

**CITY COUNCIL  
REGULAR MEETING  
AGENDA  
COUNCIL CHAMBERS  
308 E. Stadium Drive  
March 20, 2018  
6:00 p.m.**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Rev. Linda Nye, Rector, The Church of the Epiphany
3. Pledge of Allegiance: Led by Fire Chief Tommy Underwood
4. Recognitions & Proclamations:
  - a. Mitchell's Drug 50<sup>th</sup> Anniversary - Recognition
5. Roll Call:
6. Set Meeting Agenda:
7. Public Hearings:
  - a. Consideration of a request and adoption of an Ordinance to close an unopened portion of Jackson Street. CASE SC-17-02. **Kelly Stultz, Director of Planning & Inspections**
  - b. (1) Consideration of a zoning text amendment request and adoption of an Ordinance to amend Section 11.26(c)(3)(c)(5) to make changes to the home occupations requirements to permit some uses to be undertaken in a building other than the residence and to allow major home occupations in all residential districts. Request submitted by Victor Cestari. ZONING CASE Z-18-01. **Kelly Stultz, Director of Planning & Inspections**
  - (2) Consideration of a Resolution adopting a statement of consistency regarding the amendment of Section 11.26(c)(3)(c)(5) to make changes to the home occupations requirements to permit some uses to be undertaken in a building other than the residence and to allow major home occupations in all residential districts. **Kelly Stultz, Director of Planning & Inspections**
  - c. Approval and adoption of a resolution in support of a grant application to the 2018 Recreational Trails Program, part of the N.C. Division of Parks & Recreation. **Mike Dougherty, Director of Economic Development**
8. Requests and Petitions of Citizens:
9. Unfinished Business:

10. New Business:

- a. Consideration of Adopting an Ordinance to establish a Cross Connection Control Program. **Mark Bullins, Water and Sewer Construction Projects Manager**
- b. Request for the City Council to ask the City Clerk to investigate the sufficiency of an annexation petition for property located at 343 Wilshire Drive.  
**Kelly Stultz, Director of Planning & Inspections**
- c. Consideration of an Ordinance Amending the City of Eden Code of Ordinances pertaining to the sale of alcoholic beverages before noon on Sundays at licensed premises. **Mike Dougherty, Director of Economic Development**
- d. Consideration of a Contract to redesign the waterline to serve the Berry Hill Industrial Park. **Mike Dougherty, Director of Economic Development**

11. Reports from Staff:

- a. City Manager's Report. **Brad Corcoran, City Manager**

12. Consent Agenda:

- a. Approval and Adoption of February 20, 2018 and February 24, 2018 Minutes.  
**Sheralene Thompson, City Clerk**
- b. Consideration and approval of the final development plan for Summit Place, Phase 3, a Planned Unit Development located on Wilshire Drive.  
ZONING CASE Z-12-01. **Kelly Stultz, Director of Planning & Inspections**
- c. Consideration of Knuckle Boom Truck Financing for 5 years.  
**Tammie McMichael, Director of Finance and Human Resources**
- d. Approval and Adoption of Budget Amendment 1.  
**Tammie McMichael, Director of Finance and Human Resources**
- e. Approval and Adoption of Budget Amendment 2.  
**Tammie McMichael, Director of Finance and Human Resources**
- f. Approval and Adoption of Budget Amendment 3.  
**Tammie McMichael, Director of Finance and Human Resources**
- g. Approval and Adoption of Budget Amendment 4.  
**Tammie McMichael, Director of Finance and Human Resources**
- h. Approval and Adoption of Budget Amendment 5.  
**Tammie McMichael, Director of Finance and Human Resources**

13. Announcements:

14. Closed Session:

- a. Closed Session in accordance with GS 143-318.11 (a) (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded; and (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

## 15. Adjourn



## Economic Development Department

February 8, 2018

To: The Honorable Mayor and Eden City Council

Thru: Brad Corcoran, Eden City Manager

From: Mike Dougherty, Director of Economic Development

Re: Mitchell's Drug Recognition

Time is requested at the March 2018 Eden City Council meeting to recognize Mitchell's Drug on its 50<sup>th</sup> anniversary year of 2018. A certificate will be given to them after a brief summary of the company history.

Please let me know if you have any questions about this request.





# Planning and Inspections Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

## MEMO

**TO:** Honorable Mayor and City Council  
**THRU:** Brad Corcoran, City Manager  
**FROM:** Kelly K. Stultz, AICP, Director  
**SUBJECT:** **Public Hearing – SC-17-02 – Jackson Street**  
**DATE:** March 7, 2018

At the February, 2018, regular meeting, the Council adopted a Resolution of Intent to Close an unopened portion of Jackson Street. The Council also scheduled this public hearing to hear comments on the street closing request filed by Zoejo, LLC and Robert L. Crouch and wife, Deborah H. Crouch.

The Planning and Inspections Department recommends approval of the street closing and requests that the City Attorney prepare the ordinance for adoption. At their February 20, 2018, regular meeting, the Planning Board voted to recommend approval of the street closing.

PETITION

TO CLOSE STREET OR ALLEY

Date Filed 11-30-2017

Application No. SC-17-02

Mayor and City Council  
City of Eden  
Eden, NC 27288

(I)(We) the undersigned, being owner(s) of real property adjacent to the (street) (alley) as shown by sketch and described on the attached sheet to hereby petition the City Council to permanently close said (street) (alley):

SIGNED:

MAILING ADDRESS

Jackie B. Johnson 4332 Beacon Light Rd.  
Edgewater, Florida, 32141

Naomi Zoe Johnson 4332 Beacon Light Road  
Edgewater, FL 32141

Robert K. Crouch "Pete" 3166 Anderson Rd  
Eden NC 27288

Deborah H. Crouch 3166 Anderson Rd  
Eden, NC 27288

INSTRUCTIONS:

Each petitioner must sign the petition.  
If any petitioner is married, the spouse must also sign.

A copy of each deed must be submitted with the petition. A fee of \$600.00 must be submitted with each petition.

**CITY OF EDEN  
PLANNING AND INSPECTIONS DEPARTMENT  
STREET CLOSING REPORT  
February 21, 2018**

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**CASE NUMBER:** SC-17-02

**APPLICANT:** Zoejo, LLC and  
Robert L. Crouch and wife, Deborah H. Crouch

**APPLICANT'S ADDRESS:** 4352 Beacon Light Road, Edgewater, FL 32141  
366 Anderson Road, Eden, NC 27288

**APPLICANT'S STATUS:** Property Owners

**REQUESTED CLOSING:** Section of Jackson Street

**STREET WIDTH:** Approximately 50 feet

**STREET LENGTH:** Approximately 240 feet.

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**GENERAL INFORMATION**

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The City has received a petition signed by the owner of 100 percent of the abutting property requesting that a section of Jackson Street be closed. (See attached map).

The Eden City Code, Chapter 13, Article 3, Division 3, and N.C.G.S. 160A-299 authorize the City Council, upon recommendation of the Planning Board, to consider closing or vacating of a street in accordance with the rules and procedures set forth therein. Furthermore, it permits the City Council to close a street provided, that after a public hearing has been held, it appears to the satisfaction of the Council that closing the street or alley is not contrary to the public interest, and that the City has no interest in preserving the dedication of such street or alley for municipal purposes, and that no individual owning property in the vicinity of the street or alley would thereby be deprived of reasonable means of ingress and egress to his property.

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**PUBLIC SERVICE CORPORATIONS**

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The following public utilities and public service corporations have been contacted in response to this street closing and have issued the following comments in regards to their utility lines and future utility plans for the area:

City of Eden Engineering – A 20 foot utility easement needs to be reserved for the City of Eden.

Duke Energy – Did not have any objections to the closing.

The following companies have yet to respond to inquiries regarding locations of utilities in this area or their future plans:

Piedmont Natural Gas

Sprint

Time Warner Cable

Dan River Water

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### **REQUIRED FINDINGS**

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According to the N.C. General Statutes and the Eden City Code, before the City can close a street, the City Council must be satisfied of two matters:

1. That the street closing is not contrary to the public interest.
2. That no individual who owns property in the vicinity of the street is deprived of reasonable means of ingress and egress to that property because of the street closing.

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### **DEPARTMENT FINDINGS AND RECOMMENDATION**

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In regards to the required findings, the Planning and Inspections Department issues the following comments:

Contingent upon comments from the public service corporations, the staff is of the opinion that the street is not required for public utility service for the area except for the 20 foot utility easement for the City of Eden

Based upon the design, staff is of the opinion that no one would be denied reasonable means of ingress and egress because of the closing.

In conclusion, the staff recommends, based upon these stated findings, that the street be closed as requested.

**DEPARTMENT RECOMMENDATION:**

Close street as requested.

**STREET CLOSING**

**Z-17-02**



**239.24 feet from  
Intersection with  
West Stadium Drive**





AN ORDINANCE AND ORDER  
TO CLOSE AN UNOPENED PORTION OF JACKSON STREET

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WHEREAS, on the 30th day of November, 2017, Zoejo, LLC and Robert L. Crouch and wife, Deborah H. Crouch filed a petition, by the terms of which they requested that an unopened portion of Jackson Street be closed pursuant to the provisions of Chapter 13, Division 3 of the Eden City Code and North Carolina General Statutes §160A-299; and

WHEREAS, the City Council of the City of Eden, did on the 20th day of February, 2018, at its regular monthly meeting adopt a Resolution of Intent to Close An Unopened Portion of Jackson Street calling for a public hearing to be held; and

WHEREAS, the City Council of the City of Eden, did on the 20th day of February, 2018, at its regular monthly meeting, schedule a public hearing to be held on the 20th day of March, 2018, and requested a recommendation of the Planning Board on said closing; and

WHEREAS, the required legal notice was published in the Eden News on the 21st and 28th day of February, 2018, and on the 7th and 14th day of March, 2018, and copies were sent to the property owners as required by law on the 5th day of March, 2018, and a copies were posted on the 6th day of March, 2018, as required by law; and

WHEREAS, the Planning Board in its regular meeting on February 20, 2018, recommended to the City Council that said unopened portion of Jackson Street be closed; and

WHEREAS, the public hearing was held at the regular monthly meeting of the City Council on the 20th day of March, 2018; and

WHEREAS, the evidence offered at the public hearing did not establish that the closing would be detrimental to the public interest or would deprive an individual or entity owning property in the vicinity thereof of reasonable means of ingress and regress to and from his property; and

WHEREAS, it appears to the satisfaction of and it is determined by the City Council of the City of Eden from the Petition and other evidence submitted at said hearing that:

Zoejo, LLC and Robert L. Crouch and wife, Deborah H. Crouch, are the owners of the property on each side of the portion of Jackson Street which is to be closed.

That said Jackson Street is not under the control or supervision of the Department of Transportation.

That the closing of a portion of Jackson Street is not contrary to the public interest and that no individual or entity owning property in the vicinity thereof will thereby be deprived of reasonable means of ingress and regress to or from his property.

That upon the closing of an unopened portion of Jackson Street, all right, title and interest therein shall be conclusively presumed to be vested in Zoejo, LLC and Robert L. Crouch and wife, Deborah H. Crouch, the owners of the lots or parcels of land adjacent thereto.

That it appears that the provisions of the Eden City Code and the North Carolina General Statutes have been complied with fully in this matter.

That said unopened portion of Jackson Street should be closed as requested.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden, that the following described portion of Jackson Street in the City of Eden be and the same is hereby closed, said portion of Jackson Street being more particularly described as follows:

BEGINNING at a point marking the northeast intersection of West Stadium Drive and Jackson Street, said point being the southwest corner of Lot 1, Section E of Irvin River Heights as shown on map entitled "Irvin River Heights, Sections A thru E" recorded in Map Book 11, page 27; thence with the west line of Lot 1, North 14 deg. 23 min. West 239.24 feet to the corner for Lots 1 and 2, Section E, Irvin River Heights; thence South 75 deg. 37 min. West to the west right of way line of Jackson Street, a corner for Lots 27 and 28, Section D, Irvin River Heights; thence with the west right of way line of Jackson Street, South 14 deg. 23 min. East to the north right of way line of West Stadium Drive; thence with the north right of way line of West Stadium Drive South 76 deg. 17 min. West to the POINT OF BEGINNING, the same being an unopened portion of Jackson Street. The above described portion of Jackson Street being the identical portion of Jackson Street described in the Resolution of Intent adopted the 20th day of February, 2018.

The above described portion of Jackson Street is closed **SUBJECT TO** a waterline easement hereby reserved to the City of Eden twenty (20) feet in width, ten (10) feet on either side of the centerline of the street being closed.

IT IS FURTHER ORDERED that in the event there is no appeal from the adoption of this Ordinance and Order within thirty (30) days of the date hereof as provided by law, a certified copy of this Ordinance and Order shall be recorded in the Office of the Register of Deeds of Rockingham County, North Carolina.

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of March, 2018.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

\_\_\_\_\_  
Sheralene Thompson,  
CMC, MMC, NCCMC  
City Clerk

STATE OF NORTH CAROLINA

ROCKINGHAM COUNTY

I, Sheralene Thompson, Clerk of the City of Eden, North Carolina, do hereby certify that the foregoing instrument is a true, correct and complete copy of an Ordinance and Order To Close An Unopened Portion of Jackson Street that was duly adopted by the City Council of the City of Eden, at a regular meeting of said City Council duly convened and held on the 20th day of March, 2018, as appears upon the minutes of said meeting.

I do further certify that due notice of said meeting was given pursuant to the provisions of Section 160A-299 of the General Statutes of North Carolina, and further that due notice was given that any person aggrieved by such Resolution and Order had the right to appeal therefrom within thirty (30) days to the Superior Court of Rockingham County, and that no such appeal was filed within the time specified.

WITNESS my hand and the corporate seal of the said City of Eden, North Carolina, this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Sheralene Thompson  
Clerk of the City of Eden, North Carolina

[SEAL]





# Planning and Inspections Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

## MEMO

**TO:** Honorable Mayor and City Council  
**THRU:** Brad Corcoran, City Manager  
**FROM:** Kelly K. Stultz, AICP, Director  
**SUBJECT:** **Zoning Case Z-18-01 – Text Amendment**  
**DATE:** March 5, 2018

The City has received a zoning text amendment request filed by Victor Cestari to amend Section 11.24(c)(3)(c)(5) of the City of Eden Zoning Ordinance to permit some uses to be undertaken in a building other than the residence and to allow major home occupations in all residential districts.

The Planning and Inspections Department recommends approval of the text amendment request.

At their February 20, 2018, regular meeting, the Planning Board voted to recommend that the City Council approve this request and adopt a Resolution Adopting A Statement of Consistency Regarding the Proposed Amendment.

Attached to this Memo, in addition to the Staff Report, Ordinance and Consistency Statement, is the major home occupations section of Section 11.24 which we have marked up in order for you to see what has been stricken out (double strikethroughs) and what had been added (red lettering).

If you have questions, please contact this office.



PLANNING & INSPECTIONS DEPARTMENT

APPLICATION FOR ZONING ORDINANCE AMENDMENT  
PETITION FOR TEXT AMENDMENT

**INSTRUCTIONS:** Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

**(1) APPLICANT INFORMATION:**

NAME: Victor Cestari TELEPHONE: 336-501-7874  
MAILING ADDRESS: 980 Westley Park Road  
CITY Eden STATE NC ZIP CODE 27238

**(2) APPLICABLE SECTION OF THE ZONING ORDINANCE:**

11.26 (3)(5) Home Occupations - Major  
only 25% of square footage inside dwelling

**(3) EXISTING WORDING IN TEXT:**

prohibited in R-20, R-12S and R-16S and R-4  
only 25% of square footage inside dwelling

**(4) REQUESTED WORDING IN TEXT:**

allow in R-20, R-12S, R-16S and R-4  
in separate structure

**(5) REASON FOR REQUESTED CHANGE:**

to use existing barn

(6) APPLICANT CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Victor R Costari 2/6/18  
Applicant's Signature Date of Signature  
Joyce Costari 2/6/18  
**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: 2-18-01

FEE PAID: \$150<sup>00</sup>

RECEIVED BY: Madison

DATE: 2/7/2018

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**PLANNING AND INSPECTIONS DEPARTMENT  
ZONING TEXT AMENDMENT REPORT  
February 27, 2018**

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**CASE NUMBER:** Z-18-01

**REQUESTED ACTION:** To amend Section 11.26 (c)(3)(c)(5) to make changes to the home occupations requirements to permit some uses to be undertaken in a building other than the residence and to allow major home occupations in all residential districts.

**APPLICANT:** Victor Cestari

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**EXISTING TEXT**

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**Section 11.22(c)(3)(c)(5) Home Occupations**

(5) **HOME OCCUPATIONS** - Home occupations, other than minor home occupations, have the potential to adversely affect residential areas and shall be reviewed and permitted by special use permit. Home occupations, other than minor home occupations, are prohibited in the Residential-20, Residential-12S, Residential-6S and Residential-4 zoning districts. In addition to any other requirements with respect to the Petition authorized in this Section, the Petition shall set forth the following:

(1) The special use shall not be a prohibited home occupation. The following uses by the nature of the investment or operation have a tendency once started to rapidly increase beyond the limits permitted for home occupations and they impair the use and value of a residentially zoned area for residence purposes and are more suited for office or commercial districts, where permitted. Therefore, the uses specified below shall not be permitted as home occupations:

Appliance repair (i.e., major appliances).

Broadcast studios (i.e., radio and TV).

Dry cleaning and laundry plants/pick-up stations.

Extermination services.

Funeral homes.

Gunsmiths.

Massage parlors.

Medical or dental clinics and laboratories.

Motor vehicle related operations (e.g., car washes, repair service, body work).

Private clubs.

Rental service establishments.

Restaurants, bars, nightclubs.

Retail sales establishments.

Tattoo parlors.

Taxi stands.

Tow truck services.

Veterinary uses, including animal boarding, but not including pet grooming.

Welding or machine shops.

- (2) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (3) The home occupation must be conducted by a resident of the dwelling unit and no more than one person that is not a resident of the premises shall be employed in connection with the home occupation.
- (4) The gross floor area attributed to the home occupation shall not be greater than 25 percent of the total gross of floor area of the dwelling or more than 500 square feet, whichever is less.
- (5) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated

sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation performed.

The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.

- (6) No display or merchandise, goods or other commodities shall be visible from outside the dwelling unit.
- (7) A home occupation shall not create greater vehicle or pedestrian traffic than normal for the district in which it is located.
- (8) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
- (9) There shall be no outside operations, open display, or open storage of materials or products used in the home occupation.
- (10) No home occupation shall create objectionable noise, fumes, dust, or electrical interference.
- (11) No process or materials shall be used or stored on site that is hazardous to the public, health, safety, morals, or general welfare.
- (12) The home occupation shall provide additional off-street parking reasonably adequate to accommodate needs created by the home occupation. To this extent, the application for a home occupation shall provide a plan for any additional parking required, which shall be approved if:
  - (i) The residential character of the lot is not changed, and
  - (ii) The parking area does not detract from the visual appearance of the dwelling.
- (13) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, provided that products related directly to the service performed may be

sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.

- (14) Home occupations shall be encouraged in neighborhoods in transition from one land use to another, in high-density residential neighborhoods and predominantly rural areas.

Predominantly single-family neighborhoods should, in general, be protected from home occupations, unless it can be specifically demonstrated that such use will have no short or long-term negative impact on the neighborhood.

- (15) In order to guarantee that a home occupation, once permitted, will not become a nuisance to the neighbors or otherwise violate these standards, the conditions necessary to protect the public health, safety, morals and general welfare.

The Board of Adjustment shall, prior to the issuance of a Special Use Permit for a home occupation, find that such special use meets the following standards:

- (a) That the special use is not a prohibited home occupation.
- (b) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (c) The home occupation must be conducted by a resident of the dwelling until and no more than one (1) person that is not a resident of the premises shall be employed in connection with the home occupation.
- (d) The gross floor area attributed to the home occupation shall not be greater than 25 percent of the total gross of floor area of the dwelling unit or more than 500 square feet, whichever is less.
- (e) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation

performed. The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.

- (f) No display of merchandise, goods or other commodities shall be visible from outside the dwelling unit.
- (g) A home occupation shall not create greater vehicle or pedestrian traffic than normal for the district in which it is located.
- (h) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
- (i) There shall be no outside operations, open display, or open storage of materials or products used in the home occupation.
- (j) No home occupation shall create objectionable noise, fumes, dust, or electrical interference.
- (k) No process or materials shall be used or stored on site that is hazardous to the public, health, safety, morals, or general welfare.
- (l) The home occupation shall provide additional off-street parking reasonable adequate to accommodate needs created by the home occupation. To this extent, the application for a home occupation shall provide a plan for any additional parking required, which shall be approved if:
  - (i) The residential character of the lot is not changed, and
  - (ii) The parking area does not detract from the visual appearance of the dwelling.
- (m) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, provided that products related directly to the service performed may be sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.



- (n) Home occupations shall be encouraged in neighborhoods in transition from one land use to another, in high-density residential neighborhoods and predominantly rural areas.

Predominantly single-family neighborhoods should, in general, be protected from home occupations, unless it can be specifically demonstrated that such use will have no short or long-term negative impact on the neighborhood.

- (o) In order to guarantee that a home occupation, once permitted, will not become a nuisance to the neighbors or otherwise violate these standards, the Board of Adjustment may impose reasonable conditions necessary to protect the public health, safety, morals and general welfare.

Upon finding that the Petitioner meets the foregoing standards, the Board of Adjustment shall issue to the Petitioner a Special Use Permit for the home occupation.

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### PROPOSED TEXT

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- (5) **HOME OCCUPATIONS** - Home occupations, other than minor home occupations, have the potential to adversely affect residential areas and shall be reviewed and permitted by special use permit. Home occupations are permitted in all residential districts including O & I. In addition to any other requirements with respect to the Petition authorized in this Section, the Petition shall set forth the following:

- (1) The special use shall not be a prohibited home occupation. The following uses by the nature of the investment or operation have a tendency once started to rapidly increase beyond the limits permitted for home occupations and are more suited for office or commercial districts, where permitted. Therefore, the uses specified below shall not be permitted as home occupations:

Appliance repair (i.e., major appliances).

Dry cleaning and laundry plants/pick-up stations.

Extermination services.

Funeral homes.

Massage parlors.

Medical or dental clinics and laboratories.

Motor vehicle related operations (e.g., car washes, repair service, body work).

Private clubs.

Rental service establishments.

Restaurants, bars, nightclubs.

Retail sales establishments not including antique sales or the sale of arts or crafts made onsite.

Tattoo parlors.

Taxi stands.

Tow truck services.

Veterinary uses shall only be allowed in Residential Suburban. Pet grooming or boarding shall be allowed in all other residential districts upon receipt of a special use permit.

Welding or machine shops.

- (2) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (3) The home occupation must be conducted by a resident of the dwelling unit.
- (4) The gross floor area attributed to the home occupation shall not be greater than 40 percent of the total gross floor area of the dwelling if conducted inside the primary residence or it shall be conducted in an accessory structure that meets all other applicable land use requirements for accessory structures and building code requirements for the use requested.

- (5) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation performed.  
The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.
- (6) No display or merchandise, goods or other commodities shall be visible from outside the dwelling unit or the accessory structure.
- (7) A home occupation shall not create a substantial increase in vehicle or pedestrian traffic.
- (8) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
- (9) There shall be no outside operations, open display, or open storage of materials or products used in the home occupation.
- (10) No home occupation shall create objectionable noise, fumes, dust, or electrical interference.
- (11) No process or materials shall be used or stored on site that is hazardous to the public, health, safety, morals, or general welfare.
- (12) The home occupation shall provide additional off-street parking reasonably adequate to accommodate needs created by the home occupation. To this extent, the application for a home occupation shall provide a plan for any additional parking required, which shall be approved if:
  - (i) The residential character of the lot is not changed, and

- (ii) The parking area does not detract from the visual appearance of the dwelling.
- (13) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, except as otherwise permitted, provided that products related directly to the service performed may be sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.
- (14) In order to guarantee that a home occupation, once permitted, will not become a nuisance to the neighbors or otherwise violate these standards, the Board of Adjustment may impose reasonable conditions necessary to protect the public health, safety, morals and general welfare.

The Board of Adjustment shall, prior to the issuance of a Special Use Permit for a home occupation, find that such special use meets the following standards:

- (a) That the special use is not a prohibited home occupation.
- (b) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (c) The home occupation must be conducted by a resident of the dwelling unit.
- (d) The gross floor area attributed to the home occupation shall not be greater than 40 percent of the total gross floor area of the dwelling if conducted inside the primary residence or it shall be conducted in an accessory structure that meets all other applicable land use requirements for accessory structures and building code requirements for the use requested.
- (e) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation performed. The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.

- (f) No display of merchandise, goods or other commodities shall be visible from outside the dwelling unit.
- (g) A home occupation shall not create a substantial increase in vehicle or pedestrian traffic.
- (h) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
- (i) There shall be no outside operations, open display, or open storage of materials or products used in the home occupation.
- (j) No home occupation shall create objectionable noise, fumes, dust, or electrical interference.
- (k) No process or materials shall be used or stored on site that is hazardous to the public, health, safety, morals, or general welfare.
- (l) The home occupation shall provide additional off-street parking reasonably adequate to accommodate needs created by the home occupation. To this extent, the application for a home occupation shall provide a plan for any additional parking required, which shall be approved if:
  - (i) The residential character of the lot is not changed, and
  - (ii) The parking area does not detract from the visual appearance of the dwelling.
- (m) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, except as otherwise permitted, provided that products related directly to the service performed may be sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.

- (n) In order to guarantee that a home occupation, once permitted, will not become a nuisance to the neighbors or otherwise violate these standards, the Board of Adjustment may impose reasonable conditions necessary to protect the public health, safety, morals and general welfare.

Upon finding that the Petitioner meets the foregoing standards, the Board of Adjustment shall issue to the Petitioner a Special Use Permit for the home occupation.

### **GENERAL INFORMATION**

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This request was submitted by Victor Cestari.

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### **STAFF ANALYSIS**

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Prior to the industrial revolution the lines between work and home were often blurred. Blacksmiths worked in their own barns and tailors, bakers and other professions lived and worked in the same building or on the same property.

When the first enabling legislation for zoning and land uses came to exist, the most common theme was to separate uses. In North Carolina, the first zoning laws were the result of fires similar to the one that destroyed the original commercial district in Draper in the early 1900's.

In the 1950's, planners began to recognize the growing problems of such rigid regulations and realized that many home based businesses continued to thrive. The rise of the internet changed everything about how we might live and work at home.

Home based businesses are a vitally important part of economic development. Hewlett-Packard, Walt Disney Corporation and Amazon all started as home based businesses. The number of home based businesses has increased from 16.37 million in 1992 to 27.63 million in 2012.

Staff is of the opinion that making the regulation of home based businesses more flexible will permit our citizens more opportunity to become entrepreneurs and make our local economy more secure.

Therefore, staff recommends in favor of this amendment.

**STAFF RECOMMENDATION:**

**Approval of the text amendment.**

This document has been prepared in order that you can see exactly what has been taken out (double strikethrough words) and what has been added (red letters).

(5) **HOME OCCUPATIONS** - Home occupations, other than minor home occupations, have the potential to adversely affect residential areas and shall be reviewed and permitted by special use permit. Home occupations, ~~other than minor home occupations, are prohibited in the Residential-20, Residential 12S, Residential 6S and Residential 4 zoning districts.~~ **are permitted in all residential districts including O & I.** In addition to any other requirements with respect to the Petition authorized in this Section, the Petition shall set forth the following:

(1) The special use shall not be a prohibited home occupation. The following uses by the nature of the investment or operation have a tendency once started to rapidly increase beyond the limits permitted for home occupations and ~~they impair the use and value of a residentially zoned area for residence purposes and~~ are more suited for office or commercial districts, where permitted. Therefore, the uses specified below shall not be permitted as home occupations:

Appliance repair (i.e., major appliances).

~~Broadcast studios (i.e., radio and TV).~~

Dry cleaning and laundry plants/pick-up stations.

Extermination services.

Funeral homes.

~~Gunsmiths.~~

Massage parlors.

Medical or dental clinics and laboratories.

Motor vehicle related operations (e.g., car washes, repair service, body work).

Private clubs.

Rental service establishments

Restaurants, bars, nightclubs.

Retail sales establishments **not including antique sales or the sale of arts or crafts made onsite.**

Tattoo parlors.

Taxi stands.

Tow truck services.

Veterinary uses, ~~including animal boarding, but not including pet grooming,~~ **shall only be allowed in Residential Suburban. Pet grooming or boarding shall be allowed in all other residential districts upon receipt of a special use permit.**

Welding or machine shops.

- (2) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (3) The home occupation must be conducted by a resident of the dwelling unit. ~~and no more than one person that is not a resident of the premises shall be employed in connection with the home occupation.~~
- (4) The gross floor area attributed to the home occupation shall not be greater than ~~25~~ 40 percent of the total gross of floor area of the dwelling ~~or more than 500 square feet, whichever is less.~~ if conducted inside the primary residence or it shall be conducted in an accessory structure that meets all other applicable land use requirements for accessory structures and building code requirements for the use requested.
- (5) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation performed.  
The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.
- (6) No display or merchandise, goods or other commodities shall be visible from outside the dwelling unit or the accessory structure.
- (7) A home occupation shall not create ~~greater vehicle or pedestrian traffic than normal for the district in which it is located.~~ a substantial increase in vehicle or pedestrian traffic.
- (8) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
- (9) There shall be no outside operations, open display, or open storage of materials or products used in the home occupation.
- (10) No home occupation shall create objectionable noise, fumes, dust, or electrical interference.
- (11) No process or materials shall be used or stored on site that is hazardous to the public, health, safety, morals, or general welfare.
- (12) The home occupation shall provide additional off-street parking reasonably adequate to accommodate needs created by the home occupation. To this extent, the application for a home occupation shall provide a plan for any additional parking required, which shall be approved if:
  - (i) The residential character of the lot is not changed, and
  - (ii) The parking area does not detract from the visual appearance of the dwelling.
- (13) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, **except as otherwise permitted**, provided that products related directly to the service performed may be sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.



- (14) ~~Home occupations shall be encouraged in neighborhoods in transition from one land use to another, in high density residential neighborhoods and predominantly rural areas.~~

~~Predominantly single family neighborhoods should, in general, be protected from home occupations, unless it can be specifically demonstrated that such use will have no short or long term negative impact on the neighborhood.~~

- (15) In order to guarantee that a home occupation, once permitted, will not become a nuisance to the neighbors or otherwise violate these standards, **the Board of Adjustment may impose reasonable** ~~the~~ conditions necessary to protect the public health, safety, morals and general welfare.

The Board of Adjustment shall, prior to the issuance of a Special Use Permit for a home occupation, find that such special use meets the following standards:

- (a) That the special use is not a prohibited home occupation.
- (b) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (c) The home occupation must be conducted by a resident of the dwelling unit. ~~and no more than one (1) person that is not a resident of the premises shall be employed in connection with the home occupation.~~
- (d) The gross floor area attributed to the home occupation shall not be greater than ~~25~~ **40** percent of the total gross floor area of the dwelling unit ~~or more than 500 square feet, whichever is less.~~ **if conducted inside the primary residence or it shall be conducted in an accessory structure that meets all other applicable land use requirements for accessory structures and building code requirements for the use requested.**
- (e) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation performed. The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.
- (f) No display of merchandise, goods or other commodities shall be visible from outside the dwelling unit **or the accessory structure.**
- (g) A home occupation shall not create ~~greater vehicle or pedestrian traffic than normal for the district in which it is located.~~ **a substantial increase in vehicle or pedestrian traffic.**
- (h) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
- (i) There shall be no outside operations, open display, or open storage of materials or products used in the home occupation.
- (j) No home occupation shall create objectionable noise, fumes, dust, or electrical interference.

- (k) No process or materials shall be used or stored on site that is hazardous to the public, health, safety, morals, or general welfare.
- (l) The home occupation shall provide additional off-street parking reasonably adequate to accommodate needs created by the home occupation. To this extent, the application for a home occupation shall provide a plan for any additional parking required, which shall be approved if:
  - (i) The residential character of the lot is not changed, and
  - (ii) The parking area does not detract from the visual appearance of the dwelling.
- (m) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, **except as otherwise permitted**, provided that products related directly to the service performed may be sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.
- (n) ~~Home occupations shall be encouraged in neighborhoods in transition from one land use to another, in high density residential neighborhoods and predominantly rural areas.~~  
~~Predominantly single family neighborhoods should, in general, be protected from home occupations, unless it can be specifically demonstrated that such use will have no short or long term negative impact on the neighborhood.~~
- (o) In order to guarantee that a home occupation, once permitted, will not become a nuisance to the neighbors or otherwise violate these standards, the Board of Adjustment may impose reasonable conditions necessary to protect the public health, safety, morals and general welfare.

Upon finding that the Petitioner meets the foregoing standards, the Board of Adjustment shall issue to the Petitioner a Special Use Permit for the home occupation.

AN ORDINANCE AMENDING THE ZONING  
ORDINANCE OF THE CITY OF EDEN

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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, Section 11.26 (c)(3)(c)(5) is amended to read as follows:

(5) **HOME OCCUPATIONS** - Home occupations, other than minor home occupations, have the potential to adversely affect residential areas and shall be reviewed and permitted by special use permit. Home occupations are permitted in all residential districts including O & I. In addition to any other requirements with respect to the Petition authorized in this Section, the Petition shall set forth the following:

(1) The special use shall not be a prohibited home occupation. The following uses by the nature of the investment or operation have a tendency once started to rapidly increase beyond the limits permitted for home occupations and are more suited for office or commercial districts, where permitted. Therefore, the uses specified below shall not be permitted as home occupations:

Appliance repair (i.e., major appliances).

Dry cleaning and laundry plants/pick-up stations.

Extermination services.

Funeral homes.

Massage parlors.

Medical or dental clinics and laboratories.

Motor vehicle related operations (e.g., car washes, repair service, body work).

Private clubs.

Rental service establishments.

Restaurants, bars, nightclubs.

Retail sales establishments not including antique sales or the sale of arts or crafts made onsite.

Tattoo parlors.

Taxi stands.

Tow truck services.

Veterinary uses shall only be allowed in Residential Suburban. Pet grooming or boarding shall be allowed in all other residential districts upon receipt of a special use permit.

Welding or machine shops.

- (2) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (3) The home occupation must be conducted by a resident of the dwelling unit.
- (4) The gross floor area attributed to the home occupation shall not be greater than 40 percent of the total gross floor area of the dwelling if conducted inside the primary residence or it shall be conducted in an accessory structure that meets all other applicable land use requirements for accessory structures and building code requirements for the use requested.
- (5) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation performed. The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.
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- (7) A home occupation shall not create a substantial increase in vehicle or pedestrian traffic.
- (8) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
- (9) There shall be no outside operations, open display, or open storage of materials or products used in the home occupation.
- (10) No home occupation shall create objectionable noise, fumes, dust, or electrical interference.

- (11) No process or materials shall be used or stored on site that is hazardous to the public, health, safety, morals, or general welfare.
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  - (i) The residential character of the lot is not changed, and
  - (ii) The parking area does not detract from the visual appearance of the dwelling.
- (13) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, except as otherwise permitted, provided that products related directly to the service performed may be sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.
- (14) In order to guarantee that a home occupation, once permitted, will not become a nuisance to the neighbors or otherwise violate these standards, the Board of Adjustment may impose reasonable conditions necessary to protect the public health, safety, morals and general welfare.

