CITY OF EDEN, N.C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, August 18, 2020 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor: Neville Hall
Council Members: Darryl Carter

Gerald Ellis Jerry Epps Angela Hampton

Phillip Hunnicutt
Bernie Moore
Bruce Nooe

City Manager: Jon Mendenhall
City Clerk: Deanna Hunt
City Attorney: Erin Gilley

News Media: Roy Sawyers, Rockingham Update

Mike Moore, Mike Moore Media

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance. Police Chief Clint Simpson gave an invocation followed by the Pledge of Allegiance led by Wastewater Treatment Plant Superintendent Melinda Ward.

PRESENTATIONS AND RECOGNITIONS:

a. Introduction and swearing in of City Manager Jon Mendenhall.

Before Mr. Mendenhall's swearing in, Mayor Hall read a proclamation in honor of outgoing Interim City Manager Terry Shelton.

Proclamation in Honor of Terry A. Shelton

WHEREAS, Terry A. Shelton is an invaluable member of this community who began serving the citizens of Eden in 1979 as an Operator at the Water Filtration Plant; and

WHEREAS, through hard work and with the admiration of his fellow employees, Terry advanced in his career to the top of his field as Public Utilities Director; and

WHEREAS, when the need arose last year, Terry was willing to expand his service to the citizens of Eden by answering the call to assume the duties and responsibilities of Interim City Manager; and

WHEREAS, Terry has devoted himself to the services of our City, and has tirelessly represented the City with distinction and in the highest professional manner during his term as Interim City Manager; and

WHEREAS, Terry has restored integrity and honor, as well as employee and public trust, to the Office of City Manager.

NOW, THEREFORE, I, Neville Hall, Mayor of the City of Eden, on behalf of myself and the Eden City Council, proclaim our deepest gratitude, and we honor Terry A. Shelton for his outstanding professional service and personal dedication as Interim City Manager.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18th day of August, 2020.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

Mr. Shelton thanked the citizens for working with him and City staff who had been fantastic to work with as well. City Council had been supportive of him beyond his expectations and he was happy for the opportunity and that Council trusted him to serve.

Mayor Hall introduced Mr. Mendenhall, a High Point native with 16 years of local government experience who had served as town administrator of Carolina Shores, N.C., from 2014 until the start of his job with the City of Eden. Prior to that, he served as county manager of Gates County, N.C., but began his career in Stanly County, N.C., as a planner. Mr. Mendenhall earned his Masters of Science degree in Technology Systems with a concentration in quality control from East Carolina University, a certificate in Project Management from N.C. State University, and a Bachelor's Degree in History from UNC Chapel Hill. He was a current board member of the N.C. Resource Conservation and Development Association and Cape Fear Resource Conservation and Development, nonprofits engaged in economic development and resource conservation in predominantly rural North Carolina. As an ICMA credentialed manager, Mr. Mendenhall was committed to professional and quality principles in local government.

Mr. Mendenhall was sworn in by Mayor Hall.

SET MEETING AGENDA:

Council Member Nooe requested to add an item to the agenda in reference to the Central Hotel project. As he recalled, the City agreed to provide only water meters for the hotel and nothing additional, but he saw additional funds on the vouchers and staff time spent on the project, which he was opposed to. He would like any spending on it stopped and expenditures brought before Council.

Mayor Hall added the item under New Business as 10(d): Discussion of Central Hotel.

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

PUBLIC HEARINGS:

There were none at this time.

REQUESTS AND PETITIONS OF CITIZENS:

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

President Melissa Galloway with Home of Refuge Outreach, Inc., 205 N. Main St., Eden, was speaking on behalf of herself and Executive Director Angel Goldston. She said the organization had been located in the Draper Fire Department for the past nine years and expressed their thanks for the Council's faithfulness in continually allowing them to use the building. She requested they be able to use the building in the coming years.

Ms. Goldston said the outreach was now with the Balance of State Continuum of Care and they recently signed up with Bertie County in order to have their shelter open for victims of Hurricane Isaias. Not only did they take in residents from Rockingham County, but they also took in residents from different counties. They scanned each person for COVID-19 and worked with Annie Penn and Moses Cone hospitals for those who tested positive. The volunteers, mostly elderly, had decreased and therefore, they were trying to obtain funds to hire enough staff to cover their three shifts in an effort to keep the community safe and minimize the spread of COVID-19. She thanked Council for allowing them to use the building.

UNFINISHED BUSINESS:

Ms. Gilley stated there was an item that needed to be added to the Closed Session section of the agenda in regards to economic development and Council needed to make a motion to reset the agenda.

Council Member Nooe made a motion to amend the agenda to include an economic development item to the Closed Session portion of the agenda. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

a. Update on the City's Unified Development Ordinance project.

Mayor Hall called on Director of Planning and Inspections Kelly Stultz.

Ms. Stultz stated that the Unified Development Ordinance (UDO) would be more flexible and would make it easier for the development community to know what they could and could not do. Due to changes in the statutes, City Council would be presented with all special use permit applications and conditional use zoning requests going forward.

Chad Sary, with Stewart, Inc., presented a PowerPoint presentation detailing the project schedule and what the UDO contained. The work program was divided into five phases: (1) Project Initiation: January 2020; (2) Code Assessment & UDO Framework: February-March 2020; (3) UDO Preparation & Composition: March-August 2020; (4) Adoption: August-November 2020; and (5) Implementation & Training: December 2020-January 2021.

He explained that Phase 1 consisted of multiple meetings with staff, discussions with members of the community and boards, and tours of the City in an effort to thoroughly understand Eden. A public meeting was held as well as multiple Steering Committee meetings. In Phase 2, they prepared the code assessment report, which was a document that analyzed the City's existing codes, determining which codes were relevant and functional. It also included suggestions of practices for the City to utilize. Phase 3 was the current phase that included drafting of the UDO, assisted by the City's Planning Board who also served as the Steering Committee. The overall project goals were to reorganize and consolidate the City's current ordinances while also implementing the City's comprehensive land use plan, which was something every UDO should include. The current draft of the UDO was reflective of the current guidelines under NCGS 160D, which was the most comprehensive overhaul of zoning and land development regulations since the 1980s. It also included the consolidation and revision of zoning districts as analyzation revealed some not being used and others overlapped. The City's current ordinance was difficult to navigate through because it was divided by zoning districts with all of the uses listed. The drafted UDO had a Table of Permitted Uses in Article 4 where a user could locate what they wanted to do and determine if it was permitted in a zoning district. The final goal was to make the UDO user-friendly with less text and more graphics, tables and illustrations.

