 License exemptions
- 3-47 Imposition of license tax
- 3-48 Application for license
- 3-49 Term of license; licensing year
- 3-50 Due date for license tax; delinquent payment
- 3-51 Collection and administration of license tax; issuance of license
- 3-52 Impoundment of unlicensed dog

Division 3 Impoundment

- 3-66 Dogs subject to impoundment
- 3-67 Disposition
- 3-68 Redemption
- 3-69 Adoption of unredeemed dog
- 3-70 Disposition of wounded or diseased dog
- 3-71 Priority of state regulations
- 3-72 Disposition of proceeds
- 3-73 Cats subject to impoundment
- 3-74 Disposition
- 3-75 Redemption
- 3-76 Adoption of unredeemed cat
- 3-77 Disposition of wounded or diseased cat

DIVISION 1 GENERALLY

§ 3-26 DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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ANIMAL CONTROL OFFICER. The animal warden or dog warden, police officers, officers and employees of the animal control shelter and such other agents, employees or designees of the city, by whatever designation referred to, as may be given the authority of enforcement of the provisions of this article by the city.

ANIMAL CONTROL SHELTER. A place provided and operated by the city, whether or not jointly with another governmental unit for the restraint, care and disposition of animals.

AT LARGE. Off the property of its owner and not under restraint.

DOG. Any male or female dog.

OWNER. Any person owning, keeping, having charge of, sheltering, feeding, harboring or taking care of a dog.

RESTRAINT. Controlled by means of a leash; sufficiently near the owner or handler to be under his direct control and obedient to such person's commands; on or within a vehicle being driven or parked; or within a secure enclosure.

SPAYED FEMALE. Any female dog which has been operated upon to prevent conception.

STRAY DOG. Any dog within the city wandering at large or lost without an apparent owner, or any dog within the city whose owner has failed to comply with the requirements of § 3-7.

VICIOUS DOG. Any dog that has made one or more unprovoked attacks on a human by biting or by causing abrasions or cuts of the skin, or any dog who makes repeated attacks on farm stock or pet animals. ('89 Code, § 3-26)(Am. Ord. passed 02-21-12)

§ 3-27 EXEMPTIONS FROM ARTICLE.

Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this article, except for § 3-34. ('89 Code, § 3-27)

§ 3-28 ACTS DEEMED TO BE PUBLIC NUISANCE.

The following acts committed by dogs are deemed and designated a public nuisance:

- (A) Any act that would result in a dog being defined as a vicious dog;
 - (B) Repeated chasing, snapping at, attacking or barking at pedestrians, bicyclists or other vehicles off of the owners' premises;
 - (C) Turning over or removing the contents of garbage containers;
 - (D) Damaging vegetable or flower gardens;
 - (E) Being at large, in the case of a female dog, during estrus; and
 - (F) Any other acts that would constitute a public nuisance under the laws of the state.
- ('89 Code, § 3-28) Penalty, see § 3-91 *et seq.*

§ 3-29 DOG TO BE KEPT ON OWNER'S PREMISES; EXCEPTION.

It shall be unlawful for the owner of a dog to permit or allow his dog to leave the owner's premises, unless the dog is at all times in the presence of and under the control of the owner. ('89 Code, § 3-29) Penalty, see § 3-91 *et seq.*

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§ 3-30 STRAY DOGS AND CATS.

(A) It shall be unlawful for any person knowingly and intentionally to harbor, feed or keep in possession by confinement or otherwise any stray dog or cat unless he has, within 24 hours of the same, notified an animal control officer.

(B) It shall be unlawful for any person to refuse to surrender, when duly requested to do so, any stray dog or cat to an animal control officer.

('89 Code, § 3-30) (Am. Ord. passed 02-21-12) Penalty, see § 3-91 *et seq.*

§ 3-31 VICIOUS DOGS - RESTRICTIONS.

It shall be unlawful for the owner of a vicious dog to keep it within the city unless it is confined within a secure building or enclosure, or unless it is securely muzzled and under restraint by a competent person who by means of a leash, chain or rope, has such dog firmly under control at all times.

('89 Code, § 3-31) Penalty, see § 3-91 *et seq.*

§ 3-32 VICIOUS DOGS - SLAYING.

In the event any vicious dog is found running at large and cannot by reasonable and diligent attempt be taken up and impounded, such dog may be slain by an animal control officer.

('89 Code, § 3-32)

§ 3-33 NOTIFICATION OF OWNER, ANIMAL CONTROL OFFICER OR POLICE DEPARTMENT OF INJURED DOG.

It shall be unlawful for any person injuring a dog by running over or into it with an automobile, motorcycle, bicycle or other vehicle to fail to notify immediately the owner of such dog, the Animal Control Officer or the Police Department.

('89 Code, § 3-33) Penalty, see § 3-91 *et seq.*

§ 3-34 RELEASE OF DOG OR CAT BY OWNER TO ANIMAL CONTROL OFFICER.

Any owner may offer to the Animal Control Officer a dog or cat to be disposed of or destroyed in a humane manner by such officer in the officer's discretion. The Animal Control Officer is hereby authorized but not required to receive such dog or cat for such disposition or destruction, provided that such owner must remit to the Animal Control Officer the fee for such disposition as set forth in the schedule of taxes adopted annually by the City Council. Upon such offer, receipt and payment, the owner shall execute a release upon a form to be provided by the Animal Control Officer, which release shall contain, along with such other matters and things as may be included by the Animal Control Officer, a statement as to the intended disposition or destruction of such dog or cat, which statement shall be acknowledged by the owner. ('89 Code, § 3-35) (Am. Ord. passed 09-21-2010)

§ 3-35 INTERFERENCE WITH ANIMAL CONTROL OFFICER OR VETERINARIAN.

It shall be unlawful for any person to interfere with, hinder or molest an animal control officer or veterinarian in the performance of any duty authorized by this article, or to seek the release of any dog in the custody of an animal control officer except as provided in this article.

('89 Code, § 3-36) Penalty, see § 3-91 *et seq.*

§ 3-36 CONTROL OF DOG FECES.

(A) It shall be unlawful for the owner or custodian of any dog to take said dog off the owner's own property without the means to properly remove and dispose of the dog's feces from any public or private property.

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(B) It is the responsibility of a dog's owner or custodian to clean up the dog's feces from any public or private property outside of the dog owner's property. Such property includes, but is not limited to, parks, rights-of-way, paths, and public access areas.

(C) "Means to properly remove and dispose of feces" shall consist of having on or near one's person a device such as a plastic bag, or other suitable plastic or paper container, that can be used to fully clean up and contain dog waste until it can be disposed of in an appropriate container. Such a device must be shown, upon request, to anyone authorized to enforce this chapter. Depositing the feces in any river, body of water or directly into the city's sanitary or storm sewer systems is prohibited and constitutes a violation of this section.

(D) This provision shall not apply to handicapped persons assisted by trained guide or assistance dogs.

(Ord. passed 11-17-09) Penalty, see § 3-91 *et seq*

APPROVED, ADOPTED AND EFFECTIVE this _____ day of _____, 2018.

Neville Hall, Mayor

Attest:

Sheralene S. Thompson, City Clerk, CMC

REPORTS FROM STAFF:

a. City Manager's Report – April 2018

City Manager Brad Corcoran said a copy of the report was put on the City's website the previous week and had been sent to Eden's Own Journal for publication. He asked that the report be entered into the minutes as if read in its entirety.

Mayor Hall commented that as he said every month, it was an impressive and informative document.

Proposed Budget for FY 2018-19

Copies of the proposed budget for FY 2018-19 (July 1, 2018 – June 30, 2019) were distributed to the Mayor and each member of City Council on Monday, April 9th. In addition, a complete copy of the budget document has been placed on file with the City Clerk and is available for public inspection during normal business hours from now until the May 15th public hearing.