The Board of Adjustment shall, prior to the issuance of a Special Use Permit for a home occupation, find that such special use meets the following standards:

- (a) That the special use is not a prohibited home occupation.
- (b) The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes.
- (c) The home occupation must be conducted by a resident of the dwelling unit.
- (d) The gross floor area attributed to the home occupation shall not be greater than 40 percent of the total gross floor area of the dwelling if conducted inside the primary residence or it shall be conducted in an accessory structure that meets all other applicable land use requirements for accessory structures and building code requirements for the use requested.
- (e) There shall be no change in the exterior appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation, provided that one non-illuminated sign may be permitted provided it does not exceed 4 square feet in area. The sign message shall only indicate the name of the occupant or home occupation and the occupation performed. The sign must comply with the provisions of Section 11.31, Signs, of this ordinance.

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- (h) No more than one (1) vehicle shall be utilized in the home occupation. Furthermore, the home occupation shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in the occupation. One (1) commercial vehicle may be permitted on the lot provided it does not exceed 2 tons rated capacity.
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- (l) The home occupation shall provide additional off-street parking reasonably adequate to accommodate needs created by the home occupation. To this extent, the application for a home occupation shall provide a plan for any additional parking required, which shall be approved if:
  - (i) The residential character of the lot is not changed, and
  - (ii) The parking area does not detract from the visual appearance of the dwelling.
- (m) The home occupation shall not involve the retail sale of merchandise manufactured off the premises, except as otherwise permitted, provided that products related directly to the service performed may be sold, (e.g., beauty products in a beauty salon), further provided that sales orders for items made by telephone or at sales parties may be picked up by customers.
- (n) In order to guarantee that a home occupation, once permitted, will not be become a nuisance to the neighbors or otherwise violate these standards, the Board of Adjustment may impose reasonable conditions necessary to protect the public health, safety, morals and general welfare.

Upon finding that the Petitioner meets the foregoing standards, the Board of Adjustment shall issue to the Petitioner a Special Use Permit for the home occupation.

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of March, 2018.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

\_\_\_\_\_  
Sheralene Thompson,  
CMC, MMC, NCCMC  
City Clerk

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
A PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-18-01**  
**TEXT 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 amend Section 11.26(c)(3)(c)(5) to make changes to the home occupations requirements to permit some uses to be undertaken in a building other than the residence and to allow major home occupations in all residential districts.

WHEREAS, On February 20, 2018, the City of Eden Planning Board voted to recommend approval of the requested changes to the Zoning Ordinance.

STATEMENT OF NEED:

Staff is of the opinion that making the regulation of home based businesses more flexible will permit our citizens more opportunity to become entrepreneurs and make our local economy more secure.

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 is consistent with the City of Eden Land Development Plan, as amended, and why the City Council considers 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 interest.

Approved and adopted and effective this 20th day of March, 2018.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

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



## Economic Development Department

March 7, 2018

To: The Honorable Mayor and Eden City Council

Thru: Brad Corcoran, Eden City Manager

From: Mike Dougherty, Director of Economic Development

Re: Recreational Trails Program Public Hearing

Time is requested at the March 20, 2018 City Council meeting to hold a public hearing for the Recreational Trails grant that is being pursued to fund the Dan River Nature Trail. This trail begins at the Leaksville Landing, continues behind the Karastan Rug Mill, and ends at Bridge Street.

A \$24,000 grant application has been submitted to the Recreational Trails Program, part of the NC Division of Parks and Recreation. The grant requires a 25% match which will be fulfilled by a 700- linear foot sidewalk extension from the Bridge Street pump station to King's Hwy. The trail will extend the Smith River Greenway and provide another trail head at the Leaksville Landing.

A resolution in support of this grant is also requested to be approved by City Council.

If you have any questions concerning the above, please let me know.



RESOLUTION IN SUPPORT OF APPLICATION TO THE 2018 RECREATIONAL TRAILS PROGRAM

WHEREAS, The North Carolina State Trails program administered by the North Carolina Division of Parks and Recreation is tasked with distributing funds from the 2018 Recreational Trails Program; and

WHEREAS, the City of Eden has applied for funds for the Dan River Nature Trail; and

WHEREAS, in order to receive funds the City of Eden is required to provide a 25% match, or \$6,000 to the requested \$24,000: and

WHEREAS, the 1,600 linear feet of 6- foot wide natural surface at \$15.00 per linear foot will cost \$24,000 paid for by the grant, with 700 feet of sidewalk added by the City of Eden as its match; and

WHEREAS, this matching funding will be provided from the City of Eden 2018-19 general fund;

THEREFORE, I, Neville Hall, Mayor of Eden and City Council resolve to support the application to the 2018 Recreational Trails Program and provide the 25% match from its 2018-19 general fund.

Adopted this the 20th day of March, 2018

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Neville Hall, Mayor of Eden

Attest:

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Sheralene Thompson, City Clerk

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## CITY OF EDEN – MEMORANDUM

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**To:** HONORABLE MAYOR AND CITY COUNCIL

**THRU:** BRAD CORCORAN, CITY MANAGER

**FROM:** MARK BULLINS, WATER AND SEWER CONSTRUCTION PROJECTS MANAGER

**DATE:** MARCH 9, 2018

**SUBJECT:** AN ORDINANCE FOR A CROSS CONNECTION CONTROL  
(BACKFLOW PREVENTION) PROGRAM

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The purpose of this ordinance is to establish a backflow prevention program to protect our drinking water from pollution and/or contamination that can occur from backpressure or backsiphonage from non-potable sources. Non-potable sources, sources not approved for use as public drinking water, include industrial-chemical processes, fire suppression systems, commercial enterprises and lawn irrigation systems.

North Carolina state law requires public water systems have a Cross Connection Control Program to provide for the protection of the public water supply. N.C.G.S. Title 15A, Subchapter 18C, Section 406(b), entitled Cross-Connections, paragraph 4, states “all cross-connections between potable water supplies and non-potable or unprotected supplies which are not specifically covered in the categories in this Paragraph will be considered as special problems and the protective devices required will be determined by the Department on the basis of the degree of health hazard involved.” Appendix B of Title 15A, Subchapter C, pages 337 and 338, sets a minimum requirement for the protection of the public water supply from non-potable systems. The Federal Safe Drinking Water Act requires public drinking water systems to protect public water supplies from pollution and contamination. The EPA provides a model program on which the proposed program the staff has provided is based.

Our present ordinance reads as follows:

**§ 16-40 CONNECTIONS; SEPARATE WATER METERS; PERMIT FOR PRIVATE FIRE PROTECTION; RESTRICTIONS ON CROSS-CONNECTIONS.**

(A) The city will furnish all material and make all connections to the water mains and install all water service pipes from the mains to the inside of the property line. Each separate business, residence, mobile home or other structure shall have a separate water meter.

(B) All plans for private fire protection shall be submitted to and a permit obtained from the Water Department before installation or extensions to existing installations are made. No person will be allowed to make a cross-connection between the Water Department's supply and a private well, spring or other source. There shall be no cross-connection between the city waterlines and air lines used for washing automobiles or for any other purpose. Where water passes through recirculating systems such as cooling towers, etc., there shall be no physical

connection between the waterworks system and the pressure lines from the recirculating system. ('89 Code, § 16-40) Penalty, see § 16-72.

This existing ordinance does not properly address the actual cross connections nor does it allow for the possibility of a backflow occurrence in the public water distribution system. This is not a cross-connection backflow prevention program.

For residential water customers, a common water use that would require backflow prevention devices would be lawn irrigation systems. While this is not the only situation that requires a backflow prevention device, it is the most common and would immediately affect about 104 residential customers. These devices would need to be installed if they don't presently exist, inspected (whether they currently exist or need to be installed) and then initially tested (whether they currently exist or need to be installed). They would then need to be retested and/or serviced every year after that by qualified certified testers, whether by a private individual or possibly City personnel.

The City could elect to have an in-house testing and repair program using certified employees. An in-house program could be used to pay for a properly trained and certified employee to administer the program while saving the water consumer money over them being required to hire a properly trained and certified individual to perform the work.

Staff believes it would be better for a city employee to test these backflow prevention assemblies for our residential lawn irrigation customers. The tester would go from one address to the next, saving time and fuel costs in the process, thereby being cheaper than each homeowner hiring a certified tester on their own. We make this presumption because independent backflow prevention testers would probably not be retained by the same individuals in the same area or neighborhood and probably would not have testing done at the same time. This situation would require more travel and time for the independent tester, a cost they would have to pass along to the consumer. Independent testing requires the City of Eden to notify water consumers that they need to test their backflow prevention assemblies and often requires repeat letters of notification, making it a tedious task for someone. In-house testing merely requires that the City of Eden Tester follow a route each year and the cost for that service could be passed on to the user through the base rate for their water bill.

The City's commercial and industrial water customers would also have to comply with a Cross Connection Control Program as these water customers often present the greatest potential hazards to our water system depending on the nature of the business or industry. Commercial and industrial water customers are usually more ready to comply without the need to repeatedly send notification letters. Also, the size of the backflow prevention assemblies makes them more expensive to work on. These entities usually have their own maintenance people and programs for large water service lines and fire suppression systems. The staff believes that these water customers would be better served by hiring their own testers to maintain those backflow prevention assemblies.

The plumbing code has minimum installation requirements and requires backflow testing according to the ASSE standards and requires testing the performance of a backflow prevention assembly according to AWWA standards upon installation and follow-up testing annually.

All presently unprotected cross connections to non-potable will need to be protected by an appropriate backflow prevention assembly. The cost for most existing 3/4" lawn irrigation systems would be around \$1,200 to retrofit if needed. New lawn irrigation systems would have approximately \$700 in additional costs added to the price.

Eden is the ONLY water purveyor in Rockingham County that does not yet have a backflow prevention/cross connection control program. As of today, I am unaware of any public water system that does not have a functioning cross-connection control program.

It is the staff's recommendation that we enact this ordinance and program in order to comply with the requirements of the State of North Carolina.

## ARTICLE II: WATER USE

### Division 2A Cross Connection Control

#### §16-46 Purpose of Cross Connection Control.

The purpose of this cross connection section is:

(1) To protect the public potable water supply of the City of Eden from the possibility of contamination or pollution, which could backflow into the public water system, due to backsiphonage or backpressure, by containing such pollution or contamination at the water service within customer's private water system.

(2) To define the authority of the City of Eden as the water purveyor entitled to eliminating all cross connections, new or existing, within its public water system.

(3) To provide for a continuing program of inspections and testing of existing cross connections, and those which may be installed in the future.

#### §16-47 Authority for Implementing a Cross Connection Control Program.

Cross-Connections between potable water systems and non-potable sources are a significant threat to water quality and to the health of the public water supply. This ordinance is designed to maintain the safety and potability of the water in the City of Eden public water system by establishing rules and procedures to prevent the pollution and contamination of public drinking water by backflow from any non-potable source.

The authority for the following backflow and cross connection rules are found in the

- 1) Federal Safe Drinking Water Act of 1974, 1986 & 1996 (42 US Federal Code, Chapter 6A, Subchapter XII) and the EPA Cross Connection Control Manual.
- 2) NCAC title 15A, environment and natural resources, subchapter 18, C, .0404 (g); .0406 (b) including Appendix B, figure 2: NORTH CAROLINA GUIDELINES CROSS CONNECTION CONTROL IN WATER DISTRIBUTION SYSTEMS.
- 3) The North Carolina State Plumbing Code
- 4) This Article

#### §16-48 Definitions.

**A. Backflow:** Any reverse flow of water, gas or any other substance back into the public water system of the City of Eden from any source other than the approved water supply.

- 1) **Back pressure backflow:** Any elevation of pressure in the downstream piping system caused by pumps, elevation of piping, heat or steam and/or air pressure above the supply pressure at the point of consideration, which would cause a reversal of the normal direction of flow of water.
- 2) **Backsiphonage backflow:** A reversal of the normal direction of flow of water in the pipes due to a negative pressure (vacuum) being created in the supply line with the backflow source subject to

atmospheric pressure. This can occur because of water main breaks or during fire suppression events.

- B. Backflow Administrator:** An employee of the City of Eden, trained and certified by the State of North Carolina as a Cross Connection Control Operator in Responsible Charge, designated to administer and enforce this article, also known as the Cross Connection Control Coordinator.
- C. Backflow Prevention Assembly (Approved):** An assembly that has been investigated and approved by the City of Eden Backflow Administrator and has been approved to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE), the American Water Works Association (AWWA), and has been tested and approved for specific applications by the University of Southern California Foundation for Cross Connection Control and Hydraulic Research (USC FCCCHR). FM (Factory Mutual) and Underwriters Laboratory (UL) approvals shall be required for backflow prevention assemblies installed on fire suppression lines.
- 1) **Air gap (fixed)** - A permanently fixed, unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water from any source to a tank, plumbing fixture, or other device and the flood level rim of the device. An approved air gap separation shall be at least double the diameter of the supply pipe. In no case shall the air gap separation be less than two inches. An approved air gap may be considered as a backflow prevention assembly.
  - 2) **Double check valve assembly** - An assembly composed of two single, independently acting, approved check valves, plumbed in series. The assembly must include four resilient-seated test cocks that are properly located for testing the assembly and two tightly closing shut-off valves located at each end of the assembly.
  - 3) **Double check detector assembly** - An assembly composed of an approved double check valve assembly with a bypass water meter and a meter-sized approved double check valve device. The meter shall register accurately for very low flow rates and shall register all flow rates. The check valves shall allow for water to flow through the water meter prior to flowing through the larger assembly. This shall be for the purpose of detecting leaks or usage on fire suppression water systems.
  - 4) **Dual check valve device** - A backflow prevention device comprised of two single, independently acting, approved check valves, plumbed in series. The device is not testable and is generally installed downstream from a water meter and is used for the containment of single family water services as part of a residential backflow prevention program.
  - 5) **Pressure vacuum breaker Assembly** - A device containing one or two independently operated spring loaded check valves and an independently operated spring loaded air inlet valve located on the discharge side of the check valve. The device includes tightly closing shut-off valves on each side of the assembly and two properly located test cocks for the testing of the assembly
  - 6) **Reduced pressure zone assembly** - An approved, properly functioning assembly containing two, independently acting, approved check valves plumbed in series, with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves that discharges to atmosphere. The assembly must include four resilient-seated test cocks that are



properly located for testing the assembly and two tightly closing shut-off valves located at each end of the assembly.

- 7) **Reduced pressure detector assembly** - An assembly composed of an approved reduced pressure zone backflow prevention assembly with a bypass water meter and meter-sized approved reduced pressure zone device. The meter shall register accurately for very low flow. The water flowing through the meter shall be protected to same level as the water through the main assembly. The check valves shall allow for water to flow through the water meter prior to flowing through the larger assembly. This shall be for the purpose of detecting leaks or usage on fire suppression water systems.

- D. Certified Backflow Prevention Assembly Tester:** Any individual person who holds a certificate of completion from a certified training program in the testing and repair of backflow prevention assemblies and cross connection control. The certification school must be approved by the Cross Connection ORC for the City of Eden and based on the quality of training provided as compared to NC AWWA and NCRWA standards.
- E. Construction Meter:** A water meter assembly that includes a Reduced Pressure Zone backflow preventer for the protection of the potable water system, usually  $\frac{3}{4}$  by  $\frac{5}{8}$  inch designated for the purpose of providing temporary waster service for a construction site. It may be set up to take advantage of an existing water connection or be connected to a fire hydrant and shall have a  $\frac{3}{4}$  inch hose bib connection.
- F. Containment:** The prevention of backflow from a non-potable system utilizing an approved, properly functioning backflow prevention assembly which is installed, operated, and maintained in accordance with the provisions of this article.
- G. Contamination:** An impairment of the quality of the water to a degree that it creates an actual hazard to the public health through poisoning or through the spread of disease.
- H. Cross Connection:** Any actual or potential connection or piping arrangement between a potable water supply and any other non-potable source or system whereby water or other liquids, mixtures, or substances may flow into or enter the potable water supply system.
- I. Hazard (Health/Severe):** A potential threat of contamination to the public water system or to a water service customer's potable water system that could cause serious illness or death.
- J. Hazard (Imminent):** An immediate threat of contamination to the public water system that could cause serious illness or death.
- K. Hazard (Non-health/Moderate):** An actual or potential threat of damage to the physical components comprising the public water system or to a water service customer's potable water system, or of pollution to the public water system or to a water service customer's potable water system.
- L. Hydrant Meter:** A water meter designed to be connected to a fire hydrant for the purpose of obtaining water on a temporary basis where no regular water connection is available that will perform the purpose needed. This device should include a Reduced Pressure Zone (RPZ) backflow preventer to protect the potable water system from contamination. This assembly shall be fitted 2  $\frac{1}{2}$  inch fire hose connection.

- M. Isolation:** The prevention of backflow in which a backflow preventer, such as a hose bib or an atmospheric vacuum breaker, is located to correct a cross-connection at a specific location on a private potable water system rather than at a water service connection. This protects the drinking water in the building and is covered by NC Plumbing Code.
- N. Owner:** Any person who has legal title to, or license to operate or inhabit in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.
- O. Potable Water:** Water from any source which has been approved for human consumption by the State of North Carolina, Department of Environmental Quality, Water Resources Division, Public Water Supply Section.
- P. Person:** Any individual, partnership, company, public or private corporation, political subdivision or government agency or any other legal entity.
- Q. Private Water System:** Any water system located on the water service customer's premise, whether supplied by public potable water or an auxiliary water supply. The system or systems may be either a potable water system or an industrial piping system.
- R. Public Water System:** The potable water system owned and operated by the City of Eden. This includes all storage tanks, distribution mains, lines, pipes, connections, fixtures and other facilities, conveying potable water from the water treatment plants to the service connections of each water service customer.
- S. Service Connection:** The terminal end of a service connection from the public potable water system, immediately after the water meter, i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the water service customer's private water system.
- T. Used Water:** Any water supplied by a water purveyor from a public potable water system to a water service customer's private water system after it has passed through the point of delivery and is no longer under the control of the water purveyor.
- U. Water Service Customer:** Any person, firm, or corporation receiving water from the City of Eden by way of a water service connected to the City of Eden's public water system.
- V. Water Purveyor:** Owner or operator of a public potable water system providing approved potable water supply to the public.
- W. Water Supply (Auxiliary):** Any water supply on or available to the water customer's premises other than the water purveyor's public potable water system. The auxiliary water may include water from another purveyor's public potable water system or any natural source such as a well, spring, river, stream, etc., and used or objectionable.
- X. Water Supply (Unapproved):** Any water supply, which has not been approved for human consumption by the State of North Carolina, Department of Environmental Quality, Water Resources Division, Public Water Supply Section.

## **§Sec. 16-49 Responsibility**

### **A. Responsibility: City of Eden**

(1) The City of Eden Collection and Distribution Superintendent will be primarily responsible for preventing any contamination or pollution of the public water system. This responsibility begins at the point of origin of the public water system supply and includes all of the public water distribution system, and ends at the service connection, under the Safe Drinking Water Act. The Backflow Administrator shall exercise vigilance to ensure that the water customer has taken the proper steps to protect the public potable water system.

(2) When it has been determined by an inspection of the water service customer's private water system that a backflow protection system is required for the protection of the public water system, the Backflow Administrator shall notify the owner, in writing, of any such building or premises, to correct within a time set by this article, any plumbing installed or existing that is in violation of this article.

(3) The Backflow Administrator will select an approved backflow prevention assembly to be installed at the service connection. The owner shall be notified that the installation of a backflow prevention assembly may create a closed system, and as a result thermal expansion may occur. In these circumstances the owner must understand and assume all liability and responsibilities for that phenomenon.

### **B. Responsibility: Water Service Customer**

(1) The water service customer has the responsibility of preventing contaminants and pollutants from entering the water service customer's private water system or the public water system operated by the City of Eden. The water service customer, at his own expense, shall install, operate, test, repair and maintain all backflow prevention assemblies specified within this article. *The City of Eden may choose to do the testing, maintenance and repair of the customer's backflow prevention assemblies and pass the costs to the affected water customers through the water billing system.*

(2) If a water service customer is a tenant and does not maintain the private water system, and has no authority to bring the system into compliance with the provisions of this article, the City of Eden may assert any available action against the tenant water service customer to assure the private water system is brought into compliance with this article.

## **§16-50 Right of entry; authorization**

(1) Any authorized representative from the City of Eden shall have the right to enter any building, structure or premises during normal business hours to perform any duty imposed upon him/her by this article and in accordance with the North Carolina State Plumbing Code, and the North Carolina Administrative Code. Those duties may include sampling and testing of water, or inspection and observation of all piping systems connected to the public water supply. Refusal to allow these representatives to enter for these purposes shall result in disconnection of water service.

(2) On request, the water service customer shall furnish to the water purveyor any pertinent information regarding the water supply system on such property where cross connection and backflow are deemed possible. [N.C. State Plumbing Code Appendix].

## **§16-51 Law; unprotected cross connection prohibited**

(1) No water service connection to any private water system shall be installed or maintained by the City of Eden unless the water supply is protected as required by this article and in accordance with the North Carolina State Plumbing Code, and the North Carolina Administrative Code. Service of water to any premises shall be discontinued by the City of Eden if a backflow prevention assembly required by this article, is not installed, tested and maintained, or if a backflow prevention assembly has been removed, bypassed or if an unprotected cross connection exists on the premises. Service will be restored after all such conditions or defects are corrected.

(2) No water service customer shall allow an unprotected cross connection to be made or to remain that involves the water service customer's private water system.

(3) No connection shall be made to an unapproved auxiliary water supply unless the public water supply is protected against backflow by an approved backflow prevention assembly, appropriate to the degree of hazard.

(4) No interconnection to any other water purveyor's water system shall be made unless it is protected against backflow by an approved backflow prevention assembly.

(5) No water service customer shall fail to maintain in good operating condition any backflow prevention assembly, which is part of the water service customer's private water system and is required by this article.

(6) No water service customer shall fail to submit to the City of Eden any records, which are required by this article.

## **§16-52 Installation.**

### **(a) Installation and testing requirements:**

(1) The purpose of this section is to require that, when a cross connection to the City of Eden public water system has been identified, all water flowing from the public water system into that private water system, must flow through an approved backflow prevention assembly. Furthermore, each backflow prevention assembly must be properly located, installed, tested, and maintained per the City of Eden requirements so that the backflow prevention assembly is effective in protecting the public water system from any possible contamination or pollution.

(2) The installation or replacement of a backflow prevention assembly for domestic water, irrigation, commercial and industrial use shall only be performed by a licensed plumber or utility contractor. The installation or replacement of a backflow prevention assembly on a dedicated fire sprinkler service shall only be performed by a licensed fire sprinkler contractor. **ALL** backflow prevention assemblies shall be tested and repaired by a certified backflow prevention assembly tester authorized by the City of Eden.

(3) For premises existing prior to the start of this program, the Department will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary.

(4) All new and change of use construction plans and specifications which will receive service from the City of Eden public water system shall be made available to the Backflow Administrator for review, approval, and to determine the degree of hazard, and any required backflow prevention assembly to be installed.

(5) All facilities zoned commercial or industrial that have existing water services with the City of Eden and requesting Certificate of Occupancy from the City or County Planning and Zoning offices, whether for new construction or change of use, shall be inspected for compliance of backflow prevention and cross connection control. Any facility not having backflow protection or changing the degree of hazard shall be brought into compliance before the Backflow Administrator may release the Certificate of Occupancy.

(6) The Backflow Administrator will determine if a water service customer must install a backflow prevention assembly, and provide the water service customer with a letter of notification and list of approved backflow prevention assemblies. Any unapproved backflow prevention assembly must be replaced, with an approved backflow prevention assembly, within a time period set by the Backflow Administrator. The following time periods shall be set forth for the installation of the specified backflow prevention assemblies:

*New construction:* No water meter will be installed by the City until the proper backflow prevention assembly is installed, tested, and approved.

*Change of use/change of ownership:* No water service will be activated by the City until the proper backflow prevention assembly is installed, tested, and approved.

**Existing facility evaluation compliance schedule:**

Health hazard	60 days
Non-health hazard	90 days

**Testing and repair compliance schedule:**

Failure to test backflow prevention assembly by anniversary date	30 days
Failure to repair or replace failed a backflow prevention assembly	14 days

**If an IMMINENT HAZARD or an UNREASONABLE THREAT OF CONTAMINATION OR POLLUTION** to the City's public water system is detected, the Backflow Administrator may require the installation of the required backflow prevention assembly **IMMEDIATELY**, or within a shorter time period

than specified above. If installation is not completed within the specified time period, or if contamination is presently occurring, **WATER SERVICE MAY BE IMMEDIATELY DISCONNECTED** in order to protect the potable water system and public health.

(7) All backflow prevention assemblies must be installed and maintained on the water service customer's premises as part of the water service customer's private water system at or near the service connection and before the service line is connected to any other pipes except as authorized by the Backflow Administrator.

(8) If it has been determined that a backflow prevention assembly cannot be installed at the meter service, due to Zoning or DOT Right-of-Way, an approved backflow prevention assembly must be installed before any branch of plumbing that is installed between the service meter and the service backflow prevention assembly.

(9) Any branch of plumbing installed on the private water system that may be subject to a greater hazard than the supply line, (example: Irrigation systems or pump systems, etc.) shall be protected with the appropriate backflow prevention device, as determined by the Backflow Administrator.

(10) Approved backflow prevention assemblies: Meets American Society of Sanitary Engineers (ASSE) standard and carries ASSE seal or is on the University of Southern California Foundation for Cross Connection Control and Hydraulic Research (USC FCCHR) approval list. Also see the current revision of the City of Eden Backflow Assemblies Specification sheets.

(11) Any water service customer installing any backflow prevention assembly must provide the following information to the Backflow Administrator:

- a. Owner's name and address;
- b. Service address where assembly is installed;
- c. Description of assembly's location;
- d. Date of installation;
- e. Size of assembly
- f. Type of assembly;
- g. Manufacturer;
- h. Model number;
- i. Serial number;
- j. Test results/reports.

(12) Reserved

(13) Each backflow prevention assembly that is required must function properly at time of installation. Each water service customer will be required to maintain, and repair each assembly required as part of their private water system. Testing shall be done immediately following installation of any backflow prevention assembly prior to receiving a CO (certificate of occupancy) and annually thereafter. The owner at their own expense shall have a certified backflow prevention assembly tester conduct the tests and forward the results to the City within ten business days.

(14) If an assembly needs to be repaired it must be re-tested immediately following any repairs. The owner at their own expense shall have a certified backflow prevention assembly tester conduct tests and

forward the results to the City. A complete duplicate copy of any testing and/or repair shall be sent to the Backflow Administrator within ten business days of completion of test or repair. Each water service customer must maintain a complete copy of test or repair for no less than five years. All test and repair records must be maintained on forms approved by the Backflow Administrator of the City of Eden.

(15) All rubber components must be replaced every five years in every backflow prevention assembly or as often as needed, according to manufacturer's directions and components condition.

(16) Any existing backflow prevention assembly that was installed prior to the adoption of this article, which does offer the proper level of protection type for the hazard will need to be replaced. At that point the assembly shall be replaced, by the water customer, with the proper type of assembly for the current hazard classification.

**(b) Installation location requirements:**

(1) Backflow prevention assemblies must be located in a place where it is readily accessible for regular testing, maintenance, repair, and inspection. Any water service customer's water service that is critical and cannot be shut down for annual testing or maintenance shall install parallel backflow prevention assemblies in order to maintain the continuity of water flow for testing and repair; or in the case of the assembly failing. Bypass lines parallel to a backflow prevention assembly shall have an approved backflow prevention assembly that is equal to that on the main line.

(2) No backflow preventer shall be installed in a manner by which it is subject to freezing. All above ground backflow preventers shall be installed in an ASSE standard 1060 "freeze retardant" enclosure with a minimum R value of 8.0. All above ground backflow preventers shall be installed with permanent piped electrical service to a thermostatically controlled heater or heat tape. Backflow for lawn irrigation systems may be installed with unions and an upstream shut off valve not subject to freezing. All underground piping must be installed a minimum of 12 inches below grade and must meet the requirements of underground water service piping.

**Reduced pressure zone assembly (RPZ).**

- a. Above ground outdoor installation is preferred and encouraged.
- b. Below ground and indoor installations are strongly discouraged, and shall only be allowed in special cases as approved by the Backflow Administrator. The vault shall have positive drainage with adequate gravity drainage to atmosphere to accommodate for the maximum discharge of the relief valve(s) on the assembly(s) and must be in a location where no portion of assembly can become submerged at any time or under any circumstances or conditions.
- c. Twelve inches minimum and a maximum of 36 inches clearance from vault floor and a minimum of 24 inches clearance from a wall or another fixture for the purpose of testing and repair.
- d. Horizontal installation unless USC FCCHR approvals allow otherwise.
- e. Installation in accordance with manufacturer's recommendations.
- f. Located where it is readily accessible for regular testing, maintenance, and inspection.
- g. Must be in a location where no portion of assembly can become submerged at any time under any circumstances or conditions

**Double check valve assembly (DCVA).**

- a. Above ground outdoor installation is preferred and encouraged.
- b. Below ground installation is strongly discouraged, and shall only be allowed in special cases as approved by the Backflow Administrator. The vault shall have positive drainage with adequate gravity drainage to atmosphere and must be in a location where no portion of assembly can become submerged at any time or under any circumstances or conditions.
- c. Twelve inches minimum and a maximum of 36 inches clearance from vault floor and a minimum of 24 inches clearance from a wall or another fixture for the purpose of testing and repair.
- d. Vertical or horizontal installation acceptable with USC FCCHR approvals.
- e. Installation in accordance with manufacturer's recommendations.
- f. Located where it is readily accessible for regular testing, maintenance, and inspection.

**Air gap (AG).**

- a. Above ground installation only.
- b. Must be in a location where no portion of assembly can become submerged at any time under any circumstances or conditions

**§16-53. - Degree of hazard.**

**A. Determination.**

(1) No service shall be completed until the Backflow Administrator has been provided with information or has surveyed the private water system to determine the degree of hazard and make a determination of a backflow prevention assembly to be installed to protect the City of Eden public water supply.

(2) Any water service customer, making any modification to the private water system's use or configuration, which may change the degree of hazard, shall notify in writing the Backflow Administrator before any modification is made. If the Backflow Administrator determines that such modification requires a greater degree of backflow prevention assembly, that assembly must be installed prior to any modification of use or configuration.

(3) If the City of Eden Backflow Administrator or his designee is unable to survey any portion of a private water system to determine the degree of hazard, due to confidential activities, a reduced pressure zone assembly will be required.

**B. Degree**

(1) **Health hazard:** Actual or potential threat of contamination that presents an imminent danger to the public health with consequence of serious illness or death.

(2) **Non-health hazard:** One that presents foreseeable and significant potential for pollution, nuisance, aesthetically objectionable or other undesirable alterations of the City of Eden public drinking water supply.



**C. Minimum backflow prevention assembly requirements**

(1)	Degree of Hazard:	RPZ or RPDA	DCVA or DCDA	AG	PVB
	Health hazard	X		X	X
	Non-health hazard		X		
	AG = Air gap				
	DCVA = Double check valve assembly;				
	DCDA=Double Check Detector Assembly (Fire protection systems w/o chemicals or pumps)				
	RPZ = Reduced pressure zone assembly				
	RPDA=Reduced Pressure Detector Assembly (Fire protection systems with chemicals or pumps)				
	PVB = Pressure vacuum breaker				

**(2) Facilities that require a backflow prevention assembly:**

a. Residential dual check valve. If no other backflow prevention assembly is specified a dual check valve assembly must be installed on all private water systems.

b. Non-health hazard.

1. Connection to tanks, lines, and vessels that handle non-toxic substances.
2. Fire sprinkler systems without pumps or chemicals.
3. Most commercial establishments.
4. Schools, daycares and colleges.
5. Bakeries, restaurants, etc.
6. Churches.

7. Bottling plants without back pressure.
8. Office buildings.
9. Other facilities as determined by the Backflow Administrator.

c. Health hazard.

1. Wastewater treatment plants.
2. Beauty shop and salons.
3. Connection to tanks, lines, boilers or vessels that handle sewage, lethal substances, toxic or radioactive substances.
4. All lawn irrigation systems.
5. Connection to an unapproved water system or auxiliary water supply.
6. Buildings with five or more stories above ground.
7. Hospitals and other medical facilities.
8. Morgues, mortuaries and autopsy facilities.
9. Metal plating facilities.
10. Breweries, bottling plants
11. Canneries.
12. Battery manufacturers.
13. Exterminators and lawn care companies.
14. Chemical processing plants.
15. Dairies.
16. Film laboratories.
17. Car wash facilities.
18. Dye works.
19. Laundries.
20. Swimming pools.
21. Waterfront facilities.
22. Concrete/ asphalt plants.
23. Airports.
24. Oil and gas production, storage, or transmission facilities.
25. Sand and gravel plants.
26. Furniture manufacturing plants.
27. Interconnection with other water purveyor's potable water systems
28. Gas/service stations.
29. Other facilities as determined by the Backflow Administrator.

This is not intended to be an exhaustive list. Any other type facilities or services not listed above may also be required to install an approved backflow prevention assembly if determined by the Backflow Administrator. All assemblies and installations shall be subject to inspection and approval by the City of Eden Backflow Administrator or his designee's.

(3) Filling of tanks/tankers or any other container from a City of Eden fire hydrant is strictly prohibited unless it has been equipped with the proper meter and approved backflow prevention assembly. The City of Eden will issue a permit for this tank/tanker or container. Any unauthorized connection to a fire hydrant is

considered an illegal cross connection to the City of Eden public water system and will be subject to penalties as set forth in the City of Eden Fee Schedule.

**Exemption:** All fire apparatuses are exempt from the backflow prevention requirements only if fighting fire or training. If training they are asked to notify the City's Collection and Distribution Division. However if fire apparatus has been used to haul non-potable water, it is to be cleaned and re-certified prior to connecting to a City of Eden fire hydrant.

(4) **Imminent hazard:** If it has been determined a water service customer's private water system has an imminent hazard: the water service customer must install an approved backflow prevention assembly specified by the City of Eden Backflow Administrator and this article. This assembly must be installed within 24 hours of notification from the Backflow Administrator. If the water service customer fails to install the specified assembly within the allowed time period, water service to the water service customer's private water system will be terminated and the water service customer may be subject to civil penalties. In the event the Backflow Administrator is unable to notify the water service customer within 24 hours of determining an imminent hazard exists, the Backflow Administrator may terminate water service until the specified assembly is installed. These actions may be carried out under the Safe Drinking Water Act and the N.C. State Plumbing Code.

#### **§16-54 Notice of contamination or pollution.**

(1) In the event the water service customer's private water system becomes contaminated or polluted the water service customer shall immediately notify the City of Eden Backflow Administrator or the Collection and Distribution Superintendent.

(2) In the event the water service customer has reason to believe that a backflow incident has occurred between the water service customer's private water system and the public water system the water service customer shall immediately notify the City of Eden Backflow administrator or the Collection and the Distribution Superintendent so that appropriate actions can be taken to isolate and remove the contamination or pollution.

#### **§16-55 Violations and civil penalties.**

##### **A. Notification of violation**

(1) A written notice will be presented to any water service customer/person who has been found to be in violation of any part of this article.

(2) This first notice must explain the violation and give the time period within which the violation must be corrected.