Mr. Sary said the next step would involve having another public meeting and then proceeding to the Planning Board for their recommendation, at which point they would be ready to bring it to City Council for adoption. He stated that it been put on the website and made available to anyone who desired to see it. Mr. Sary explained that UDOs were used for multiple things. They were incorporating comprehensive plan goals, reorganizing and integrating existing development codes, eliminating inconsistencies and redundancies in different ordinances, establishing clearer development processes, formatting for readability and user-friendliness, and mixed-use elements that would help in the downtown areas. The City currently had a zoning ordinance, subdivision ordinance, watershed protection ordinance, code of ordinances, and flood damage prevention ordinance. The processes and definitions listed in those ordinances could cause redundancies and conflicts. The drafted UDO consisted of the consolidation of those ordinances that were now consistent. It also contained prominent article and section titles, the addition of charts, bold fonts, understandable descriptions and document titles at the bottom, which made it easier to follow from a formatting view. The structure of the UDO was broken into three main sections: (1) Articles 1-3 consisted of the legal section and described how the UDO was formatted, what the City's responsibility was and what the developmental processes were; (2) Articles 4-8 entailed the design standards surrounding development; and (3) Articles 9-14 involved the regulations of building maintenance standards, environmental protection, nuisance and junk vehicle standards, and enforcement. In the first section containing Articles 1-3, the UDO repealed the old ordinances and codes. It brought in the requirements under NCGS 160D that involved the clarification of developmental processes in three areas to avoid overlapping: (1) Administrative, which would be conducted through the City's staff; (2) Legislative, which would involve rezoning and was therefore, policy-driven and decided by Council

(example: conditional zoning); and (3) Quasi-Judicial, which would be evidentiary-based, involving expert testimony and decided by Council (example: special-use permits). As a summary of it, it told who did what, when they did it and how. The second part was design standards. The City had five industrial districts that were downsized into two districts: light industrial and heavy industrial. New districts were added that would prove vital to revitalization and redevelopment, particularly in the downtown areas. In addition, Planned Unit Developments became Conditional Zoning Districts based on changes in the statutes. The Table of Permitted Uses outlined three processes: (1) PS-permitted with additional standards; (2) P-permitted by right; and (3) Sspecial use permit. It allowed users to easily determine a process if they knew what they wanted to do. The final section containing Articles 9-14 portrayed the regulatory structure of the UDO. The City's building maintenance standards mainly stayed the same with the exception of some minor updates due to statutes. The environmental protection combined watershed, storm water and flood damage prevention into one area. Junk cars and nuisance standards were pulled out of the City's ordinances and placed into section three as well as the combination of non-conformities. There were five alphabetized appendices in the code: (A) ETJ Description; (B) Approved Planting List; (C) UDO Amendment History; (D) Vacant Commercial Properties; and (E) Development Review Flow Chart. Lastly, due to the zoning changes that took place, there was also a zoning map update. As they moved forward, they would have a public hearing on the text and a separate public hearing for the zoning map. He commended City staff for doing a great job making as little impact as possible on existing properties while also maintaining their consistency with the land use and consistent zoning.

Mr. Sary said the Planning Board was scheduled to make their recommendation on the UDO the week of August 23. There would be an open house/workshop September 10 at Grogan Park where the maps and large pictures showcasing the steps of the process would be on display. At their September meeting, the Planning Board would make their recommendation on the map and the City Council would have a public hearing on the text October 20. At the November City Council meeting, there would be an adoption hearing for the zoning map followed by a training session in December. On January 1, 2021, the new UDO would be ready for adoption.

Mayor Hall asked if the grandfathering of properties would continue as it had in the past because that would likely be a concern as people went to a different zoning district.

Mr. Sary replied yes.

Ms. Stultz added that the vested rights provisions would be more advanced than they currently were. She planned to ask Council to allow all of the text and map zoning amendments to be made at no cost. Just like the City's current ordinance, the UDO was not unvarying because there would always be change, likely many during the first six to eight months.

Mayor Hall questioned if the uses in the heavy industrial zoning district would still be as restrictive.

Ms. Stultz said that NCGS 160D deemed the current setup of I-3 as no longer legal and therefore, the City must have some industrial uses that were heavy, requiring special use permits, and some industrial uses that were light and permitted.

Mayor Hall asked if the areas zoned to I-3 would be able to proceed with things the City tried to prevent, such as particular dump sites, and if so, would the City be able to prevent such by requiring application for a special use permit.

Ms. Stultz and Mr. Sary both replied yes.

Ms. Stultz said everything that was originally put into I-3, even after separated in the UDO, would still require special use permits.

Mr. Sary added that they were careful about the I-3 district and making sure they brought forth the standards that were previously in place and continuing when a special use permit was required.

Mayor Hall stated he often used other municipalities' UDOs with his job and found them very helpful. They were also helpful to those involved in real estate, development, and to people desiring to know what was going on where they lived or where they desired to live. He was glad the City was moving forward with it.

Council Member Hunnicutt requested Ms. Stultz send the schedule of events to Council.

Ms. Stultz said she would and added that she spoke with Mr. Mendenhall about a special meeting for Council to discuss and review the text if Council thought it was necessary, and possibly a special meeting for the map amendments. She welcomed anyone with questions or concerns to call her before it was presented to the Planning Board the week of August 23. She wanted Council to have a copy of the draft to review and if adopted in January 2021, they would be provided with an official copy that was signed and dated.

Council Member Hampton asked what time the Planning Board meeting would be held.

Ms. Stultz replied that it would be at 4 p.m. via Zoom.

b. Consideration of the Certificate of Sufficiency and adoption of a resolution calling for a public hearing on the annexation petition of property located at 197 and 199 E. Aiken Road.