The City Council will hold a budget work session on the proposed budget at the end of their agenda during the regularly scheduled City Council meeting on Tuesday, April 17th at 6:00 p.m.

Executive Summary

- The combined budgets for fiscal year 2018-19 are balanced and equal \$33,332.200, which is an increase of \$78,400 or 0.24% when compared to the current budget.

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- On February 24, 2018 the City Council met for its annual budget/planning retreat. According to the priorities submitted and discussed by the Mayor and members of City Council, the funding priority themes for FY 2018-19 include:
 - A. Economic Development Initiatives
 - B. Parks & Recreation Initiatives
 - C. Infrastructure Improvement Initiatives
 - D. *Positively Eden* Strategic Plan Initiatives
 - E. Code Enforcement & Nuisance Abatement

It should be noted that funding to some degree or another for each of these identified and discussed priority themes has been included in the budget as submitted. It was also requested that the budget be submitted, if possible, without any increase in the City’s current tax rate or water and sewer rates.

- The budget **does not** increase the current tax rate of \$0.609 per \$100 assessed property valuation. A comparison of the existing tax rates currently being charged by surrounding governmental entities is as follows:

Eden	\$ 0.609	Rockingham County	\$0.696
Madison	\$ 0.73	Stoneville	\$ 0.69
Mayodan	\$ 0.63	Wentworth	Not Applicable
Reidsville		\$	0.74

- The budget **does not** increase the water rates, sewer rates or monthly residential solid waste fee.
- The budget **does not** increase the motor vehicle license fee of \$15.00 per licensed vehicle.
- The budget includes a flat \$700 increase in compensation for all full-time employees.
- The budget includes funding for 181 full-time employees. This is a reduction of 3 full-time positions since October 2015. This full-time employment level compares favorably to the 203 full-time positions that were funded in FY 1995-96, and the 189 full-time positions that were being funded during FY 2000-01.
- The budget includes \$1,000,000 in contingency funds (General Fund \$500,000 and Water & Sewer Fund \$500,000) for unanticipated expenditures and/or unforeseen declines in revenue.
- The FY 2018-19 spending plan includes the allocation of \$1,000,000 in available fund balance (General Fund \$500,000 and Water & Sewer Fund \$500,000). Without the appropriation of \$1,000,000 in contingency funds as noted above, there would not have been a need to allocate any fund balance.

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- Approximately **\$38,201,955** in work related to the EPA Administrative Order Consent (AOC) (\$31,134,055) to eliminate Sanitary Sewer Overflows (SSOs) and the Berry Hill Mega Park Project (\$7,067,900) to extend waterlines to the NC/VA state line will dominate much of our time over the next four years.
- A lump sum allocation of \$300,000 for additional undesignated initiatives related to the continued implementation of the *Positively Eden* Strategic Plan is included in the budget.
- Funding is included for the following items:
 - \$4,760,900 for capital outlay items – several of which, are related to the *Positively Eden* Strategic Plan:
 - General Fund – \$1,543,600
 - Powell Bill/Street Resurfacing – \$856,700
 - Water & Sewer Fund – \$2,360,600
 - \$2,831,800 in loan proceeds for twenty-four different items/initiatives.
 - \$2,769,600 for debt service payments:
 - General Fund – \$820,100
 - Water & Sewer Fund – \$1,949,500
 - \$1,307,900 in revenue from the following grants/principal forgiveness loans to help fund various projects and initiatives:
 1. Rockingham County Aging, Disability & Transit Services (RCATS) Grant for the Skat Bus Operations – \$127,800.
 2. Duke Energy Water Resources Fund Grant for the Klyce Street/Draper River Access Points/Landings – \$100,000.
 3. Community Oriented Policing Services Grant the Help Fund Two Additional Police Officers – \$83,100.
 4. North Carolina Commerce Rural Infrastructure Authority Grant for the New Street Sewer Improvements Project – \$997,000.
 - \$262,000 in funding to pay for the City’s obligations in reference to performance agreements with four local industries: Gildan, SGRTEX, Karastan, and Innofa.
 - \$162,800 for code enforcement efforts including demolitions and nuisance abatements and \$40,000 in funding for part-time employees who will focus on picking up litter and debris to improve community aesthetics.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

- o \$124,100 in funding to continue supporting a number of community-wide organizations, events and initiatives.

Please refer to the Budget Message for comprehensive information concerning the FY 2018-19 budget. A copy of the complete budget message can be found on the City’s web page in the document center for your review and information. It can be accessed directly via this link: <https://www.edennc.us/DocumentCenter/View/10401> . A public hearing and adoption of the FY 2018-19 budget will be held during the City Council’s regular meeting on May 15, 2018 at 6:00 p.m.

Eden Youth Council – Update

The Eden Youth Council has decided to host an elementary school kickball tournament for the Eden elementary schools: grades 3-5. They have solicited permission from the Central Office and have been asked to come to an administrators meeting with all K-5 principals in attendance to present this event. The Youth Council advisors will be in attendance as well as the student Youth Council committee in charge of this event. The event is scheduled to be held on May 5th, beginning at 12:00 p.m. on the fields at Freedom Park. The Youth Council will provide pizza and Gatorade for the kids. Registration fee is \$5.00, all of which, will all go to the winning school's PE department. Youth Council members will also be visiting all of the elementary schools in Eden in order to attend an assembly and put on a skit to encourage more participation. Members of the Youth Council will serve as coaches and score keepers for this event with staff from the Parks & Recreation Department serving as referees and umpires.

Economic & Tourism Development Department

NC Works On-line

As of Monday, April 2, 2018, there were 807 available jobs in Rockingham County. Notable companies that are currently hiring include:

Cone Health:	83
RC Schools:	59
UNC Rockingham Healthcare:	46
Food Lion:	25
McDonald’s Corporation:	21

KDH Defense Systems

This Eden company has officially merged with Armor Express, a manufacturer and distributor of high-performance body armor solutions based in Central Lake, Michigan. By joining forces, the companies now serve the U.S. Armed Forces, Department of Defense, federal and domestic law enforcement professionals, and various international agencies across the world. KDH is one of the prime manufacturers of protective gear for the Department of Homeland Security and has several contracts with other federal agencies, in addition to its long-standing heritage as one of the largest suppliers of body armor systems to the U.S. Armed Forces.

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Dave Herbener, founder of KDH, and Matt Davis, founder of Armor Express, will both serve as president of their respective organizations. KDH will continue to produce its military, government and federal law enforcement contracts at its manufacturing facility in Eden, while manufacturing of domestic and federal body armor will continue to be performed at Armor Express' facility in Central Lake, Michigan.

¼ Cent Sales Tax Campaign

A campaign has been initiated by the Citizens FOR the one-fourth cent sales tax to Benefit RCC Committee. Civic, church, emergency services and other groups have been contacted. Several RCC graduates were interviewed to provide their stories of how RCC helped launch their careers. They included graduates of the cosmetology, basic law enforcement and business administration programs. The vote on this referendum is May 8, 2018.

Rock-A-Top Apprenticeship Program

Twenty Rockingham County students have been accepted into the Rock-A-Top Apprenticeship program. They will work with local companies while attending high school. At the end of the program, the students will have earned an Associate's Degree in Manufacturing Technology and may continue working for the companies in which they apprenticed. This program is being pursued to supply skilled workers to area companies.

SCORE

SCORE is the nation's largest network of volunteer, expert business mentors, with more than 10,000 volunteers in 300 chapters. On March 21, 2018, Mayor Pro-Tem Jim Burnette, Main Street Manager Randy Hunt, Chamber of Commerce President Angela Fowler, Chamber Past President Will Flynt and Director of Economic Development Mike Dougherty met with Shawn Gorman, former county employee and VP of SCORE Greensboro to discuss starting a SCORE chapter in Eden. During his time in the county, Shawn monitored about 300 new businesses starting annually. Three to four out of ten came from Eden. 80% of the referrals came from the Register of Deeds where businesses normally register within the county.