(3) A second notice will give 30 additional days to correct all violations as required by this article.

(4) A third notice will be a civil penalty allowing 15 more days to comply before the penalties begin.

(5) In the event a water service customer found to be in violation of this article fails to correct the violation within the specified time or, fails to pay any civil penalties expense assessed under this article, water service will be terminated.

**B. Civil and other penalties**

(1) Unprotected cross connection involving a private water system, which is of a health hazard: \$1,000.00 per day not to exceed \$10,000.00.

(2) Unprotected cross connection involving a tank/tanker or other container hooked to a fire hydrant—\$1,000.00 per occurrence.

(3) Unprotected cross connection involving a private water system, which is of a non-health hazard—\$500.00 per day not to exceed \$5,000.00.

(4) Submitting false records which are required by this article—\$1,000.00.

*Also this will result in removal of the tester from the approved testers list. Notification of the school where the tester was certified and the tester's behavior shall be reported to the North Carolina Division of Water Resources.*

(5) Failure to submit records which are required by this article—\$500.00.

(6) Failure to test or maintain backflow prevention assemblies as required by this article—\$100.00 per day up to and including termination of water service.

DRAFT

The logo of the Eden Water Utility Authority is a circular emblem. It features a central illustration of a tree on a grassy bank above a wavy line representing water. The text "EDEN NORTH CAROLINA" is written in a serif font across the middle. The top arc of the circle contains the text "BOARD OF TWO RIVERS" and the bottom arc contains "Established 1967".

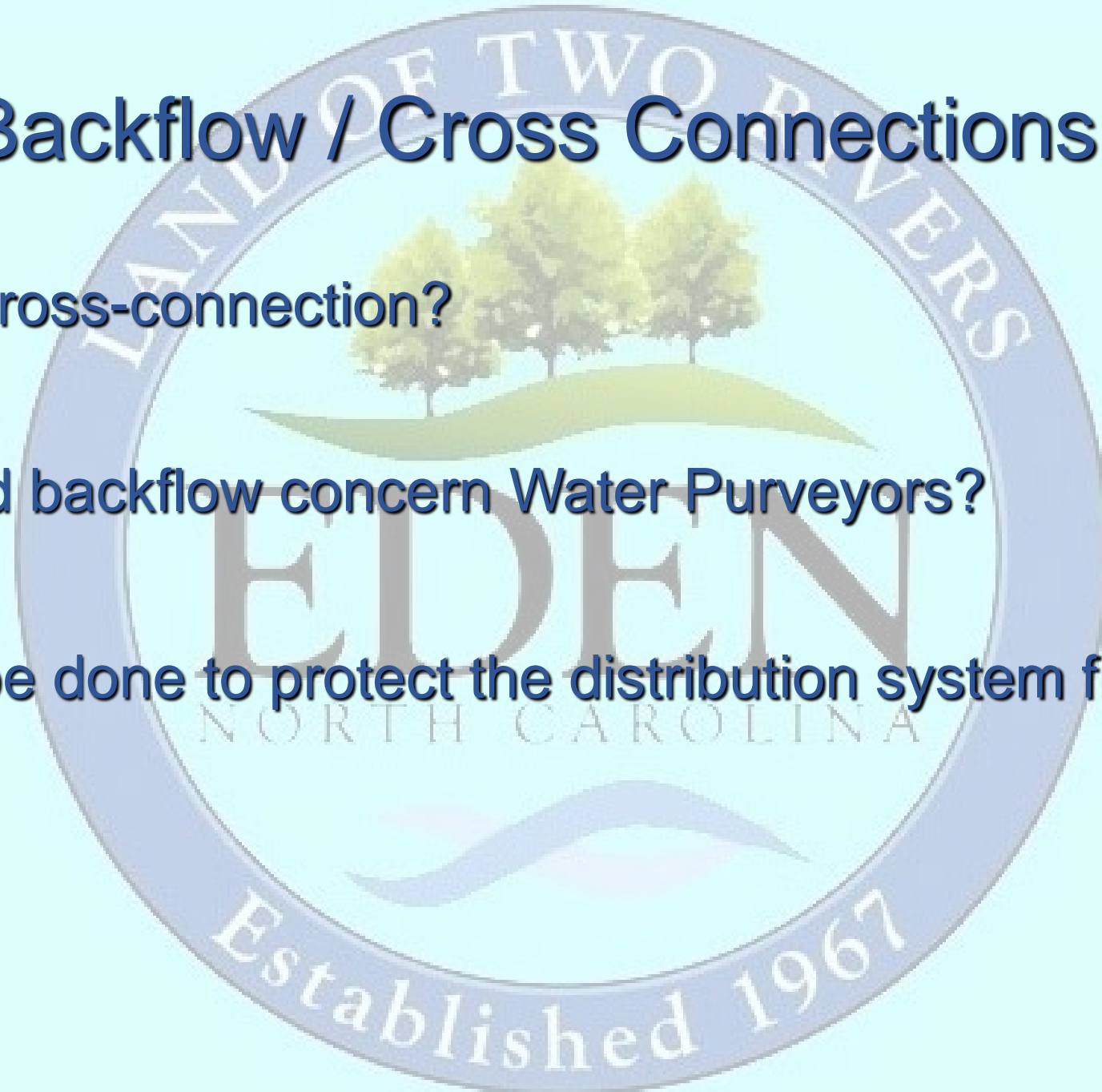
# **Cross Connection Control Backflow Prevention**

# Clean, Safe, Pure Drinking Water



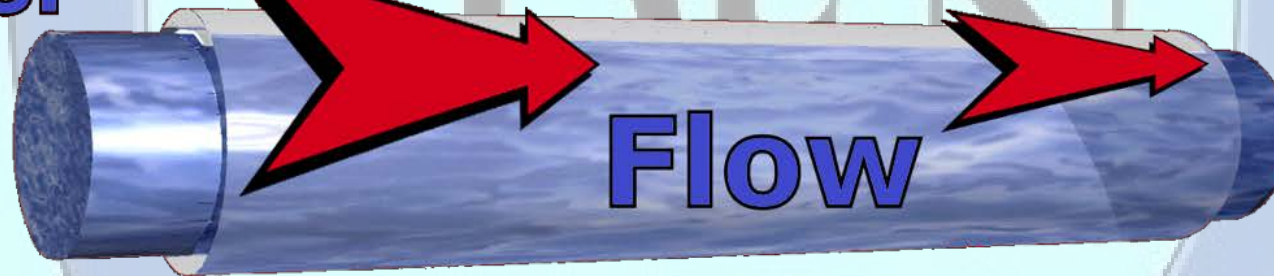
# Backflow / Cross Connections

- What is a cross-connection?
- Why should backflow concern Water Purveyors?
- What can be done to protect the distribution system from backflow?



**Water pressure naturally  
tends to equalize**

**100psi**

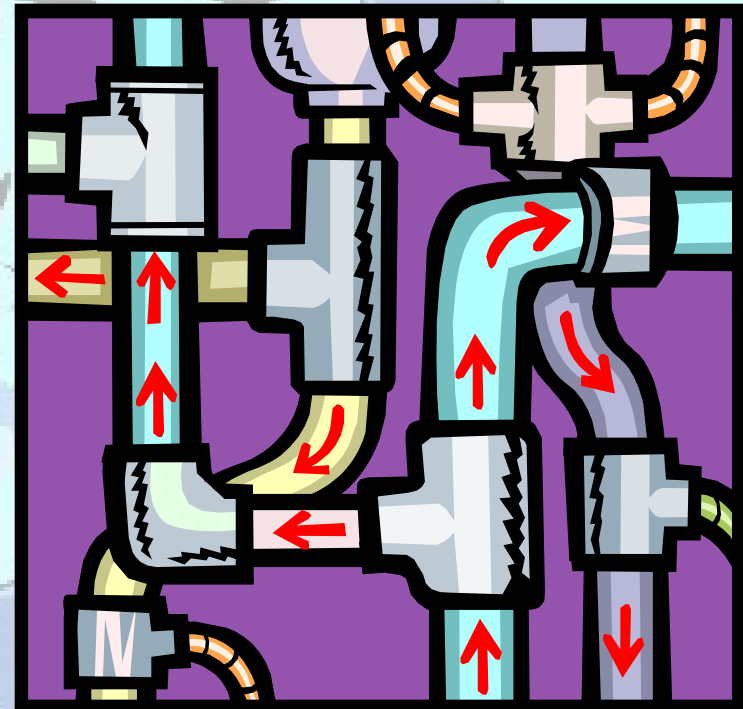


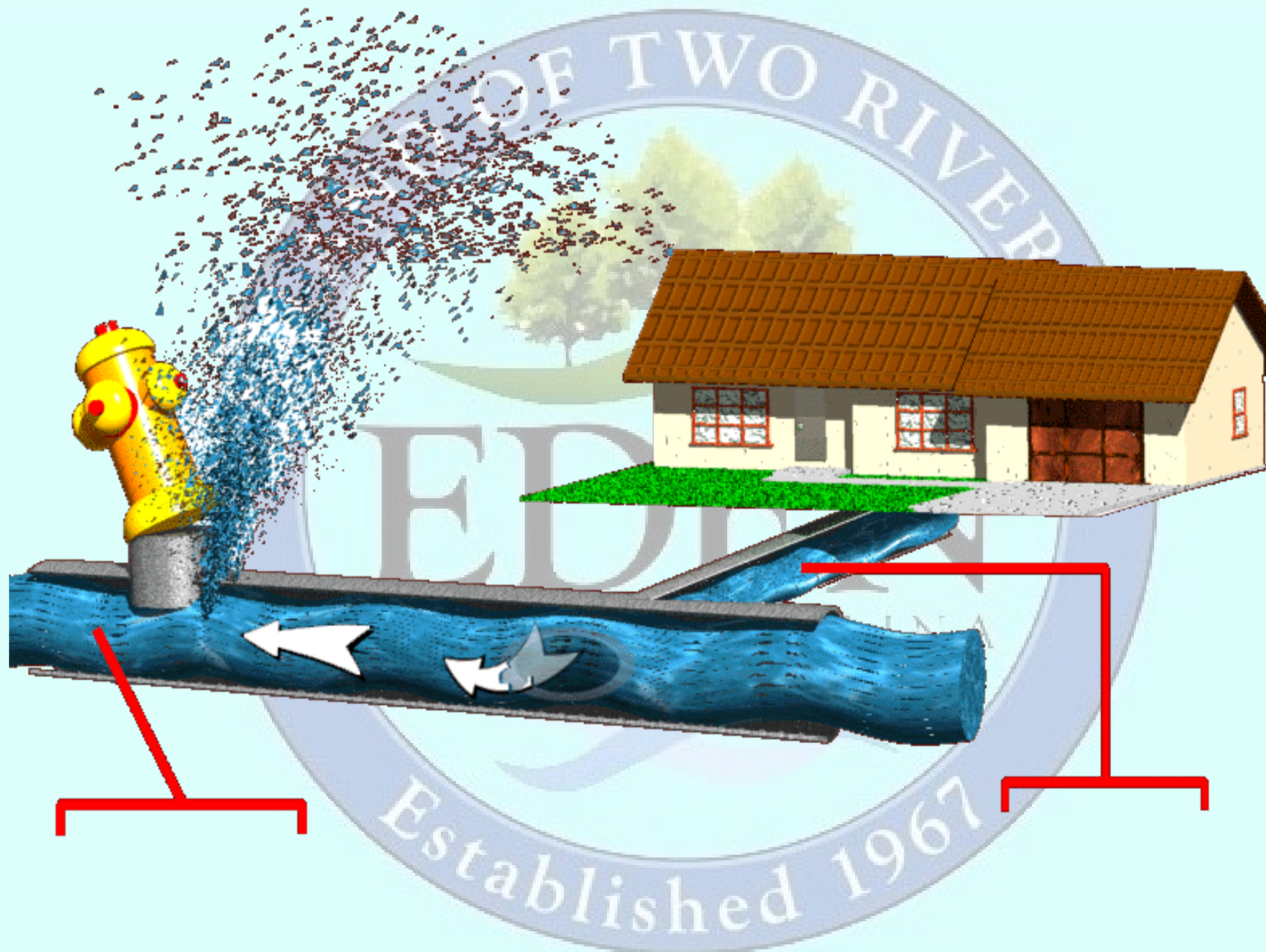
**95psi**



# What is backflow?

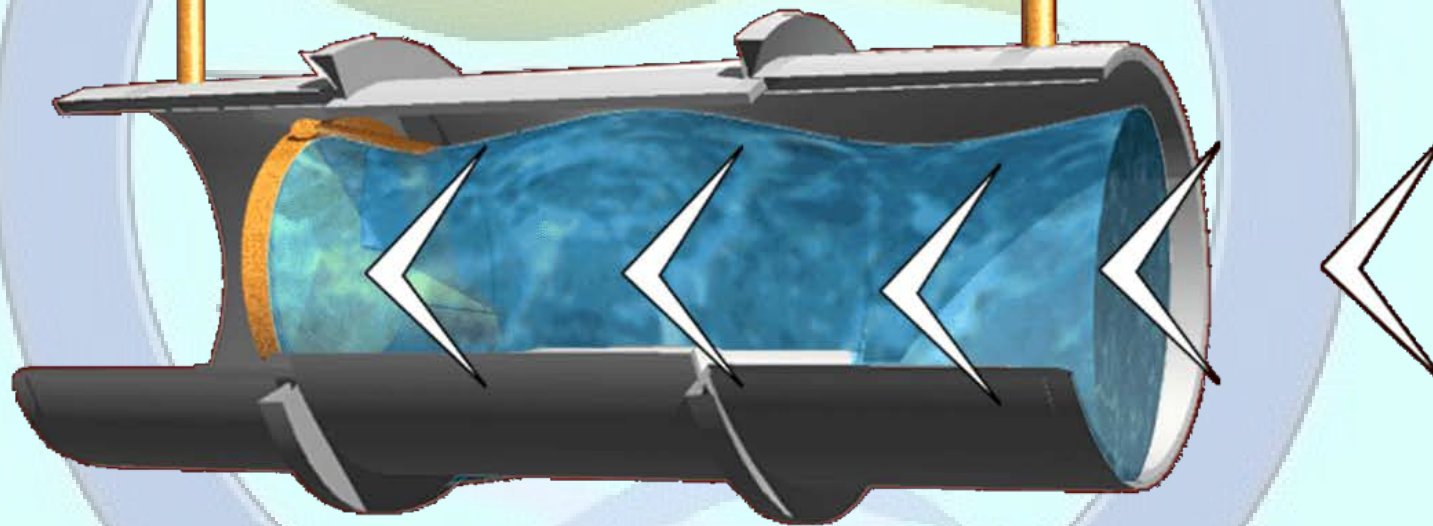
The undesirable flow of water, foreign liquids, gases or other substances back into the potable water system



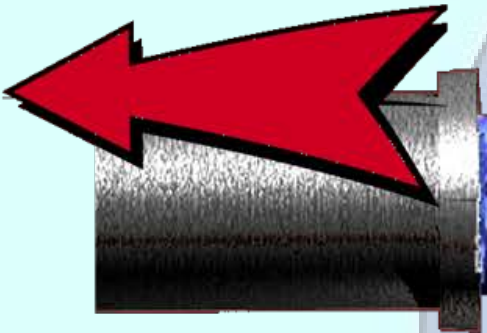


50  
psi

55  
psi



**Backpressure**



**WKS IP HONAGE**  
EDEN  
NORTH CAROLINA

**Normal Direction of Flow**



# What is a Cross Connection?

**An actual or potential connection between a potable water supply and any non-potable substance or source**



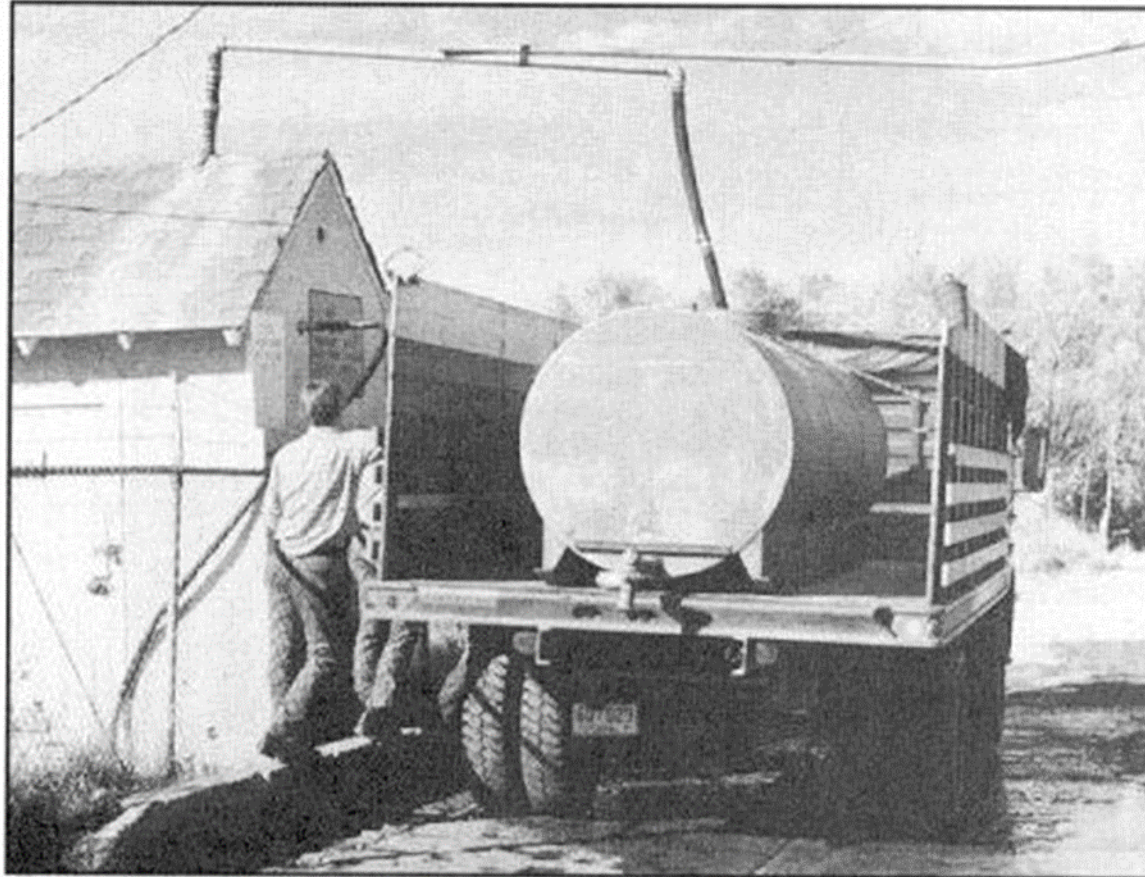
# Permanent Connection

**Water  
Make-up  
Line**



**Direct Connection**

# Hose End in Tank- Cross Connection

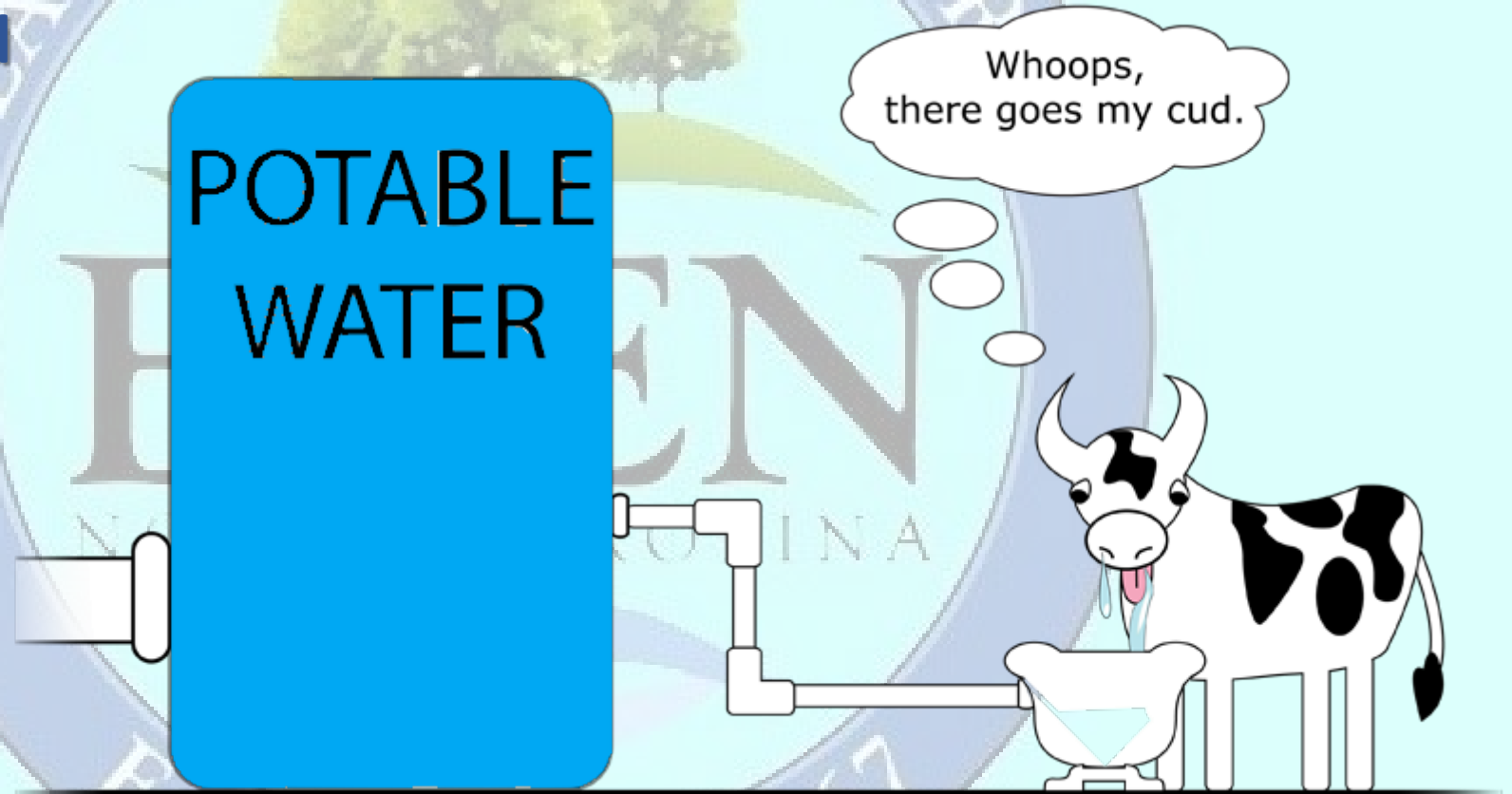


*Courtesy of USEPA, Region VII, Water Supply Division*

**FIGURE 11-3 Water tank cross-connection**

# Degree of Hazard

- **Moderate Hazard Pollutant**
- **Severe Hazard Contaminant**





# Why have a Backflow Prevention Program?

Anything connected to the water system can be introduced into the water system!

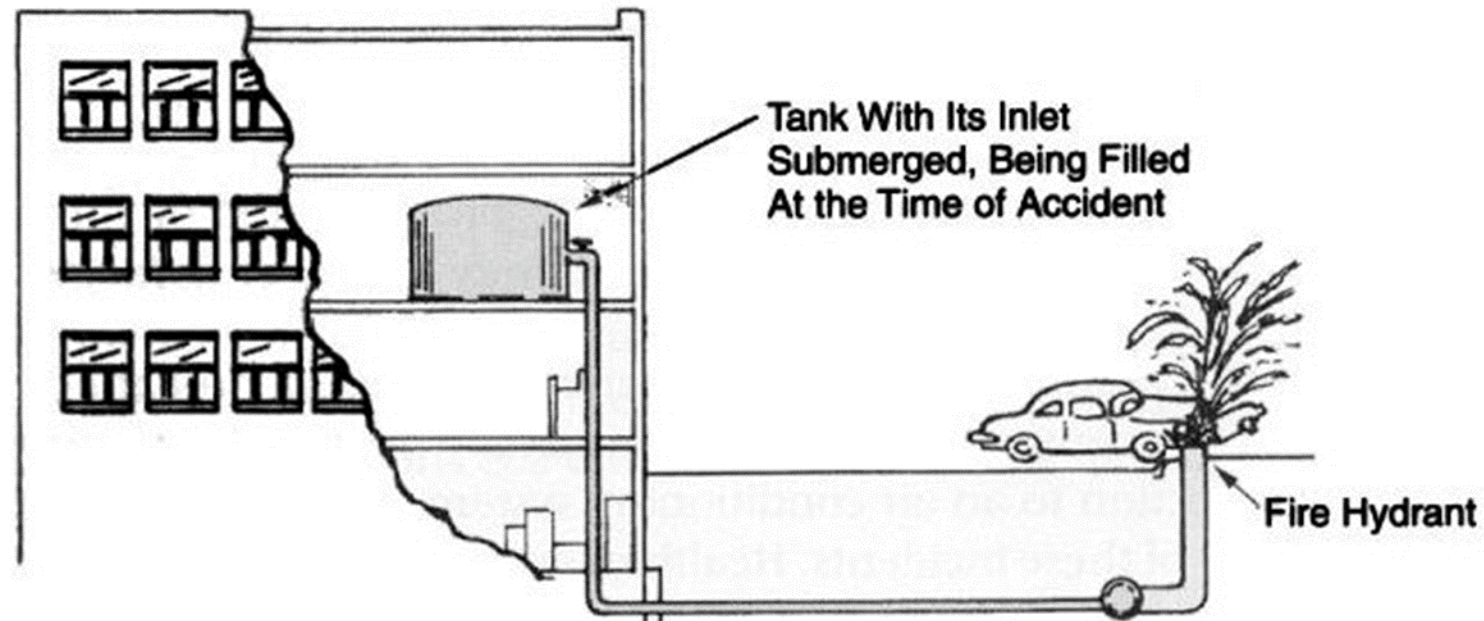


FIGURE 11-16 Backsiphonage due to a broken fire hydrant

# The Requirements

## Federal and State Laws



- **Safe Drinking Water Act**
- **NC Administrative Code**
- **NC Plumbing Code**



**FIGURE 2 NORTH CAROLINA GUIDELINES CROSS CONNECTION CONTROL IN WATER DISTRIBUTION SYSTEMS**

These guidelines are supplemental to Section .0406(b). These guidelines are intended as a minimum requirement. Public water suppliers may adopt more stringent requirements. Each supplier of water shall conform to the minimum requirements established in these guidelines.

Degree of Hazard:

- A. Severe: Actual or potential threat of contamination that presents an imminent danger to the public health with consequence of serious illness or death.
- B. Moderate: One that presents foreseeable and significant potential for pollution, nuisance, aesthetically objectionable or other undesirable alterations of the drinking water supply.

II. Backflow Prevention Assembly Requirements:

Degree of hazard	RPZ*	DCVA**	Air Gap
Severe	X	---	X
Moderate	---	X	---

Reduced pressure zone  
Double check valve assembly  
This is not intended to be an exhaustive list

III. Facilities that Require Installation of a Backflow Preventer\*\*\*:

A. Moderate hazard - DCVA:

1. Fire sprinkler systems without booster pump facilities or chemical additives.
2. Connection to tanks, lines and vessels that handle non-toxic substances.
3. Lawn sprinkler systems without chemical injection or booster pumps.
4. Most commercial establishments.
5. Automatic service stations, bakeries and beauty shops with no health hazard and bottling plants with no back pressure.
6. etc.

B. Severe hazard - RPZ or air gap:

1. Lawn sprinkler systems with chemical injection or booster pump
2. Wastewater treatment plants
3. Connection to an unapproved water system or unapproved auxiliary water supply
4. Connection to tanks, pumps, lines, steam boilers or vessels that handle sewage, lethal substances, toxic or radioactive substances
5. Fire sprinkler systems with booster pump facilities or chemical additives
6. Buildings with five or more stories above ground level
7. Hospitals and other medical facilities
8. Morgues, mortuaries and autopsy facilities
9. Metal plating facilities
10. Bottling plants (subject to back pressure)
11. Canneries
12. Battery manufacturers
13. Exterminators and lawn care companies
14. Chemical processing plants
15. Dairies
16. Film laboratories
17. Car wash facilities
18. Dye works
19. Laundries

20. Swimming pools
21. Water front facilities
22. etc.

**IV. Approved Backflow Prevention Assemblies:**

Meets American Society of Sanitary Engineering (ASSE) standard and carries ASSE seal or is on the University of Southern California approval list.

**V. Backflow Prevention Assembly Installation:**

Backflow prevention assemblies must be located in a place where it is readily accessible for regular testing, maintenance and inspection. Bypass lines parallel to a backflow prevention assembly shall have an approved backflow prevention assembly installed that is equal to that on the main line.

**A. RPZ:**

1. Above ground installation preferred.
2. Below ground vault shall have positive drainage with adequate gravity drainage to atmosphere.
3. 12 inches minimum clearance from vault walls and floor.
4. Installation in accordance with manufacturer's recommendations.