Mayor Hall called on Ms. Stultz.

Ms. Stultz stated that it was discovered the owners of 197 and 199 E. Aiken Road were receiving City services but the property was not located inside the City limits. They were offered the opportunity to be annexed in order to continue receiving City services, so the owners submitted a petition in which it was deemed sufficient. She asked for City Council to hold a public hearing at the regular September City Council meeting.

Council Member Moore questioned if it was the same property the clerk was asked to investigate the sufficiency of at the previous City Council meeting.

Ms. Stultz replied yes and said that the statutes stated that the clerk investigated the sufficiency of annexation petitions, but Ms. Stultz performed the verifications.

Council Member Moore questioned if everything was found to be sufficient.

Ms. Stultz answered yes and said that she verified the actual owners of the property based on the deed. She stated that Council decided several years ago to charge the owners inside City rates throughout the process if they filed a petition.

Council Member Ellis made a motion to hold a public hearing on the annexation petition of property located at 197 and 199 E. Aiken Road at the regular September City Council meeting. Council Member Carter seconded the motion. All members voted in favor of the motion. The motion carried.

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

WHEREAS, Petitions 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 Petitions at their meeting on July 21, 2020; and

WHEREAS, certification by the City Clerk of the City of Eden as to the sufficiency of the Petitions 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 areas described herein will be held in the

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Eden City Hall in the City Council Chamber at 6:00 P.M. on September 15, 2020.

Section 2. The areas proposed for annexation are described as follows:

That portion of 197 and 199 E. Aiken Road identified by the Rockingham County Tax Department as PIN 7081-17-00-5994 and Parcel Number 177187Z1 and Parcel Number 177187Z2 which lies north of the Eden City Limits current boundary and the entire parcels being described as follows:

TRACT 1: Parcel A containing 3.081 acres as per Plat of Survey for Helena A. Bryant dated January 1, 2009, by C. E. Robertson & Associates, P.C. recorded in Map Book 65, Page 49, Rockingham County Registry.

TRACT 2: Parcel B containing 1.176 acres as per Plat of Survey for Helena A. Bryant dated January 1, 2009, by C. E. Robertson & Associates, P.C. recorded in Map Book 65, Page 49, Rockingham County Registry.

Section 3. Notice of the public hearing shall be published in the <u>News and Record Rockingham Section</u>, a newspaper having general circulation in the City of Eden, at least ten (10) days prior to the date of the public hearing.

This the 18th day of August, 2020.

CITY OF EDEN

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

c. Update on the Matrimony Creek Nature Trail.

Mayor Hall called on Mr. Shelton.

Mr. Shelton stated there had not been a lot of progress made on the trail as they were waiting to receive information from the Corps of Engineers and DENR specifying what would be required of the City as repairs were made on the sewer line. He believed under the nationwide permitting, the City would be able to make repairs to the sewer line without having to do bioassays of endangered species that could possibly be present at the creek locations in question. The City was still awaiting to hear the regulators specify exactly where work could be performed and if further information was needed before repairs could begin. His hope was to present Council with a cost and request to proceed with the repairs at the regular September Council meeting.

Mayor Hall said it had been a long process and he hoped the City could maintain its intentions to restore it.

Council Member Hunnicutt asked if it was known how long it would take before the State would give the City guidance in regards to the repairs.

Council Member Nooe questioned if part of the trail could be opened and used while waiting to hear from the State.

Mr. Shelton stated that after grading and adding granite dust, the trail could possibly be opened to the three-quarter mile mark if Council chose to do so.

Council Member Carter asked if the footprint would be moved up some.

Mr. Shelton said it would likely remain the same because of the location of the sewer lines. If the portion of the trail that went through the switchbacks to Center Church Road were restored, it would likely need to be moved further up the hill if possible to get out of the floodway for the creek.

Council Member Hunnicutt expressed concern about the amount of money that could be spent on the trail long term to maintain it. The trail had been there a short period of time and had flooded multiple times. With each of the flood events, the water was so abrasive that it washed out portions of the trail. He suggested looking at an alternate route or alternate surface materials. He was in support of trying to restore it, but they needed to

look for a solution to minimize the costs.

Council Member Nooe said the majority of the trail was in the floodway. They were in the area because they had easements or owned the property. In order to move it out of the floodway, the City would have to purchase additional easements. Due to the majority of the trail being in the floodway, there was not a way to avoid flooding.

Council Member Hunnicutt clarified that he meant there were areas where it seemed that the current was particularly abrasive when the trail flooded. It was the same situation on the Smith River Greenway, it was also in a floodplain. He did not know what the costs had been to date just to repair it.

Mr. Shelton stated that the cost to level the trail and add granite dust had been close to \$5,000 to \$6,000 in materials. Besides running parallel to the sewer line and thus close to the creek, it also provided the benefit of walkers using the trails notifying the City if anything were wrong with the sewer system. If the trail were to be moved too far from the creek, it would not be easily visible if there were to be a break in the sewer line or other types of damage.

Council Member Ellis suggested doing something in another positive direction that would not require as much financial upkeep, such as a biking trail instead of a walking trail.

Mr. Shelton stated that the City could look into getting something more resilient in place, but the rain over the past 12 months had been exceptional, as the City had gone a decade in the past without having any issues on Matrimony Creek.

Council Member Nooe stated that sewer issues along the trail would also be detected by those clearing the sewer outfall.

Council Member Ellis pointed out that cycling was a big hobby in many places and could be a draw to Eden.

Council Member Epps said the City's trails were a magnet to people and it would be an asset to the City if something could be resolved with the trail.

Mr. Shelton added the scenery on the trail was some of the best views in the entire city.

Mayor Hall said regardless of what type of trail it was, it would have to be maintained. Duke Energy donated \$100,000 towards the trail and the City had invested around \$35,000 into the trail, so it had not been as large of a financial burden on the City as it seemed. He was not opposed to opening the trail to the three-quarter mile mark if it was safe to do so, but he would plan to meet with Mr. Shelton and Parks and Recreation Director Johnny Farmer to discuss the cost and then with Council to see what they desired to do.

NEW BUSINESS:

Consideration to purchase a utility vehicle for the Wastewater Treatment Plant.