Lidl Supermarket

Lidl Senior Real Estate Development Manager Hector Baez and Director of Communications Will Harwood spoke with Director of Economic Development Mike Dougherty on March 29th. All communications about new store openings come through the Communications Department. Mr. Harwood remarked that he often deals with Economic Development offices in the locations in which Lidl has opened. When the Eden store is scheduled for opening, the City will be the first to know, but there is no timetable for the Eden store that has been established at this time. Mr. Dougherty reiterated that area citizens are eager for the store to open, which they appreciated. Mr. Dougherty has also sent out a Facebook request to Eden and Rockingham County citizens to visit the Lidl web site and click on the "contact us" link. They can express their desire for the company to open the Eden store. On March 28th, Mr. Dougherty received a call from a *Triad*

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Business Journal reporter about a Greensboro Lidl location that has been delayed. He was curious about the Eden location. It appears that they are delaying both smaller and larger market stores until they get a better feel for the respective markets in which they are located. The *Triad Business Journal* published an article on this topic in their March 29th on-line publication.

Spray Cotton Mills

Staff recently met with Faisal Khan, Spray Cotton Mills developer on Tuesday, March 27th prior to the Planning Board meeting in which they heard about and considered his proposal to turn the property into a Planned Unit Development (PUD.) The Planning Board approved Khan's request. Khan plans 86 apartments, restaurant, an artists' space, microbrewery and other enterprises on the property.

North Carolina Wildlife Resources Commission

The City has been informed that this state agency has purchased the remaining Whitt Farm property located off of River Road outside of Eden. They will do a formal announcement in the near future. While the City is not sure of their exact plans, the agency has discussed installing river access points and trails on the property. It should be remembered that this property almost became a regional landfill in 2014. Thanks to efforts of several individuals and groups, including the City of Eden, we were able to work together to prevent this from happening and allocated the necessary resources to successfully fight it.

Strategic Plan – Branding Study

The Branding Study funded through the *Positively Eden* Strategic Plan being conducted by Arnett Muldrow & Associates is nearing completion. The Strategic Plan branding study focus group presentation was repeated through webcast on Tuesday, April 3rd for those that could not attend the original meeting. Reaction has been overwhelmingly positive. Arnett, Muldrow and Associates is working to finalize all of the recommendations related to this initiative.

Draper Pocket Park

A U.S. Urban Forestry grant request was submitted and grant awards will be announced in the first part of July 2018. Drainage requirements have been determined to obtain piping and to block up the three openings on the back wall before backfilling.

622 Washington Street

Progress on the rehabilitation of 622 Washington Street is moving forward. We are pursuing plans for retail/ office space downstairs and residential use upstairs. Roof improvements is a priority as well as the replacement of the back wall. The contract document with specific items to review was sent to the engineer last week for completion. It is expected back any day now and upon review, it will be sent out for bid. Barring unforeseen issues, it is anticipated that work will be complete by the end of June.

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Washington Street Parking Lot

The public notice for contract was placed in the newspaper on April 8th and on the website on April 6th. Bids are due on April 17th and will be voted on by the City Council during their meeting on April 17th.

Building Rehabilitation Grant

A third and fourth Building Rehabilitation Grant request has been awarded. Pam Tiano completed a roof replacement at the former Full Moon on Monroe Street and Jean Harrington completed a façade replacement at her property which houses the Eden Museum. Another building owner has requested both the BRG and Commercial Incentive Grant information.

EDDI

The EDDI board met on Monday, April 9th. Discussion included the 2018 Main Street Conference in Clayton, NC., 622 Washington Street, the Draper pocket park and the Washington Street parking lot. It was also noted that the City has applied for a U.S. Forestry Grant to assist with the Draper pocket park and if received, it will require volunteers from the EDDI and Draper merchants to assist with labor. It was also announced that advertisements for the SKAT bus bike program are running in Eden's Own Journal currently and copy has been approved for the ad to be placed on the bus. The television commercial has been shot but not approved.

Coffee Shop

Pam Tiano is confident she has a tenant for the former Full Moon Salon building. A successful business owner plans expansion. His offerings have included gourmet coffee, specialty sandwiches and salads and a craft beer selection.

The Boulevard

The Merchants Association has elected officers, with April Blackstock as President. Their food truck rodeo will be held Saturday, April 21st from 11:00 a.m. to 6:00 p.m. Several food trucks, vendors, live music and a bounce house are planned.

Micro Brewery

The replacement of the back wall has been delayed. The engineer's drawings are needed before permits can be obtained.

Available Property Listings

Our available property listings have been updated on the city website, including photos.

Canadian Golfers

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We would like to thank Bob Fitz and our Canadian golfer friends who were in Eden last week. The group of nearly 50 played golf in Eden and all over the region. This was their 15th year visiting Eden every Spring. See you next year!

Fiesta in The Park

We will be conducting a Hispanic Heritage event in Grogan Park on May 8th with all of the 5th graders in our Eden elementary schools. It will include a Mariachi Band, delicious authentic food samples, piñata making, photos and lots of fun. This event is made possible by a Grassroots Grant from the Rockingham County Arts Council.

Oink & Ale

Our 4th Annual Oink & Ale event will take place along Monroe Street in Historic Downtown Eden on Saturday, May 12th from 6:00 to 9:00 p.m. It will include music by the band Chicago Rewired, a Chicago Tribute Band, along with lots of delicious food and beverages. Bring your lawn chairs and your friends and plan to have a great time. Admission is **FREE**.

Piedmont Pottery Festival

The 16th Annual Piedmont Pottery Festival will take place in Kingsway Plaza located at 220 W. Kings Highway on June 2 from 9:00 a.m. to 4:00 p.m. Over 75 potters from all over North Carolina and Virginia will be there with their beautiful creations. There will be door prizes all day and demonstrations.

Eden Drive-In with UNC-TV

UNC-TV will be filming at the Eden Drive-In on Friday Night, May 4th. We encourage everyone to come out and enjoy a great movie under the stars and support this Eden treasure. UNC-TV is featuring our drive-in as part of a Weekend Getaway that will air later in the month. Our drive-in is only 1 of 5 in the entire state of North Carolina. See you there!

Text Messaging

We are live!! Text EDENNC to 51660 and stay informed!

Economic Development Infomercial

We are beginning work on our next infomercial that will feature Rivers, Trails & Parks! Also, our next 5 “Did You Know” videos will be coming soon! Included below is a link to our new Economic Development Infomercial:

<https://youtu.be/lrd7uCDBkHI>

We have an e-newsletter!

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You can get information about upcoming local events by email through our monthly Explore Downtown newsletter. If you want to subscribe, please send your email address to godowntown@edennc.us.

2018 Major Event Dates

Mark your calendars now! We have a fun line-up of 6 major events slated to take place in 2018. They are the following:

- May 12 Oink & Ale
- June 2 Piedmont Pottery Festival
- July 21 Shaggin' on Fieldcrest
- August 9 Grown & Gathered
- August 25 Touch-A-Truck
- Sept. 14 & 15 RiverFest

Watch www.ExploreEdenNC.com and our Explore Eden Facebook page for other small events such as “Movies Under the Stars”, Downtown Events and so much more!

Tune in to watch “A Few Minutes with the Mayor”

Spend 15 minutes with Mayor Neville Hall on WGSR-Star News 5 as this show airs live at 6:15 p.m. the last Thursday of each month.

Facebook

Please join our Explore Eden Facebook page to stay up to date on all the exciting things happening in Eden!