**B. DCVA:**

1. Vertical or horizontal installation acceptable.
2. Adequate drainage shall be provided if installed below ground.

# Properly Protecting Hazardous Cross Connections

**Air Gap Separation**

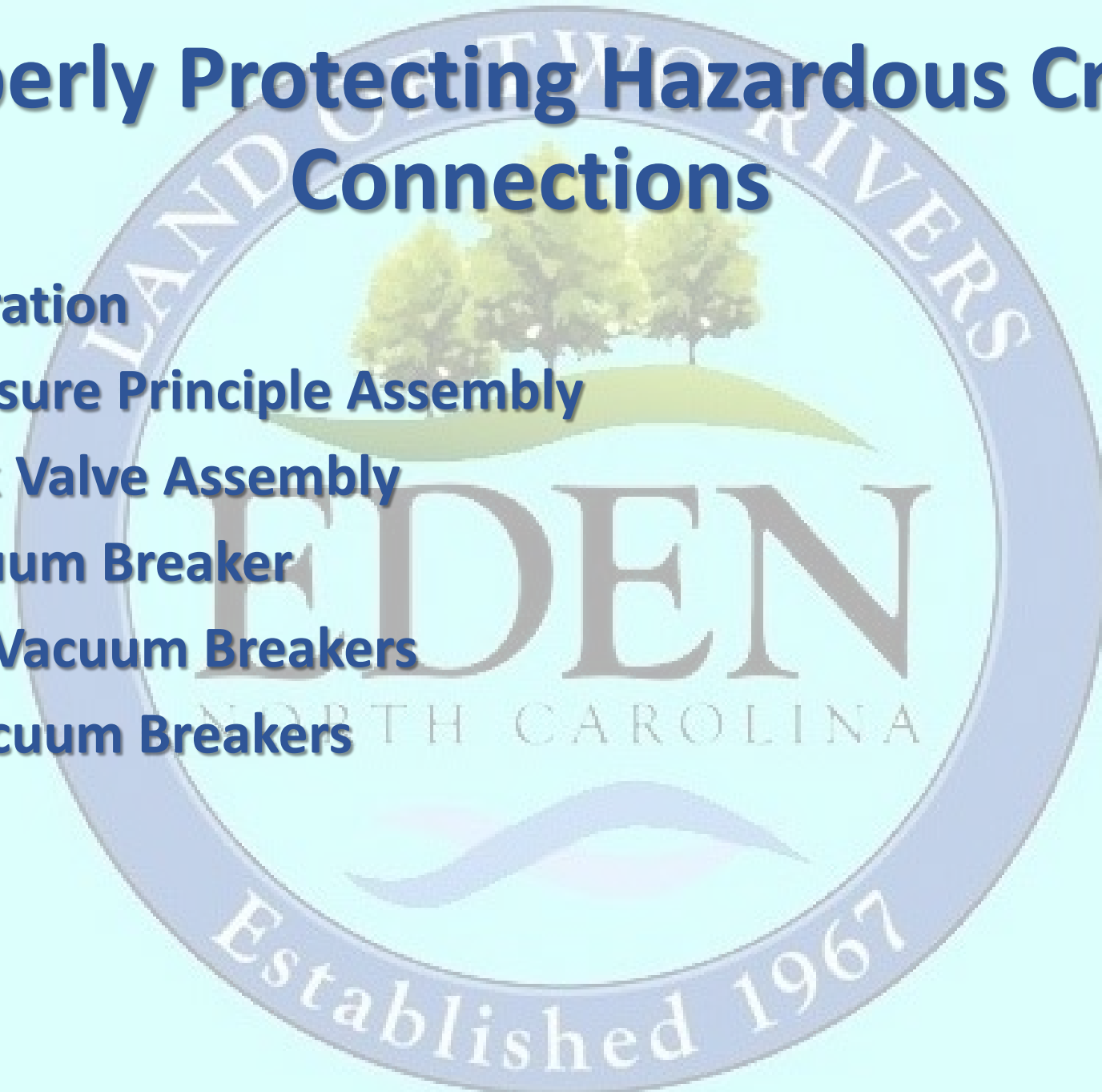
**Reduced Pressure Principle Assembly**

**Double Check Valve Assembly**

**Pressure Vacuum Breaker**

**Atmospheric Vacuum Breakers**

**Hose Bibb Vacuum Breakers**



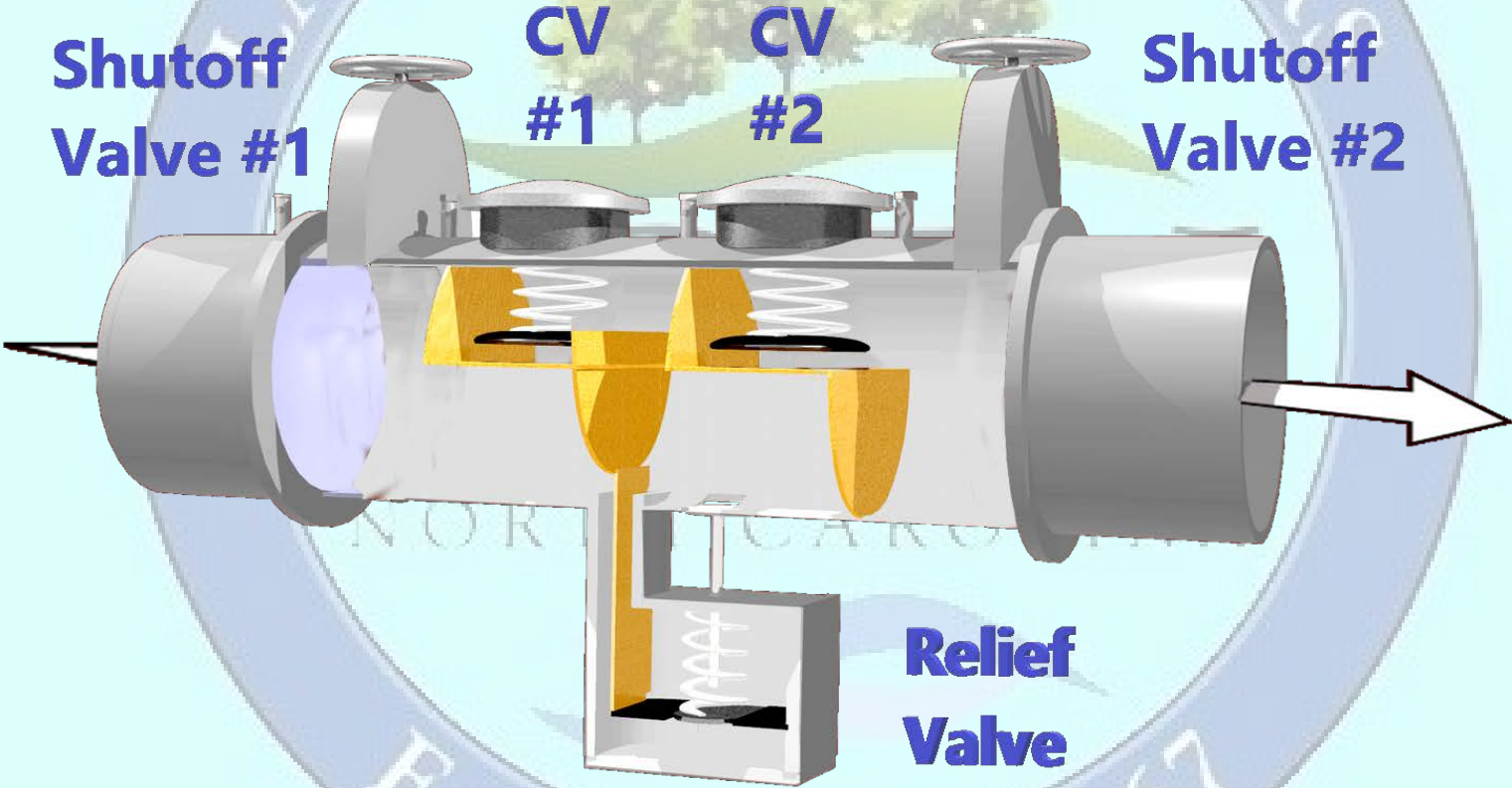




**2x diameter  
not less than 1"**

**Air Gap**

# Reduced Pressure Principle Assembly (RPZ)



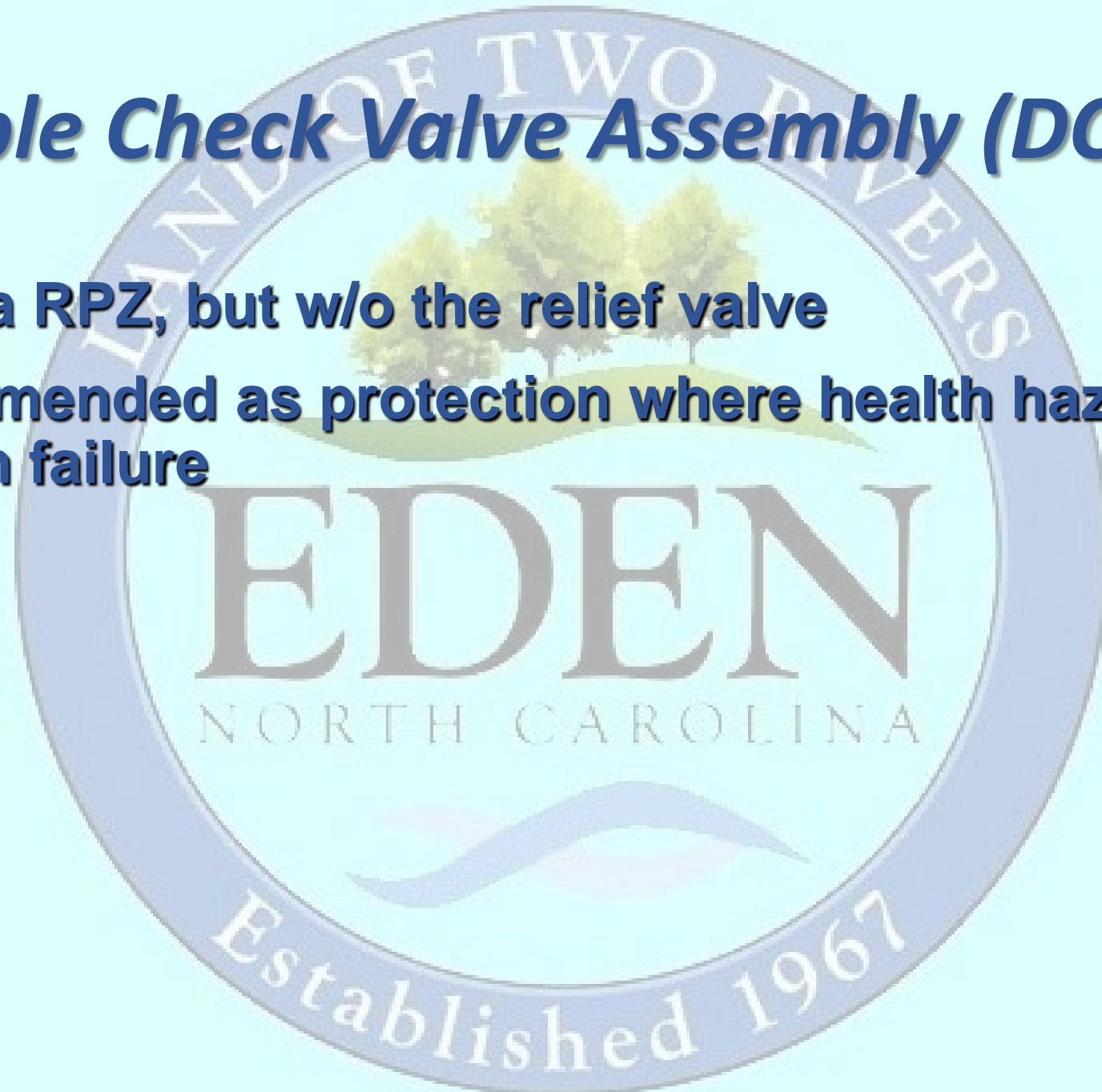
# *Reduced Pressure Principle Assembly (RPZ)*



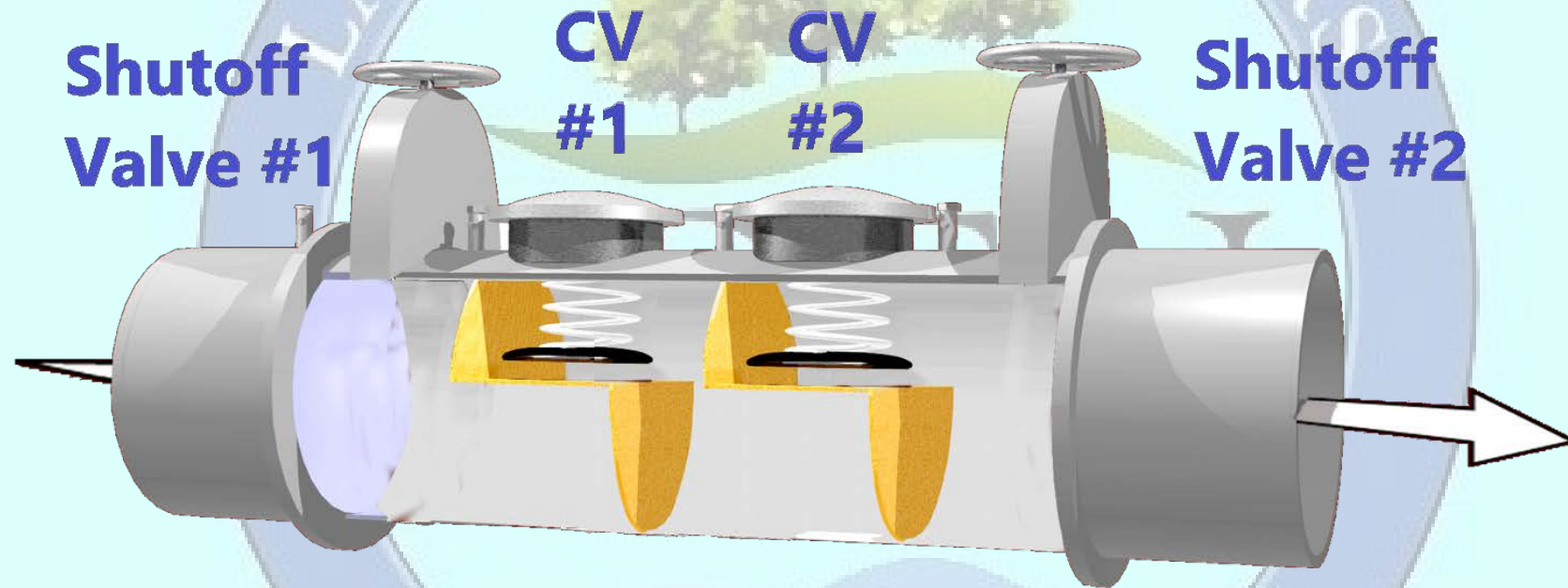


# ***Double Check Valve Assembly (DCVA)***

- **similar to a RPZ, but w/o the relief valve**
- **not recommended as protection where health hazard may result from failure**



# *Double Check Valve Assembly (DCVA)*

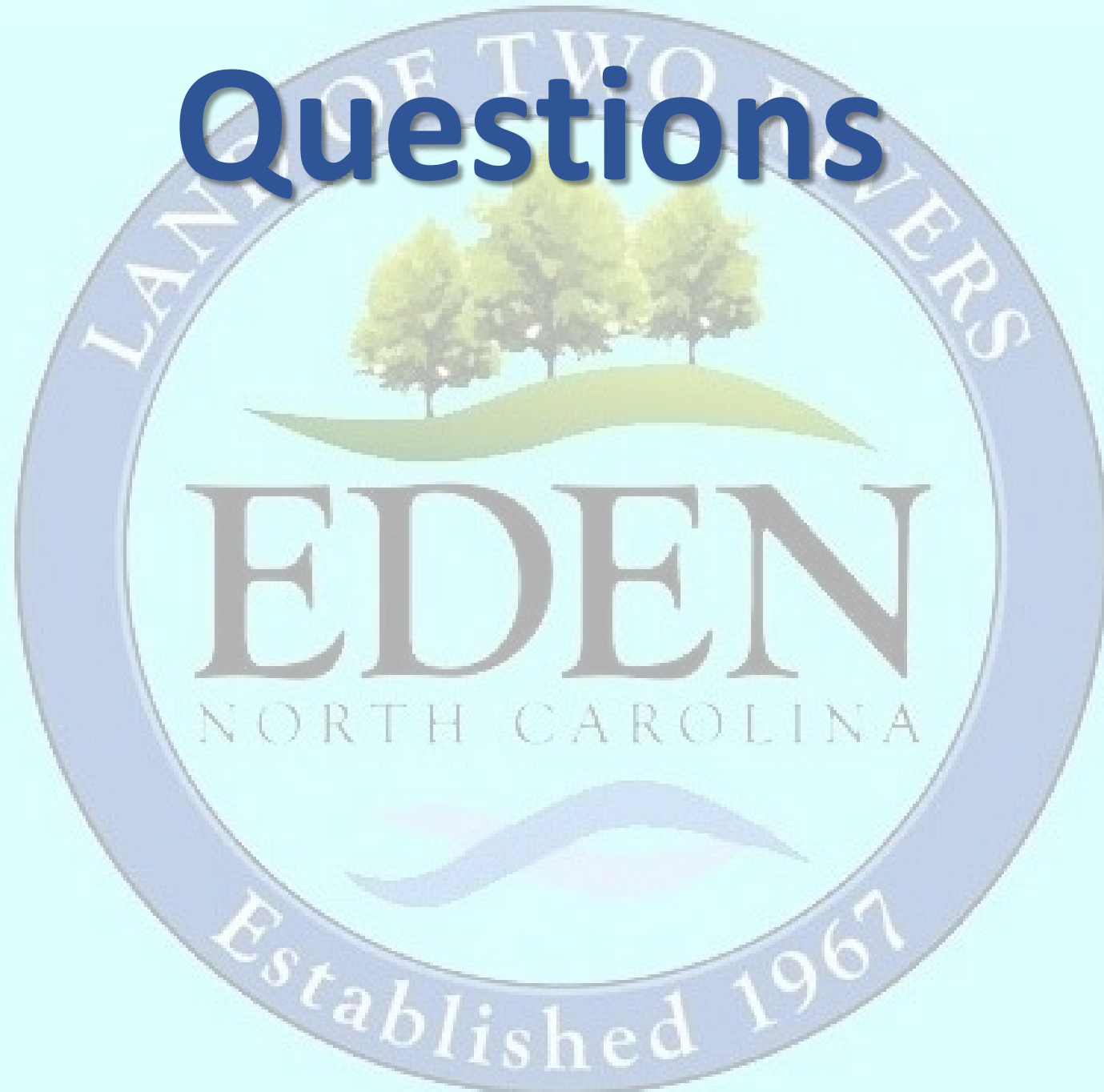


Established 1967

# *Double Check Valve Assembly (DCVA)*



# Questions





# City of Eden

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## MEMO

**TO:** Honorable Mayor and City Council  
**THRU:** Brad Corcoran, City Manager  
**FROM:** Kelly K. Stultz, AICP, Director  
**SUBJECT:** **Annexation Request – 343 Wilshire Drive**  
**DATE:** March 13, 2018

The City has received a voluntary annexation request for property located at 343 Wilshire Drive.

A motion to adopt a “Resolution Directing the Clerk to Investigate a Petition Received under G.S. 160A-58.1” is in order.





428

411

Voluntary Annexation of  
343 Wilshire Drive

407

405

403

401

NORTHRIDGE DR

400

404

408

412

414

339

341

343

WILSHIRE DR

336

338

340

345

342

344

1 inch = 64 feet



**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 February 14, 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 Petitions and to certify as soon as possible to the City Council the result of her investigation.

This the 20th day of March, 2018.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

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





## Economic Development Department

March 12, 2018

To: The Honorable Mayor and Eden City Council

Thru: Brad Corcoran, Eden City Manager

From: Mike Dougherty, Director of Economic Development

Re: Brunch Bill

It has been requested for City Council to approve an ordinance allowing the sale of alcoholic beverages after 10:00am on Sundays, in accordance with the “brunch bill” approved by the NC General Assembly in 2017. This legislation allows local municipalities to approve the sale of alcohol after 10:00am.

Please note that Eden Police Chief Greg Light has spoken to his counterpart in Reidsville about any issues arising since that city approved the ordinance in 2017 and none were reported.

Please let me know if there are any questions about this issue.

**AN ORDINANCE AMENDING  
THE CITY OF EDEN CODE OF ORDINANCES**

**SALE OF ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAYS AT LICENSED  
PREMISES**

**WHEREAS**, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled “An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws”; and

**WHEREAS**, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 am on Sundays; and

**WHEREAS**, Ratified Senate Bill 155 signed into law by Governor Roy Cooper on the 30<sup>th</sup> day of June, 2017 and became effective on that day (Session Law 2017, Chapter 87); and

**WHEREAS**, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

**WHEREAS**, more than 110 NC cities had passed local ordinances allowing alcohol to be served before noon as of November of 2017; and

**WHEREAS**, Sunday morning alcohol service will allow the hospitality community and retail merchants in our community to meet the needs of their customers; and

**WHEREAS**, Sunday morning alcohol service will benefit our business community, bring people into business districts earlier in the day, and generate increased tax revenues; and

**THEREFORE**, be it ordained by the City of Eden City Council that:

**Section 1.** A new section 7-2 of Chapter 7, Article I of the Eden City Code is hereby enacted to read as follows:

**§7-2 SALE OF ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAYS AT  
LICENSED PREMISES**

Pursuant to the authority granted by S.L. 2017-87 any establishment located in the corporate limits of Eden, NC and holding an ABC permit issued pursuant to G.S. 18B-1001 is permitted to sell beverages allowed by its permit beginning at 10 A.M. on Sundays.

**Section 2.** The provisions of this ordinance are declared to be severable.

**Section 3.** All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

**Section 4.** This ordinance is effective upon adoption.

**ADOPTED** this the 20<sup>th</sup> day of March by the Eden City Council.

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Neville Hall  
Mayor

ATTEST:

---

Sheralene Thompson, City Clerk



Dewberry Engineers Inc. | 434.797.4497  
551 Piney Forest Road | 434.797.4341 fax  
Danville, VA 24540 | www.dewberry.com

March 9, 2018

Mr. Terry Shelton  
Public Utilities Director  
City of Eden  
P.O. Box 70  
Eden, NC 27289-0070

**Re: Proposal for Professional Engineering Services:  
Redesign of Waterline to Serve the Berry Hill Industrial Park**

Dear Mr. Shelton:

Dewberry Engineers Inc. (Dewberry) is pleased to present herein our proposal for Professional Engineering services related to the redesign and construction phase of the water infrastructure to serve the Berry Hill Industrial Park.

**UNDERSTANDING OF THE PROJECT**

The City of Eden has recently been awarded funds for the design and construction of a 20" waterline to enable the City to serve the Berry Hill Industrial Park. The City wishes to obtain engineering services to modify an earlier 2012 design and prepare related regulatory, funding and final construction documents necessary to complete this project. This proposed 20 inch waterline along with existing water infrastructure operated by Pittsylvania County Serviced Authority (PCSA) and being supplied water from both Henry County Public Service Authority (HCPSA) and the City of Danville, will provide for a combined total supply capacity to the park of 6 MGD; 5 MGD from Eden, and 1 MGD from PCSA.

Previously Dewberry assisted the City of Eden in acquiring funding for a larger waterline project which is now being scaled back to capacities as originally identified in the park master plan. State funded low interest loan, federally funded zero percent loan, as well as State Reserve Project Grant were awarded from the NC DENR Drinking Water State Revolving Fund (DWSRF). An application to EDA for a grant opportunity has also been submitted. The City now wishes to obtain additional funding assistance to retain as much of the grant award monies as possible and provide loan and grant administration services during construction.

As a requirement for the NC DENR DWSRF, an Engineering Report/Environmental Information Document (ER/EID) was prepared by Dewberry for the due date of June 1, 2017. The proposed scaled back project will require amendments to these documents and related clarifications to NC DENR and EDA.

Construction phase services will require 15 months of Construction Administration Services (CONA) and Inspection Services. The 15 months of CONA and inspection includes construction related to a 20" waterline from the northeast edge of the City limits, along SR 311 to the VA/NC state line. Finally, loan and grant administration services are being requested to assist the City as required through funding via DWSRF and EDA.

## **SCOPE OF SERVICES**

### 1. Preliminary Engineering & Redesign

- 1.1. Revise cost project cost estimates, funding summary financial tables and project descriptions for purpose of amending applications to DENR-DWSRF, EDA and City of Eden.
- 1.2. Revise water models and develop a basis of design report reflecting operation of Berry Hill Park with independent supplies as well as blended supply. Since Eden is currently utilizing chloramines for disinfection PCSA will be required to provide chlorine and ammonia feed capability to insure compatibility. Limitations (i.e. minimum demand) for which the two systems will be utilized will be established and presented as part of the basis of design report. Necessary control devices and features necessary enable the lower pressure water supply system from Eden to operate in conjunction with the PCSA system will be included in the basis of design. Finally, tie-ins points will be considered for the purpose of providing lower pressure process water supply in areas of the park where nominal pressures cannot be maintained without the addition of a booster station.
- 1.3. Conduct pre-design meetings with VDH and DEQ- PWS to review basis of design.
- 1.4. Revise waterline plan and profiles for the 20" waterline to provide for maximum acceptable offsets from SR 311 edge-of-road.
- 1.5. Revise waterline route at the crossing of Cascade Creek due to the recently installed gas line in the NCDOT right-of-way.
- 1.6. Revise specifications pertaining to redesign tasks noted above and updates to reflect current standards and materials. Revise specifications to include funding agency requirements.

### 2. Survey

- 2.1. Call in utility location tickets and have utilities marked
- 2.2. Survey to pick up utilities to accurately show on drawings
- 2.3. Survey NCDOT improvements recently performed at the Cascade Creek crossing and other areas where waterline offsets are increased.
- 2.4. Survey tie-in points for waterline connection to the City system and connection to the existing Berry Hill PCSA waterline.
- 2.5. Perform topographic survey in an alternate location of a proposed meter vault.

### 3. Easement Exhibits

- 3.1. Provide exhibits and plats for temporary construction and permanent maintenance easements.
- 3.2. Easement exhibits are anticipated at two (2) locations and will be prepared based on GIS mapping but are not to be construed as survey plats consisting of property research, site resurveying, or placement of property corner pins.
- 3.3. Easement plats are anticipated at two (2) locations and will include property research, site surveying, location of property corners and placement of corner pins.
- 3.4. For the purpose of this proposal the exhibits and plats will be provided on a unit cost basis.

#### 4. Environmental and Construction Permit Applications

Dewberry proposes to coordinate and provide necessary submissions to obtain the following permits and approvals:

- 4.1. Dewberry proposes to prepare an “Application for Pipe or Wire Occupancy” with necessary attachments and submit for a permit to the governing review board for Norfolk Southern. The railroad pipe occupancy permit fee is estimated to be up to \$30,000, and will be paid by the City of Eden directly to Norfolk Southern Railway.
- 4.2. DEQ General NPDES Permit under the North Carolina Stormwater Permitting Program will be required. Fee for this permit (paid directly by Eden) is based on total acreage of disturbance.
- 4.3. A Pre-Construction Notification through the Joint Permit Application for a general Nationwide permit through the US Army Corps of Engineers will be required for all wetland and stream impacts.
- 4.4. NCDOT will review plans prior to bidding the project. The contractor will be required to obtain the Land Use Permit for all construction activity in the NCDOT right-of-way prior to construction.
- 4.5. The City of Eden and Rockingham County will review the Erosion and Sediment Control Plan and issue a permit for land disturbing activities.
- 4.6. The North Carolina Department of Environmental Quality (DEQ - PWS) and Virginia Department of Health (VDH) will need to review the project for compliance with respective North Carolina and Virginia water supply regulatory standards and guidelines. A Certificate to Construct (CTC), Authorization to Construct (ATC), and a Certificate to Operate (CTO) through DEQ will be obtained for the water system.

#### 5. Engineer’s Report for Water Main Extensions

Eden has recently updated their Local Water Supply Plan (LWSP) and is in the process of updating their Water System Management Plan (WSMP). Engineering data from this project will require completion of PWS template entitled “Engineer’s Report for Water Main Extensions (ERWME)”. In addition to this abbreviated report, an earlier Preliminary Engineer Report, prepared for funding agency purposes for a larger 30” waterline, will be revised to include only information relative to a 20” waterline; this revised PER will serve to supplement the information to be included in the ERWME. Dewberry will also assist as needed in updating an engineering report prepared in 2000 for the WSMP.

#### 6. Construction Administration Services (CONA)

- 6.1. General – Construction for this work is expected to take 15 months to complete.
- 6.2. Dewberry proposes to provide related CONA services including the following:
  - 6.2.1. Prepare Advertisement (Owner to make payment to newspaper)
  - 6.2.2. Distribution of Bid Documents
  - 6.2.3. Pre-Bid Meeting
  - 6.2.4. Contractor Clarifications

- 6.2.5. Issue Addenda
- 6.2.6. Assist in Bid Opening
- 6.2.7. Issue Notice of Award
- 6.2.8. Prepare Agreement
- 6.2.9. Attend Pre-Construction Meeting
- 6.2.10. Issue Notice to Proceed
- 6.2.11. Monthly Progress Meetings (18 total)
- 6.2.12. Review Shop Drawings
- 6.2.13. Review Monthly Pay Requests
- 6.2.14. Issue Change Orders
- 6.2.15. Prepare Record Documents
- 6.2.16. Issue Final Completion Certification

## 7. Inspection

For the purposes of this proposal, inspection will comprise 15 months of inspection during which an average of 32 hours/week will be required. This inspection will be provided on an hourly basis at a rate of \$65/hr. and will include: assist Engineer in review of shop drawings, make field observations, review and consult with Engineer regarding Requests for Information (RFIs), verification of compliance with construction documents, witness selected testing, perform initial review of pay requests with Contractor, issue field directives, prepare inspection reports and attend progress meetings.

## 8. Finance Assistance – Funding (Loan and Grant) Administration

- 8.1. Design Phase: Provide assistance and coordination with both EDA and NC DENR Drinking Water State Revolving Fund (DWSRF) for a scaled down project from which was more recently proposed and for which related loan grant notices were provided. This includes meeting with NCDENR and providing revised documentation as clarification and redefinition of project scope and related impact to project cost. The goal of these services will be retain as much of the initial grant offerings as possible.
- 8.2. Construction Phase: Subcontract with the French Connection to provide 15 months of loan administration services associated with the construction project(s). Services will include the following facets

### Scope of Services DWSRF

- Provide administrative, grant and loan management services for construction and close- out phases of project
- Coordinate paperwork with funding agency to insure compliance with all regulations
- Attend construction meetings
- Develop and maintain administrative files on behalf of City including construction contract; notice of award; notice to proceed, insurance documentation; construction schedules; change orders; progress reports and progress meeting minutes and agendas
- Collect and verify certified payrolls
- Perform construction site interviews of workers
- Prepare drawdowns for reimbursement from DENR
- Coordinate American Iron & Steel requirements

- Coordinate compliance with Minority and Women Owned Businesses
- Coordinate with City financial personnel to insure payments to contractors; prepare closeout documents.

#### Scope of Services EDA Contract

- Provide administrative and grant management services for construction and close-out phases of project.
- Coordinate paperwork with funding agency to insure compliance with all regulations including construction signs.
- Attend construction meetings.
- Develop and maintain administrative files on behalf of City including construction contract; notice of award; notice to proceed, insurance documentation; construction schedules; change orders; progress reports and progress meeting minutes and agendas.
- Collect and verify certified payrolls.
- Perform construction site interviews of workers.
- Prepare drawdowns for reimbursement from EDA.
- Coordinate compliance with Minority and Women Owned Businesses.
- Coordinate with City financial personnel to insure payments to contractors; prepare closeout documents.

#### 9. Revisions to Rate Analysis and PCSA Agreement

- 9.1. Develop at least four (4) supply scenarios for which Eden provides varying amounts of water and sharing total park water demand with PCSA; the effort being to develop a minimum demand that will be suitable to PCSA while at the same time producing flow rates in both supply lines to the Park that will provide greater certainty that suitable water quality is being maintained.
- 9.2. Review information in 9.1 with representatives of PCSA and Eden to select a suitable minimum flow for start of service and proportioning of supply at varying total demand scenarios.
- 9.3. Based on the new scaled back project scenario, revise the most current draft agreement Agreement v2(PCSA 2.21.2017). Revisions will include;
  - Remove all references to previously noted large water user.
  - Revise references to water system components only to reflect those added in the upcoming project with the 20" waterline.
  - Revise to the best of our ability the loan anticipation amount.
  - Revise minimum water purchase and propose conditions upon which PCSA will begin purchasing water from Eden.
  - Make minor edits as applicable regarding development of rates.

#### **CLARIFICATIONS**

1. Repackaging of construction documents and construction phase services offered herein are based on award of one (1) construction contracts, and for a construction period lasting 15 months.
2. All permit fees will be paid directly by the City of Eden to the agency with jurisdiction over the permitted activity. The fee included in this proposal is for Dewberry to prepare and submit the applications, as well as coordinate with the agencies and edit plans and specifications as required.



3. For the purpose of this proposal it is assumed payment into wetland mitigation banks, archeological investigation, geotechnical, structural analyses, and/or special environmental surveys will not be required.
4. The railroad pipe occupancy permit fee is estimated to be up to \$30,000, and will be paid by the City of Eden directly to Norfolk Southern Railway.
5. In preparation of revised construction documents, it is assumed that the horizontal alignment of the waterline along the outer limits of the prescribed NCDOT Rights of Way will remain as currently shown in the original design documents with the exception of up to six (6) localized areas at which additional offsets/deflections in alignment will be included in the design to further minimize the potential for conflict with future road improvements made by NCDOT, newly discovered utilities and a recently modified/relocated gas line.

**FEE AND SCHEDULE**

<b>Paragraph</b>	<b>Description</b>	<b>Fee</b>	<b>Basis of Fee</b>
1	Preliminary Engineering and Redesign of Water System	\$95,000	Lump Sum
2	Surveying	\$12,000	Lump Sum
3.1	Easement Exhibits (estimated two (2) @ \$1,800/exhibit)	\$3,600	Unit Cost
3.2	Easement Plats (Estimate two (2) @ \$3800 each	\$7,600	Unit Cost
4	Environmental and Construction Permit Applications	\$10,000	Lump Sum
5	Engineer's Report for Water Main Extensions	\$5,000	Lump Sum
6	Construction Administration Services (CONA)	\$184,200	Lump Sum
7	Inspection (Hourly \$65/hour)	\$135,200	Unit Cost
8.1	Financed Assistance (Design Phase)	\$3,500	Lump Sum
8.2	Finance Assistance (Construction Phase) -Loan and Grant Administration	\$85,000	Lump Sum
9	Revisions to Rate Analysis and PCSA Agreement	\$9,000	Lump Sum
<b>TOTAL ESTIMATED FEE</b>		<b>\$ 550,100</b>	

This proposal is subject to our Standard Hourly Rate Schedule included herein as Attachment A and our Standard Terms & Conditions included herein as Attachment B.

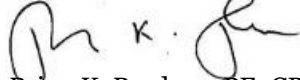
Mr. Terry Shelton  
March 9, 2018

We appreciate the opportunity to present this proposal and look forward to working with the City of Eden.

Sincerely,



R. Scott Ehrhardt, PE  
Senior Associate | Project Manager



Brian K. Bradner, PE, CPESC  
Vice President | Branch Manager

Attachment A – Standard Hourly Rate Schedule (7/28/17)

Attachment B – Standard Terms & Conditions (1/17)

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The foregoing proposal of Dewberry Engineers Inc. is accepted:

---

Print (Type) Individual, Firm, or Corporate Name

---

Signature of Authorized Representative                      Date

---

Print (Type) Name of Authorized Representative and Title

*This proposal includes information that shall not be disclosed outside of the CLIENT and shall not be duplicated, used, or disclosed, in whole or in part, for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of, or in connection with, the submission of this information, CLIENT shall have the right to duplicate, use, or disclose the information to the extent provided in the resulting contract. This restriction does not limit CLIENT's right to use information contained in this information if it is obtained from another source without restriction.*

# Standard Hourly Billing Rate Schedule

Dewberry	Hourly Rates
<b>Professional</b>	
Principal	\$280.00
Architect I,II,III	\$85.00, \$100.00, \$115.00
Architect IV,V,VI	\$130.00, \$145.00, \$165.00
Architect VII,VIII,IX	\$185.00, \$200.00, \$220.00
Interior Designer I,II,III,IV	\$75.00, \$85.00, \$105.00, \$150.00
Engineer I,II,III	\$100.00, \$110.00, \$125.00
Engineer IV,V,VI	\$140.00, \$160.00, \$175.00
Engineer VII,VIII,IX	\$190.00, \$205.00, \$225.00
Other Professionals I, II, III	\$95.00, \$110.00, \$120.00
Other Professionals IV, V, VI	\$135.00, \$155.00, \$165.00
Other Professionals VII, VIII, IX	\$190.00, \$205.00, \$225.00
<b>Technical</b>	
Geographer/GIS I,II,III	\$85.00, \$95.00, \$105.00
Geographer/GIS IV,V,VI	\$115.00, \$135.00, \$150.00
Geographer/GIS VII,VIII,IX	\$180.00, \$200.00, \$220.00
Designer I,II,III	\$100.00, \$115.00, \$135.00
Designer IV,V,VI, VII	\$150.00, \$175.00, \$195.00, \$205.00
CADD Technician I,II,III,IV	\$70.00, \$85.00, \$95.00, \$115.00
Surveyor I,II,III	\$60.00, \$70.00, \$80.00
Surveyor IV,V,VI	\$100.00, \$105.00, \$120.00
Surveyor VII,VIII,IX	\$140.00, \$165.00, \$185.00
Other Technical I,II,III	\$60.00, \$80.00, \$100.00
Other Technical IV, V, VI	\$115.00, \$130.00, \$150.00
<b>Construction</b>	
Construction Professional I,II,III	\$120.00, \$135.00, \$155.00
Construction Professional IV,V,VI	\$180.00, \$200.00, \$215.00
Inspector I,II,III	\$80.00, \$95.00, \$110.00
Inspector IV,V,VI	\$130.00, \$140.00, \$155.00
<b>Administration</b>	
Admin Professional I,II,III,IV	\$65.00, \$85.00, \$100.00, \$110.00
Non-Labor Direct Costs	Cost + 15%

COMPANY CONFIDENTIAL AND PROPRIETARY



**ATTACHMENT B  
STANDARD TERMS AND CONDITIONS**

These Standard Terms and Conditions ("STCs") are incorporated by reference into the foregoing agreement or proposal, along with any future modifications or amendments thereto made in accordance with Paragraph 23 below (the "Agreement") between Dewberry ("we" or "us" or "our") and its client ("you" or "your") for the performance of services as defined in our proposal ("Services"). These STCs are fully binding upon you just as if they were fully set forth in the body of the Agreement, and shall supersede any term or provision elsewhere in the Agreement in conflict with these STCs.

1. **Period of Offer.** Unless we decide, in writing, to extend the period for acceptance by you of our proposal, you have 90 days from our proposal date to accept our proposal. We have the right to withdraw the proposal at any time before you accept. Delivery of a signed proposal—whether original or copy—to us constitutes your acceptance of the proposal, including attachments expressly incorporated into the proposal by reference. The proposal and incorporated attachments shall constitute the entire Agreement between you and us. If you request us to render Services before you deliver a signed proposal to us, and we render Services in accordance with the proposal, you agree that the proposal and these STCs constitute the Agreement between you and us even if you fail to return a signed proposal to us.
2. **Scope of Services.** For the fee set forth in the Agreement, you agree that we shall only be obligated to render the Services expressly described in the Agreement. Unless the Agreement expressly requires, in no event do we have any obligation or responsibility for:
  - a. The correctness and completeness of any document which was prepared by another entity.
  - b. The correctness and completeness of any drawing prepared by us, unless it was properly signed and sealed by a registered professional on our behalf.
  - c. Favorable or timely comment or action by any governmental entity on the submission of any construction documents, land use or feasibility studies, appeals, petitions for exceptions or waivers, or other requests or documents of any nature whatsoever.
  - d. Taking into account off-site circumstances other than those clearly visible and actually known to us from on-site work.
  - e. The actual location (or characteristics) of any portion of a utility which is not entirely visible from the surface.
  - f. Site safety or construction quality, means, methods, or sequences.
  - g. The correctness of any geotechnical services performed by others, whether or not performed as our subcontractor.
  - h. The accuracy of earth work estimates and quantity take-offs, or the balance of earthwork cut and fill.
  - i. The accuracy of any opinions of construction cost, financial analyses, economic feasibility projections or schedules for the Project.

Should shop drawing review be incorporated into the Services, we shall pass on the shop drawings with reasonable promptness. Our review of shop drawings will be general, for conformance with the design concept of the Project to which this Agreement relates ("Project") and compliance with the information given in the construction documents, and will not include quantities, detailed dimensions, nor adjustments of dimensions to actual field conditions. Our review shall not be construed as permitting any departure from contract requirements nor as relieving your contractor of the sole and final responsibility for any error in details, dimensions or otherwise that may exist.

Our Services shall not be construed as providing legal, accounting, or insurance services.