Mayor Hall called on Ms. Ward.

Ms. Ward stated that several years ago, the Wastewater Treatment Plant was in need of a new vehicle for the plant site, so they purchased an electric vehicle in an effort to save money on fuel costs. It provided more versatile uses with its capability to easily maneuver around the entire site versus the limitations of a truck's mobility. It had also been an asset for some of the employees who could no longer walk the full extent of the plant site. However, the vehicle's braking system could not handle the dust at the plant site despite the seller assuring the City it could handle any condition. Several repairs had been made to the vehicle over the past few years with the most recent estimated repair cost being about \$3,800 with no guarantees. The cost to replace it with a similar type of vehicle would be \$6,300, but there was the possibility of encountering the same type of

braking system issue. A gas-powered utility vehicle would offer the versatility needed while still proving cheaper on mileage fuel costs and cheaper than a new truck. The department's revenues had been higher than expected due to an increase in leachate proceeds and profits from another plant that had been bringing a daily load to the City's plant since February: \$13,500 last fiscal year and \$4,500 thus far this fiscal year. Due to the repair cost of the electric vehicle not being received until June, Ms. Ward was unable to submit the information into the current budget. Therefore, she asked Council to grant permission to proceed with purchasing a utility vehicle that could be offset with the unanticipated revenue being received.

Council Member Ellis said a few years back, Parks and Recreation had purchased a John Deere vehicle on the state contract and asked if she had looked at that.

Ms. Ward stated that they had test driven that vehicle and had discussed the contract. They also test drove another John Deere utility vehicle that was brought to them to consider, but they had a few personnel who had a difficult time getting in and out of it. Therefore, they would like to have the option to look around and compare prices and usage. The contract they received for the basic John Deere utility vehicle was close to \$9,000, which included a cover and a windshield; anything else added on would be an additional cost. They also looked at units that came as a packaged deal and included everything they would need for a set price. However, they did not want to spend \$20,000 on a utility vehicle when they could purchase a truck for the same price.

Council Member Ellis noted the company Parks and Recreation went through also sold reconditioned materials that might be a possibility for their needs.

Council Member Carter asked Ms. Ward if she had conducted any research on what type of vehicle had the best braking system that would not cause a repeat of the problems they had previously encountered.

Ms. Ward stated the design of the braking system in the electric vehicle opened it up to more issues with sand getting into its system. Other vehicles were designed differently and would not be affected by the sand at the plant.

Council Member Ellis asked if the City could sell the electric vehicle.

Ms. Ward said yes but added that it was not operational.

Council Member Hunnicutt stated that his son had a rural real estate business and had much luck with UTVs (utility task vehicles), particularly the Polaris Ranger model as it was made to handle such types of environmental conditions without posing threats to its braking system. His son found it to be much cheaper to buy a base unit and purchase after-market products, such as the windshield, top and doors, to add to it.

Council Member Epps made a motion to allow the Wastewater Treatment Plant to purchase a utility vehicle up to \$10,000. Council Member Hampton seconded the motion. All members voted in favor of the motion. The motion carried.

Council Member Carter suggested to Ms. Ward that she consult with the City's Fleet Maintenance Department and possibly have a mechanic assist her with the purchase decision.

b. Approval to proceed with the purchase of 2020-21 budgeted capital outlay items for the Police Department: eight patrol vehicles.

Mayor Hall called on Chief Simpson.

Chief Simpson stated the entire procedure of purchasing patrol vehicles took approximately 10 months. He understood the financial situation the City was in due to COVID-19 felt it was important to explain the details of the complexity of the purchasing process. Once the vehicles were ordered, it took two-and-a-half months for them to be delivered, at which point they were sent to Fleet Maintenance to receive titles and insurance

and then to Dana Safety Supply to be outfitted with police equipment, such as blue lights and cages. He contacted Tri-City Dodge and was informed that the patrol vehicle purchasing process was currently one month behind. Therefore, any purchases made at the present time would not be delivered until possibly December and ready for use until June of next year. If the purchase was not made until December, the vehicles would not be ready for use until the next fiscal year.

Council Member Carter questioned what type of vehicles the department was considering purchasing.

Chief Simpson replied it would be five Dodge Durangos and three Dodge Chargers.

Council Member Carter asked if the Durangos were all-wheel drive.

Chief Simpson stated that both the Durangos and Chargers were all-wheel drive. The Durangos would be used as patrol vehicles and the Chargers would be used in the investigative division to replace the 2007 Chevy Impalas currently in use.

Council Member Carter asked if the department currently had a Durango in use.

Chief Simpson said they currently had two Durangos in use. Initially, they had looked to purchase Ford Explorers but they were priced at \$38,000 versus the Durango at \$30,000, which he felt was a better choice with taxpayer money.

Council Member Ellis questioned if the Durangos in use had been marked.

Chief Simpson said yes.

Mayor Hall stated the vehicles in question were already approved in the budget. In previous meetings, Council had agreed not to spend money on capital outlay items at the present time if not necessary. However, he viewed the police vehicles as part of the equipment the department used to do their job and felt that the vehicles were considered a need as opposed to a want. He appreciated Chief Simpson's clarity on the process.

Chief Simpson stated the department appreciated the consideration and would not ask for something they were not able to justify and felt that waiting until December to proceed with the purchase would place them in a position where it would likely not be completed within the current fiscal year.

Council Member Ellis made a motion to proceed with the purchase of the 2020-21 budgeted capital outlay item of eight patrol vehicles for the Police Department. Council Member Nooe seconded the motion. All members voted in favor of the motion. The motion carried.

c. Approval to proceed with the purchase of 2020-21 budgeted capital outlay items for Municipal Services: dump truck.

Mayor Hall called on Director of Municipal Services Paul Dishmon.

Mr. Dishmon stated that Municipal Services had dump trucks in operation that averaged 17.3 years old, with some as old as 25 years. Many had begun to show signs of age and use as a result of building creek trails, box culverts, trestle repairs and hauling dirt. Therefore, he asked for Council to consider the approval of proceeding with the purchase of a dump truck because once it was ordered, it would take approximately 275 days to be delivered, which would be the end of June 2021.