Engineering Department

Street Resurfacing Projects - Update

Waugh Asphalt, Inc. resumed construction on the FY 2017-18 Street Resurfacing Contract, No. 3 on April 2nd. Delta Contracting completed the asphalt milling on April 5th. Boone Masonry adjusted 43 manholes and 23 water valves on streets to be resurfaced. Waugh Asphalt has resurfaced sections of Delaware Avenue, South Center Street, Eisenhower Court, South Hundley Drive and Hale Street already. They hope to complete the resurfacing by April 13th. The shoulder reconstruction will follow as scheduling allows.

The bid opening for the FY 2018-19 Street Resurfacing Contract, No. 1 was held on April 3rd. We received the following bids:

Waugh Asphalt \$488,072.35

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Joyce Trucking & Paving \$507,324.50
Adams Construction Company \$596,409.35
Triangle Grading & Paving \$949,044.60

Waugh Asphalt, Inc. was the low bidder. The request to award the contract will go before the City Council for approval at their regularly scheduled meeting on May 15th.

Waterline Replacement Projects Update

The Sam W. Smith, Inc. patching crew was able to get asphalt and work on March 15th, 16th, 19th, 22nd, and 23rd to complete the pavement repairs and patch one asphalt driveway as part of the West Arbor and Wildflower Lane Waterline Replacement project. About 54 tons of asphalt material was hauled on these days, with some not used due to the asphalt cooling off too much before it could be placed, raked and rolled. Additional seeding and mulching of the disturbed areas was done to complete work on this project. Spot seeding of areas will be needed in the coming months to establish a good ground cover along the shoulder of the streets. The fourth pay request was processed on March 21st, with a payment in the amount of \$15,977.60 approved. The final pay request in the amount of \$3,625 was received on April 11th, bringing the total project cost to \$124,638.28.

Workers from Sam W. Smith, Inc. began sawing the pavement along a portion of Sunset Drive, west of Knollwood Drive, on April 5th, with additional sawing done the next day. The pipe crew was able to locate the existing 6-inch diameter cast iron water main at the intersection with Knollwood Drive on April 10th, then install a stainless steel tapping saddle after cutting and removing additional pavement north of the original cut in order to get away from a flanged pipe connection that was found. Due to a problem with the first tapping valve failing during a hydrostatic pressure test, the crew was not able to make the wet tap until a replacement valve was delivered after lunch. One full joint, twenty feet long, of 6-inch diameter ductile iron water main was installed to get most of the way across the intersection before the area was backfilled and tamped in order to allow normal traffic flow. The Sunset Drive 2" Waterline Replacement project is expected to be completed by May 15th.

Addendum No. 1 for the Jackson Street and Farrell Street Waterline Replacement project was sent out by Alley, Williams, Carmen & King, Inc. on March 15th to clarify acceptable materials for the proposed tapping sleeve and brass service connection fittings, as well as to provide contractors with a copy of the approved encroachment agreement received from the NC Department of Transportation. The bid opening was held on March 29th with three bids being received. Sam W. Smith, Inc. was the lowest bidder with a bid price of \$109,624. The other bids received ranged from \$149,435 to \$199,927. The approved plan package, along with an authorization to construct from the NC Public Water Supply Section was received on April 2nd. Contract documents for this project should be executed in the near future.

Fire Department

Huntsville Elementary School visited the Eden Fire Department on March 15th for a station tour. The 71 elementary children along with 8 adults toured the station. A presentation on the use of

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911 was demonstrated along with the importance of knowing your address. Firefighters did a turnout gear demonstration, showing what a firefighter looks like when they are wearing their full protective gear, and not to be scared or hide from them in the event of your home catching on fire. Three different types of apparatus were on display and the uses of each. Individual pieces of equipment were also shown as well as the proper use of each.

On April 6th the Eden Fire Department in conjunction with Baptist Air Care set up a landing zone for the helicopter to land in the football stadium at Morehead High School. This demonstration was conducted for the EMT program taught at the high school. This showed the students the importance of quick transport of a critically injured patient and why the fire department is used in setting up a landing zone. The students got the opportunity to look at the helicopter close up and talk to the pilot along with the flight nurses. The students could ask the firefighters and the flight crew questions about landing a helicopter on an emergency scene and other questions of interest.

Information Technology Department

Two-Factor Authentication (2FA)

If you're worried about your financial accounts or social media sites getting hacked, the best thing you can do to protect yourself is turn on two-factor authentication.

Two-factor authentication (2FA), sometimes referred to as two-factor identification, is an additional layer of protection beyond your password. It significantly decreases the risk of a hacker accessing your online accounts by combining your password (something you know) with a second factor, like your mobile phone (something you have). Even if a hacker has your username and password, they still would not be able to access your accounts. Many of the world's largest websites have made 2FA readily available from the security settings of your online accounts, but it's up to you to turn on this free feature.

How you access and turn on 2FA is different for every site or service you use. Telesign has put together a website with tutorials on how to turn on 2FA for specific applications, online services, and social media. <https://www.turnon2fa.com/>

You can find tutorials on some of the more popular sites and services here:

<https://www.turnon2fa.com/tutorials/>

The IT Department recommends using Authy as the second factor app. It's available free for both iOS and Android.

Authy for iOS (iPhone, iPad, and Mac)

<https://itunes.apple.com/us/app/authy/id494168017>

Authy for Android

<https://play.google.com/store/apps/details?id=com.authy.authy>

Google Authenticator is also a popular choice for 2FA. It's also available for both iOS and Android.

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Google Authenticator for iOS (iPhone, iPad, and Mac)

<https://itunes.apple.com/us/app/google-authenticator/id388497605?mt=8>

Google Authenticator for Android

<https://play.google.com/store/apps/details?id=com.google.android.apps.authenticator2>

Municipal Services Department

Dash Cameras On Refuse Collection Trucks

The City of Eden has recently installed dash cameras on the refuse collection trucks to improve efficiency and safety for the citizens as well as to document situations where refuse collection cans may or may not be out for collection when the truck arrives for collection.

Reminder - City No Longer Picks-Up Used Car Tires

The City of Eden will no longer pick up used car tires, residents must take them to the Rockingham County Landfill for disposal. This is due to a recommendation the City received from the Department of Environmental Quality and a City ordinance change that was approved by the City Council on April 18, 2017. The Landfill will accept the tires at no cost, unless it has a wheel on it, and in that event, they will charge \$0.50 to remove the wheel.

Parks & Recreation Department

Community Accents Program & Parks & Recreation Radio Program

Staff will participate in the Community Accents Program with WLOE (Wonderful Land of Eden) radio on April 13th and participated in the Parks & Recreation Radio Program with WLOE on March 28th, to update residents about the programs being offered by the Department during April and May.

Community Outreach Efforts

Staff made a presentation about the Parks and Recreation Department, including the new facilities at Freedom Park and the Matrimony Creek Greenway to the Eden Kiwanis Club on March 22nd.

Staff made a presentation to the Eden Garden Club about the Matrimony Creek Greenway Project on April 3rd.

Citywide Easter Egg Hunt – Bring Your Children & Grandchildren!!!

The annual citywide Easter Egg Hunt was held at Freedom Park on March 31st. We had a great turnout for this very successful annual event.

Softball Tournaments

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There was a Top Gun Softball Tournament at Freedom Park on March 31st and there is another one scheduled for April 14th.

Opening Ceremonies of Senior Games

The Opening Ceremonies of Senior Games will take place on April 17th. For more information on the Senior Games please contact Mr. Johnny Farmer, Director of Parks & Recreation at jfarmer@edennc.us.

Be Healthy Rockingham County

Staff continues to be involved with Be Healthy Rockingham. They attended the Be Healthy Rockingham meeting on March 20th and will attend the next meeting in April.