3. **Your Oral Decisions.** You, or any of your directors, officers, partners, members, managers, employees or agents having apparent authority from you, may orally: (a) make decisions relating to Services or the Agreement; (b) request a change in the scope of Services under the Agreement; or (c) request us to render additional Services under the Agreement, subject to our right to require you to submit the request in writing before your decision or request shall be considered to have been effectively made. You may, at any time, limit the authority of any or all persons to act orally on your behalf under this Paragraph 3, by giving us seven 7 days advance written notice.
4. **Proprietary Rights.** The drawings, specifications and other documents prepared by us under this Agreement are instruments of our service for use solely for the Project and, unless otherwise provided, we shall be deemed the author of these documents and shall retain all common law, statutory, and other reserved rights, including the copyright and rights to any Dewberry trademarks. You shall be permitted to retain copies, including reproducible copies of our instruments of service for information and reference for the Project. Our drawings, specifications, or other documents shall not be used by you or others on other projects for any reason or for completion of this Project by other professionals, unless you enter into a written agreement with us allowing for such use. Submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication inconsistent with our reserved rights.
5. **Fees and Compensation.** If you request us to render services not specifically described in the Agreement, or, if we or anyone in our employ, is called upon to be deposed or to testify in a matter in which we are not a named party, that relates to the Project, you agree to compensate us for such services in accordance with the hourly rates as set forth on Attachment A of this Agreement or in any subsequently effective schedule, unless otherwise agreed in writing. If no compensation rate is set forth on Attachment A, or through written agreement between you and us, we shall be compensated for such services at our then current hourly rates. We may unilaterally increase our lump sum or unit billing rates on each anniversary of your acceptance of this Agreement by as much as five percent or the percentage increase in the CPI-W (U.S. Department of Labor Consumer Price Index-Washington), whichever is greater. Hourly rates are subject to periodic revision at our discretion.
6. **Period of Service.** The provisions of this Agreement and the compensation provided for under the Agreement have been established in anticipation of the orderly and continuous progress of the Project. Our obligation to render the Services will extend only for that period which may reasonably be required to complete the Services in an orderly and continuous manner and we may then, at our sole option, terminate the Agreement.
7. **Reimbursable Expenses.** Unless the Agreement otherwise provides, you shall reimburse us, or our affiliates, for all expenses we incur to render the Services for you under this Agreement, plus fifteen percent. We may submit invoices for reimbursable expenses separately from invoices for Services.
8. **Payment Terms.** We may submit invoices at any time to you for Services and for reimbursable expenses incurred. Invoices are payable within 30 days of the invoice date, and you agree to pay a finance charge of 1 ½% per month on any unpaid balance not received by us within 30 days of the invoice date. If you require payment via credit card, Dewberry will assess a 3% processing fee on the total amount invoiced. Invoices may be based either upon our estimate of the proportion of the total Services actually completed at the time of billing for lump sum or fixed fee services, or in the case of hourly services, upon rendering of the Services. If any invoice is not paid within 30 days of the invoice date, we shall have the right either to suspend the performance of our Services until all invoices more than 30 days past due are fully paid or to terminate the agreement and to initiate proceedings to recover amounts owed by you. Additionally, we shall have the right to withhold from you the possession or use of any drawings or documents prepared by us for you under this or any other agreement with you until all delinquent invoices are paid in full. You shall not offset payments of our invoices by any amounts due, or claimed to be due for any reason.

If you do not give us written notice disputing an invoice within 20 days of the invoice date, the invoice shall conclusively be deemed correct. All payments made by you should specify the invoice numbers being paid. If we receive payments that do not specify the invoices being paid, you agree that we may apply payments in our sole discretion. Time is of the essence of your payment obligations; and your failure to make full and timely payment shall be deemed a material breach.

9. **Information from You and Public Sources.** You shall furnish us all plans, drawings, surveys, deeds and other documents in your possession, or that come into your possession, which may be related to the Services, and shall inform us in writing about all special criteria or requirements related to the Services (together, "Information"). We may obtain deeds, plats, maps and any other information filed with or published by any governmental or quasi-governmental entity (together, "Public Information"). Unless we are engaged in writing as an additional service to independently verify such, we may rely upon Information and Public Information in rendering Services. We shall not be responsible for errors or omissions or additional costs arising out of our reliance on Information or Public Information. You agree to give prompt notice to us of any development or occurrence that affects the scope or timing of Services, or any defect in the final work submitted by us, or errors or omissions of others as they are discovered. We shall not be responsible for any adverse consequence arising in whole or in part from your failure to provide accurate or timely information, approvals and decisions, as required for the orderly progress of the Services.
10. **Plan Processing.** We may submit plans and related, or other, documents to public agencies for approval. However, it may be necessary, in order to serve your interests and needs, for us to perform special processing, such as attending meetings and conferences with different agencies, hand carrying plans or other documents from agency to agency, and other special services. These special services are not included in the basic fee and shall be performed as additional services on an hourly fee basis in accordance with our applicable hourly rate schedule.

11. **Meetings and Conferences.** To the extent the Agreement provides, we will attend meetings and conferences that you, or your representatives, reasonably require. Furthermore, we will meet on an as-needed basis with public agencies that might be involved in the Project. Because we cannot forecast the scope and nature of these meetings and conferences, we will perform meeting and conference services on an hourly fee basis in accordance with our applicable hourly rate schedule.
12. **Your Claims.** You release us from, and waive, all claims of any nature for any and all errors or omissions by us related to our performance under this Agreement, or in the performance of any supplementary services related to this Agreement, unless you have strictly complied with all of the following procedures for asserting a claim, as to which procedures time is of the essence:
  - a. You shall give us written notice within 10 days of the date that you discover, or should, in the exercise of ordinary care, have discovered that you have, or may have, a claim against us. If you fail to give us written notice within such 10 days, then such claim shall forever be barred and extinguished.
  - b. If we accept the claim, we shall have a reasonable time to cure any error or omission and any damage. This shall be your sole remedy, and you must not have caused the error or omission, or any damage resulting from the error or omission, to be cured, if we are ready, willing and able to do so.
  - c. If we reject the claim, we shall give you written notice of such rejection within 30 days of our receipt of the notice of claim from you. You shall then have 60 days within which to furnish us with an opinion from a recognized expert in the appropriate discipline, corroborating your claim that we committed an error or omission, and establishing that the error or omission arose from our failure to use the degree of care ordinarily used by professionals in that discipline in the jurisdiction local to the Project. If you fail to furnish us such an opinion from a recognized expert within 60 days from the date we send you notice of our rejection of the claim, then such claim shall forever be barred and extinguished.
  - d. We shall have 60 days from receipt of the written opinion of your expert within which to reevaluate any claim asserted by you. If we again reject such claim, or if the 60 day period from receipt of the written opinion of your expert elapses without action by us, then you may have recourse to such other remedies as may be provided under this Agreement.
13. **Hazardous or Toxic Wastes or Substances, Pollution or Contamination.** You acknowledge that Services rendered under this Agreement may, or will, involve or be affected by hazardous or toxic wastes or substances, or pollution or contamination due to the presence of hazardous or toxic wastes or substances. To induce us to enter into this Agreement, you agree to indemnify and hold us harmless from liability, loss and damages of any nature, including actual attorney's fees and related costs and expenses, arising out of claims made against us that relate, in any way, to both (a) hazardous or toxic wastes or substances, or pollution or contamination due to the presence of hazardous or toxic wastes or substances, and (b) the performance by us of our obligations under the Agreement, whether or not such performance by us is claimed to have been, or was, or may have been, negligent. Unless otherwise expressly set forth in this Agreement, we shall have no responsibility for searching for, or identifying, any hazardous or toxic wastes or substances, or pollution or contamination due to the presence of hazardous or toxic wastes or substances; but if we discover or suspect the presence of any such wastes, substances, pollution or contamination due to the presence of hazardous or toxic wastes or substances, then we, in our sole discretion, and at any time, may stop work under, or terminate, this Agreement, in which event we will have no further liability to you for performance under this Agreement, and you shall make the payments to us required by Paragraph 14 of the STCs.
14. **Termination.** Either party may terminate the Agreement if the other party materially breaches the Agreement. You shall immediately pay us for our Services rendered and expenses incurred through the termination date, including fees and expenses that we incur as a result of the termination.
15. **Payment of Other Professionals.** If this Agreement includes continuation of services begun by other architects, engineers, planners, surveyors, or other professionals, we may suspend our Services until you make arrangements satisfactory to such other professionals for payment. If satisfactory arrangements have not been made within a time determined by us to be reasonable, then we may in our sole discretion terminate this Agreement.
16. **Assignment and Third-Party Beneficiaries.** Neither party shall assign or transfer any rights, interests or claims arising under this Agreement without the written consent of the other, except that we are permitted to transfer the Agreement to an affiliate of ours, in our sole discretion, with written notice to you (an affiliate for purposes of this Paragraph 16 is defined as any other business entity that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with, us). This Agreement shall not confer any benefit or right upon any person or entity other than you, us and our partners, members, managers, directors, officers, employees, agents and subcontractors. Our partners, members, managers, directors, officers, employees, agents and subcontractors shall have and shall be entitled to the protection afforded us under Paragraphs 9, 12, 13, 16, 20 and 22 of this Agreement. Despite anything in this Paragraph 16 to the contrary, we may employ independent consultants, associates, and subcontractors as we may deem necessary to render the Services and we may assign our right to receive compensation under this Agreement.
17. **Applicable Law and Forum Selection.** The Commonwealth of Virginia's laws shall govern this Agreement in all respects, including matters of construction, validity, and performance. Except as provided in Paragraph 18, the parties agree that the courts of Fairfax County, Virginia, and the Federal District Court, Eastern District of Virginia, Alexandria Division, (together, "Courts") shall have exclusive jurisdiction over any controversy, including matters of construction, validity, and performance, arising out of this Agreement. The parties consent to the jurisdiction of the Courts and waive any objection either party might otherwise be entitled to assert regarding jurisdiction. The parties irrevocably waive all right to trial by jury in any action, proceeding, or counterclaim arising out of or related to this Agreement.
18. **Arbitration of Our Claims for Compensation.** Instead of proceeding in court, we, in our sole and absolute discretion, may submit any claim for compensation due us under this Agreement to arbitration in Fairfax County, Virginia in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association, and judgment upon the arbitration award may be entered in any court having jurisdiction. You agree not to assert any counterclaim or any defense by way of set-off in such arbitration, and that the arbitrator or panel shall have no authority to consider, or to render, an award based upon any such counterclaim or defense by way of set-off. We shall have the right to withdraw our demand for arbitration at any time before the arbitration hearing starts by giving written notice to the arbitrator or panel and you; and upon the giving of such notice by us, the arbitration shall terminate, no award shall be rendered, and we may then pursue our remedies in accordance with Paragraph 17 above.
19. **Severability.** If any part, term, or provision of this Agreement is held to be illegal or unenforceable, the validity and enforceability of the remaining parts, terms, and provisions of this Agreement shall not be affected, and each party's rights shall be construed and enforced as if the Agreement did not contain the illegal or unenforceable part, term, or provision.
20. **Limitations on Liability.** Our liability for any loss, property damage or bodily injury of or to you caused in whole or in part by us in the performance of this Agreement, or in the performance of any supplementary services in any way related to this Agreement, shall be limited in the aggregate to the amount of fees that you have paid to us for the Services. The parties intend that the foregoing limitation on liability shall apply to all claims, whether sounding in tort, in contract, in warranty, or otherwise. You release, waive, and shall not seek contribution from, or indemnification by, us for any claims of any nature made against you by any other person who may suffer any loss, property damage or bodily injury in any manner associated with our services, or our partners, members, managers, directors, officers, employees, agents and subcontractors under this Agreement, or any supplementary services in any way related to this Agreement. Notwithstanding anything to the contrary elsewhere in the Agreement, we shall not be liable to you, in any event or for any amount, for delays; or for consequential, special or incidental damages; or for punitive or exemplary damages. Should you find the terms of this Paragraph 20 unacceptable, we are prepared to negotiate a modification in consideration of an equitable surcharge to pay our additional insurance premiums and risk.
21. **Payment of Attorney's Fees.** The losing party shall pay the winning party's reasonable attorney's fees and expenses for the prosecution or defense of any cause of action, claim or demand arising under this Agreement in any court or in arbitration.
22. **Indemnification.** You agree to indemnify and hold us harmless from and against any and all liability, loss, damages, claims and demands for loss, damages, property damages or bodily injury, arising out of work undertaken on the Project by you, or your contractor, subcontractor or other independent company or consultant employed by you to work on the Project, or their respective partners, members, managers, directors, officers, employees, agents or assigns; or arising out of any other operation, no matter by whom performed, for and on behalf of you, or such contractor, subcontractor or other independent company or consultant, whether or not due in part to errors or omissions by us in the performance of this Agreement, or in the performance of any supplementary service in any way related to this Agreement, provided that you are not required to indemnify and hold us harmless under this Paragraph 22 in the event of our sole negligence.
23. **Integration Clause.** The Agreement represents the entire agreement of the parties. No prior representations, statements, or inducements made by either us, you, or the respective agents of either, that is not contained in the Agreement shall enlarge, modify, alter, or otherwise vary the written terms of the Agreement unless they are made in writing and made a part of the Agreement by attachment, incorporated by reference in the Agreement or signed or initialed on behalf of both parties.



## Economic Development Department

March 12, 2018

To: The Honorable Mayor and Eden City Council

Thru: Brad Corcoran, Eden City Manager

From: Mike Dougherty, Director of Economic Development

Re: Dewberry Engineering Water Line Engineering Contract.

On March 21, 2017 the City Council allocated funds and approved the creation of a Capital Project Fund for the Mega Park Water Line.

It is being requested for Eden City Council to consider approving the attached contract by Dewberry Engineering for the engineering costs related to the 20-inch water line extension from Eden to the VA state line at the March 20, 2018 City Council meeting.

Please let me know if you have any questions concerning this project.

## **City Manager's Report – March 2018**

### **Recap – Annual Retreat**

The annual retreat for the Eden City Council was held on Saturday, Feb. 24. Based on information submitted by the Mayor and each member of City Council some priority themes emerged for the upcoming FY 2018-19 budget. The themes include:

- Economic Development Initiatives
- Parks & Recreation Initiatives
- Infrastructure Improvement Initiatives
- Continued Implementation of the *Positively Eden* Strategic Plan
- Code Enforcement & Nuisance Abatement Initiatives
- Attempting to Maintain Tax & Water/Sewer Rates

A copy of the agenda for that meeting as well as the various presentations made throughout the day can be found on the City's website at <https://www.edennc.us/> as follows: Click on Documents & Forms at the bottom of the screen. Then click on City Government, followed by Eden City Council Meetings, followed by Eden City Council Meeting Agendas, followed by 2018 Eden City Council Agendas, followed by February 24, 2018 Budget Retreat. Copies of the presentations (271 slides in all) can be accessed under the Budget Retreat Combined tab.

### **Recap – Strategic Plan Update – Community Informational Meeting**

On March 1, the City hosted an informational “drop-in” type meeting concerning implementation efforts related to the *Positively Eden* strategic plan. This was an opportunity for the public to receive an update on our efforts to date and future plans, as well as to receive any feedback our citizens may have concerning future initiatives related to the plan. This meeting was well attended and the feedback the City received from those in attendance was very positive. If you were unable to attend, but have some specific thoughts concerning the implementation of the strategic plan, we would ask that you email Ms. Kelly Stultz, Director of Planning and Inspections, at [kstultz@edennc.us](mailto:kstultz@edennc.us).

### **Take Pride in Your Community and Don't Litter**

We hate litter! There is absolutely no reason for a civilized place to have an issue with litter, but Eden, like most communities, does. Please help us combat unsightly trash around our beautiful city.



There are a couple of ways you can help:

The North Carolina Department of Transportation has a fantastic program - Swat-A-Litterbug. It's almost impossible for law enforcement to catch someone dumping litter from a vehicle because who in their right mind would roll down a window and throw out a bag with a police officer behind them? With this program, any citizen can report the offending vehicle and NCDOT will take it from there. If you see someone throw out trash from a vehicle, please visit [https://www.ncdot.gov/doh/operations/dp\\_chief\\_eng/roadside/beautification/Litterbug/](https://www.ncdot.gov/doh/operations/dp_chief_eng/roadside/beautification/Litterbug/) or call 1-877-DOT-4YOU (1-877-368-4968). NCDOT notifies the vehicle owner of the littering offense; informs the vehicle owner of the penalties for littering; and urges the litterbug to stop littering. A formal notification is signed by the Colonel of the N.C. State Highway Patrol. This letter helps educate and remind citizens of their civic responsibility to protect the environment.

Please keep the area around your property clean by picking up trash that lands on or along it. It is frustrating when someone throws out something and it lands in or next to your yard or it blows off the back of a vehicle and gets caught in your ditch. It's not your fault at all, but picking up the litter and disposing of it if you are able is showing your pride in your property, your neighborhood, and best of all, your city.

Thank you in advance for your willingness to help us in our fight against littering.

### **Economic & Tourism Development Department**

#### **MillerCoors – Update**

Two new companies have either toured or made inquiries about the Eden facility. This is in addition to the project that has been considering the facility since July of 2017.

#### **Economic Development Partnership of NC (EDPNC)**

On March 1, the Rockingham County Economic Development Department hosted an event in which the Piedmont Triad counties exhibited their county buildings and sites in a “speed dating” scenario in which the EDPNC project managers spent ten minutes at each county table learning about their assets. This enabled local economic developers (including Eden) to inform them of what is available and happening in Eden, Reidsville and Western Rockingham. It is clear that considerable interest remains in the Eden MillerCoors brewery.

#### **North Carolina Opportunity Zones**

The recent federal tax bill resulted in opportunity zones based on census tracts in each state. The zones will allow investors to get a significant break on capital gains taxes. Eden submitted



census tract #402 that includes New Street and two green field sites. If selected as an opportunity zone, it will help attract investment to these locations.

### **CTT Productions**

An Eden economic development video was completed by CTT Productions in early March. The video features UNC Rockingham Healthcare President Dana Weston; Gildan VP of Wholesale Distribution Nick Freitag; Karastan Plant Manager Darin Quesinberry; and Millis Transport Eden Terminal Manager Mark Wyatt. They speak of the benefits of operating a business/industry in Eden. This video will be placed on the City website to help promote the community. Most companies or site consultants learn about a community online before they ever make a contact with local economic development officials.

### **¼ Cent Sales Tax Initiative**

As you may be aware, the Eden City Council adopted a resolution in support of the proposed ¼ cent sales tax that will be a referendum on the May 8, 2018 Primary election ballot. The funding generated from this tax will be used to build a state of the art workforce training center at RCC. Local companies continue to tell economic development and city officials that they need skilled workers whether it is in manufacturing, distribution or healthcare. As of March 3, there were 909 available jobs in Rockingham County, but many of those jobs require skills that our local workforce does not have. More than 10,000 jobs remain open in the Piedmont Triad because workers do not have the skills to fill them.

It is important to note that this tax **will not** be on groceries, gasoline or prescription drugs. It is a small tax of only a ¼ cent on a \$1.00 purchase, or a penny on a \$4.00 purchase. It is also important to note that everyone pays this - renters, visitors and county citizens. No one wants higher taxes, but unless we invest in training facilities, our children will be not qualified for good paying jobs and a brighter future.

### **Project B – Commercial Prospect**

A local retailer is seeking a larger space in which to operate. The City is working with the company facilitating the expansion for potential sites.

### **Lidl – Update**

Interior construction on the Lidl Supermarket was supposed to resume in early February of this year. That process has been postponed. The City is in constant contact with the Lidl Real Estate Department. The latest news is that the City will be informed of the construction date within a few weeks. More information will be provided in this report or on Facebook when it is acquired.

Lidl embarked on a very difficult task of entering the U.S. market, building a distribution center and opening 37 stores within a year. Although all of us are disappointed that the store has not opened yet, it is understandable that they have faced several obstacles along the way. Most existing grocery retailers would not embark on such an ambitious task, let alone one that had just entered a new market.

### **Cirrus Construction**

Their new Highway 14 facility, located north of Cox Street, will be open in some capacity in April of this year.

### **Herman's Gift Shop**

Herman's announced it was going out of business several months ago. They now have a sign that the business is under new management. Herman's is located at 804 N. Van Buren Road just past the Highway 14/Aiken Road intersection.

### **Recreational Trails Program Grant**

The City of Eden has applied for a \$24,000 Recreational Trails Program Grant to help fund the Dan River Nature Trail. This trail will consist of a 1,600 linear foot trail running from the Leaksville Landing River Access Point to Bridge Street. This will connect with the King's Highway sidewalk and extend the existing Smith River Greenway.

### **Berry Hill Regional Mega Park - Update**

The Danville Pittsylvania County Regional Industrial Facilities Authority (RIFA) began acquiring land for the Berry Hill Regional Mega Park in 2001. Through the years, more than \$30 million has been invested in the park. The Virginia Tobacco Commission previously awarded a grant in the amount of \$20 million and an additional \$9.8 million is currently earmarked for the park. The remaining funding has come from RIFA. The total current and proposed park funding is \$39.8 million.

In 2008, the City of Eden explored the idea of providing water and sewer utilities to the Mega Park because of our excess capacity and the fact that we are closer in proximity to the park than Danville. In FY 2011-12, Eden ran a sewer line to the Virginia state line. A wetlands permit to extend the sewer line from the NC state line to the park, and to clear sites to develop and market the park, was sought from the federal agency that regulates such permits. For five years, the agency would not consider the wetlands permit, because they considered this project to be "speculative development." When smaller sites were proposed, the responsibility for approving this development fell to the Virginia Department of Environmental Quality, which approved the permit. In the fall of 2016, site development on three pads began at the park.

The marketing for the Mega Park is now beginning since cleared pads are now available for potential prospects to consider. The Berry Hill Regional Mega Park was a finalist for the Toyota-Mazda auto plant project that ultimately went to Alabama due to supply chain benefits in that state. That said, the fact that Berry Hill was considered among more than 300 proposed sites illustrates that this is a site that will attract industrial clients.

### **Sewer Line Project**

The Mega Park sewer line project was completed in the summer of 2012. Eden's part of the project, working jointly with Virginia agencies, was to build a sewer force main from the Virginia State Line on NC 770 back to the Railroad Pump Station. The Virginia agencies were to build the rest of the sewer force main up to the Mega Park and the sewer pump station that will service the park. This project was financed mostly with a grant from the NC Golden Leaf Foundation. The City will treat the first million gallons per day (MGD) of wastewater from the park and possibly up to three MGD as development continues. This project will eventually provide a new revenue source for the City. Currently, there are still no tenants in the park, and the new sewer force main will remain inactive until prospects are landed. Project Lignum, as previously reported on, is completing its due diligence at the park and could be its first tenant.

### **Water Line Project**

Danville and Henry County built a 750,000 GPD water line for the Mega Park and surrounding areas in 2011-12. In August 2015 they accepted a \$2.2 million grant from the Virginia Tobacco Commission for additional water system improvements which included the installation of a 20-inch water line from the North Carolina/Virginia border to the Mega Park where it would connect to the existing 16-inch line they previously installed in 2011-12. This is the water line with fire hydrants that runs along Berry Hill Road in Virginia. This line has limited capacity, which is why Eden is in the process of pursuing the infrastructure to supply additional water to the park.

Originally, the City was to build a 30" water line to accommodate the power plant that was being planned by The Southern Company within the Mega Park. That line would have had a capacity of 11 MGD and a projected cost of approximately \$18.489 million to build. Grant funding, low interest loans and the anticipated water sales revenue to The Southern Company would have enabled the City to pay for this water line.

PJM Interconnection is a regional transmission organization (RTO) that coordinates the movement of wholesale electricity in all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and the District of Columbia. The late 2017 market conditions in PJM limited

Southern Power's ability to execute long-term customer opportunities that aligned with their business model. The decision by The Southern Company was only a reflection of the changing marketplace and not the condition of the Mega Park location. The Southern Company continues to believe this is one of the best places to locate a facility, should market conditions make such a project economically feasible.

Eden is now pursuing a 20" water line that will provide a capacity of 6-7 MGD for the Mega Park customers at a projected cost of approximately \$7.067 million to build. This is considered adequate for future needs. It appears that at least 54% of the grant funding that was originally obtained for the 30" line will be transferable to the smaller line. The City intends to pursue other grant opportunities to help reduce the amount of loans that will be needed to fund this project. The goal is to cover as much of the water line cost as possible with grants, thereby minimizing the burden placed on Eden taxpayers. The design and engineering work for this water line project will be getting underway within the next few weeks.

### **Contribution to Capital Project Fund**

Finally, the \$1,000,000 contribution to the Capital Project Fund for the Mega Park Water Line Project that is currently included in the FY 2017-18 budget will not be needed and will not be made due to the downsizing of this project. These funds will remain within the Water and Sewer Fund.

### **Branding Study**

The Branding Study funded through the *Positively Eden* Strategic Plan being conducted by Arnett Muldrow & Associates is currently underway. A two-day orientation has taken place with initial stakeholder interviews and site visits and study focus meetings are being held on March 20, 21 and 22. In addition, a survey was created and made available to the public for their input. This survey can be accessed at <https://www.surveymonkey.com/r/edenbrand>.

### **622 Washington Street**

Progress on the rehabilitation of 622 Washington Street is moving forward. We received the engineers report and are proceeding with upstairs non-load bearing wall removal. We are pursuing plans for retail/office space downstairs and residential use upstairs. Roof improvements are a priority as well as the replacement of the back wall. Barring unforeseen issues, it is anticipated that work will be complete by the end of June.

### **Fieldcrest Road Pocket Park**

The wet winter weather has slowed progress on the Fieldcrest Road pocket park. The painting of the signage has been completed and dry weather is needed to complete the backfill in the park. A U.S. Forestry Urban grant is being pursued to assist with the funding of this initiative.

### **EDDI**

The Rockingham County Community Foundation approved a request to spend remaining bike rack grant fund to promote the project. A television commercial will be produced as well as advertisements on the Skat bus and print ads in Eden's Own Journal.

### **NC Main Street Conference**

Eight Eden staff and business owners attended the 2018 NC Main Street conference in Clayton in March. Ashley and Seth Latham of Ashley Latham Photography were honored as 2017 Main Street Champions for their work in renovating three vacant buildings into a photography studio and beauty salon.

### **"Did You Know" Ads**

The second set of five "Did You Know" ads – can be viewed at [https://youtu.be/Q5\\_fhAMbDZs](https://youtu.be/Q5_fhAMbDZs) - and are now running on WGSR/STAR NEWS. When the project is completed we will have 25 produced. Also, coming soon, will be 3-minute segments featuring our economic development efforts, code enforcement, and other important subjects. This is an effort that is part of *Positively Eden*. You can see the first ten "Did You Know" ads now by watching Star News 5 or by following the links below:

<http://bit.ly/2BWLGUk>

<http://bit.ly/2sqYApI>

<http://bit.ly/2F1XGme>

<http://bit.ly/2ClegKM>

<http://bit.ly/2GdTP4N>

[https://youtu.be/Q5\\_fhAMbDZs](https://youtu.be/Q5_fhAMbDZs)

### **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.

**We have an e-newsletter!**

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](mailto: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](http://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!

**Fine Arts Festival**

The Fine Arts Festival will be held at Eden City Hall again this year. The first take in for literature, music and poetry is set for March 22 from 2 to 6:30. The second take in for all other entries will be April 3 from 11 a.m. to 7 p.m. Eden Tourism will host the reception after the Awards Ceremony on Sunday, April 15.

**Rivers & Trails**

A lot of exciting things are happening with Rivers & Trails. The following are some dates to remember:

- March 19 – Belews Park Plan will be presented to the County Commissioners at their 6:30 p.m. meeting
- April 13 – Piedmont Trails Summit at RCC
- May 20 – NC NICA Championship Race at Farris Park

The Eden Rivers & Trails Group meets the last Wednesday of every month at Eden City Hall at 3:30 p.m. in the front conference room.

### **Piedmont Pottery Festival**

Our 16<sup>th</sup> Annual Pottery Festival is set for Saturday, June 2. Applications for potters are available at City Hall or at [www.ExploreEdenNC.com](http://www.ExploreEdenNC.com).

### **Fiesta In The Park**

Eden Tourism has once again received a Grassroots Grant from the Rockingham County Arts Council to conduct our second Annual Fiesta in the Park with all the fifth-graders in our 4 elementary schools. The date is set for Tuesday, May 8 from noon to 2 p.m. at City Hall in the John E. Grogan Park.

### **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**

The FY 2018-19 Street Resurfacing Contract No. 1 was released for bid on March 8. The scope of work consists of the repair and resurfacing of 19 street sections with a total of 15,801 linear feet or 2.99 miles. The resurfacing is to include the adjustment of 92 water and sewer structures; 40 tons of Patching at a depth of 4 inches; 3,696 square yards of Asphalt Pavement Milling at a depth of 0 to 1½ inches; 1,736 square yards of Asphalt Pavement Milling at a depth of 0 to 2½ inches; 2,843 square yards of Asphalt Pavement Milling at a depth of 2 inches; 33,919 square yards of Asphalt Surface Treatment, Mat Coat, #78 Stone; 5 tons of Asphalt Concrete Leveling Course; 3,381 tons of Asphalt Concrete Surface Course (Type NC S9.5B Virgin Mix) for resurfacing at a depth of 1¼ inches and 203 tons of Incidental Stone Base. The bid opening is scheduled for Tuesday, April 3 at 11 a.m. in the front conference room at Eden City Hall and the work will be initiated at some point after July 1 – the effective date of the FY 2018-19 budget and fiscal year.

Also, we are pleased to report that NCDOT has awarded a contract to APAC Atlantic, Inc. to resurface NC 14/NC 87 from Cox Street to the Virginia state line. The availability for this contract is April 2. The completion date is Nov. 2.

### **Waterline Replacement Projects Update**

Crews from Sam W. Smith, Inc. were able complete making water service reconnections along W. Arbor Lane and Wildflower Lane on Feb. 15, which allowed them to abandon the original

thin-walled PVC water mains within the project area the next day. The patching crew was able to place about 15 tons of intermediate mix asphalt on Feb. 27, but poor weather conditions have not allowed any additional patching to be completed since that point in time.

A notice to proceed was issued to Sam W. Smith, Inc., with a commencement date of March 5, for the Sunset Drive 2” Waterline Replacement project. The date of completion for the project is set for May 15. The base bid price for the project is \$104,662.

Plans prepared by Alley, Williams, Carmen, & King, Inc. for the Jackson Street and Farrell Street Waterline Replacement project were sent to the NC Public Water Supply Section for review on February 27. Notifications with links to the plans and bid documents were sent to area utility contractors on March 6 for a bid opening set for 2 p.m., Thursday, March 29 in the main conference room in City Hall.

### **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.**



**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.

**Parks & Recreation Department**

**Community Accents Program & Parks & Recreation Radio Program**

Staff participated in the Community Accents Program with WLOE (Wonderful Land of Eden) radio on March 9 and will be participating in the Parks & Recreation Radio Program with WLOE on March 28, and the Community Accents Program with WLOE on April 13 to update residents about the programs being offered by the Department during March and April.

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

The annual citywide Easter Egg Hunt will be held beginning at 11 a.m. at Freedom Park on March 31. We hope you will be able to join us for this fun and festive occasion.

**Community Outreach Efforts**

Staff will make a presentation about the Parks and Recreation Department to the Eden Kiwanis Club on March 22.

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

Staff attended and presented information at the City of Eden Strategic Plan public informational meeting that was held on March 1 as it related to issues involving recreation and health.

### **Opening Ceremonies of Senior Games**

The Opening Ceremonies of Senior Games will take place on April 17. For more information on the Senior Games please contact Johnny Farmer, Director of Parks & Recreation, at [jfarmer@edennc.us](mailto:jfarmer@edennc.us).

### **Softball Tournaments - Upcoming**

There are softball tournaments scheduled at Freedom Park on March 24 - 25, March 31 - April 1, April 7 - 8, and April 14 -15.

### **Knights of Columbus Free Throw Contest**

There was a Knights of Columbus Free Throw Contest at the Mill Avenue Gym on Feb. 27.

### **Be Healthy Rockingham County**

Staff continues to be involved with Be Healthy Rockingham. They attended the Be Healthy Rockingham meeting on Feb. 20 and will attend the next meeting that is scheduled for March 20.

### **Dog Park - Update**

The fencing has been installed at the Freedom Park Dog Park and the water fountains, trashcans and benches have all been delivered. As soon as the area dries, City staff is planning to install the water lines. Once the water lines are installed, the water fountains, trashcans and benches are in place, the Freedom Park Dog Park can open. This project is scheduled for completion in the April.

### **Matrimony Creek Greenway - Update**

The Matrimony Creek project is moving forward. Staff has begun clearing the Greenway area and installing stone and continues as the weather permits. The parking area and restroom location have been staked out and work will begin in this area as the weather improves. A purchase order is being issued for the restroom construction, and work should begin on this within the next few weeks. Staff has requested a budget amendment and extension to July 20 for the completion for this project, and both have been approved. The City Council approved an allocation of \$45,000 at their February 20 City Council meeting from the *Positively Eden* strategic plan fund account to fully fund this project.

### **Freedom Park Nature Trail and Improvements - Update**

City staff has finished applying news stone and granite dust on the natural trail at Freedom Park and have laid out the RV pads and is in the process of applying rock and stone to the pad areas.

Purchase orders have been issued for the water and sewer connections and for the electrical connections. This project will be completed by the spring of 2018.

### **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.

#### **Code Enforcement – Previous & Proposed**

Fourteen notices have been mailed by certified mail and first class mail; one for a miscellaneous violation, one for a zoning violation, 10 for junk violations and two complaints and Notice of Hearing were mailed for violation of the Minimum Housing Code. In addition, we will follow-up on all violations that have expired deadlines.

#### **GIS – Previous & Proposed**

Staff provided maps to staff members that were requested. In addition, we continue to work on updating our data with the Census Bureau. This is a lengthy process requiring us to compare our information with their GIS data shapefiles.

#### **Historic Preservation Commission**

The Historic Preservation Commission met on Feb. 26. The main item of discussion was about the First Baptist Church proposed steeple replacement. The steeple ordered (and received) to replace the current steeple is a “generic” steeple that does not conform to the historical integrity of the church building. Commission members (and church members) are upset about this. The commission has sent a letter to the church asking the church to reconsider their decision. Letters have also been sent from the Eden Preservation Society and the State Historic Preservation Office (SHPO) has also been consulted. It should be noted that the Historic Preservation Commission does not have any jurisdiction over this matter, however they still felt it was their duty to try to preserve the historic integrity of this building, which is on the National Register.

#### **Strategic Planning Commission**

Staff is drafting an ordinance to create the Strategic Planning Commission and the rules of procedure for the same. This material will be presented to the Planning Board in March. In addition, staff has been working on coordinating and sponsoring a developer’s stakeholders meeting as outlined in the Strategic Plan.

#### **Community Appearance Commission**

The Community Appearance Commission met on March 6. During this meeting they discussed plans for improvements to the small park in Draper (corner of Stadium and Fieldcrest). Merchants and the property owner have been consulted and are in favor of the project. Mr. Paul Dishmon, Director of Municipal Services, has been asked to develop a cost estimate and to see if city crews can do the work. The Community Appearance Award for March was awarded to 5 Star Realty on Washington Street. Unfortunately, only three members were present for this meeting, and this was the case last month as well. If members continue to be absent it is difficult for the Commission to accomplish anything substantial.

### **Planning Board**

Fasil Khan has applied for a mixed-use planned development rezoning for the Spray Cotton Mill complex, not including the Mercantile Building which will be considered by the Planning Board in March.

### **Sign Ordinance Revisions**

Staff is working on revisions to the sign ordinance. The Community Appearance Commission has reviewed and made recommendations and the proposed ordinance will be presented to the Planning Board in April.

### **Urban Forestry Grant – Draper Pocket Park**

Staff is working on a grant application for the Draper Pocket Park on the former Stratton property in Draper.