Council Member Carter pointed out that the purchase was time sensitive.

Mr. Dishmon stated that was correct. Fleet Maintenance Superintendent Jason Barnard handled the bidding process and confirmed with the selling company that delivery would occur 245 to 275 days from the date the

purchase order was received. The dump truck bed would have to be built.

Council Member Carter asked if the dump truck was a single wheel.

Mr. Dishmon replied yes. He added that it was an 8-ton single axle, which was a high-use item in Municipal Services considering it was used for storm damage and snow removal. He planned to ask Council for approval to proceed with the purchase of a wheel loader at a later date, which had a 120-day turn around on delivery.

Mayor Hall stated that the purchase was previously approved in the budget and due to Council's request to not spend any capital outlay money if not necessary, Mr. Dishmon was asking for approval to proceed with the dump truck purchase. There were three pieces of equipment requested in the budget for Municipal Services, but they were able to make two pieces work until the City had a better understanding of the budget situation resulting from COVID-19.

Council Member Epps said he recently saw one of the City's trucks that looked to be in bad shape. He was in favor.

Council Member Moore asked what brand dump truck they were purchasing.

Mr. Dishmon replied it was an International Chassis with a diesel engine. Municipal Services had one dump truck that had cost the City almost four times as much as the other dump trucks in service because its engine was not designed to support the body of a dump truck.

Council Member Ellis asked how many dump trucks Municipal Services had in operation.

Mr. Dishmon replied 12.

Council Member Ellis asked when the last dump truck was purchased.

Mr. Dishmon said the City purchased a dump truck for water and sewer in 2019.

Council Member Carter made a motion to proceed with the purchase of the 2020-21 budgeted capital outlay item of a dump truck for Municipal Services. Council Member Ellis seconded the motion. All members voted in favor of the motion. The motion carried.

d. Discussion of Central Hotel project.

Mayor Hall called on Council Member Nooe.

Council Member Nooe stated that he was under the impression when it was previously discussed and voted upon, the City would not do certain things in regards to the project; however, he saw the City had recently spent money towards the project and it was his desire to not spend any City funds on the project until certain issues were resolved.

Council Member Hunnicutt agreed that was clearly the motion and the intent.

Council Member Nooe said he was told it was interpreted as just for the water meters. That was not his intent. He thought they may need to revote saying nothing else would be spent there or if it was understood that was the motion, they needed to stop spending money on that project.

Council Member Carter asked how much money had been spent on the project.

Mayor Hall stated that Council Member Nooe inquired about certain companies being paid and thus, Mayor Hall made contact with them and was shown receipts that the companies were paid the previous day or that

very day. One of the concerns on the ledger of checks were the renderings. Main Street Manager Randy Hunt ordered the renderings for the unveiling and gave them, along with the bill, to the owner, at which point they were paid.

Director of Economic Development Mike Dougherty said Mr. Hunt got the invoice and gave it to the owner.

Mayor Hall agreed that the invoice had been given to the owner and he paid the company.

Ms. Gilley advised the renderings were not on the vouchers.

Mr. Dougherty stated that he recalled the motion that was made during that closed session was specifically for the water meters as uses and incentives.

Council Member Nooe said he did not recall the exact wording. From that point on, until he knew everyone had been taken care of, he did not want the City to spend any more funds on the project.

Mayor Hall said the City had spent approximately \$500 of occupancy tax funding on the hotel project, all of which went towards the set up and decorations of the unveiling. It was believed necessary due to the presence of local and regional media outlets and guests from the U.S. Senate and U.S. House of Representatives at the unveiling. They wanted the street to look as good as possible. He said he would be in favor of doing that for anyone who was undertaking a \$2 to \$3 million project where the media would be in attendance.

Council Member Nooe said that while he may have felt the same way, he was under the impression that the City would not spend any money on the project. If City staff wanted to spend money towards the project, the proposal needed to come before Council to be approved beforehand. It was his understanding that an appraisal was recently conducted on a piece of property related to the hotel and the City was obligated to pay the fee of \$1,200 for it.

Mayor Hall questioned if the appraisal was done on the hotel property.

Council Member Nooe replied no but it was on a piece of property whose purchase would benefit the hotel property.

Council Member Hunnicutt asked what the motion stated because he was also under the impression it was specific to the water meters.

Ms. Gilley said she recalled the action was regarding the water meters. Staff asked Council about the water meter fees and the condition placed upon that action was that the debt due to local contractors be paid. She understood the intent of Council Member Nooe's concern due to the motion not specifying that no additional funds be spent on the hotel. However, she felt that City staff purchased the decorations as a way to make the City look presentable for the unveiling. She said they could make that motion now to revise it.

Council Member Hunnicutt asked if the water meters had been installed at the hotel.

Mr. Dougherty replied no.

Council Member Hunnicutt said it appeared to still be considered an open item that was predicated on the debt to local vendors being satisfied.

Mayor Hall stated it was his understanding that the debt had either been paid or agreements had been made with the local contractors to satisfy the debt owed. Regardless, the City had voted to not proceed with the water meters until the contractors were paid, but there was not a way that Council could have voted to not fund the unveiling as it was not scheduled until the hotel was purchased. He did not foresee the City paying more money on the hotel aside from the water meters as previously agreed upon. The owner was spending his

own money.

Mr. Dougherty said the food and beverages served at the unveiling were paid for by the developer. Due to the presence of media and guests in attendance at the unveiling, staff felt there needed to be something visual on site, which is why the renderings and decorations were prepared; something he said would be done for any similar event.

Council Member Epps suggested leaving things as is and if something were to arise that needed to be paid for, it could be brought before Council at that time.

Mayor Hall said he did not see a problem with such requests being brought before Council, but questioned the necessity of calling a special meeting for purchases such as decorations, as that was a decision that could likely be made by staff.

Council Member Hunnicutt said he thought they were all with Council Member Nooe on the position that the vendors be paid. Everyone wanted that done. He questioned if they were still within the framework of the motion. He thought the local vendors needed to be paid and whatever they could do to help facilitate that.

Mayor Hall said while he agreed the local contractors needed to be paid, those issues were civil matters that the City did not need to be involved in.