Freedom Park Dog Park - Update

All of the components for the Freedom Park Dog Park have now been completed, with the exception of the water fountains and grounds. We anticipate this will be completed in the near future. We plan on having a ribbon cutting/grand opening at some point during the first part of May.

Freedom Park Nature Trail Improvements / RV Pads – Update

The improvements to the Freedom Park Nature Trail have been completed and work is continuing on the new RV Pads. We anticipate this will be completed in the near future. We plan on having a ribbon cutting/grand opening at some point during the first part of May.

Matrimony Creek Greenway Project - Update

The Matrimony Creek Greenway Project is moving forward. The parking area and restroom location has been graded and stone placed in the area. A purchase order has been issued for the construction of the restrooms. We anticipate that work will get underway on the restrooms in the near future. Staff continues to work on installing stone, gravel, and granite dust for the nature trail and this work will continue over the next sixty days. Currently, this project is on schedule to be completed by June 30th.

Planning & Inspections Department

Collections – Previous & Proposed

Monthly statements were mailed to all property owners having an outstanding balance due to the City of Eden. In addition, we will follow-up on any title transfers or foreclosures. \$200.00 has been received during the past month for outstanding code enforcement actions.

Code Enforcement – Previous & Proposed

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19 notices have been mailed by certified mail and first class mail for code violations: 3 for health violations for sewage systems, 3 for zoning violations, 9 for junk violations, 2 for junk car violations and 2 orders were mailed for violation of the Minimum Housing Code. In addition, we will follow-up on all violations that have expired deadlines. In addition, five jobs were sent to our Facility & Grounds Division for abatement of junk and sight obstruction violations.

GIS – Previous & Proposed

Staff members from Planning and Inspections, Engineering and Finance continue to work on locating water meters. Since the location of the meters are not identified in x/y coordinates when they are installed, the data is not available to add to the GIS maps. Address formats used in the Finance Department are not compatible with US Postal regulations and, therefore, do not geocode with the GIS data when information is requested on water/sewer customers. Staff from Public Works have requested new sewer map books for their trucks. Staff in the Planning and Inspections Department is updating the grid maps and are preparing to print the up to date books.

Board of Adjustment

The Board of Adjustment met on April 5th to consider a Special Use Permit for a Major Home Occupation at 980 Westerly Park Road. The Board approved the permit and wished the property owner good luck in his business.

Historic Preservation Commission

The Historic Preservation Commission met on March 19th. The Commission again discussed the steeple replacement of the First Baptist Church. Letters have been sent from the Commission as well as other historic preservation agencies regarding the historic appropriateness of the replacement steeple. The Commission also discussed updating the historic properties inventory which has not been updated in 20 years. Updates will include the current status of properties (demolished, intact, deteriorating, etc.) and new properties that might be added to the inventory. The next meeting is scheduled for April 16th.

Strategic Planning Commission

An ordinance has been drafted to create the Strategic Planning Commission and rules of procedure for same. The case report was prepared for the Planning Board and considered on March 27th and recommended for approval. The City Council will consider the ordinance concerning the Strategic Planning Commission during their meeting on April 17th.

Spray Cotton Mill Rezoning Request (Z-02-18)

Staff prepared the case report, maps, etc. for the requested rezoning of property from I-1 to PUD-MU (PUD-Mixed Use). This case was considered by Planning Board on March 27th and recommended for approval. The City Council will consider the rezoning request during their meeting on April 17th.

Zoning Case Z-18-03

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Staff prepared the case report, maps, etc. for the requested rezoning request for two properties located on NC 135 and Harrington Hwy. Request is to rezone from R-20 to BG. This case was considered by Planning Board on March 27th and recommended for approval. The City Council will consider the rezoning request during their meeting on April 17th.

Special Use Case SU-18-01

Staff prepared the case report for a special use request for an antique shop located at 980 Westerly Park Rd. This case was considered by the Board of Adjustment on April 5th and was approved.

Community Appearance Commission

The Community Appearance Commission met on April 3rd and would like to plan a community-wide clean-up day. Staff intends to discuss this idea with corporate partners in an effort to solicit some additional support. Staff has created an Instagram account for the City to include “Good News” of what’s happening in the community. This will include photos from around the city and highlights of events, etc...

Development Luncheon

One of the action items of the *Positively Eden* Strategic Plan is to encourage a dialogue between the City and the Development Community. We plan to have this meeting on May 2nd. It will be moderated by Tom Terrell, a well know land use attorney. The goal for this gathering is to begin the process of finding ways that the City and the Development Community can work together to promote quality development of land in our community.

Blight and Local Code Enforcement Impacts

In our *Positively Eden* Strategic Plan, there is a strong emphasis on local code enforcement. Several efforts are underway to improve our program and the proposed 2018-2019 budget reflects increased spending for the current year. Along with that, we have been doing research into possible avenues to improve our ordinances or approach to local code enforcement. Director of Planning & Inspections Kelly Stultz has been reading two publications recently on the subject. The first is “Vacant Properties the True Costs to Communities” and “Implementing A Coordinated Approach to Address the Systemic Causes of Vacancy and Abandonment in High Point North Carolina”. These publications offer suggestions of a way that through GIS data and an interdepartmental committee, we might be able to identify the worst of the worst and track endangered properties. She plans to share more about these ideas in the coming months.

Ashton Way Apartments

Work in underway on the Ashton Way Apartments being constructed by Wynnefield Development on East Harris Place.

Police Department

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The Eden Police Department completed the application process for the new officers. The following officers were sworn in during the last month: Andrew Kenyi, Kyre' Keen, Anthony Lovings and Kevin Meeks. Kenyi, Lovings and Keen have been training in the investigative unit while awaiting uniforms and equipment. Kenyi and Lovings are scheduled to begin their tour with their assigned squads the Friday April 13, 2018. Meeks has submitted his two week notice to his current employer and will begin working in approximately two weeks.

Lieutenant Richie Jeffries started working for the Eden Police Department in September 1993. He has submitted his retirement documentation and has an official retirement date of July 1, 2018. However, his last working day will be April 12, 2018 as he begins to use his accumulated leave time. We thank him for his dedicated service and wish him the best in his retirement!

On Wednesday, March 28, 2018 through Sunday, April 1, 2018, the Eden Police Department responded to approximately six "shots fired" calls with the call at 421 Glovenia Street ending in a fatality. During the recent shootings, information from witnesses has been very limited. Chief Light posted a video to our Facebook page providing an update and requesting anyone who may have information to call the police department or Crimestoppers. The video was shared 275 times and reached approximately 19,000 people. Detectives with the Eden Police Department have been working long hours continuing to investigate the shootings and fatality. As mentioned by Chief Light in the video, schedules have been adjusted and additional officers are working to provide additional resources for the investigation and increased visibility throughout the city.

On Friday, April 13, 2018, Chief Light, Deputy Chief Simpson, Captain Edwards and SRO's will be attending a meeting with representatives of Rockingham County Schools and the principals and assistant principals at each school in the City of Eden. During this meeting they will be discussing school safety and security with the administrators and any improvements that can be made.

Public Utilities Department

EPA AOC and Mandatory Projects to Stop Sanitary Sewer Overflows – Update

This EPA Administrative Order on Consent project includes over \$33,725,000 worth of sewer improvements that will be completed in the next four years. This project is funded with a \$16,660,000 principle forgiveness grant, a \$15,000,000 zero percent interest loan and \$2,056,600 from the City of Eden. This undertaking is a massive project that will see sewer line improvements in virtually every corner of the City. The Water Infrastructure Section of North Carolina Department of Environment and Natural Resources approved our Engineering Report for this work on Tuesday this week. The approval of this report clears the way for the engineering design work to move ahead. This is a large project and it will take over a 2019 to get to bidding this work out to contractors. Our design and bid specifications will be submitted for approval on or before October 1, 2018 and the approval is expected by February 1, 2019. Bidding and award of the of the project should be completed by June 1, 2019 with construction starting shortly thereafter and running through mid to late 2021. We anticipate that the EPA AOC will be completely satisfied by the April 22, 2022 deadline established by the EPA.