### **Ashton Way Apartments**

Wynnefield Development has officially purchased the property on E. Harris Place from Osborne Investments and anticipates beginning construction on the Ashton Way Apartments in the near future.

## **Police Department**

### **Eden Makes The 2018 Safest Cities in North Carolina List**

The National Council for Home Safety and Security has released its 2018 Safest Cities in North Carolina List, which can be viewed in its entirety at <https://www.alarms.org/safest-cities-in-north-carolina-2018/>. You will note that Eden is ranked 31 on the list with 5.28 violent crimes and 36.95 property crimes per 1,000 inhabitants. To identify the safest cities in North Carolina the most recent FBI Uniform Crime Report statistics were reviewed. The violent crimes would

include: aggravated assault, murder, rape, and robbery) and the property crimes would include: burglary, arson, larceny-theft, and motor vehicle theft). Congratulations to the members of our Police Department who work diligently in their service to our community.

### **Internal Interviews, Promotions & New Hires**

On Feb. 14, interviews were held with the individuals expressing an interest in filling the vacant Sergeant positions within the department. Officer David Stepps and Detective Daniel Abbruscato were selected to fill the two patrol sergeant positions. Sergeant Stepps was assigned to “A” Squad effective Feb. 28. Detective Abbruscato will be assigned to “B” Squad effective April 6. Detective Brian Disher was selected to assume the role of sergeant in criminal investigations. Sergeant Disher was reassigned to sergeant of criminal investigations on Feb. 14 - this position was effective immediately due to the position being vacant. Detective Sam Reid was selected for the Special Operations/Narcotics Sergeant. The effective date of the promotion for Sam Reid will be finalized in the near future pending the retirement date of Lieutenant Richie Jeffries.

As a result of the promotions and the addition of the new COPS grant position assigned to the detective unit, four detective vacancies were created. Chief Light posted the vacancies internally on Feb. 15. The internal posting closed on Feb. 26 at 4 p.m. Chief Light scheduled interviews for March 8. The interview panel interviewed eight applicants for the vacant detective positions. At the conclusion of the interviews, Brandon Buckner, Josh Roberts, Tyson Scales and Eric Worley were selected to fill the vacancies in the detective unit. The effective dates of lateral transfer will be finalized in the upcoming weeks.

There will be some realignment of the Administrative Division. The Deputy Chief will oversee operations of the Patrol and Investigations Divisions. Duties will include management of these divisions and will include assigning and managing department training and certifications as well as fleet vehicle assignment. The Administrative Captain will oversee the Administrative Sergeant and other Support Personnel. This position will directly supervise all School Resource Officers, the Downtown District Officer and Records personnel. Duties of the Administrative Captain will also include extra duty/special duty assignments, grant writing, records, DCI administrator, purchasing, and policy review/writing. The Administrative Sergeant will directly supervise Animal Control Officers. Responsibilities of the Administrative Sergeant will include being the primary property and evidence custodian (to include in-car and body cam video evidence), patrol and detective equipment selection and maintenance (to include camera systems, radios, etc.), uniform and safety equipment needs, and fingerprint card review and Live Scan device administrator. The Downtown District Officer will become the secondary evidence custodian. Please understand, this is not a job description for these positions. It is a realignment of assigned duties to each position to make our department operate more efficiently for our day-to-day operations.

Currently, there are three applicants in the final stages of the hiring process for full-time police officer positions and one applicant in the final stage for a reserve officer position with the Eden Police Department. The processing packet for all three applicants and the reserve officer packet have been submitted to the Criminal Justice Training and Standards Commission for approval. We have received one back to date, allowing us to hire the applicant. We anticipate the remaining three to be finalized during the week of March 12.

### **Public Utilities Department**

#### **2017 Water Quality Report**

The 2017 Water Quality Report was recently distributed to the customers of the City of Eden Water Filtration Plant. The Water Quality Report contains information from the EPA, information on the source water and ways to protect it. Also included is some of the testing that has been done by the water plant staff during the past year to insure a safe and pleasant quality to the water that leaves the plant and is pumped into the distribution system. Customers may see members of the Water Plant staff throughout the distribution system testing to insure the standards are maintained within the entire system. A copy of the 2017 Water Quality Report can be found at: <https://www.edennc.us/DocumentCenter/View/10316>

#### **The New Street Sewer Improvements Project - Update**

The owners of the MGM Warehouse property formally asked that the city provide sewer to their warehouse facilities on New Street. This is due to the inoperable condition of the old Fieldcrest Mills wastewater treatment plant on the MGM property. Because this property is in the City, we are obligated to provide sewer service to this property. The city staff developed a scope of work where we plan to develop a pumping station on the property of adequate size to handle the MGM workforce operations, Gildan's workforce operations, prepare for limited growth on the adjacent potential industrial development sites, and consolidate the Weil McLain pump station into the new larger pumping station. This new pump station will improve efficiency while expanding sewer services in this area.

The city staff began working to secure a funding source for this project late last summer. A funding application was submitted to the North Carolina Department of Commerce in October of 2017 and the city was formally notified in December of 2017 that the project had been funded with a \$997,000 grant from the North Carolina Commerce Rural Infrastructure Authority. Design work on the project is currently underway and construction should begin in early summer with completion expected in the early to late fall of this year.

#### **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 engineering design work is now over 50 percent complete and submittals for approval will be made during the early summer this year with construction expected to begin in early 2019. Construction to complete the needed work will then be ongoing through mid- to late 2021. e anticipate that the EPA AOC will be completely satisfied by the five-year deadline of its issuance date of April 22, 2017 – April 22, 2022.

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, February 20, 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
		Neville Hall
		Jerry Ellis
City Manager:	(absent)	Brad Corcoran
City Clerk:		Sheralene Thompson
City Attorney:		Erin Gilley, via videoconference
Deputy City Clerk:		Deanna Hunt
Representatives from Departments:		
News Media:		Justyn Melrose, Rockingham Now

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:

Mr. Bernie Moore, Eden City Council, gave the invocation followed by the Pledge of Allegiance led by Fire Chief Tommy Underwood.

RECOGNITIONS AND PROCLAMATIONS:

Mayor Hall called Mr. Raven Brown, a community volunteer, to the podium as he proclaimed February Black History Month in Eden.

- a. Black History Month

BLACK HISTORY MONTH

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and



Minutes of the regular February 20, 2018 meeting of the City Council, City of Eden:

WHEREAS, this annual observance is an opportunity to remember the challenges of our past, but also to honor countless African American heroes who inspire us to shape our country’s future, and

WHEREAS, we remember and celebrate the lives of Harriet Tubman, Frederick Douglass, George Washington Carver, Martin Luther King, Jr., Rosa Parks, and countless other African Americans who triumphed over ignorance, oppression, and injustice to make indelible contributions to our American history. They are an integral part of our Nation’s story. We are indebted to the individual and collective perseverance and patriotism of these outstanding men and women;

WHEREAS, during Black History Month, we recommit to being a community of opportunity and hope for every citizen;

NOW, THEREFORE, I, Neville Hall, Mayor of the City of Eden, do hereby proclaim the month of February 2018 to be BLACK HISTORY MONTH in the City of Eden and encourage all City of Eden residents to join me in celebrating the collective ingenuity, creativity, cultures and traditions of African Americans and commit ourselves to raise awareness and appreciation of Black History Month by participating in educational events honoring the contributions of Black Americans.

This the 20<sup>th</sup> day of February, 2018.

CITY OF EDEN  
BY: Neville Hall, Mayor

ATTEST:  
Sheralene S. Thompson,  
City Clerk

b. Local Government Federal Credit Union

Ms. Jazmine Kilpatrick, senior membership development officer, explained that the Local Government Federal Credit Union was the sister credit union to the State Employees’ Credit Union and they were the only credit union whose membership was exclusive to local government officials, employees, volunteers and their family members. They also partnered with the North Carolina League of Municipalities, the UNC School of Government and the North Carolina Association of County Commissioners to support local government employees and local elected officials. She had handouts for the council members. She thanked the Council for their service.

SET MEETING AGENDA:

Mayor Hall said that Item 12f was pulled from the agenda. A motion to set the agenda was made by Council Member Ellis and seconded by Council Member Moore. 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 614 Irving Avenue and 2 adjoining parcels from Business – G and Business – C to Residential – 6. Request submitted by David W. Cook, Jr., Property Owner. The request

Minutes of the regular February 20, 2018 meeting of the City Council, City of Eden:

was amended by the Planning Board to include adjoining properties: 302 Greenwood Street owned by Mildred B. Vernon and Parcel No. 107376 owned by the City of Eden. ZONING CASE Z-17-12.

(2) Consideration of a Resolution adopting a statement of consistency regarding the rezoning of 614 Irving and 2 adjoining parcels from Business – G and Business – C to Residential – 6.

Mayor Hall called for a public hearing and asked for Ms. Stultz, Director of Planning and Inspections, to come forward.

Ms. Stultz said this was submitted by one property owner and they decided to add two other parcels to the request. At the time of the original zoning in 1968, the Council zoned based on what was on the ground or based on what they thought the growth would be. There had been no growth that way for it to remain Business General. Business General was the most liberal business zoning district. It allowed a lot of uses that might not be allowed with a Residential-6 neighborhood. Based on that information and their research, the Planning Board and staff recommended approval.

Mayor Hall asked if anyone wanted to speak in favor or opposition of the request. As no one came forward to speak, he declared the public hearing closed.

A motion was made by Council Member Burnette to rezone 614 Irving Avenue and the 2 adjoining parcels to Residential – 6 and to approve a Resolution adopting a statement of consistency regarding the rezoning of 614 Irving and 2 adjoining parcels from Business – G and Business – C to Residential – 6. The motion was seconded by Council Member Carter. 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 Business-C and Business-G to Residential-6 the following parcels:

PARCEL 1:

BEGINNING at a stake on the south side of Irvin Avenue (formerly Byrd), 150 feet from the intersection of Irvin Avenue and Greenwood Street (formerly Railroad Street); thence with Irvin Avenue, North 43 degrees 15 minutes East 119 feet to a stake; thence South 40 degrees 40 minutes East 118 feet to a stake; thence South 23 degrees 15 minutes East 64.4 feet to a stake; thence South 57 degrees 15 minutes West 120.4 feet to a stake; thence North about 36 degrees 30 minutes West 153 feet to the POINT OF BEGINNING and containing 20,723 square feet more or less, and being one-half of Lot 6, Section 10 as per map of W. B. Trogdon, made for Leaksville House and Power Company. See Deed recorded in Book 146, Page 115. The above described Parcel 1 being identified by the Rockingham County Tax Department as PIN 7070-18-42-3076 and Parcel Number 107320.

PARCEL 2:

BEGINNING at a stake at the intersection of Irving Avenue (formerly Byrd Avenue) and Greenwood Street (formerly Railroad Street), running with Irving Avenue, North 43° 15' 150 feet to a stake; thence South about 66° 30' East 153 feet to a stake; thence South 57° 15' West 140 feet to a stake on Greenwood Street; thence with Greenwood Street

Minutes of the regular February 20, 2018 meeting of the City Council, City of Eden:

North 36° 30' West 120 feet to the beginning containing 19,200 square feet, more or less. The above described Parcel 2 being identified by the Rockingham County Tax Department as PIN 7070-18-41-2979 and Parcel Number 107312.

PARCEL 3:

TRACT #1:

BEGINNING at an iron pipe the southern corner of New Street or Patterson Street extended at its intersection with Byrd Avenue; thence South 43° 15' West 124 feet with Easterly line of Byrd Avenue to an iron pipe corner with Mrs. Claude Jones Property; thence with said Jones' line Southeasterly 118 feet to an iron pipe near drain ditch corner with Marshall Field and Co. property; thence North 46° 05' East 136.5 feet to an iron pipe in the angle of said New Street; thence North 46° 45' West 118.5 feet with the line of New Street to the POINT OF BEGINNING, all shown on map prepared by E. E. Easley, C.E., dated July 6, 1920, showing the Dunn property. For further reference see Deed dated May 11, 1943, recorded in Book 350, Page 245. SAVE AND EXCEPT a small triangular tract cut from the Northwest rear side and conveyed to Cecil Craddock and wife, Mary L. Craddock in December, 1956.

TRACT #2:

BEGINNING at an iron in West line of Cherry Street (formerly called Patterson Street) marking a common corner between Silver and Craddock and said beginning point being the Northeast corner of that property, acquired by Craddock via Deed Book 364, Page 470, Tract 2, and being located North 27° 38' West 95.8 feet with the West side of Cherry Street from an iron in old Company line marking the Northeast corner of Lot No. 1, Block 44, Glovenia Street Development; thence from said beginning point South 27° 38' East 12 feet to an iron in West line of Cherry Street; thence a new line South 51° 11-1/2' West 64.35 feet to a point in original line between Craddock and Silver; thence with said original line between Craddock and Silver North 41° 10-1/2' East 67.70 feet to THE POINT OF BEGINNING. Containing 378.78 square feet and being a small triangular tract cut from the Northeast side of Cecil Craddock property, and conveyed to Joe Silver, by Deed dated December 20, 1956, recorded in Book 496, Page 75. For further deed reference see Deed recorded in Book 535, Page 402. See also Deed Book 728, Page 221, Rockingham County Registry. SAVE AND EXCEPT ANY PORTION HERETOFORE CONVEYED.

The above described Parcel 3 being identified by the Rockingham County Tax Department as PIN 7070-18-42-4240 and Parcel Number 107376.

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

APPROVED, ADOPTED AND EFFECTIVE, this 20th day of February, 2018.

CITY OF EDEN  
BY: Neville Hall, Mayor

ATTEST:  
Sheralene S. Thompson,  
City Clerk

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
A PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
CASE NUMBER Z-17-12  
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;

Minutes of the regular February 20, 2018 meeting of the City Council, City of Eden:

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 the property known as 614 Irving Avenue from Business-General to Residential-6;

WHEREAS, On January 23, 2018, the City of Eden Planning Board voted to recommend changes to the Zoning Ordinance as follows:

To amend the zoning map request to rezone the property known as 614 Irving Avenue by adding adjoining properties identified as Parcel 107312 and Parcel 107376, currently zoned B-C and B-G, and recommend that all the parcels be rezoned to Residential-6.

STATEMENT OF NEED:

The subject parcel is located in an area characterized by retail uses to the north and typical single family parcels to the east, west and south sides. There has been no development pressure in the area. The subject parcel adjoins a single family residence that is split-zoned R-6 and BG to the west. To the south it borders single family residences that are zoned R-6. A vacant lot zoned BC and a single family residence zoned R-6 border to the east. Staff is of the opinion that this request would be appropriate for the subject property because of the character of the area, the lack of business development pressure in the area and there are other Residential-6 properties adjoining the subject property. Therefore, staff recommends that the request be amended to include the adjoining parcels zoned Business-General and Business-Central.

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: Strategically locate new land development in the most appropriate places. Maintain and enhance Eden's community character and heritage. Use infrastructure investments as effectively as possible. Attract new jobs and a more diverse tax base. 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 is consistent with the City of Eden Land Development Plan, and why the City Council considers the proposed amendment to be reasonable and in the public interest;

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

The Eden City Council finds that the proposed zoning map amendment, as amended to include two adjoining properties, 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. 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. Therefore, based upon the foregoing information, the amendments to the Zoning Ordinance are reasonable and in the public interest.

Approved and adopted and effective this 20th day of February, 2018.

CITY OF EDEN  
BY: Neville Hall, Mayor

ATTEST:

Sheralene S. Thompson,  
City Clerk

- b. (1) Consideration of a zoning map amendment to rezone 1130 Friendly Road from Industrial-2 to Industrial-3. Request submitted by John Bolton, Property Owner. ZONING CASE Z-17-06. Kelly Stultz, Director of Planning & Inspections

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- (2) Consideration of a Resolution adopting a statement of consistency regarding the rezoning of 1130 Friendly Road from Industrial-2 to Industrial-3.

Mayor Hall called for a public hearing and asked for Ms. Stultz to come forward.

Ms. Stultz said that a little more than two years earlier when they began to consider intense industrial uses and their impact on the community, the City Council made the decision to create an Industrial-3 zoning district - the heaviest, most noxious, most likely to cause issues with surrounding residential properties of any industrial uses that could be allowed in their jurisdiction. One of the things they did when that district was created was lift out uses they felt should come out of I-2 and go into I-3 and then they addressed the statutory uses for requirements they could allow but could create a special use process for the Council to approve. The I-3 rezoning was a two-step process. First, the Council had to decide if they wanted the property to be zoned I-3. Staff and the Planning Board recommended denial. There was rural residential property surrounding it. At one time the property held a junkyard and then it was converted. Then it went into bankruptcy. Mr. Bolton ended up with it again. During that time, ordinance changes were made. In order to achieve a business of that type there, he had to apply for the rezoning. If Council denied this case, there was no need to hear the special use case.

Mayor Hall said that was Item 7c, and Ms. Stultz replied it was.

Mayor Hall asked if anyone wanted to speak in favor of the rezoning.

Ms. Mary Land, 1116 Friendly Road, said she owned the house next to the property. She was against the rezoning. It was dangerous. They had painted their house twice because red dirt flew when they mashed cars. It was very noisy during the day. She hoped it did not get rezoned.

Mayor Hall asked if anyone else wanted to speak in favor or against the rezoning.

Mr. Joe Maddrey, attorney for Mr. Homer Wright, Jr., an adjoining property owner, read about I-3 that high impact industrial uses were those by their nature that produced high levels of noise, odor, vibrations, fumes, lights, smoke and other impacts upon the lands adjacent to them. Some of the allowable uses under it were chemical manufacturing, coal ash landfills, concrete plants, hazardous waste and recycling. Recycling was part of I-3. The Council had maps of the area and if they looked at the property that abutted it to the north, east, south and west, they were all some type of residential zoning. The only reason the property was zoned I-2, as Ms. Stultz pointed out, was because of the usage at the time in 1979. If not for the usage at the time, it would be zoned residential just like the rest of the area. Across the road and slightly to the north was the Northridge development. If any of them had gone out there, they would see what marvelous changes had been made out there. There were some hundred thousand dollar homes there now. Directly across from this property was part of the larger tract that went with Northridge. Mr. Wright owned all of that. If the item were rezoned to I-3, it was unlikely Mr. Wright would extend any development because of practicality and appraisals. If the property was I-3, it would likely impact the appraisals. Starting at the Summit Road and Friendly Road intersection north, it was the only non-residential property all the way to the Virginia state line. The staff report said that any high intensity industrial use for the property would not be appropriate because it was

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completely surrounded by residential and agricultural uses and its proximity to the watershed. In addition, Friendly Road was not designed for the amount of heavy traffic that would be a part of the business. I-3 was a high impact usage. It was already I-2 and nothing could be done about that. I-3 did not belong in the middle of a residential section.

Council Member Ellis asked Ms. Land how long she had lived on Friendly Road. She replied about 20 years.

Ms. Stultz said that just for clarification, the property that Mr. Wright owned had been Northridge but if they recalled, it was now called Summit Place.

Mayor Hall said it was changing from a lot of the modular to stick built properties.

Ms. Stultz said it was changing from manufactured home and rental lots to stick built homes and the lots being sold with the homes.

Council Member Ellis said 14 new houses had been built in the past few years and Mrs. Stultz replied they continued to build.

Mr. Jeff Burgess, 551 Roundhouse Road, said his family was opposed to the rezoning. They used a well for drinking water. They did not want to hear the noise from the recycling. It would depreciate the value of their property. He asked that the Council deny the request.

A motion was made by Council Member Epps to deny the zoning map amendment to rezone 1130 Friendly Road from Industrial-2 to Industrial-3 and to approve a Resolution adopting a statement of consistency regarding the rezoning of 1130 Friendly Road from Industrial-2 to Industrial-3. The motion was seconded by Council Member Hampton. All Council Members voted in favor of the motion.

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
A PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
CASE NUMBER Z-17-06  
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 the property known as 1130 Friendly Road from Industrial-2 to Industrial-3;

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WHEREAS, On January 23, 2018, the City of Eden Planning Board voted to recommend to the City Council that they deny the rezoning request.

STATEMENT OF NEED:

Staff is recommending denial of the request due to the close proximity to the Smith River WS-IV Watershed and the high intensity industrial uses would not be appropriate for this property in a mainly residential and agricultural area. This property is in an area identified by the City of Eden Land Development Plan Future Land Use Map as Traditional Neighborhood.

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 is not consistent with the City of Eden Land Development Plan, and why the City Council considers the proposed amendment is not reasonable and is not in the public's best interest;

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

- 1. The Eden City Council finds that the proposed zoning map amendment to the City of Eden Zoning Ordinance is not consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended, since the Plan designated the area as a Traditional Neighborhood district.
- 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 amendments to the Zoning Ordinance are not reasonable and is not in the public's best interest.

Approved and adopted and effective this 20th day of February, 2018.

CITY OF EDEN  
BY: Neville Hall, Mayor

ATTEST:

Sheralene S. Thompson,  
City Clerk

- c. (1) Consideration of a special use permit application to allow Scrap Metal Recycling in the Industrial-3 district on the property at 1130 Friendly Road. Request submitted by John Bolton, Property Owner. SPECIAL USE CASE SU-17-03.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the special use permit application to allow Scrap Metal Recycling at 1130 Friendly Road.

As a result of Item 7b being denied, Item 7c was not heard.

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- d. (1) Consideration of a zoning text amendment request to amend Section 11.29 to add the definition of a Recycling Center and to amend Section 11.26 Board of Adjustment to allow a Recycling Center with a special use permit in Industrial-2. Request submitted by the Planning Board. ZONING CASE Z-17-13.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the zoning text amendment request to amend Section 11.29 to add the definition of a Recycling Center and to amend Section 11.26 Board of Adjustment to allow a Recycling Center with a special use permit in Industrial-2.

Mayor Hall called for a public hearing and asked for Ms. Stultz, Director of Planning and Inspections, to come forward.

Ms. Stultz said when this issue came up, there was a lot of discussion between staff and the Planning Board. At some point, the Planning Board determined that she had recommended in favor of it when in fact she would recommend to deny. She did not think that type of use was appropriate in I-2 nor was it appropriate on the property they had just talked about. In this case, there was no property to talk about, it was simply if Council thought that type of use should be in I-2. If they created a special use process for it and approved that, which she would recommend in denial of, the property owner would have to come in and make application for it and it would then go to the Board of Adjustment. The property owner was trying to sell the property and she did not know whether he was planning to open a business there or not. She recommended that the Council deny this. The Planning Board recommended in favor of it.

Mayor Hall asked if anyone would like to speak in favor or against the item.

Mr. Maddrey spoke on behalf of Mr. Wright. He again read about I-3 that high impact industrial were those by their nature that produced objectionable levels of noise, vibrations, odor, fumes, smoke and anything that impacted adjoining property. I-3 allowed coal ash landfills, flammables and recycling. Recycling was in I-3. The proposed text amendment would allow portions of recycling to slide over into an I-2 district but require a special use permit before a business could be opened up. Recycling constituted a high impact industrial use. It could be sugar coated but recycling was heavy duty. Allowing it applied to all I-2 property, not just the one that happened to be across from Mr. Wright's property. In his opinion, the property owner was trying to make his property as marketable as possible because he had five for sale signs in front of the building. He thought that was the reason it was initiated with the Planning Board. He read from the Dec. 5, 2017 minutes of the Planning Board ... Ms. Stultz gave a staff report that applied to all amendments zoned I-2, not just the property being talked about. There was discussion and questions about the owner and the house next door. The next steps necessary if the Board recommended approval of the amendment were to determine if Mr. Bolton's property met the requirements of the amendment, meant if the Council passed the amendment, Mr. Bolton would go before the Board of Adjustment to do that. The Council had said recycling belonged in I-3. They had given it a lot of thought and they had some serious items set in I-3 and that was one of them. Recycling did not belong in an I-2 district. Even with or without a special use. Even if they did it with a special use and put in safeguards, they still would have recycling in I-2. He would say to them there were other properties in Eden where I-2 abutted residential. He had done a lot of real



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estate work and he knew it impacted appraisals as far as being able to sell the property. He urged the Council to leave recycling in I-3.

As no one else came forward to speak, Mayor Hall declared the public hearing closed.

Council Member Burnette agreed with Mr. Maddrey. The Council went through quite an effort years earlier to set up the I-3 district. They put in there what they believed should be in there in terms of the environment. They made that decision then and he did not see that decision changing. Those conditions that existed in I-3 belonged in I-3. They did not need to come to I-2, special permit or not. That would be his vote.

Council Member Ellis thanked Ms. Stultz for what she did and said he agreed with Council Member Burnette.

A motion was made by Council Member Ellis to deny the zoning text amendment request to amend Section 11.29 to add the definition of a Recycling Center and to amend Section 11.26 Board of Adjustment to allow a Recycling Center with a special use permit in Industrial-2 and to approve a Resolution adopting a statement of consistency regarding the zoning text amendment request to amend Section 11.29 to add the definition of a Recycling Center and to amend Section 11.26 Board of Adjustment to allow a Recycling Center with a special use permit in Industrial-2. Council Member Grogan seconded the motion. All members voted in favor of the motion.

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
A PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
CASE NUMBER Z-17-13  
TEXT 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 initiated a request to create a Special Use Permit procedure for recycling centers in Industrial-2;

WHEREAS, On January 23, 2018, the City of Eden Planning Board voted to recommend changes to the Zoning Ordinance as follows:

To amend Section 11.29 to add a definition for Recycling Centers and Section 11.26(c)(3)(c) to allow recycling centers with a special use permit in Industrial-2.

STATEMENT OF NEED:

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This amendment was initiated as a result of a request for a special use permit for a recycling center in the I-2 zoning district.

**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 is not consistent with the City of Eden Land Development Plan, as amended, and why the City Council considers the proposed amendment to be unreasonable and not in the public’s best 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 not 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 not reasonable and is not in the public’s best interest.

Approved and adopted and effective this 20th day of February, 2018.

CITY OF EDEN  
BY: Neville Hall, Mayor

ATTEST:  
Sheralene S. Thompson,  
City Clerk

**REQUESTS AND PETITIONS OF CITIZENS:**

Tracey Hayes, 642 Highland Park Drive, (had someone giving handouts) thanked the Council for allowing them to speak. There was a tremendous amount of information in the handouts that she could not begin to touch on in three minutes. She worked with a group of volunteers called Humane-ity along with Wanda Stophel, Sheralene Thompson, Brandy Glasgow Reavis and Donna Hopkins. They and their community followers were seeking more clear, less objective, and more aggressive enforcement of ordinances as they pertained to animal welfare. In particular, they were concerned with areas of sheltering, tethering, abuse, neglect, TNR, which was trap and release for feral cats, and spay and neuter. Several communities around Eden, including Winston, Martinsville, Danville, Greensboro, had already started to put those things into effect and it had impacted them tremendously financially. They were saving money going forward with those projects. The North Carolina Department of Agriculture had made funds available to cities,

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municipalities and counties, if they tapped into those. The last time she checked, Rockingham County had not tapped into those. There was about \$155,000 per their tier. She thought Mayodan was the only one that tapped in for \$26,000. They had done a tremendous amount of research into those programs. With the U.S. spending \$2 billion each year to catch, house, euthanize and dispose of 1,500,030 animals at an approximate cost of \$110 per animal, those programs offered a one-time cost and primarily subsidized procedure. Rockingham itself spent last year over half a million dollars euthanizing animals. One female dog could produce 67,000 dogs in six years. One cat could produce 94,000 cats in ten years. If they implemented and took advantage of the money available to them, in five to ten years there would probably be no need for shelters or the suffering of those animals. Her group gladly volunteered to work with Council or any city official to share their research, to educate the community or to assist to bring TNR and better quality of life to the companion animals and spay and neuter to the citizens. As of 2014, the percentage of poverty level in Eden was about 17-18 percent. That was before Miller left, so they did have a lot of needy people in the area who could not afford to spay and neuter their animals.

Brandy Glasgow Reavis, 410 Kuder Street, was part of the Humane-ity group and the go-to cat person of Eden. She had been in rescue most of her life. She tried to help cats in particular because so many people viewed them as vermin. She wanted to touch on TNR. Community cats were unowned, unsocialized and unadoptable. If they were impounded, they were most likely killed. Seventy percent of cats in shelters were killed. For a community cat, that statistic rose to a 100 percent. TNR stabilized cat colonies. Cats were territorial. If you trapped the first kittens in a colony and did TNR, you would likely not have more kittens. TNR improved the lives of the cats. It was cost saving for cities. She thought the City of Eden paid \$65 per cat or dog to go to the shelter. To TNR, the cost was between \$40-\$60 per cat. If a feral colony had a caretaker, they could use software to monitor the colony and they knew what was going on within the colony. TNR was about education. There were a lot of people who just did not understand, who thought they could just put a cat outside and it could survive. That was not the case. Supporting TNR was supporting happy, healthy animals and it helped the community as well controlling rodent populations. There were other counties in North Carolina where TNR was implemented or supported. She had a list she could get to them of those counties. Her group would like some consideration for TNR.

Mayor Hall said the issue had been visited in the past. There was a committee former Council Member Donna Turner served on and research was done. He had spoken with Capt. John Edwards of the police department that day and Capt. Edwards was making contact with other municipalities to find out what they were doing regarding tethering. They were aware of the situations regarding dogs and cats and were working to find a resolution in the best interest of the city and the pets. He thanked them for attending.

Sue Fulcher, 512 Godsey Farm Road, Stoneville, said she had lived in Eden more than 20 years. Whatever they could do for their pets was good for everyone, especially feral cats. It was not just three or four of them supporting the animals, there were probably hundreds in Rockingham County volunteering that no one knew about. They were in the background like she was. They needed to publicly make people aware of the needs of animals, not only dogs and cats but horses or whatever.

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Michael Hutchinson, 612 John Street, wanted to take a few minutes to explain about his previous actions, what he had learned during that process and what he was grateful for as someone who called Eden his hometown. In 2015, he and his wife made the decision to move back to Eden with his wife and two daughters. Shortly after going into debt for the purchase of their home, they were shocked to hear that MillerCoors was closing their Eden facility. He loved to ride his bike and as he rode through various places as he did when he was a child, he did not like what he saw in terms of littering and various properties that were eyesores. His first mistake was getting on social media and running with everything he read. His emotions took over and he was skeptical of his local government because of some things he heard and that he read. He allowed himself to trust without verifying and getting all the facts. Over time, he came to realize several different things. City government was only responsible for so much. Citizens had responsibilities as well and should take pride in their property and community. Social media was not the place for issues to be resolved. Every situation and story had two sides. Talk was cheap. Unless someone got positive and involved, nothing would get accomplished. He told Mayor Hall that he believed he was a good man and he believed Eden was high on his list of priorities. He was grateful for Council Members Carter, Moore, and Hampton who met with him and cared about his questions and concerns and talked with him in an effort to help him. City Manager Corcoran initially met with him and then continued to reach out to him even when he refused. He was very persistent in trying to address his concerns. He had followed up with him on several issues. He had taken corrective action when necessary and had always been responsive to him. Mr. Hutchinson believed Eden was high on Mr. Corcoran's list of priorities as well. He was very grateful to be a resident of Eden. For the past six months he had been working in Winston-Salem and he was so thankful that he could come back to Eden every day. His message to his fellow residents was they could not sit back and expect their local government to fix every issue, they all had jobs to do and they all were accountable. If they saw trash on the ground, they should pick it up. If their neighbor had a mess in their yard, they should ask them to clean it up. They should not be afraid to contact their council representative. They were their voice. They needed to remove the negativity and become positive. They were in this together and must work together and with that said, he did want to apologize for any toes he had stepped on in the last several months. He was sorry. He looked forward to working with each of the Council by doing his part to make a positive difference in his city.

Council Member Ellis said he was proud of Mr. Hutchinson. He had coached him in high school and watched him grow up in Draper. He knew his father. He was proud of what Mr. Hutchinson had said, it was an outstanding statement. He thanked Mr. Hutchinson for it.

Mr. Hutchinson replied that he loved Eden.

Shandolyn Martin, 214 Tanglebrook Trail, said she lived in the county; however, her mother was a resident of the city at 345 E. Harris Place, Harris Pointe Apartments. Her request was that the SKAT bus route be extended to the bottom of that street because there were several residents there that were no longer able to drive. Her mother had just had several surgeries on her eyes and she was still driving, but in the event that she was no longer able to drive and her family was unable to take her, the SKAT bus would allow her and others to ride for a dollar. She realized that the Council on Aging would provide transportation but the majority of the residents there were on fixed incomes. A dollar to two dollars may not mean anything to those in the room because they worked but it made a difference to those on a fixed income. If the extension was allowed, not only

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would it affect Harris Pointe Apartments, two other apartment complexes and one under construction would benefit. It would increase the ridership and give more people the opportunity to get where they needed to go.

Mayor Hall said Mike Dougherty, Director of Economic Development, kept up with the ridership and it was increasing. It was a great service provided at a bargain with their partnership. They were glad to have it and glad people used it. They would love to have it in more places. He was sure it would come down to a logistics issue of whether they could create another stop and whether the ridership was there to justify another stop. They would take that into consideration and get back in touch with Ms. Martin about what their findings were.

#### UNFINISHED BUSINESS:

*There was no unfinished business at this time.*

#### NEW BUSINESS:

- a. Approval of Audit Services Contract for the FY 17-18 audit.

An audit contract and a 3-year proposal was submitted by Rouse, Rouse, Penn & Rouse, LLP for year ending June 30, 2018. The contract amount was \$49,045. If City Personnel completed the items listed in the contract, the amount would be reduced to \$43,555. City Personnel would complete the items listed. This was a 5% increase when compared to what was paid last year - \$41,385. The Rouses and their staff had been doing the City's audit for 37 years. Their love and compassion for the City of Eden was shown in their willingness to assist in any way that they could to make sure the City's finance department operated in the most efficient and effective way to provide accurate financial information. They had always been very faithful and dedicated to the City. The City called on them for assistance with day-to-day questions that came up or for special projects. They never billed for anything extra. It was very nice to know the City had someone they could call anytime, and they always had time for them. If they did have the answer immediately, they never referred the City to someone else. They always took the time to make phone calls on the City's behalf. They looked after the City's best interest in making sure that the City got the answers that they needed. They kept the City updated on Governmental Accounting Standards Board and Internal Revenue updates. They also kept the City updated on any classes/seminars that they felt would be beneficial to the finance staff. Based on their experience and dedication along with the City's longtime desire to do business locally, Ms. McMichael recommended awarding the 17-18 audit contract to Rouse, Rouse, Penn & Rouse

Ms. Tammie McMichael, Director of Finance and Human Resources, explained she was seeking approval for the FY 17-18 Audit Contract.

Council Member Moore asked how long the Rouses had been doing that.

Ms. McMichael replied 37 years.

Council Member Ellis said they did an outstanding job.

Mayor Hall said they provided services beyond what a typical audit contract provided. The Finance Department staff could pick up the phone and call with questions and they helped a lot with that.

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Ms. McMichael replied they did.

Council Member Ellis said they were residents of Eden as well.

Ms. McMichael said they were. They loved Eden. They did not add any additional costs to their contract and the Finance Department called any time they had questions.

Mayor Hall said they did work for many of the municipalities around Eden and had for many years.

A motion was made by Council Member Epps to approve the Audit Services Contract for the FY 17-18 audit. Council Member Moore seconded the motion. All members voted in favor of the motion.