Council Member Hunnicutt agreed.

Council Member Nooe said while that was true, he did not know about spending taxpayer money on things that he did not feel good about.

Council Member Carter questioned what the City had spent money on in regards to the project.

Mayor Hall replied decorations for the unveiling.

Mr. Dougherty said the money came out of occupancy tax revenue, which was money designed for the promotion of downtown and because the hotel was the largest building in the downtown area, they felt the need to provide decorations for its unveiling.

Council Member Ellis asked if the City Manager could make a determination in a situation such as the decorations for an unveiling.

Ms. Gilley said yes due to the minimal amount and it being occupancy tax funds.

REPORTS FROM STAFF:

a. City Manager's Report

Mr. Mendenhall thanked Council for the opportunity and chose to read a section of the report due to its importance. While it was intimidating coming to a new place and meeting new people, he found everyone to be gracious and kind. He said that Eden really was a great place and made him feel at home. As incoming City Manager, he wanted to highlight and applaud the job that Mr. Shelton did as Interim City Manager and the integrity with which he did that job. Mr. Shelton was a great asset to the City.

He had found it a privilege to meet with City leaders and looked forward to hearing from a diverse number of people throughout the City: engaging, collaborating and innovating with everyone, working to the public's service. He mentioned three things of importance: (1) Eden was a great place with fantastic people that were doing a good job, which he felt was important for them to hear. He had seen a lot of thought and deliberation

being put into items and wanted to continue to encourage such. He noted that he was not there to be disruptive with change, even though some change would be inevitable, but wanted residents, employees and elected officials to work together to collaborate, engage, innovate and continuously improve; (2) COVID had presented a lot of challenges and he had charged staff to hone in on their people to ensure they were safe and equipped to provide for the public as the City moved through what could be a challenging fall and winter. He wanted to ensure the City was conservative and thoughtful in the way that budgets were planned. He wanted to ensure they were doing the best they could to be stewards of the public's purse; and (3) City staff needed to work tirelessly together for the Council and the public's benefit. He had an open door and wanted to be a resource to anyone he could help in City operations and in the general community.

City Manager's Report August 2020 City Manager Jon Mendenhall

ADMINISTRATION

As incoming City Manager, I would like to highlight and applaud Interim City Manager Terry Shelton for a job well done. I cannot say enough good things about the job he has done with clarity of purpose and with the upmost integrity he has been and will continue to be a great asset for the City of Eden.

Additionally, I want to preface this report being presented at my first Council meeting with the following: I have had the privilege and opportunity to meet with City leaders, employees, and most importantly members of the public. This listening tour has only begun, and will take time to hear from the many diverse people in our City. I am committed to listening, to engaging, and collaborating, but as part of this first report I also want to layout where we are now and where I see us going.

The City of Eden is a Great Place

The City of Eden is a great place; we have fantastic people that are doing a good job. I am not here for disruptive change, but change will come, it is inevitable. As a team (and I mean that broadly, each and every person in Eden is part of our team, we are Team Eden), we must work together to collaborate, engage, innovate, and continuously improve.

COVID

I have given a particular charge to the City's management team to hone in on our people, to make sure they are okay, healthy, and that their families are too so that we may serve the public. I want to encourage all our residents to do the same. I particularly want to encourage everyone that as we navigate these historic times, we will have to continually monitor this situation taking conservative, thoughtful, and long-range actions, these will be done collaboratively as we navigate these unchartered waters together. I want to emphasize that in these dark days of pandemic, we must make adequate provision for the dawn that will come, we must layup our resources, preserve them, grow them, and deploy them when night becomes morning and we are on the other side of COVID-19. That is our public trust, our charge, and our plan moving forward.

Conclusion

The overriding idea that has been mentioned repeatedly is that we're going to work together in the days and weeks ahead. I have charged staff to work tirelessly in the public's service, and to listen to the voice of the customer. Put simply, this is where we are, this is the springboard to where we are going, and ultimately this is the commitment to continuous improvement that we should desire to be. In closing, I want to express my gratitude to the Mayor and Council for the opportunity to serve and I want to let each and every person in Eden know that I look forward to working with them in the public's service.

ECONOMIC DEVELOPMENT

Industry

Eden Venture Business Park

The former Eden Mall is under new management. The building is being painted and outside appearance has improved dramatically. The new owner is seeking professional and light industrial tenants. They will build to suit your needs. Visit www.edenventurebusinesspark.com for more information and to apply.

Gildan Distribution

Starting August 1, the Saturday-Monday shift at Gildan, located at 602 E. Meadow Road, is active again. Employees work from 7 p.m. – 7 a.m. for these three days and have the rest of the week off. Forklift operating experience is preferred, but not required. For more information, contact Ameristaff (302 N. Pierce Street, 336-623-6252), Debbie's Staffing (124 Boone Road, 336-635-5980) or Workforce Unlimited (1425 Freeway Drive, Reidsville, 336-349-7783).

UNC Rockingham Health Care

In order to reinforce safety, UNC Rockingham Health Care has noted the measures they have taken to keep patients and visitors safe. Everyone in the facility is wearing a mask and all staff, vendors, visitors and patients are screened upon entry. Physical distancing is practiced, visitation is limited, PPE (Personal Protective Equipment) is adequately stocked and used to keep patients, coworkers and providers safe, and cleaning schedules have been accelerated with robust disinfectant measures in place. COVID-19 patients and those suspected to have the virus are isolated in separate, sealed areas. UNC Rockingham Health Care is located at 117 E. King's Highway in Eden. Call 336-623-9711 for more information.

Commercial

Howard's Restaurant

This new restaurant is located at 203 E. Meadow Road. You can dine in or fax your orders to the restaurant for pick up. They offer a full salad bar, subs, appetizers, hot dogs and burgers, as well as delicious entrees for dinner. Call 336-635-9133 or fax to 336-623-9038.

Purlina's Gift Baskets

Located at 610 Washington Street in Historic Downtown Eden, owner Faye Doe-Alexander will create beautiful gift baskets for you. Contact Faye at 336-280-9464 or email her at purlina56@gmail.com

Reynolds Brewing

Work continues on one of two Eden microbreweries that will open within the next several weeks. Reynolds Brewing is located in the former historic Garden Central facility at 354 W. Meadow Road. Look to our Facebook pages (City of Eden and Explore Eden NC) and Eden's Own Journal for more information.