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CONSENT AGENDA:

- a. Approval and Adoption of March 20, 2018 Minutes.
- b. Approval to Call a Public Hearing to Consider the FY 2018-2019 Budget on May 15, 2018.
- c. Approval and Adoption of Budget Amendment 6.

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

	Account #	From	To	Amount
General Fund Revenues				
Loan Proceeds	10-3850-88000	\$ 2,039,900.00	\$ 2,180,800.00	<u>\$ 140,900.00</u>
General Fund Expenditures				
Solid Waste C/O Vehicles - Depr	10-4710-55000	\$ 285,000.00	\$ 425,900.00	<u>\$ 140,900.00</u>

Appropriates loan proceeds for Solid Waste knuckle boom truck.

Adopted and effective this 17th day of April, 2018.

Attest:

Sheralene Thompson, City Clerk

Neville Hall, Mayor

- d. Approval and Adoption of Budget Amendment 7.

In May 2017, the city purchased vending machines for Public Works and City Hall that were operated and maintained by the Facilities & Grounds Department. Line items had been created to account for the proceeds and expenditures related to the vending machines. Those line items would be the same amount; therefore, there was no cost to the city. The amendment allocated funds for the proceeds received from these machines and the expenditures to stock them.

	Account #	From	To	Amount
General Fund Revenues				
Vending Machine Proceeds	10-3412-43000	\$ -	\$ 7,000.00	<u>\$ 7,000.00</u>
General Fund Expenditures				
Facilities & Grounds Vending Supplies	10-4190-29300	\$ -	\$ 7,000.00	<u>\$ 7,000.00</u>

Appropriates funds received and expended for vending machines.

Adopted and effective this 17th day of April, 2018.

Attest:

Sheralene Thompson, City Clerk

Neville Hall, Mayor

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

e. Approval and Adoption of Budget Amendment 8.

In fiscal years 14-15 and 15-16, we received a grant from K B Reynolds Charity Trust for the Get Fit Eden Program in the amount of \$19,800. As of June 30, 2017, we had a remaining balance of \$4,034.17 and the amendment appropriated the fund balance for the amount of remaining grant funds.

	Account #	From	To	Amount
General Fund				
Revenues				
Fund Bal Approp - Get Fit Eden	10-9992-99100	\$ -	\$ 4,000.00	<u>\$ 4,000.00</u>
General Fund				
Expenditures				
Get Fit Eden	10-9920-99983	\$ -	\$ 4,000.00	<u>\$ 4,000.00</u>

Appropriates grant funds received for the Get Fit Eden program remaining from FY 2016-2017.

Adopted and effective this 17th day of April, 2018.

Attest:

Sheralene Thompson, City Clerk

Neville Hall, Mayor

f. Consideration of an amendment to City Code Chapter 3, Animal Control Ordinance.

This item was moved to New Business, 10h.

g. Consideration of an amendment to City Code Chapter 10, Personnel Ordinance

The City Attorney was requested to provide a proposed amendment to Eden City Code §10-6.3 that would allow the City to cease providing health and dental insurance benefits to any retiree who was hired after April 17, 2018. The current ordinance requires the City to provide this benefit at differing levels of retiree contribution based upon years of service.

The proposed amendment clarifies and does not change the City’s current practice for retirees who have retired in the past and for retirees who were hired on or before April 17, 2018 and will retire in the future. Language has been added that any employee hired after April 17, 2018 will not be qualified for the payment of the premiums and will not be qualified to remain on the City’s health and dental insurance.

In addition, the City Attorney revised (former) section 10-6.3 (B) (3) (c). In 2014, Staff recommended extending the age for insurance coverage until the retiree began to receive full Social Security payments. The effect would allow a retiree to defer Medicare coverage at age 65. Based upon further research, it was discovered it was not a preferred option for retirees because the Social Security Administration does penalize (monetarily) for this option. We have had no further request for this benefit; therefore, Staff recommended amending the section back to the way it was prior to 2014. Retirees are eligible for the health and dental benefits until they become eligible for Medicare (65th birthday) or Social Security disability.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that §10-6.3 of the Eden City Code is amended as follows:

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§ 10-6.3 RETIREE LIFE, HEALTH AND DENTAL INSURANCE.

(A) *Life Insurance.* At its sole expense, the city will provide group life insurance for its retired employees' with an established death benefit.

(B) *Health And Dental Insurance.*

(1) An employee retiring on or before November 20, 2001, may, by paying 100% of the premium for the coverage, participate in the city's group health and hospitalization program so long as the city's contracts with its insurers permits such participation.

(2) An employee retiring on or after November 21, 2001 but before August 29, 2009 must retire under the North Carolina Local Government Retirement System and draw or currently be eligible to draw benefits from the system in order to qualify for payment of all or part of the health care and dental care insurance premium. Retirement system regulations on eligibility for retirement govern eligibility for the program. The city will pay the premium for the coverage based on the policies established by the Council, subject to change.

The following schedule will be in effect until changed for employees retiring within the dates of this subsection:

<u>Years of Service</u>		<u>Individual Premiums</u>	
<u>At least</u>	<u>No more than</u>	<u>City pays</u>	<u>Employee pays</u>
25 years	30 years	75% or up to a maximum of \$ 412.50 per month, whichever is less	25% or the remaining cost, whichever is more
30 years		100% or up to a maximum of \$550 per month, whichever is less	0% or the remaining cost, whichever is more

(3) An employee hired on or before April 17, 2018 and retiring on or after August 29, 2009 must retire under the North Carolina Local Government Retirement System and draw or currently be eligible to draw benefits from the system in order to qualify for payment of all or part of the health care and dental care insurance premium. Retirement system regulations on eligibility for retirement govern eligibility for the program. The city will pay the premium for the coverage based on the policies established by the Council, subject to change. The following schedule will be in effect until changed:

<u>Years of Service</u>		<u>Individual Premiums</u>	
<u>At least</u>	<u>No more than</u>	<u>City pays</u>	<u>Employee pays</u>
20 years	25 years	50% or up to a maximum of	50% or the remaining cost, whichever is more

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				\$	275	per
				month,		
			whichever is less			
25 years	30 years	75% or up to a maximum of \$ 412.50 per month, whichever is less	25% or the remaining cost, whichever is more			
30 years		100% or up to a maximum of \$550 per month, whichever is less	0% or the remaining cost, whichever is more			

(4) Any employee hired after April 17, 2018 shall not qualify for payment of all or part of the health care and dental care insurance premium upon retirement and shall not qualify for participation in the City’s health and dental insurance policy.

(5) A minimum of 50% of an employees years of service (10.0 years, 12.5 years or 15 years respectively) with the city shall be required in order to receive this benefit. The other 50% of an employees years of service (10.0 years, 12.5 years or 15 years respectively) must be with an agency/organization which is a member of a Statewide Local Government Employee's Retirement System or a Statewide Teacher's and Statewide Employee's Retirement System or other systems under a Department of State Treasurer. Any sick leave converted for time at the end of service for retirement purposes shall count in the computation of time served with the city.

(a) Such employees may elect to purchase health care and/or dental insurance coverage for their eligible dependents and shall pay the full cost of this dependent coverage. Dependent coverage must be in place at least 12 months prior to an employee's retirement date.

(b) Payment of premiums for dependents must be paid in accordance with schedules and procedures established for the city's benefit by the City Manager or designee for the group health and dental plan. Failure to pay the required premium will result in loss of coverage, once coverage has been discontinued, it cannot be reinstated without the written approval of the City Manager.