- b. Strategic Plan – Request for improvements to the Bridge Street Municipal Parking Lot and funds to complete the Matrimony Creek Greenway.

The City was working on two projects that were identified in the Strategic Plan, the Washington Street Parking Lot and the Matrimony Creek Greenway. The City owned the gravel parking lot on Bridge Street adjacent to Holland & Associates and backed up to the buildings along Washington Street. The estimated cost for paving the parking lot was approximately \$125,000. The Matrimony Creek Greenway was expected to be completed by July 2018. The drawings were completed, the Erosion Control Plan was approved by NCDNR and the land was acquired through donations, easements and acquisition. The project was estimated to cost \$145,000 with \$100,000 being funded by a grant. This request was that City Council allocate \$170,000 from the Strategic Plan fund for the Washington Street parking lot project and to complete the Matrimony Creek Greenway.

Ms. Stultz said the past year had been a big step ahead in planning for Eden. The efforts for the Strategic Plan had been remarkable. At Saturday's Council Retreat, there would be lots of slides and information to show all the good things that had been done in the past year and the good things they wanted to continue to do. In the early '90s, she was involved when the city bought property, including the City Hall building, from Fieldcrest. They also bought the parking lot beside Holland Realtors. The better able they were to provide parking in their downtown areas for merchants, access and shoppers, the better the business areas would do. Business-Central, the district the downtowns were in, did not require on-site parking because the way businesses were constructed there was no means for on-site parking. They had been working on this project a long time. She had tried to get it paved in the '90s. Through some efforts of colleagues, Mr. Dougherty in particular, they had acquired property in and behind some of the structures and they would get easements so they could access the sidewalk on Washington Street from those areas. She thought it was extremely important. It was continued effort toward their Main Street Program. She respectfully asked that they approved the funding.

Johnny Farmer, Director of Parks & Recreation, said about a year prior, a grant had been received from the Duke Energy Foundation for \$100,000 for the Matrimony Creek Greenway. A preliminary budget had been put together then. Since that time, they knew that the project cost was going to be roughly \$145,000. He was asking for \$45,000 from the Strategic Plan funds for the greenway project. A budget amendment had been submitted to and approved by the state. They needed the

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additional funds to move forward. The plans were to have the project completed in the next two to six months.

Council Member Carter asked if \$100,000 was through a grant.

Mr. Farmer answered that it was. The city was putting up about one-third of the cost. They were getting about a quarter of a million dollar project. A lot of the labor would be completed by city staff.

Council Member Burnette said it would be a great addition to the greenway system. He asked if everything on the map they were given was part of Phase 1.

Mr. Farmer said it was not. There were parts of the map that showed Phase 2. Those items would be discussed at the Council Retreat. What they were doing currently was the 1.5 mile along the creek.

Council Member Carter said the money they were requesting was coming out of the money already allotted.

Mr. Farmer answered it was part of the \$300,000 already set aside as Strategic Plan funds.

Council Member Ellis said they had used some of it already.

Ms. Stultz said if they approved the two projects before them, there would be approximately \$22,000 in that fund. She imagined before they got done, some of those monies would be needed for other things.

Council Member Ellis asked how many spots could be put in the parking lot.

Ms. Stultz answered approximately 50.

Council Member Ellis said they had been wanting to do that for a while. He had talked to some other council members and the mayor. His goal was to maybe put a parking deck back there but they did not have that kind of money.

Ms. Stultz said they did not and they did not have kind of traffic yet.

Council Member Ellis said they were looking forward to include The Boulevard, Draper section and The Cook Block, they were stretching the money out so it would go over the whole city. He wanted the citizens to know that. They did not always do things for the same section of town. They were one – they were not three different sections. He was proud to be in Eden. He wanted the citizens to know that and that the Council was striving to do the right thing. It was money well spent. He told Mr. Farmer he thought getting the grant money from Duke Energy was outstanding. He thought it was great for Douglass Elementary.

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Council Member Grogan said it was good to have something new coming on that side of town as well.

Council Member Epps said that he noticed a lot of people using their existing trails, no matter the weather. He had a lot of people compliment the city for providing the trails.

Ms. Stultz said Matrimony Creek trail was like walking in the mountains, it was lovely and a great opportunity for that end of the community.

Mayor Hall said they had talked about connectivity of the greenway since the first greenway was ever thought of about 20 years ago. Greenways were planned a long way out. The two items were proposed as one expense through the strategic plan money.

A motion was made by Council Member Ellis to approve the request for \$170,000 for improvements to the Bridge Street Municipal Parking Lot and to complete the Matrimony Creek Greenway. Council Member Grogan seconded the motion. All members voted in favor of the motion. The motion carried.

c. Consideration and Adoption of a Resolution of Intent to close an unopened portion of Jackson Street

The City received a request from Robert L. Crouch and wife, Deborah H. Crouch and Zoejo, LLC to close an unopened portion of Jackson Street. A petition, resolution of intent to close a portion of Gilley Road and a map showing the proposed closing was submitted. A motion to adopt a resolution and call a public hearing was in order.

Ms. Stultz said they have sent letters to the utilities. They received information from the engineering staff that should the street be closed, a 20-foot easement be reserved in the right-of-way for the water line.

Mayor Hall said the easement for the water line would just restrict what could be built on it and it was likely to be a driveway, which he thought it may already be.

Ms. Stultz said that and they wanted to put an accessory structure on the property and could not get around the building if the street was still open.

Ms. Debra Madison, Planning Coordinator and Legal Assistant, pointed out that they were voting to adopt a resolution to call a public hearing for the following month.

A motion was made by Council Member Burnette to adopt a Resolution of Intent to Close an Unopened Portion of Jackson Street and call for a public hearing at the next regular council meeting. The motion was seconded by Council Member Hampton. All members voted in favor of the motion.

REPORTS FROM STAFF:

a. City Manager's Report – February 2018



Minutes of the regular February 20, 2018 meeting of the City Council, City of Eden:

**Take Pride in Your Community and Don't Litter**

We hate litter! There is absolutely no reason for a civilized place to have an issue with litter, but Eden, like most communities, does. Please help us combat unsightly trash around our beautiful city.

There are a couple of ways you can help:

The North Carolina Department of Transportation has a fantastic program - Swat-A-Litterbug. It's almost impossible for law enforcement to catch someone dumping litter from a vehicle because who in their right mind would roll down a window and throw out a bag with a police officer behind them? With this program, any citizen can report the offending vehicle and NCDOT will take it from there. If you see someone throw out trash from a vehicle, please visit [https://www.ncdot.gov/doh/operations/dp\\_chief\\_eng/roadside/beautification/Litterbug/](https://www.ncdot.gov/doh/operations/dp_chief_eng/roadside/beautification/Litterbug/) or call 1-877-DOT-4YOU (1-877-368-4968). NCDOT notifies the vehicle owner of the littering offense; informs the vehicle owner of the penalties for littering; and urges the litterbug to stop littering. A formal notification is signed by the Colonel of the N.C. State Highway Patrol. This letter helps educate and remind citizens of their civic responsibility to protect the environment.

Please keep the area around your property clean by picking up trash that lands on or along it. It is frustrating when someone throws out something and it lands in or next to your yard or it blows off the back of a vehicle and gets caught in your ditch. It's not your fault at all, but picking up the litter and disposing of it if you are able is showing your pride in your property, your neighborhood, and best of all, your city.

Thank you in advance for your willingness to help us in our fight against littering.

**Strategic Plan Update – Community Informational Meeting**

As I have reported previously, Ms. Kelly Stultz, Director of Planning and Inspections has the responsibility of overseeing the implementation of the *Positively Eden* strategic plan. Please be advised that she has scheduled an informational “drop-in” type meeting for the public to receive an update on our efforts to date and future plans, as well as to receive any feedback our citizens may have concerning future initiatives. This “drop-in” type meeting will be held on Thursday, March 1, 2018 from 6:00 p.m. – 7:00 p.m. in the Eden Room of the Eden Municipal Building. One thing we currently plan to focus on during FY 2018-19 is to do something in each of the various areas within our city (Ex. – Draper, Boulevard, Spray, Leaksville, Central, and Highway 14/Kings Highway corridor). Ideally, we hope to get citizen input from interested residents and business owners in each of these areas in terms of specific ideas and suggestions. If you're unable

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to attend, but have some specific thoughts concerning the implementation of the strategic plan, we would ask that you email Ms. Stultz at [kstultz@edennc.us](mailto:kstultz@edennc.us).

### **Annual Retreat**

The annual retreat for the Eden City Council and staff will be held on Saturday, February 24<sup>th</sup> beginning at 8:30 a.m. in the Eden Room of the Eden Municipal Building. The topics to be discussed will include an update on the implementation of the *Positively Eden* strategic plan and a discussion on priorities for FY 2018-19 based on feedback received from the Mayor and each member of City Council. It is anticipated that the agenda for this meeting will be finalized and posted by no later than Wednesday, February 21<sup>st</sup>.

### **Economic & Tourism Development Department**

#### **Berry Hill Regional Mega Park - Update**

The Danville Pittsylvania County Regional Industrial Facilities Authority (RIFA) began acquiring land for the Berry Hill Regional Mega Park in 2001. Through the years, more than \$30 million has been invested in the park. The Virginia Tobacco Commission previously awarded a grant in the amount of \$20 million and an additional \$9.8 million is currently earmarked for the park. The remaining funding has come from RIFA. The total current and proposed park funding is \$39.8 million.

In 2008, the City of Eden explored the idea of providing water and sewer utilities to the Mega Park because of our excess capacity and the fact that we are closer in proximity to the park than Danville. In FY 2011-12, Eden ran a sewer line to the Virginia state line. A wetlands permit to extend the sewer line from the NC state line to the park, and to clear sites to develop and market the park, was sought from the federal agency that regulates such permits. For five years, the agency would not consider the wetlands permit, because they considered this project to be “speculative development”. When smaller sites were proposed, the responsibility for approving this development fell to the Virginia Department of Environmental Quality which approved the permit. In the fall of 2016, site development on three pads began at the park.

The marketing for the Mega Park is now beginning since cleared pads are now available for potential prospects to consider. The Berry Hill Regional Mega Park was a finalist for the Toyota-Mazda auto plant project that ultimately went to Alabama due to supply chain benefits in that state. That said, the fact that Berry Hill was considered among more than 300 proposed sites illustrates that this is a site that will attract industrial clients.

#### **Sewer Line Project**

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The Mega Park sewer line project was completed in the summer of 2012. Eden's part of the project, working jointly with Virginia agencies, was to build a sewer force main from the Virginia State Line on NC 770 back to the Railroad Pump Station. The Virginia agencies were to build the rest of the sewer force main up to the Mega Park and the sewer pump station that will service the park. This project was financed mostly with a grant from the NC Golden Leaf Foundation. The City will treat the first million gallons per day (MGD) of wastewater from the park and possibly up to three MGD as development continues. This project will eventually provide a new revenue source for the City. Currently, there are still no tenants in the park, and the new sewer force main will remain inactive until prospects are landed. Project Lignum, as previously reported on, is completing its due diligence at the park and could be its first tenant.

### **Water Line Project**

Danville and Henry County built a 750,000 GPD water line for the Mega Park in 2011-12. In August 2015 they accepted a \$2.2 million grant from the Virginia Tobacco Commission for additional water system improvements which included the installation of a 20-inch water line from the North Carolina/Virginia border to the Mega Park where it connected to the existing 16-inch line they previously installed in 2011-12. This is the water line with fire hydrants that runs along Berry Hill Road in Virginia. This line has limited capacity, which is why Eden is in the process of pursuing the infrastructure to supply additional water to the park.

Originally, the City was to build a 30" water line to accommodate the power plant that was being planned by The Southern Company within the Mega Park. That line would have had a capacity of 11 MGD and a projected cost of approximately \$18.489 million to build. Grant funding, low interest loans and the anticipated water sales revenue to The Southern Company would have enabled the City to pay for this water line.

PJM Interconnection is a regional transmission organization (RTO) that coordinates the movement of wholesale electricity in all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and the District of Columbia. The late 2017 market conditions in PJM limited Southern Power's ability to execute long-term customer opportunities that aligned with their business model. The decision by The Southern Company was only a reflection of the changing marketplace and not the condition of the Mega Park location. The Southern Company continues to believe this is one of the best places to locate a facility, should market conditions make such a project economically feasible.

Eden is now pursuing a 20" water line that will provide a capacity of 6-7 MGD for the Mega Park customers. This is considered adequate for future needs. It appears that at least 54% of the grant funding that was originally obtained for the 30" line will be transferable to the smaller line. The

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City intends to pursue another grant to help pay the debt service on the remaining 46% of loans that will have to be made to complete the project. The goal is to cover as much of the water line cost as possible with grant and low interest loans, thereby minimizing the burden placed on Eden taxpayers.

### **Contribution to Capital Project Fund**

Finally, the \$1,000,000 contribution to the Capital Project Fund for the Mega Park Water Line Project that is currently included in the FY 2017-18 budget will not be needed and will not be made due to the downsizing of this project. These funds will remain within the Water and Sewer Fund.

### **Karastan Rug Mill, Division of Mohawk Industries**

The Eden mill is the leading aircraft carpet supplier in the U.S. They supply Delta, Southwest Airlines, United, Continental, Jet Blue and Qantas. They also supply Airbus and Boeing directly. A significant percentage of their orders involve plane refurbishment projects.

### **Gildan Activewear**

Gildan has spent \$80 million through its six Eden expansions. Since 2000, they have grown from 200,000 SF to almost 2 million. Currently, they are Eden's largest industrial employer with more than 500 employees at their two facilities.

### **SKAT Bus**

Lack of transportation is often an obstacle to finding employment. Eden has requested the Rockingham County Aging, Transportation and Transit Service (ADTS), which manages the SKAT Bus system, to add a 6:00 a.m. - 7:00 p.m. SKAT bus run. This run will make stops in the Eden Industrial areas close to the 7:00 a.m. time when many companies begin their morning shifts. This route change will begin in March of 2018. The 7:00 p.m. - 8:00 p.m. route only averaged four people, so it will be eliminated from the daily bus route.

### **Kate B. Reynolds Charitable Trust/Get Fit Rockingham**

Due to the success of the Get Fit Eden program, it was expanded to the remaining municipalities this year. A \$38,887, two-year grant application was submitted to the Kate B. Reynolds Charitable Trust on Friday, February 9<sup>th</sup>. The grant would fund the Get Fit Rockingham program for two years in Eden, Reidsville, Wentworth, Madison, Mayodan and Stoneville. A decision on the grant should be made in April of this year.

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### **Recreational Trails Program Grant**

A grant is being pursued to extend the Smith River Greenway to a 1,600 linear foot trail behind Karastan Rug Mill which connects to the Leaksville Landing. Currently, the Smith River Greenway has a path to King's Highway and a sidewalk extends close to the Karastan Rug Mill. A portion of sidewalk and nature trail will be added adjacent to the Karastan property.

### **Branding Study**

The Branding Study funded through the *Positively Eden* Strategic Plan being conducted by Arnett Muldrow & Associates is currently underway. A two-day orientation has taken place with initial stakeholder interviews and site visits. Plans are being made for their second visit to include an Eden community meeting.

### **Building Rehabilitation Grant**

The first Building Rehabilitation Grant for 2018 has been awarded to Brenna Yates of Sweet Revenge Bakery. Her extensive remodel/ expansion is a valuable investment in our Main Street community. Several other business owners are in various stages of completing the BRG application.

### **Meeting with Congressman Mark Walker**

Congressman Mark Walker and some of his staff toured Karastan Rug Mill in late January and then met with Mayor Hall and other city officials to discuss a variety of different issues.

### **Former Full Moon Salon**

The former Full Moon Salon on Monroe Street has been purchased and will soon be rehabilitated. Plans include a new roof before the interior construction begins.

### **622 Washington Street**

Progress on the rehabilitation of 622 Washington Street is moving forward. We received the engineers report and are proceeding with upstairs non-load bearing wall removal. 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. Barring unforeseen issues, it is anticipated that work will be complete in four months.

### **Fieldcrest Road Pocket Park**

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The wet winter weather has slowed progress on the Fieldcrest Road pocket park. Consistent dry days above 40 degrees are needed to complete the painted signage and dry weather is needed to complete the backfill in the park.

### **Microbrewery on Washington Street**

Progress on the development of a microbrewery on Washington Street has resumed. Currently, the plans are for construction to start in the fall of 2018.

### **“Did You Know” Ads**

Our first five “Did You Know” ads are running on WGSR/STAR NEWS. When the project is completed we will have 25 produced. Also, coming soon, will be 3-minute segments featuring our economic development efforts, code enforcement, and other important subjects. This is an effort that is part of *Positively Eden*. You can see the first five “Did You Know” ads now by watching Star News 5 or by following the links below:

<http://bit.ly/2BWLGuK>

<http://bit.ly/2sqYApI>

<http://bit.ly/2F1XGme>

<http://bit.ly/2ClegKM>

<http://bit.ly/2GdTP4N>

### **Text Message Marketing**

We will soon be launching our text message marketing effort to better inform our citizens about upcoming meetings, involvement opportunities, event information and so much more. Anyone interested in receiving the information should email your text number to Cindy Adams at [cadams@edennc.us](mailto:cadams@edennc.us) or call 336-612-8049. As an alternative, you can text us with your name and the fact that you would like to **opt in** at 336-552-6132 and we can get your number via the text. **Citizens have to opt in. No one will just be added to the list.** This will be a great way to stay informed, but we promise not to overload you with text messages.

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

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

### **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](mailto: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](http://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!

**Eden Downtown Development Corporation**

The Eden Downtown Development Corporation met to discuss future meeting agenda formats to streamline discussion. NC Main Street conference attendees were confirmed for March 13-15 in Clayton, NC.

**Boulevard Merchant's Association**

The Boulevard Merchant's Association is planning a food truck rodeo Saturday, April 21<sup>st</sup> and a multi-cultural festival to be held Saturday, August 11<sup>th</sup>.

**Engineering Department**

**Street Resurfacing Projects - Update**

The street list for the FY 2018-19 Street Resurfacing Contract has been finalized based on funding of approximately \$500,000. If additional funding is approved during the budget process, the street list will be revised accordingly. This contract is scheduled to go out for bid in March.

NCDOT has informed us that the state roads on their 2018-19 resurfacing schedule will not be resurfaced until the spring of 2019 based on information provided by their contractor. They originally thought this work would be completed sometime this summer.

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### **Waterline Replacement Projects Update**

Crews from Sam W. Smith, Inc. installed an additional 160 feet of 6” ductile iron water main along W. Arbor Lane, and were able to install about 423 feet of 2” schedule 80 PVC water main along the east side of Wildflower Lane. All the newly installed water mains were pressure tested on the last day of January, before being chlorinated and flushed. Due to the rainy weather, the crews have not been able to complete the process of making new water taps and switching customers over to the new water mains.

Sam W. Smith, Inc. has been awarded the Sunset Drive 2” Waterline Replacement project. About 800 feet of 6” ductile iron pipe is to be installed here in the Grand Oaks subdivision between Conover Drive and Knollwood Drive.

### **Fire Department**

#### **Community Outreach Effort**

The Eden Fire Department conducted a station tour with fifty-five students from Douglas Elementary School on February 9<sup>th</sup>. The students watched fire safety videos explaining the importance of EDITH, which stands for (exit drill in the home) and how it should be practiced with each member of the home. Each student was reminded of the Eden Fire Department smoke detector program – if their home is not equipped with one, call or come by one of the stations and the City will provide them one free of charge. In addition, the students received an in-depth tour of the station, including the sleeping quarters, kitchen and living area. Each one of the fire apparatus including the command vehicles was shown along with the capabilities of each. A turn out gear demonstration was also done to show what each piece is designed for and how it protects firefighters from being burned or injured.

#### **Expansion of Training Grounds**

The City of Eden has secured a tract of land from the Rockingham County School Board. The land is located behind Station 4 on East Stadium Drive. The City acquired the land in exchange for a 1987 model fire truck that was decommissioned and taken out of service. The fire truck will be used in the high school firefighter program that is being taught at Rockingham High School. The land is in the process of being cleared and will be used to further expand the training grounds behind the fire station. The fire department kicked off its fund raising efforts in the month of December for the burn building to be built behind station 4 on E. Stadium Drive. Pine State Group located on New Street donated \$4,570.00 to go toward the construction. This will be a state of the art building, which will give firefighters live fire training in a controlled environment. The building will not only give live fire training, search and rescue, ventilation, and a large variety of



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other training opportunities can be utilized in the building. The Eden Fire Department is very excited about the fund raising efforts to try and achieve this excellent training facility.

### **Information Technology Department**

#### **Helpdesk Ticket System**

The IT Department is in the process of rolling out a helpdesk ticket system. We have chosen Spiceworks as the vendor. In addition to the ticket system, Spiceworks also performs network based inventories of connected devices, servers, computers and installed software. This will allow us to closely track software, hardware, and network problems over time. Spiceworks trend analysis will then be able to highlight problem points allowing us to identify failing systems before they start impacting productivity. And best of all, Spiceworks is free! The only cost is the time invested in setup and configuration of the Spiceworks server.

### **Parks & Recreation Department**

#### **Community Accents Program**

Staff participated in the Community Accents Program with WLOE radio on February 9<sup>th</sup> and will be participating in additional broadcasts on February 17<sup>th</sup>, and March 9<sup>th</sup>. We use these opportunities to update our residents and others about the Parks and Recreation programs that are happening during the months of February and March.

#### **Dixie Youth Baseball State Meeting**

Staff attended the NC Dixie Youth Baseball State meetings on January 19<sup>th</sup> and 20<sup>th</sup> and provided attendees with information about the NC Dixie Youth Baseball Ozone State Tournament that will be held in Eden at Freedom Park on July 13-20, 2018.

#### **Be Healthy Rockingham County**

Staff continues to be involved with Be Healthy Rockingham. They attended the Be Healthy Rockingham meeting on January 16<sup>th</sup> and will attend the next meeting that is scheduled for February 20<sup>th</sup>.

#### **Dog Park - Update**

The Mayor and City Council approved the construction of the Freedom Park Dog Park at its October 17, 2017 city Council meeting as part of the Eden Strategic Plan. The cost for this facility will be approximately \$35,000. The fencing has been installed at the Freedom Park Dog Park and

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the water fountains have been delivered. As soon as the area dries, City staff is planning to install the water lines. The trash cans and benches should be delivered to the in the next several weeks. This project is scheduled for completion in the spring of 2018.

### **Freedom Park Nature Trail and Improvements - Update**

Members of staff met at the Freedom Park Nature Trail and discussed the improvements that will be made that include additional stone and granite dust, additional picnic tables, and the installation of 10 RV pads. City Staff began applying new stone and granite dust on the nature trail at the end of January and laid out the RV pads. This project is scheduled to be completed by the spring of 2018.

### **Matrimony Creek Greenway - Update**

The Matrimony Creek project is moving forward. The City Attorney continues to work on completing all the easement property transfers to the city and should have the easements completed soon. Work on the parking lot and trail areas will begin as soon as the weather permits. Bids are being sought for the restroom construction. When these quotes come in, we will choose a qualified bidder and then proceed to construction.

## **Planning & Inspections Department**

### **Code Enforcement**

We have collected \$ 8,857.49 since our last report. Staff will continue to monitor the Register of Deeds' on-line website for property transfers and search for property owners that have relocated using the Lexis-Nexus program that was purchased. Attorney letters for collection were sent to two property owners informing them that we intend to foreclosure on their property unless their accounts were paid in full.

### **Positively Eden Strategic Plan Steering Committee Meeting**

The steering committee for the *Positively Eden* Strategic Plan met on Friday February 9th. During this meeting, the committee members received a progress report and update concerning our efforts at implementing the plan and proposed projects and goals for the rest of this fiscal year and the next one beginning July 1, 2018. This same information will be shared with the City Council during their retreat on February 24<sup>th</sup> and then with the public at the informational meeting scheduled for March 1<sup>st</sup>.

### **Ashton Way Apartments**

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Wynnefield Development has officially purchased the property on E. Harris Place from Osborne Investments and anticipates beginning construction on the Ashton Way Apartments in the near future.

### **Police Department**

#### **Internal Interviews & Promotions**

The newly created Downtown Officer position closed. Interviews were conducted and School Resource Officer Jim Robertson, a twenty-year member of the Eden Police Department was selected to assume the role of Downtown Officer. As a result of his selection, Robertson's current position as Elementary SRO was advertised within the department. On Monday, February 12<sup>th</sup>, interviews were held with the individuals expressing an interest in filling this vacant SRO position. An announcement concerning the selection of the new SRO will be made in the near future. In the meantime, Congratulations to Jim Robertson on his new position!

On February 14<sup>th</sup>, interviews were held with the individuals expressing an interest in filling the vacant Sergeant positions within the department. These interviews will involve selecting two new patrol sergeants, one new criminal sergeant and one new special operations sergeant. The criminal investigative sergeant is currently vacant due to David Lamberth's promotion to Lieutenant of Criminal Investigations. The sergeant of special operations will be effective upon the retirement of Lieutenant Richie Jeffries, which is tentatively set as May 1, 2018. Sergeant Paul Moore will assume the responsibilities as Lieutenant of A Squad on March 1, 2018 replacing Lieutenant Tim Harbour whose retirement is effective March 1, 2018. Anthony Welch will assume his duties as Lieutenant of B Squad on April 1, 2018 replacing Lieutenant David Martin whose retirement is effective April 1, 2018. An announcement concerning the selection of the new Sergeants will be made in the near future.

At the conclusion of the interviews and promotions for the current vacant Sergeant positions we will advertise internally for the four detective vacancies as a result of the promotions.

Currently, there are three applicants in the final stages of the hiring process for full time police officer positions and one applicant is in the final stage for a reserve officer position with the Eden Police Department. The hiring process for each of these individuals should be finalized by the second week in March, at the latest.

### **Public Utilities Department**

#### **Meadow Greens and Covenant Branch Pump Stations Force Main Relief Project – Update**

The Meadow Greens and Covenant Branch Pump Stations Force Main Relief project is designed to enhance capacity and increase redundancy of the Covenant Branch and Meadow Greens Pump Stations by building additional connections for each pump station to the Railroad Force Main at an

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estimated cost of \$566,600. This project allows for backup reliability should the Covenant Branch Pump Station Force Main fail. It will also allow the Meadow Greens Pump Station flow to be diverted in the event of a Meadow Greens force main failure or a problem at the Junction Pump Station. It builds in flexibility to avoid situations that can lead to Sanitary Sewer Overflows (SSOs). This project has reached substantial completion with only punch list items left to finish. This project was funded by a North Carolina Department of Environment and Natural Resources (NCDENR) Water Infrastructure Section HUC grant for \$534,800 and a matching City contribution of \$31,800. In the future, this project will provide operational flexibility, redundancy, and lessen the potential for SSOs in our wastewater collection system.

### **The New Street Sewer Improvements Project - Update**

The owners of the MGM Warehouse property have formally asked that the city provide sewer to their warehouse facilities on New Street. This is due to the inoperable condition of the old Fieldcrest Mills wastewater treatment plant on the MGM property. Because this property is in the City, we are obligated to provide sewer service to this property. The city staff developed a scope of work where we plan to develop a pumping station on the property of adequate size to handle the MGM workforce operations, Gildan's workforce operations, prepare for limited growth on the adjacent potential industries development sites, and consolidate the Weil McLain pump station into the new larger pumping station.

The city staff began working to securing a funding source for this project late last summer. A funding application was submitted to the North Carolina Department of Commerce in October of 2017 and the city was formally notified in December of 2017 that the project had been funded with a \$997,000 grant. Design work on the project is being initiated and construction should begin in early summer.

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

Our design work on each project in our remediation plan has been started by our consulting engineers, W. K. Dickson, and is currently on schedule for submittal by May 1, 2018. Our design and plan specifications will be submitted to the Water Infrastructure Section of NC DENR where it will be reviewed for approval. Approval of the design and specifications is expected by November 1, 2018, and the bidding process will follow shortly thereafter.

### **CONSENT AGENDA:**

- a. Approval and Adoption of Minutes: January 16, 2018.

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- b. Consideration and adoption of Language Access Plan for compliance with Title VI for the Community Development Block Grants.

*A copy of this Plan is on file in the City Clerk's Office.*

- c. Traffic study to reduce the speed on Morgan Road through the Cook Block.

The Police Department received a traffic study request from Council Member Jerry Ellis in reference to changing the speed limit on Morgan Road from Lee Street to Fraker Place.

In 1980, the Eden City Council enacted an ordinance designating the speed limit on Morgan Road from Lee Street to Fraker Place as 20 MPH. In recent months, the NCDOT indicated that the 20 MPH speed limit was not authorized through that department. This created a discrepancy in that the actual speed limit in this location is the state mandated speed limit of 35 MPH. However, through speaking with a NCDOT representative, a 25 MPH speed limit for Morgan Road from Lee Street to Fraker Place was a speed likely to be authorized by the NCDOT for a state maintained road in this location.

The Police Department's recommendation is that the speed limit for Morgan Road from Lee Street to Fraker Place be reduced from 35 MPH to 25 MPH.

AN ORDINANCE DECLARING THE SPEED LIMIT ON MORGAN ROAD  
FROM THE INTERSECTION OF LEE STREET TO THE INTERSECTION OF FRAKER PLACE

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, pursuant to authority granted by N.C.G.S. § 20-141(f) that:

Section 1 – The City Council of the City of Eden has determined that operation of a motor vehicle 35 miles per hour on SR 3004 (Morgan Road) from Lee Street northward to Fraker Place is greater than is reasonable and safe under the conditions existing upon SR 3004 (Morgan Road) from Lee Street northward to Fraker Place.

Section 2 – It shall be an infraction to operate a motor vehicle on SR 3004 (Morgan Road) from Lee Street northward to Fraker Place in excess of twenty –five (25) miles per hour.

Section 3 – Signs shall be placed, erected or installed on each side of SR 3004 (Morgan Road) from Lee Street northward to Fraker Place giving notice of the speed limit to traffic traveling in each direction on said SR 3004 (Morgan Road) from Lee Street northward to Fraker Place.

Section 4 – The OFFICIAL TRAFFIC MAP of the City of Eden is hereby amended to conform with this Ordinance.

Section 5 – All ordinances in conflict with this Ordinance are hereby repealed.

APPROVED, ADOPTED AND EFECTIVE, this 20th day of February, 2018.

CITY OF EDEN  
By Neville Hall, Mayor

ATTEST:  
Sheralene Thompson, City Clerk

*(Pending an Ordinance from NCDOT to change the speed limit)*

- d. Resolution in support of ¼ cent local option sales tax.

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RESOLUTION IN SUPPORT OF A ¼ CENT SALES TAX FOR ROCKINGHAM COUNTY

WHEREAS, the North Carolina General Assembly has authorized County Boards of Commissioners across the State of North Carolina to levy a one-quarter of one cent (25% of one penny) county sales and use tax, contingent on an advisory referendum in which the majority of those casting ballots in the County vote for the levy of the tax; and

WHEREAS, the City of Eden supports a new economic development vision for its citizens and businesses by enabling Rockingham Community College to invest in a modern workforce development training facility and other future capital needs, new programs, state of the art training and equipment, and initiatives in recruitment and retention of a trained and skilled workforce; and

WHEREAS, an optional ¼ cent sales tax, if passed would be paid by residents and nonresidents, lessening the burden on all county property tax owners: and

WHEREAS, in order to adequately address both immediate and future needs of Rockingham Community College, existing financial resources are inadequate and it is necessary that a new revenue stream be created; and

WHEREAS, the implementation of a ¼ cent local option sales tax (excluding gasoline, prescription medication and non-prepared foods (groceries) is anticipated to generate \$1.8 million in revenue per year in Rockingham County, which would be the equivalent of approximately 2.41 cents in county tax revenue; and

THEREFORE, BE IT RESOLVED, that the Eden City Council hereby supports the ¼ cent sales tax that will be placed on the May 8, 2018 primary election ballot for its potential to help transform the current Rockingham Community College workforce training program to better serve Eden’s citizens and provide its students a better future in the local workplace.

Adopted this 20th day of February, 2018

CITY OF EDEN  
BY: Neville Hall, Mayor

ATTEST:  
Sheralene S. Thompson,  
City Clerk

- e. Resolution regarding the designation of an official to make recommendations to the North Carolina Alcoholic Beverage Control Commission on ABC permit applications.

Retired Police Chief Reece Pyrtle is currently listed as the official to make recommendations to the North Carolina Alcoholic Beverage Control Commission on ABC Permit Applications. In order to list current Police Chief Greg Light as the official to make recommendations to the North Carolina Alcoholic Beverage Control Commission on ABC Permit Applications, the resolution must be approved by City Council. This line has been left blank on the attached resolution to ensure that this matter will not have to come before council whenever a new chief is appointed in the future.

Minutes of the regular February 20, 2018 meeting of the City Council, City of Eden:

**NORTH CAROLINA  
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

(919) 779-0700

Location: 400 E. Tryon Road  
Raleigh, NC 27610

Mail: 4307 Mail Service Center  
Raleigh, NC 27699-4307

RESOLUTION OF THE CITY OF EDEN, COUNTY OF ROCKINGHAM, REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS G.S.18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the City of EDEN, County of ROCKINGHAM, wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f);

BE IT THEREFORE RESOLVED that \_\_\_\_\_, POLICE CHIEF,  
(Name of Official) (Title or Position)

is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of EDEN, County of ROCKINGHAM, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED THAT notices to the City of EDEN, County of ROCKINGHAM, should be mailed or delivered to the official designated above at the following address:

Mailing address: 308-B East Stadium Drive  
Office location: 308-B East Stadium Drive  
  
City: EDEN, NC  
Zip Code: 27288 Phone #: 336-623-9687

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Mayor/Chairman)

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Clerk)

**g. Acceptance and agreement of land donation.**

The City of Eden has been awarded a \$997,000 grant from North Carolina Commerce Rural Infrastructure Authority for the New Street Sewer Improvements. In pursuit of the New Street Sewer Improvements, City Staff has had discussions with Eden Real Estate Associates, LLC regarding the donation of approximately 25 acres of the Eden Real Estate Property consisting of a wastewater treatment plant and additional acreage adjacent thereto. This property would be the site of a new larger pump station that will be the focal point of the sewer improvements at the end of New Street serving the property formerly known as the “MGM property” and adjacent properties in the area. The former MGM Property is now being leased and occupied by Gildan and also used for warehousing. Eden Real Estate Associates, LLC has requested the City’s acceptance of the donation and agreement prior to making the donation. The agreement includes the City’s agreement to pay for the cost of an appraisal, attorneys’ fees associated with this transaction and survey fees. Staff recommends that Council approve the acceptance and agreement of the land donation and to authorize Staff to proceed with any action, legal or otherwise, to facilitate this donation.

Minutes of the regular February 20, 2018 meeting of the City Council, City of Eden:

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

ANNOUNCEMENTS:

Mayor Hall said the city had recently lost a 95-year-old resident. He was contacted by one of her grandchildren and asked to share if he could that Mother Christine Broadnax Wilson was born in Rockingham County on April 18, 1922. She passed away Jan. 23, 2018. She was employed at Hatley’s Laundry, Quality Cleaners and Stoneville Furniture Factory from which she retired. Mother Wilson was a member of the Only Way Church of Christ. As the oldest Mother, she was very loving, outspoken, charitable, never met a stranger, and all that became acquainted with her loved her. She left to cherish her memories 11 children, 21 grandchildren, 38 great-grandchildren and a host of nieces, nephews, cousins, family and numerous friends. The city lost a great resident.