Seth Woodall & Associates, PLLC

They are experienced attorneys and counselors dedicated to providing effective and cost-efficient legal services to Eden and Rockingham County residents and businesses. They do real estate law, criminal law, trusts and estates, civil litigation, family law and personal injury law. Attorneys and Counselors at law include Seth M. Woodall, James R. Walker, and Philip E. Berger. Call 336-623-3138 or email seth@woodall-law.com or visit www.woodall-law.com

Tourism and Special Events

Freedom Park Nature Trail

Work has begun on the Freedom Park Nature Trail improvements. Stay tuned!

Great River Race

We hope you're working on your boats and planning on entering the Great River Race set for Saturday, September 19 at Klyce Street Landing on the Dan River. We will race 1.07 miles to Leaksville Landing beginning at 9 a.m. Boats must be homemade and powered by humans. They will be judged for ingenuity, aesthetics, costumes and winning the race. GET CREATIVE! Prizes include: First Place: \$500; Second Place: \$300; and Third Place: \$200. This event is sponsored by Get Fit Rockingham. To register, call the Eden Chamber of Commerce at 336-623-3336 or for more information, call Randy Hunt at 336-613-2859. Come be part of the fun!

Klyce Street Landing

The Klyce Street Landing entrance sign has been installed! This will make it much easier for our tubers and kayakers to find this beautiful access point. We also have picnic tables with a great river view. So, pack your lunch or an early supper and come enjoy a quiet afternoon by the Dan River! We would like to thank the Street and Facilities & Grounds departments for their help with installation. Great job!

Social Distancing & Trails

Remember our walking trails and paddle trails are a good way to get out and enjoy nature, get some exercise, breathe in some fresh air and enjoy all our natural beauty while adhering to social distancing rules. Eden has so much to offer!

ENGINEERING

FY 2020-21 Street Resurfacing Contract

The bid opening for the FY 2020-21 Street Resurfacing Contract was held on February 20. A total of four responsive bids were received for the project with the successful low bidder being Waugh Asphalt, Inc. in the amount of \$486,376.61. Sectors of the following streets are included in the contract: Kemp Street, Oakwood Drive, Westwood Drive, Fagg Drive, Spruce Street, Greenwood Street, Morehead Street, James Street, John Street, Pine Lane, Panther Lane, Carpenter Road, Hairston Street, Ridge Avenue, Delaware Avenue, Maryland Avenue and South Avenue. Construction is tentatively scheduled to start the week August 16.

GPS/GIS Manhole Inventory

Over the last several years, Engineering staff has spent countless hours collecting the GPS coordinates on gravity sewer manholes as time allowed around day-to-day tasks and annual construction projects. I am happy to announce that we have completed the manhole inventory. All of the data has been forwarded to GIS Coordinator Debra Madison and is now available on GIS for use by all staff members.

GPS/GIS Water Valve Inventory

Engineering staff is currently working on the collection of the GPS coordinates on water valves throughout the City. We have found this to be very time consuming due to many of the valves being buried beneath dirt, grass, gravel or asphalt. Staff is locating and digging out the buried structures as they are found. Work orders are being sent to the Water & Sewer Superintendent to have the valves raised as needed. To date, approximately half of the valves have been located and surveyed. The GPS data is being forwarded to Ms. Madison as it is collected so it can be immediately added to GIS online. Staff will continue to work on the data collection as time allows.

PARKS AND RECREATION

All outdoor Parks and Recreation facilities are open in a limited capacity due to COVID-19. Freedom Park Splash Pad and Mill Avenue Pool will remain open through Labor Day. The City hopes to open additional amenities on September 11 if Phase III is put into effect by Governor Cooper.

Matrimony Creek Nature Trail remains closed at this time due to recent flooding.

PLANNING & INSPECTIONS

Boards and Commissions

Meetings remain suspended for all of our boards and commissions except those that receive requests that cannot be delayed, such as Planning Board and the Strategic Planning Commission. The Board of Adjustment has not had any applications since the pandemic began.

Business Remodel/Rehab/Construction Updates

The Central Hotel is now under new ownership and asbestos inspections were completed on August 7. The Wendy's remodel project should be completed by August 15. Zip's carwash is nearing completion.

Draper CDBG

The last day to accept applications was July 31. The applications received are being reviewed and scored in preparation for a meeting with the committee appointed by Council.

Nuisance Abatement on Property

We have received nuisance complaints on the property of 500 Highland Drive over the past six years. Notices have been sent in regards to junk on the property, particularly at the back of the house and around an outbuilding, with the last notice being sent in June requiring it to be cleaned up within 15 days. The property owner called and requested an extension until June 30, which was granted. Since that time, numerous inspections have been performed with no apparent progress being made. Therefore, the property owner was given notice on August 7 that a contractor would be hired to perform the abatement on August 17, which will be an extensive abatement and may take multiple days to complete.

Unified Development Ordinance

The City Council will receive a report on this project at their regular August Council meeting. The draft of the text is on the City's website.

Training

In-Service training started August 10 and will continue on August 17, 24 and 31. This training consists of daytime firearms qualification requirements, Bloodborne Pathogens training, and HAZMAT training. Detectives Brandon Buckner and Anthony Lovings have successfully completed General Instructor training and have submitted their paperwork to receive their probationary instructor certification.

PUBLIC UTILITIES

The new CleanB system, which replaced our original process, is running great. We are in the process of pumping out the digester and preparing to close it out.

The City assumed ownership of the New Street Wastewater Treatment Plant, formerly the Eden Real Estate Wastewater Plant, as of August 1. There is no treatment available at this time for the facility; thus, we are looking at all of the long-term options as there will not be a future need for the facility once a pump station is complete. Until then, we will continue to monitor it weekly and sample as needed during discharge events.

CONSENT AGENDA:

- a. Approval and adoption of the July 21, 2020 Minutes.
- b. Approval and adoption of Budget Amendment #1.