(c) The city's payment of premiums for group health and dental coverage for retirees will be discontinued and the retiree will come off the City’s insurance policy when: the retiree becomes eligible for Medicare (65th birthday) or social security disability.

Any employee not meeting the aforementioned criteria by paying 100% of the premium for coverage will be allowed to remain on the city’s insurance policy for 18 months from the date of separation from the organization.

(Ord. passed 5-17-94; Am. Ord. passed 11-20-01; Am. Ord. passed 1-17-02; Am. Ord. passed 6-20-06; Am. Ord. passed 8-29-09; Am. Ord. passed 1-21-14; Am. Ord. passed 2-18-14)

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of April, 2018.

Minutes of the regular April 17, 2018 meeting of the City Council, City of Eden:

CITY OF EDEN
BY: _____
Neville A. Hall, Mayor

Attest: _____
Sheralene Thompson
City Clerk

h. Consideration and Approval to purchase a Pinnacle Stationary Compactor Unit.

The existing solid waste compactor suffered failure last July and is still in need of replacement. The compactor unit that was approved for purchase proved to be inadequate for installation at the Transfer Station and had to be sent back to the manufacturer. New specifications were produced for a new compactor based on viewing compactor units of other cities that would meet our needs. Bid solicitations were made in March for a compactor and installation based on our new specifications. The bid letter and specifications were sent to five vendors, and only one vendor responded. The other four vendors were Compactors Inc., Hilton Head S.C.; Wastequip, Charlotte; SP Industries Hopkins, MI; and Mid Atlantic Waste, Easton, MD.

Staff received one bid, and that was from Bakers Waste Equipment, Inc., for the Pinnacle Stationary Compactor. This bid met the City’s specifications. The total cost of the bid compactor unit installed was \$171,759.69. Staff recommended to purchase the ten cubic yard Miscellaneous Pinnacle Stationary Compactor unit.

The Solid Waste Division was running three garbage trucks that had to make a 26-mile round trip to the landfill daily. This increased the fuel usage, wear and tear and some delay in garbage pickup. (We normally only run two garbage trucks). Because of the fabrication time and installation of this equipment, the lead time to build and install this equipment would be ten weeks.

A motion was made by Council Member Burnette to approve the Consent Agenda. Council Member Grogan seconded the motion. All members voted in favor of the motion.

ANNOUNCEMENTS:

Mayor Hall asked Main Street Manager Randy Hunt and Coordinator of Tourism and Special Events Cindy Adams to come forward and tell about the exciting events upcoming in the City.

Ms. Adams wanted to review what had happened the previous week through the weekend. They started off Friday with a regional trails summit at RCC. Since trails were being built all over the city, it was very helpful. Experts and participants were there from all over the state. It was a coup that RCC got the summit, the last one was held at the N.C. Zoo. The Fine Arts Festival Show Awards Ceremony was held Sunday afternoon at City Hall. The show was open all week. She encouraged everyone to view it – there was a lot of talent in the county. The Go Far 5K, presented by the Partnership for Children, was held with 700 runners and the finish line in Grogan Park. The children trained for 10 weeks. It was an incredible sight and a proud moment for the children, parents, teachers and coaches. They hosted over 30 Canadian golfers with a reception at the Hampton Inn. They were in Eden for a week. They played regionally, including Oak Hill, and had a great time. They had already booked for next year. There was a huge softball tournament at Freedom Park as there would be many weekends throughout the year. There were still 14 teams in Eden on Sunday. She was picking up some catering items Sunday afternoon and Santana’s was already full. A team walked in with another 20. That was just one team, one restaurant. That was

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an incredible economic value there. The Theatre Guild had a talent show in the county featuring 30 acts, many from Eden. Again, there was a lot of talent in the county. This was just the beginning of the busy season. April 21, Eden asked for it and got it, The Boulevard Merchants Association was holding a Food Truck Rodeo on The Boulevard from 11-6 with food trucks, a bouncy house for kids, lots of vendors and music. It was a very exciting time for The Boulevard – they had worked hard, Council Member Hampton had worked hard on it. May 3, City Hall would host a National Day of Prayer observance at noon at the front. May 4 was Chamber Night at the Eden Drive-In. UNC TV would be on site filming a regional piece that would end at the drive-in. Hopefully they would have overnight stays. She encouraged everyone in the community to come early – she had a feeling it would sell out. There would be free popcorn and drinks for the first 50-100 people to come in and they would have t-shirts. The drive-in was a treasure. It was only one of five in the state. May 8, they would host Hispanic Heritage Day in Grogan Park. All Eden fifth-graders would attend from 12-2. Everything was authentic from the mariachi band to the food to the piñata making. It was a huge hit last year. It was made possible by a grant from the Arts Council and they encouraged her to apply again for the grant. May 12 was Oink and Ale from 6-9 on Monroe Street. It was free. Chicago Rewired, a Chicago tribute band, would perform. There was lots of great food and beverages with that. May 17-20, the Argus Camera Group would be there again. This was their 12th year when they were only supposed to be in Eden for three. They loved the hospitality, amenities and using City Hall so they came back. They were from all over the U.S. and even Canada. Only one member, Ron Norwood, was from Eden and it was because of him that they were in Eden. June 2 was the Piedmont Pottery Festival at Kingsway Plaza from 9-4. That was just through June 2. There were good things coming.

Mayor Hall said the events did not happen without the staff and volunteers, a lot of them over the weekend taking time away from their families. They did appreciate everyone who put time and effort into the events. This would be the first attempt at the Food Truck Rodeo. He encouraged everyone to support it – hopefully they could make it an annual event or even more often than that if everyone would come out and support it. Lastly, the National Day of Prayer was around the flag pole. Last year they had it and the tornado hit the next day without a single injury. They did not want that kind of luck again, but they did not want to push their luck. They would gather at noon.

Mr. Hunt said two more building rehabilitation grants had been awarded. Pam Tiano did a roof replacement to the former Full Moon Saloon and Jean Harrington for her façade replacement of the Eden Historical Museum. She finished up what had been a temporary repair from two years before. Ms. Tiano was confident she had a tenant for the building, a successful business owner from the county who was planning an expansion of gourmet coffee, foods and craft beer. He had been wildly successful. The micro-brewery was waiting on the placement of the back wall, which would be determined by the engineer. Once developer Chris Fisher had the plans, he would move forward. Dave Wall had purchased the former Ralph Barrow building and planned to put a restaurant in it with seating on Washington Street. The Fine Arts Festival was being held in the Eden Room from 10-6 through Friday and 10-1 on Saturday.

Mayor Hall said it was an impressive display of local talent. He explained where the Eden Room was located.

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Council Member Grogan asked Ms. Adams if there was a way to publicize what she was doing by having signs up to tell what was going on in town.

Ms. Adams said they tried to. They put everything on Facebook, they had flyers for all the major events. The sign at City Hall was being used consistently. Banners were used where they could be. Eden's Own Journal published their material. It was in the city manager's report. They tried to put it everywhere. If anyone had any other suggestions, she would certainly take it and use it.

Council Member Burnette said the Eden Youth Council was sponsoring a Kickball Tournament on May 5 starting at noon at Freedom Park for elementary school students grades three through five. Parks and Recreation Director Johnny Farmer and some of his staff would be assisting with the event.

Council Member Ellis asked Municipal Services Director Paul Dishmon, Solid Waste Superintendent Rodney Carter, and Water and Sewer Construction Projects Manager Mark Bullins to stand. He thanked Mr. Dishmon and Mr. Carter for what they had done in Draper, the streets looked a lot better. He thanked Mr. Bullins for what he was doing.

BREAK:

Mayor Hall called for a five-minute break while the meeting was set up for the Work Session.

Mayor Hall called the meeting back to order and called on Mr. Corcoran.