Assistant Director of Finance Amy Winn wrote in a memo that the budget amendment transferred money from the drug forfeiture account to the General Fund to cover the purchase of a portable, battery-operated speed sign in the drug forfeiture line item. The balance in the drug forfeiture account prior to the purchase was \$40,380.94.

	Account #	From		То	Amount
General Fund Revenues					
Fund Balance Approp - Federal Forfeiture	10-3991-99200	\$	- :	\$:	3,000.00 \$ 3,000.00
General Fund Expenditures					
Police C/O Equip - Drug Forfeiture	10-4310-57200	\$	- :	\$:	3,000.00 \$ 3,000.00
Appropriates from Drug Forfeiture proceeds f	or the purchase of a	portable, batt	tery-operate	ed spe	ed sign.
Adopted and effective this 18th day of August	t, 2020.				
Attest:					
Deanna Hunt, City Clerk		Neville Hall	l. Mavor		_

c. Approval and adoption of a resolution to donate outdated turnout gear.

Fire Chief Tommy Underwood wrote in a memo that the Fire Department recommended donating their outdated turnout gear of 17 turnout coats, 23 pants, 6 hoods, 2 helmets and 14 pairs of boots to Southeast Technical High School located in New Hanover County. The school was starting a new program and needed assistance. If donated, the school would sign a release form for the donated items, relieving the City of any liability. The local college and high school advised they were not presently in need of any equipment.

RESOLUTION TO DONATE PERSONAL PROPERTY

WHEREAS, the City of Eden Fire Department owns turnout gear that has aged out of use for the Department, consisting of 17 coats, 23 pants, 6 hoods, 2 helmets and 14 pair of boots, as shown on the following exhibit, hereinafter referred to as the property; and

WHEREAS, the City of Eden Fire Department has purchased new gear and has no further use for this property; and

WHEREAS, the City of Eden recognizes that the property has been rendered surplus and unused; and

WHEREAS, the City of Eden desires to donate the aforementioned surplus and unused property to Southeast Technical High School located in New Hanover County for its fire education program pursuant to NCGS 160A-280; and

WHEREAS, the City of Eden in no way guarantees the quality, fitness of purpose or effectiveness of this property, and in no way does the City of Eden endorse this type or brand of apparatus, and the City of Eden has made this disclaimer known to the Southeast Technical High School and has obtained a waiver of claims and liabilities from the school; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the used the turnout gear consisting of 17 coats, 23 pants, 6 hoods, 2 helmets and 14 pair of boots, as shown on the following exhibit, be deemed surplus and unused and that they be donated to Southeast Technical High School for its fire education program.

APPROVED, ADOPTED AND EFFECTIVE this 18th day of August, 2020.

BY: Neville Hall, Mayor

ATTEST: Deanna Hunt, City Clerk

d. Approval and adoption of two agreements, replacing Pittsylvania County Service Authority with the City of Danville in agreements that give the City of Eden contractual assurance as primary water and wastewater provider at the Southern Virginia Mega Park at Berry Hill.

Ms. Gilley wrote in a memo that the City entered into two separate agreements with the Pittsylvania County Service Authority (PCSA) in which the City was assured that it would be the primary provider of wastewater and water to the Southern Virginia Mega Site at Berry Hill once a user located in the park. The agreements were enacted in 2011 (wastewater) and 2019 (water), prior to construction on the lines, so that the City would have contractual assurance that it would be the primary providers for these services and generate sufficient revenue to recoup its costs and benefit financially once users located in the park. At the time of enactment, the Pittsylvania County Service Authority (PCSA) had the jurisdiction and authority to regulate the water and wastewater at the Mega Site. Since then, that authority has transferred to the City of Danville. As a result, the agreements were edited to replace the PCSA with the City of Danville. Both agreements were for 20 years and commenced once a user located and began using the City service. An additional term was put in the agreement that if either party wanted to terminate the agreement after the initial term, it would need to give the other party five years notice. Staff recommended that the two agreements be approved so the City of Eden and the City of Danville would be contractually bound, giving the City contractual assurance that it would be the primary water and wastewater provider of the park.

A copy of the agreements are on file in the Clerk's Office.

e. Approval to amend the 2020-21 Pay Grades and Positions to combine the Parts Clerk and Mechanic I position.

Mr. Dishmon wrote in a memo that Municipal Services desired to combine the position of Parts Clerk with the position of Mechanic I into one Fleet Maintenance position. The Parts Clerk position was a Pay Grade 5 and the Mechanic I position was a Pay Grade 8. Due to the combining of the two positions, staff requested the combined position be put into Pay Grade 9. The combination of the two positions would require the individual to be responsible for the requirements as the Parts Clerk as well as being a Mechanic I, enabling the individual to help in situations when needed on mechanical issues. The combination of the two positions would make services more efficient.

Council Member Epps made a motion to approve the consent agenda. Council Member Moore seconded the motion. All members voted in favor of the motion. The motion carried.

ANNOUNCEMENTS:

Mayor Hall asked Chief Underwood about his recent news.

Chief Underwood said the Fire Department had recently advertised for part-time firefighters and he was in the course of processing six applicants and hoped to get more over time. Part-time firefighters saved the City a lot of money and was a great way to pursue a career as a firefighter, as he started out as a part-time firefighter

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himself.

Mayor Hall said it was a great turn in the right direction to build the staff numbers back up.

Chief Underwood said the low number of firefighters was not just a problem in Eden, but was a problem nationwide. However, he hoped to fix the issue in Eden.

Council Member Nooe said he had neighbors tell him they were impressed with the quick response of the City forces who had worked really hard to clean the streets after the recent storms that passed through.

Mayor Hall agreed that City forces had been working hard. He recently saw City employees spraying weeds on the sidewalk and streets downtown. Their efforts were obvious.

Council Member Ellis said he appreciated Mr. Shelton for what he did for the City and encouraged him to enjoy every day. He also thanked Mr. Shelton's family for their support.

CLOSED SESSION:

a. To discuss the acquisition of real property pursuant to NCGS 143-318.11(5).

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

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

ADJOURNMENT:

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

	Respectfully submitted,
	City Clerk
ATTEST:	
Neville Hall Mayor	