WORK SESSION – PROPOSED FY 2018-2019 BUDGET:

Mr. Corcoran said the combined budgets equaled \$33,332,200, an increase of \$78,400 or approximately 0.24% when compared to the current combined budgets of \$33,253,800. On Feb. 24, the City Council met for its annual Budget and Planning Retreat. According to the priorities submitted by the Mayor and members of City Council, the funding priority themes for FY 2018-19 included: 1. Economic Development Initiatives; 2. Parks & Recreation Initiatives; 3. Infrastructure Improvement Initiatives; 4. Positively Eden Strategic Plan Initiatives; and 5. Code Enforcement & Nuisance Abatement Initiatives. He was pleased to report that funding to some degree or another for each of those identified and discussed priority themes was included in the budget as submitted. The budget as submitted did not increase the current tax rate of \$0.609 per \$100 of assessed property valuation. Just so everyone was aware, he provided a comparison of the existing tax rates currently being charged by surrounding governmental entities and they would note that Eden continued to have the lowest tax rate (Rockingham County \$0.696; Madison \$0.73; Stoneville \$0.69; Mayodan \$0.63; and Reidsville \$0.74). The budget did not increase the water rates, sewer rates or monthly residential solid waste fee, nor did it increase the motor vehicle license fee. The budget included a flat \$700 increase in compensation for all full-time employees. It included funding for 181 full-time employees. This was a reduction of three full-time positions since FY 2015-16 and 22 full-time positions since FY 1995-96. It included \$1,000,000 in contingency funds, General Fund \$500,000 and Water & Sewer Fund \$500,000, for unanticipated expenditures and/or unforeseen declines in revenue.

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In addition, it included the allocation of \$1,000,000 in available fund balance (General Fund \$500,000 and Water & Sewer Fund \$500,000). Without the appropriation of \$1,000,000 in contingency funds, there would not have been a need to allocate any fund balance in order to balance the proposed budget. It included \$300,000 for additional undesignated initiatives related to the continued implementation of the Positively Eden Strategic Plan recommendations. They were items that would be brought to the Council in the upcoming year. None would be spent without the Council's approval.

The budget as submitted included \$4,760,900 in funding for capital outlay items – several of which were related to the Positively Eden Strategic Plan: General Fund \$1,543,600; Powell Bill/Street Resurfacing \$ 856,700; Water & Sewer \$2,360,600 (excluded EPA AOC & Mega Park). It included \$2,831,800 in loan proceeds for 24 different items and initiatives. It included \$2,769,600 in funding for debt service payments: General Fund \$820,100 and Water & Sewer \$1,949,500.

The proposed budget included \$1,307,900 in revenue from four different grants: Rockingham County Aging, Disability & Transit Services (RCATS) Grant for the Skat Bus Operations – \$127,800; Duke Energy Water Resources Fund Grant for the Klyce Street/Draper River Access Points/Landings Projects – \$100,000; Community Oriented Policing Services Grant to Help Fund Two Additional Police Officers – \$83,100; and North Carolina Commerce Rural Infrastructure Authority Grant for the New Street Sewer Improvements Project – \$997,000.

During the past five years, Eden has been awarded \$52,386,326 in grants and 0% or low interest loans for various projects. Of the total, \$28,062,000 or 53.56% had been in the form of grants or principal forgiveness loans that did not have to be repaid. Mr. Corcoran said a special note of thanks to Terry Shelton, Director of Public Utilities, and Mike Dougherty, Director of Economic Development, for the tremendous job they had done at securing outside funding to meet many of the capital needs.

The budget included \$493,900 in pass thru funds (i.e. non-taxpayer funds within the budget that are collected by the City from a specific source and then spent by or for that same source). Examples included the Runabout Travel Fund, Project SAFE Rockingham County and the Municipal Service District Tax Fund.

The proposed budget included \$262,000 in funding to pay for the City's obligations in reference to performance agreements with four local industries: Gildan, SGRTEX, Karastan, and Innofa.

It included \$162,800 in funding for code enforcement efforts, including demolitions and nuisance abatements, and an additional \$40,000 in funding for part-time employees who would focus exclusively on picking up litter and debris to improve community aesthetics. The budget included \$124,100 in funding to continue supporting a number of community-wide organizations, special events and initiatives.

The budget notebook the Council received included a 5 Year Capital Improvement Plan (CIP) that totaled \$66,637,955 for the General Fund (\$22,174,500), Water & Sewer Fund (\$6,261,500), EPA AOC Capital Project Fund (\$31,134,055), and Berry Hill Mega Park Capital Project Fund

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(\$7,067,900). The budget notebook included a Budget Message that had a two-page Executive Summary (highlighted in the presentation) as well as a much more comprehensive presentation of information concerning the proposed budget. The Tax and Service Rates section of the budget notebook outlined all of the tax and service rates for the upcoming year. The Budget Message and Personnel Sections of the budget notebook outlined all of the pertinent information concerning personnel. The Large and Small Capital Outlay Section of the budget notebook provided an itemized listing of the large and small capital outlay items for the upcoming year.

On March 21, 2017, the City Council voted to establish the EPA Administrative Order Consent (AOC) Capital Project Fund and the Berry Hill Mega Park Water Line Extension Capital Project Fund. The EPA AOC project involves the elimination of Sanitary Sewer Overflows and the Berry Hill Mega Park project involves the extension of a waterline to the NC/VA state line. Approximately \$38,201,955 in work related to the two projects would dominate much time over the next four years: EPA AOC Project \$31,134,055 and Berry Hill Mega Park Project \$ 7,067,900 = \$38,201,955.

Mr. Corcoran concluded by expressing his sincere thanks and appreciation to each of the department heads, division heads, and their staff members for the excellent work they continued to do for the citizens on a daily basis. As everyone was aware, they had been asked to make sacrifices, often wear multiple hats, and do more with less for several years now. If they looked back at 1995-96, the square miles of the city were now larger and the services were the same but there were 22 less full-time employees. Back then, they did not have some of the full-time positions they had now, such as IT and other areas. Despite staffing reductions through the years and tough economic times, no city services had been eliminated! A special thanks to our staff for their excellent service.

Council Member Grogan said the budget notebook was extremely helpful in trying to plow through the budget, particularly for someone as new as she was. It was valuable.

Council Member Burnette said the proposed budget was amazing in that no taxes were being increased and they were able to fund some of the projects and have a balanced budget.

Council Member Carter said Mr. Corcoran had always done a great job with the budget. They appreciated him always being able to balance the budget.

Council Member Moore said Mr. Corcoran remarked he had a lot of people behind him helping him but Council Member Moore knew Mr. Corcoran was the brains behind getting all the information. He appreciated it.

Mayor Hall said on behalf of himself and the Council, they appreciated what Mr. Corcoran, the staff and department heads did to put the budget together. He went in Mr. Corcoran's office a couple of weeks prior and he was \$5 million short of balancing. He did not see him for a day or two and he had it balanced. It was amazing what they were able to continue to fund and not have to increase fees dramatically. They were taking care of the problems that a lot of people complained about and offering opportunities for a better quality of life.

April 17, 2018

City of Eden, N.C.

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Council Member Ellis said there was no “I” in Team. He thanked Mr. Corcoran.

Council Member Epps said the City ran like a well-oiled machine.

Council Member Carter questioned the payment for incentives to SGRTEX.

Mr. Corcoran said the incentives were paid if the company met the parameters in the incentives agreement. In most of the agreements, there was an amount of investment required and a requirement to retain a certain number of jobs. If a company failed to meet the requirements, they would not receive the payments.

Council Member Hampton thanked Mr. Corcoran and the staff for their outstanding work.

ADJOURNMENT:

A motion was made by unanimous consent to adjourn.

Respectfully submitted,

Sheralene Thompson, MMC
City Clerk

ATTEST:

Neville Hall
Mayor