Mayor Hall reminded everyone that the annual Council Budget Retreat would be held Saturday in the Eden Room. Department heads would present information about budget priorities for the following year. They were all thinking of the city manager and his wife as she recovered and wished the city attorney a speedy recovery as well.

ADJOURNMENT:

A motion was made by unanimous consent to adjourn.

Respectfully submitted,

\_\_\_\_\_  
Sheralene Thompson, MMC, NCMC  
City Clerk

ATTEST:

\_\_\_\_\_  
Neville Hall  
Mayor



CITY OF EDEN, N. C.

A special (retreat) meeting of the City Council, City of Eden was held on Saturday, February 24, 2018 at 8:30 a.m., in the Eden Room, Eden City Hall, 308 East Stadium Drive. Those present for the meeting were as follows:

Mayor:	Neville Hall
Mayor Pro Tem:	James Burnette
Council Members:	Bernie Moore
	Angela Hampton
	Darryl Carter
	Jerry Epps
	Sylvia Grogan
	Jerry Ellis
City Manager:	Brad Corcoran
City Clerk:	Sheralene Thompson
Deputy City Clerk:	Deanna Hunt
City Attorney:	Erin Gilley
Department, Division Heads and Staff:	
News Media:	

MEETING CONVENED:

Mayor Hall called the special meeting of the City Council to order and welcomed those in attendance. He then asked Council Member Jerry Epps to give the invocation.

After the invocation, Mayor Hall introduced City Manager, Brad Corcoran.

Mr. Corcoran then provided a quick overview of the items on the agenda.

**Review of City Council Priorities for FY 2018-19 & Agenda** *(Brad Corcoran, City Manager)*

Mr. Corcoran explained that this information contained each of the priorities that were listed by the City Council as well as some members of the staff. They would have the opportunity to make any points and bring up any type of discussion on those matters. If it was something that involved the expenditure of funds then that would be their opportunity to try to convince them why money should be spent on those items.

\*\*\*\*\*

**Update, Discussion and Consideration of City Finances & Budget Priorities** *(Brad Corcoran, City Manager)*

Heading Into FY 2018-19

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- As we begin to consider the upcoming budget, it's good to get a basic refresher on some of our finances.

“Where's the money-???”

- Are funds available to do what is needed?
- Are discretionary funds available to do what is wanted?
- Where should we direct our financial resources for FY 2018-19?

#### Current FY 2017-18 Budget

- The combined budgets for the current year equal \$33,253,800.
  - Increase of \$1,857,200 or 5.92% from FY 2016-17.
  - Increase due primarily to:
    - \$1,055,300 for additional street resurfacing projects, and
    - \$1,100,000 contribution to the Mega Park Capital Project Fund (will not be necessary due to project downsizing).
- Capital Outlay Funding included in the current budget is as follows:
  - General Fund (Includes *Positively Eden*) \$1,578,100
  - Powell Bill/Street Resurfacing \$1,677,300
  - Water & Sewer Fund (A) \$1,478,800
  - Mega Park Capital Project Fund \$1,100,000
  - Total \$5,834,200

(A) Does not include Capital Project Funds for PA Administrative Order and Mega Park Waterline Project that were previously approved and established in March 2017.

- For comparison purposes:
  - Eden–2016 Population of 15,279 and 14.05 square miles
    - Budget includes funding for 176 full-time positions
  - Reidsville–2016 Population of 14,152 and 13.68 square miles without Lake Reidsville
    - Budget includes funding for 193 full-time positions

Mr. Corcoran explained that in FY 95-96 Eden had 203 FT employees and in FY 2000-01 there was 189 FT employees. Despite the work force reduction plan outlined in October 2015, but never voted on by the City Council, there was a belief by many that these staff reductions have

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

been too deep and need to be re-examined. He stated that he knew there were several department/division heads that believe additional manpower was needed and that they intend to submit requests for additional personnel as they head into FY 2018-19.

Council Member Grogan stated that in looking at the difference between Reidsville and Eden, she asked if it had been that way for a while. She stated that she had always heard that they had more resources because of water purchased by Greensboro.

Mr. Corcoran replied that for years Reidsville contracted out its water and sewer. So, really other than C&D, they did not have a water and sewer staff. A few years back though, they took the water and sewer operations back in-house. He explained that the capacity at their plants was much less and they were very fortunate with their agreement with Greensboro, which brings in some additional revenue for them, but basically they were very similar in the sense that they do operate a water and sewer plant.

#### General Fund

- During the past six years:
  - Revenues increased by an average rate of 1.69% per year.
  - Expenditures increased by an average rate of 1.85% per year.
- Our expenses continue to increase on an annual basis as prices continue to escalate – despite the reduction and/or loss of various revenue sources.
- Many of our costs are fixed costs which leaves us very little room for discretionary adjustments.
- Much of what we can or can't do in terms of discretionary funding initiatives is directly related to our available revenue.

#### General Fund – Fund Balance

- Fund Balance on 6-30-17 = \$8,722,152 on 6-30-01 = \$4,157,472
- Unassigned Fund Balance on 6-30-17 = \$6,558,570 on 6-30-01 = \$2,541,779
- During FY 1998-99, City Council voted to keep an “unassigned” fund balance, equal to at least three months operating expenses.
- Based on last year's expenditures = \$3,784,059.  
Amount unassigned on June 30, 2017 = \$2,774,511 over that threshold.
- This \$2,774,511 (based on current policy) is the amount eligible for future appropriation as of June 30, 2017.

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

### General Fund – Tax Rate

- Existing tax rates currently being charged by surrounding entities:

Eden	\$0.609	Rockingham County	\$0.696
Madison	\$0.73	Stoneville	\$0.69
Mayodan	\$0.63	Wentworth	NA
Reidsville	\$0.74		

- Based on a 2017 Real Property Valuation of \$886,291,739 and Registered Vehicles Valuation of 103,323,810 we have calculated that:

For each \$0.01 increase in our existing tax rate of \$0.609 we would generate an additional \$98,961 in annual revenue for use within the General Fund.

### General Fund Revenue Increases

- There have been increases in some revenue sources during the past several years. Two examples include:
- Ad Valorem Taxes (Increase of \$636,676 in Last 5 Years):

FY 2011-12	\$5,297,610
FY 2015-16	\$5,544,425
FY 2016-17	\$5,934,185

- Last revaluation was completed in 2011 and the next one is scheduled for 2019.

- Unrestricted Intergovernmental Revenues from the State – sales tax, utilities sales tax, wine and beer tax etc. (Increase of \$872,410 in Last Five Years):

FY 2011-12	\$3,557,359
FY 2015-16	\$4,079,573
FY 2016-17	\$4,429,769

### General Fund Revenue Reductions

- There have been several reductions in and/or loss of revenue sources during the course of the past several years. Four examples include:
- Despite having more funds in the bank –interest earned has tanked!

FY 2007-08	= \$744,987
FY 2016-17	= \$ 64,959

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Loss of \$680,028 or 6.87 cents on our tax rate.

- NC General Assembly removed ability to charge a Business Privilege License on local businesses and the Sweepstakes were shut down.

Loss of \$224,338 or 2.27 cents on our tax rate.

- Powell Bill revenue from NC for street resurfacing needs have been cut.

FY 2007-08 = \$583,057

FY 2016-17 = \$477,303

Loss of \$105,754 or 1.07 cents on our tax rate

- Annexation-In-Lieu Agreement revenues have been reduced.

FY 2011-12 = \$734,968

FY 2016-17 = \$702,861

FY 2017-18 = \$608,425

Loss of \$126,543 or 1.28 cents on our tax rate, and additional reductions are expected in FY 2018-19

- These four examples alone, equal an annual loss in General Fund revenues of \$1,136,663 or 11.49 cents on our tax rate.

#### General Fund Revenues

- Unfortunately, as soon as we take one step forward with some of our revenue sources we take another step back.
- GREAT NEWS:  
Duke Energy has agreed to a new 5 year annexation-in-lieu agreement at their existing flat rate of \$200,000 annually. Something new, at their request, is that these funds will be earmarked for specific items in each year's budget beginning next year –Ex. Splash Pad at Freedom Park.
- However, we still have concerns over future annexation-in-lieu payments that will be received from MillerCoors.
- Current annexation-in-lieu agreements:  
MillerCoors(expires 12/21/38)  
Duke Energy (expires 12/31/19 –extension to 12/31/24)

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Thoroughbred Resources, dba AC Furniture  
(expired 6/30/17 –extension to 6/30/27)

- In FY 2016-17, MillerCoors made a payment of \$489,828. Due to their closing in September 2016, the real and personal property assessment went from \$160,862,911 in 2016 to just \$129,282,823 for 2017. This resulted in a FY 2017-18 payment of \$393,666, or a reduction of \$96,162 (19.63%) in just one year.
- We also know that they have continued to remove more equipment and have already submitted an appeal to their September 2017 valuation totals –the true impact on future payments is unpredictable at this point in time.

Allocation of General Fund Fund Balance

- Although the current General Fund budget does not include the use of any fund balance in order to balance the General Fund budget, there have been instances in the past when this was necessary.
- Since 2010:
  - FY 2010-11 Appropriation of \$626,100 in Fund Balance
  - FY 2011-12 Appropriation of \$0 in Fund Balance
  - FY 2012-13 Appropriation of \$518,200 in Fund Balance
  - FY 2013-14 Appropriation of \$0 in Fund Balance
  - FY 2014-15 Appropriation of \$450,000 in Fund Balance
  - FY 2015-16 Appropriation of \$856,700 in Fund Balance
  - FY 2016-17 Appropriation of \$545,900 in Fund Balance
  - FY 2017-18 Appropriation of \$0 in Fund Balance

Motor Vehicle License Fee – a Way To Help Fund Street Resurfacing Needs

- We collected \$62,120 last year from the Municipal Vehicle License Fee that was set at \$5.00 per vehicle. The maximum allowed by law is \$30.00 per vehicle.
- The fee was increased by \$10.00 per vehicle in the current budget to address some immediate street resurfacing needs.
- This increase is expected to generate an additional \$124,240 per year and will be used in part to fund the annual debt service payments of \$89,935 on the \$1,000,000 loan we took out with a 15 year payback at an interest rate of 2.63%.
- This leaves an additional \$34,305 per year for other street resurfacing needs that can be allocated to the Powell Bill account on an annual basis for additional street resurfacing needs OR we could look at borrowing an additional \$375,000 +/-with a 15 year payback at a

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

projected annual payment of approximately \$33,726 +/- depending upon the interest rate received, to try and address remaining street sections that are rated as “poor”.

#### Borrowing To Fund Capital Outlay Needs

- Leveraging borrowed funds to fund Capital Improvement needs that are paid back over a number of years is an option that is available to the City Council.
- Ex: City borrowed \$1,228,000 to do initial section of the Greenway (\$713,000) as well as some Downtown Revitalization Improvements (\$515,000). The loan was for a period of 15 years at an interest rate of 3.58%. Payment 10/15 will be made this year with a payment of \$106,000 per year.
- Based On A Recent Loan: A \$1,000,000 loan over 15 years with a 2.63% interest rate would have an annual payment of approximately \$89,935 or just less than \$0.01 on our tax rate. A \$2,000,000 loan over 15 years with a 2.63% interest rate would have an annual payment of approximately \$179,870 or just less than \$0.02 on our tax rate.

#### Community Organizations, Events and Initiatives

Rockingham County Arts Council (\$2,000)

Eden Library (\$2,600)

Eden Chamber of Commerce (\$10,000)

Eden Rescue Squad (\$12,000)

Project SAFE Rockingham County (\$3,900)

Eden Citizens Academy (\$2,000)

Eden Youth Council (\$4,000)

Riverfest (\$8,000 in 17-18 but \$5,000 Normally)

Pottery Festival (\$1,900)

Shaggin on Fieldcrest (\$1,250)

Eden Historical Museum (\$3,600)

Eden Preservation Society (\$1,000)

RCC Project (\$12,000)

Certified Retirement Community (\$1,500)

Façade Improvement Grants (\$2,000)

Dan River STI Crossings Campaign (\$10,000)

Eden Downtown Development Corporation (\$3,000)

Dan River Basin Association (\$2,610)

Citizens Economic Development (\$2,000)

Building Renovations Grants (\$25,000)

July 4<sup>th</sup> Celebration Contribution – Eden Kiwanis (\$5,000)

Charlie Poole Festival (?????)

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- RED = groups that I'm aware of that would like increased amounts for FY 2018-19. For example, the annual contribution from the City of Reidsville to their Chamber of Commerce is currently \$54,000 per year.
- Do you have any questions or concerns about any of these organizations, events and/or initiatives?
- Do you wish to see funding included in the FY 2018-19 budget to continue supporting these items?

Mr. Corcoran asked if there were any questions about General Fund.

Council Member Burnette stated that on his discussion about the vehicle fee, he thought this was an excellent opportunity for them to go ahead and leverage that additional, roughly \$34,000, for borrowing money to catch up on their streets. He thought that this was something they have been facing for a long time and it had done nothing but get worse. Last year they made a great step in approaching that, so by doing this, it would not get them back on schedule but it would certainly be able to get them able to address all of their "poor streets". Then maybe in the next year or two get them back on schedule. Secondly, on the community organization, about the Chamber of Commerce, recently he had a discussion with Will Flynt about the possibility of restarting an organization like the SCORE organization, which he was a part of several years ago. SCORE is a volunteer organization that works with small businesses. The county had this, and then they went away from it and Shawn Gorman who recently retired from the county was about ready to go to the Chambers to talk with them about restarting that organization. He thought this would be an excellent complement to their city to have an organization like that, to be able to work with startup business as well as to give small businesses some advice once they get started as well, and there was additional help out of Greensboro with the SCORE chapter there.

Lastly, Council Member Burnette suggested that they consider dropping the certified retirement community funding of \$1500. He did not know that there had been much payback on that. He thought there would be much more payback if they let Mr. Dougherty devote his time totally to economic development and grant writing as there has been certainly a lot of payback on that, unless someone else in the city would want to pick that up.

Mayor Hall pointed out that he had talked about real estate taxes and the upcoming re-valuation. He was in a couple of meetings about some of the things in relation to the quarter cent sales tax and some questions were asked about property valuation. It had been 8 years since they have had one but they do not just do it in 2019, they were already working on it and just for a heads up he understood that the real estate values in Eden at the tax department may be coming down some. He knew he had said last time they lowered the tax rate, he just wanted to give everybody the heads up that if the tax values go down, to remain revenue neutral, they may require a tax rate increase, to offset that. Obviously that was going to have an impact on the Miller valuation. He also wanted to point out that when they were talking about leveraging money and doing another loan, he based his estimation on repayment or payment schedule on the most recent loan they had, which was 2.63%, he would not be surprised if interest rates were going up and have



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

not already gone up. It would not double their payment or anything but just so they would know, when talking about borrowing, these numbers were based on something that the City Manager used from the last loan from several months ago and he was sure interest rates may have gone up, he knew they varied, but they had probably gone up, so just be mindful of that when considering borrowing for repairs and infrastructures.

Council Member Grogan added that she was shocked too to see that Eden's tax rate was still so much lower and she wondered who knew that. She pointed out that when you start increasing a tax rate, everybody knew it but she guaranteed them that people in this area did not know how low Eden's tax rate was compared to other cities in their area.

Council Member Epps suggested that could be one of the things they could put on "Did You Know".

Council Member Ellis agreed that was not a bad idea. He also wanted to recognize the Eden Rescue Squad, where they give them \$12,000 a year, the rescue squad did a lot for Eden, they cover accidents and crashes a lot of times but also when the ambulances were tied up, and that was very important for their citizens, (for a possible increase). He then asked the City Manager to explain the STI Crossing campaign.

Mr. Corcoran replied that was the regional marketing campaign with Danville, Pittsylvania County and other partners.

Mr. Mike Dougherty, Director of Economic Development, added that this campaign started as a result of the coal ash spill. Duke Energy started off the program. They hired Bouvier Kelly out of Greensboro, and now they have gone to individual partners, to bring in more partners to try to brand the whole Dan River region, so Eden has the river running right through it and so does Danville, which was the reason they have given a pretty significant amount of money. They were getting money from partners as well as grants.

Council Member Carter asked how effective the Chamber of Commerce was with economic development as far as recruitment in the last five years.

Mr. Dougherty explained that often times when people come to town they go to the Chamber of Commerce to ask about properties or space and then those calls were immediately referred to him. They have been a clearing house sometimes for the city such as GET FIT Eden, they took the bulk of the responsibility of that, giving out t-shirts and those types of things. They have always had a really good partnership with the Chamber of Commerce, so actually relative to Reidsville, Eden has a pretty good bargain. Not all cities have a great relationship with their Chambers.

Council Member Ellis stated that it would be nice if their Chamber could be known as what the Reidsville Chamber was, it was the welcome center for Reidsville. He knew they were comparing apples to apples there but with the \$54,000 that Reidsville gives and with the small amount that we give to ours, they do quite a bit. With that increase that they were asking for, that was a positive increase.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Council Member Grogan added that also, with UNC (hospital) they were meeting with physicians and their basic concern right now was getting doctors. A lot of them panicked and left as did some employees, because they did not know there was going to be a survival and these doctors get letters on their desks every day. Now it was different because the doctors are employees of the hospital as compared to the doctors of the day who came in and sat up their own practice. If those type doctors decide to leave, they have to sell the building, but as an employee, all they have to do is say, "OK", and leave. It was just a tremendous difference and she thought they would begin to see doctors coming to look at Eden and she agreed one of the first places they go to is the Chamber of Commerce.

Council Member Carter asked if they were proactive, to go out to attract businesses.

Mr. Dougherty explained that the Chamber of Commerce was a membership organization. They do act as a welcome center as Councilman Ellis said, and they were there to serve their members, and they help out their members by hosting events for them, but that was why when the City Manager established the Business Development position, that position could work in concert with them. A lot of time when people come to town, they will go to the Chamber of Commerce to make an inquiry. So that was the first step in this process and he thought that Councilman Burnette's point, if they would also take up the SCORE management that would be very helpful as well.

Council Member Carter stated that in the Regional Council of Governments each area was a little different as far as what their Chamber does.

Council Member Ellis pointed out that their Chamber only employed 2 people and everyone else volunteered. Therefore, it would be very helpful if the city helped this organization.

Council Member Hampton stated that they help RCC projects with \$12,000 and she agreed with that because it was very valuable. She would also like for them to think about the Charlie Poole Festival. It would have died if RCC had not come in and helped with that. A lot of people do not realize the history behind the festival. She was also in support of the leverage on that loan for resurfacing the streets. As Mayor Hall said, they knew they may have a little increase because the interest might go up, but she thought it was very important. If they could make streets better it would help them, when people come looking for homes, if they got those (streets) to where they need to be.

Mr. Corcoran then moved on to the Water & Sewer Fund.

#### Water & Sewer Fund

- During the past twelve years:
  - Revenues increased by an average rate of 1.54% per year.
  - Expenditures increased by an average rate of 2.15% per year.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- Again, our expenses continue to increase on an annual basis as prices continue to escalate – despite the fluctuation in revenue sources.
- Many of our costs are fixed costs which leaves us very little room for discretionary adjustments.
- Much of what we can or can't do in terms of discretionary funding initiatives is directly related to our available revenue.
- This is an Enterprise Fund whereby revenues at a minimum, are supposed to equal expenditures.
- The combined fund balance in the Water & Sewer Fund, the Mega Park Waterline Project Fund, and the EPA AOC Sewer Project Fund as of June 30, 2017 was \$8,623,526. This represented a decrease of approximately 7.66% or \$714,958 from the June 30, 2016 total of \$9,338,484.
- On June 30, 2011 the Fund Balance in the Water and Sewer Fund equaled \$11,333,437.
- Due to insufficient revenues to meet our ongoing capital improvement needs we've used a total of \$2,709,911 in fund balance during just the past six years (\$11,333,437 down to \$8,623,526). This is a reduction of approximately 23.91%.
- The fund balance on June 30, 2000 was equal to \$4,890,417.

#### Previous Reductions in Water & Sewer Fund Revenue & Usage

- Since 2006, Eden lost nearly 1,500 jobs and approximately \$4,893,691 in NET water/sewer revenue per year due to four industry closings.
- Our industries were subsidizing our residential rates and our rates prior to any of these closings were far below the statewide averages in both North Carolina (W 86.2% Below - S 106.7% Below) and Virginia (W 71.0% Below - S 107.6% Below).

Parkdale Mills (11-01-06) Hanes Brand (02-05-09)  
Liberty Textiles (07-31-07) MillerCoors (09-01-16)

- A review of the drastic reduction in billable water and sewer usage since the first closing outlined above indicates the following:

Fiscal Year	Billable Water	Billable Sewer
2005-2006	3,150,306,200 Gallons	1,769,763,100 Gallons
2016-2017	1,015,514,400 Gallons	44,609,300 Gallons
	67.8% Reduction	74.9% Reduction

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

### Water & Sewer Service Charges

Fiscal Year	Water Charges	Sewer Charges
2005-2006	\$4,294,699	\$3,783,964
2016-2017	\$4,808,626	\$4,758,973 (A)

#### (A) Special Order of Consent & EPA AO

Fiscal Year	Water Bill @ 5,000 Gallons/Month	Sewer Bill @ 5,000 Gallons/Month
2005-2006	\$12.51	\$12.46
2006 NC Average	\$23.29	\$25.75
2006 VA Average	\$21.39	\$25.87
2017-2018	\$37.80	\$44.22
2017 NC Average	\$33.80	\$42.10
2017 VA Average	\$32.28	\$43.35

### Importance of Grants

- Terry Shelton and Mike Dougherty have done a great job at securing outside funding to meet many of our water and sewer related capital needs.
- Past 5 Years:
  - Awarded \$52,386,326 in Grants and 0% or Low Interest Loans for Water & Sewer Projects
    - \$28,062,000 or 53.56% = grants that DO NOT HAVE TO BE REPAID!
- Imagine where our water and sewer rates would need to be if we had not been fortunate enough to receive this funding!!!!

Council Member Grogan commented that as a former grant writer, it was unbelievable how Mr. Shelton and Mr. Dougherty did that.

### Water & Sewer Rate Increases

- City Council previously voted to increase rates additionally effective September 1, 2016 but that increase was delayed until January 1, 2018 and then until January 1, 2019 pursuant to the current FY 2017-18 budget. The combined rate increase would equal \$10.32 per month for our average customer that uses 4,000 gallons per month.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Fiscal Year	Water Flat Rate	Water Per 1,000 Gallon Charge	Sewer Flat Rate	Sewer Per 1,000 Gallon Charge	Water & Sewer Bill @ 4,000 (A) Gallons Per Month
2015-16 (B)	\$12.35	\$5.09	\$11.72	\$6.50	\$70.43
2018-19	\$14.85	\$5.93	\$14.22	\$6.99	\$80.75

(A) Average residential usage is approximately 4,000 gallons per month

(B) Last increase was on January 1, 2016.

- We hope to be able to recommend a postponement of the January 1, 2019 increase when we submit the proposed budget for FY 2018-19.

#### Capital Spending & Rate Increases

- In the last 16 years, we have spent approximately \$57,813,756 on various improvements to our water and sewer systems.
- Most of this spending has been due to unfunded mandates forced upon our taxpayers by regulatory agencies from the state and federal government.
- This level of funding, combined with the industry closings noted previously, and the corresponding drop in billable water and sewer usage have had a devastating impact on our water and sewer revenues and is the reason behind WHY the City Council has been forced to raise water and sewer rates so substantially since FY 2005-06.

#### Allocation of Water & Sewer Fund Fund Balance

- Although the current Water & Sewer Fund budget does not include the use of any fund balance in order to balance the Water & Sewer Fund budget, there have been instances in the past when this was necessary.
- Since 2010:
  - FY 2010-11 Appropriation of \$1,200,100 in Fund Balance
  - FY 2011-12 Appropriation of \$2,970,200 in Fund Balance
  - FY 2012-13 Appropriation of \$2,544,400 in Fund Balance
  - FY 2013-14 Appropriation of \$0 in Fund Balance
  - FY 2014-15 Appropriation of \$800,000 in Fund Balance
  - FY 2015-16 Appropriation of \$425,000 in Fund Balance
  - FY 2016-17 Appropriation of \$0 in Fund Balance
  - FY 2017-18 Appropriation of \$0 in Fund Balance

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### EPA Administrative Order

- \$17,983,192 spent on this unfunded mandate to date. Funding to date has included:

- 0% and low interest loans \$ 8,166,008
- Principal forgiveness loans \$ 4,204,000
- Eden pay-as-you-go funding \$ 5,613,184

- The remaining work has a projected cost of \$31,134,055. Thanks to the NC Connect Bond, funding will come from:

- Principal forgiveness loan \$16,666,000
- 0% interest loan \$15,000,000

Note: \$531,945 from the Eden pay-as-you-go funding that has already been spent as noted above, will be reimbursed from the NC Connect Bond funds once we start submitting pay requests.

- Waterline Extension Project to Serve Mega Park
- New 20 inch water main to supply a predicted water demand of 6-7 million gallons per day.
- Projected Cost = \$7,067,900
- *Funding Already Approved:*
  - \$1,886,700 Million Drinking Water State Reserve grant –Approved
  - \$3,000,000 Million loan @ 0% interest –Approved
  - \$2,181,200 Million loan @ max of 1.53% interest –Approved
- Presenting project modifications to federal granting agency for a previously approved \$2.0 million grant. If approved, it would reduce the \$2.18 million loan accordingly.
- \$2.0 million grant will soon be pursued from a state granting agency to help with covering debt service on project loans.

### Next Four Years

- During the next four years we will be undertaking a staggering \$38,201,955 in Water and Sewer infrastructure work that will dominate much of our time:

- EPA Administrative Order \$31,134,055
- Mega Park Waterline \$ 7,067,900
- Total \$38,201,955

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- Currently, funding for these items is based on the following approvals:

• Principal forgiveness loans	\$18,552,700	
• 0% and low interest loans	<u>\$19,649,255</u>	How We Will Pay ?????
Total	\$38,201,955	

- There will be additional funding needed for capital outlay improvement needs associated with our Water Plant, Wastewater Plant, C & D, Water Resources, Billing and Collections, and other Water/Sewer Construction needs.

Funding for Future Capital Outlay and Strategic Initiatives?

*Leveraging Existing Debt Service Payments for Future Obligations*

- We currently make a combined principal/interest payment of \$1,251,000 on \$14,375,755 in loans that were taken out during 2007 and 2008 with an average interest rate of 3.73%.
- Loans will be paid in full at the conclusion of FY 2021-22.
- A funding strategy we identified previously, and intend to pursue, is to roll-over this existing \$1,251,000 in debt service payments that is already built into our existing rate structure and will become available for re-appropriation in FY 2022-23.
- These funds should cover the debt service payments for the 20-year loans associated with the EPA Administrative Order and the Mega Park Waterline Extension Project due to our favorable interest rates.

*Treatment of Leachate*

- Duke Energy continues to pump leachate to our Wastewater Plant.
- Based on the rates adopted by the City Council and the projected flows we have developed the following tentative future revenue projections:

FY 2018-19:	\$ 451,000
FY 2019-20:	<u>\$ 211,680</u>
Total	\$ 662,680 (the estimates are very rainfall dependent)

- We are cautiously optimistic that this revenue source will actually come to fruition thereby providing us with some additional revenue to meet some of our pay-as-you-go and future funding obligations over the course of the next two years.

Mr. Corcoran asked if there were any questions.

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Mayor Hall stated that he mentioned that the loans would be paid off in 2021. Obviously they were pretty far along in age. When he committed to those loans, with the low interest at that time of 3.73% were they committed to full term or was he able to shop and refinance if rates get under.

Mr. Corcoran replied that you could but you have to have a long period of time. For instance in 2003 they had a bond issue. The city took out a bond issue when Miller came and National Textiles. In 2003 they did refinance some bonds at that time but they had an extended period of time left on those.

Mayor Hall stated that now that rates were going back up, 3.73% may be back, close but had they looked at doing that when it was down to 2.53%, with a \$1.5 million loan, a percentage on an interest rate could make a significant difference. He did not know if he was committed because they were giving him what he considered to be a very good rate to begin with.

Mr. Corcoran agreed and stated that he was not sure of specific terms. He knew the bond issue was from 1993 and they did refinance that series but since this was through the state he was not sure that was an option or not.

#### FY 2018-19 Budget Priorities

- Based on your submitted information, it's clear your priorities for the upcoming budget include:
  - A.Economic Development Initiatives
  - B.Parks & Recreation Initiatives
  - C.Infrastructure Improvement Initiatives
  - D.Strategic Plan Initiatives
  - E.Code Enforcement & Nuisance Abatement Initiatives
  - F.Maintain the Current Tax Rate & Water/Sewer Rates
  
- We will work to prepare a balanced budget that attempts to address each of these areas:

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**Approval to Add Spray Historical Industrial District to Eligibility List for Development Improvement Grant and Building Rehabilitation Grant (Randy Hunt., Main Street Manager, Kelly Stultz, Director of Planning and Inspections and Mike Dougherty, Director of Economic Development)**

Mr. Corcoran asked Mr. Randy Hunt, Main Street Manager, to come up for the next item.

Mr. Hunt explained that the beauty of this request was that they were not asking for any money, just expansion. The Building Rehabilitation and Development Incentive Grants were approved



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

for the 2017-18 budgets. Several property owners have taken advantage of these grants or are considering them as of February of 2018.

The Spray Historic Industrial Area is now the location of the proposed Spray Cotton Mill Rehabilitation Project. The project plans include market rate apartments and several other enterprises. The Spray Mercantile and remaining buildings owned by Mark Bishopric are being considered by two entrepreneurs to locate businesses there.

A request has been made to include the Spray Historic Industrial Area in the Building Rehabilitation and Development Incentive Grant authorized areas. Attached are maps showing the Spray Historic Industrial Area in question. They recommend that the City Council authorize this additional area for both grants.

He explained that basically that would include the area at the bottom of Boone Road (near Russell's Starter Shop), up past Circle drive and across the street from the Circle Mart, through the traffic circle and then on the right side of the road which includes Spray Cotton Mill, the Irvine River Company, the former Lily Mills property, the former Nantucket Mill property, and then you have the American Mill where Piedmont Folk Legacies is, and it also encompasses some areas across the road on Morgan Road where Lawrence Heating & Air and Stratton Appliances is located and up to Short Morgan on the left. It did not contain any properties inside of Morgan Road or Warehouse but it did go one more parcel past Short Morgan on the right. It did not go all the way up Fisher Road.

Mayor Hall stated that this was just to expand the area and make it eligible for these grants, they discussed it in last year's budget retreat when they voted to even start this and they batted around as to whether to include the four downtown areas and/or Highway 14 and they set the map up last year and this was just an expansion.

Mr. Hunt added that it was kind of a game changer, what was happening in that area right now. Faisal Kahn has purchased areas of Spray Cotton Mills to develop his project. Kahn was the developer who has purchased former YMCA in Roanoke. He has retrofitted it and put apartments in it and it was called The Locker Room. He was working with a developer by the name of Eddie Belk out of Charlotte. The current project that Belk is working on right now is Rocky Mount Mills, there were a lot of complexes. They have gone into these mill villages and have made them absolutely lovely. They were building them out, there were restaurants on the property, and there were microbreweries and amphitheaters. They were also taking on 200 mill houses in a mill village and as of now they have rehabilitated 28. He did not know if he planned that large of a project with us but the construction folks that he is working with were well versed at that. So with that growth in those areas and other businesses that were showing up there he requested that they add this area to their Building Rehabilitation Grant and Development Improvement Grant.

Council Member Burnette asked as a point of clarification, this was strictly for businesses and commercial to which Mr. Hunt replied that was correct and also apartments.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Council Member Hampton stated that he had said that right beside of Russell's, that building there right beside of it to which Mr. Hunt replied the former police station, yes. Mayor Hall asked if there were any questions.

A motion was made by Council Member Epps seconded by Council Member Hampton to add Spray Historical Industrial District to Eligibility List for Development Improvement Grant and Building Rehabilitation Grant. All Council Members voted in favor of this motion.

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**Approval and Adoption of Agreement for Payments in Lieu of Annexation (Erin Gilley, City Attorney)**

Mr. Corcoran asked the City Attorney, Ms. Erin Gilley, to come forward.

Ms. Gilley explained that they have a proposed "Agreement for Payments in Lieu of Annexation" and a Resolution to Adopt and Approve the Execution and Performance of the Agreement for Payments in Lieu of Annexation. The City and Duke Energy have operated under a similar agreement for the last five years. This Agreement prohibits the City from annexing the Duke Energy facility for five years, but it also obligates Duke Energy to make annual payments to the City in the amount of \$200,000 for the same five years. Payments will start and be made in 2019 through 2023.

She explained that staff believed that this agreement was a fair compromise between the parties given the current state of the annexation law and the tax burden imposed upon Duke Energy.

In order to comply with North Carolina law, this agreement requires the General Assembly to enact a Local Bill authorizing the City and Duke Energy to perform the terms herein. If this Agreement is adopted by City Council, they would send the Resolution and Agreement to their local representatives to the General Assembly for introduction and support of a local act authorizing the performance of the Agreement. She recommended that they adopt and approve this agreement, as well as the Resolution.

Mayor Hall asked if there were any questions. He noted that things change when the General Assembly changed their ability to annex. They lost some leverage and they could not involuntarily annex anymore, so these agreements were basically done in good faith with these companies and they were very fortunate to be able to continue this one. He was sure they probably had some corporate pressure to not extend this agreement so they were fortunate.

Mr. Corcoran explained the reasoning for the wait as they did not bring the agreements to the Council until they were executed by the other party and they were waiting on the president of Duke Energy to sign the agreements.

A motion was made by Council Member Epps seconded by Council Member Burnette to approve the agreement for Payments in Lieu of Annexation and adopt the resolution adopting and approving the execution and Performance of the Agreement for Payments in Lieu of Annexation. All Council Members voted in favor of this motion.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

**RESOLUTION TO ADOPT AND APPROVE THE EXECUTION AND PERFORMANCE  
OF AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION**

**WHEREAS**, Duke Energy owns the Dan River Combined Cycle Plant, an electric generating plant, located on Tax Parcel Number 141506 consisting of two tracts of land in Rockingham County, North Carolina, said facility located outside the present corporate limits of Eden, North Carolina; and

**WHEREAS**, the City and Duke Energy desire in the interest of fairness to its citizens, to pursue in lieu of annexation, alternative methods to generate revenues that are more sensitive to the present economic climate while attempting to protect the city's current economic base; and

**WHEREAS**, the City of Eden desires to execute and perform the terms set forth within the attached "Agreement for Payments in Lieu of Annexation" and is seeking approval and authorization from the North Carolina General Assembly in the form of a Local Act; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Eden that the execution of the "Agreement for Payments in Lieu of Annexation" is hereby adopted and approved.

**BE IT FURTHER RESOLVED**, by the City Council for the City of Eden that it is seeking approval and authorization of the "Agreement for Payments in Lieu of Annexation" from the North Carolina General Assembly in the form of a Local Act.

APPROVED, ADOPTED AND EFFECTIVE this 24<sup>th</sup> day of February, 2018.

CITY OF EDEN

By: Neville Hall, Mayor

ATTEST:

Sheralene Thompson, City Clerk

\*\*\*\*\*

**BREAK**

Mayor Hall called for a short break before going into Closed Session.

**Closed Session**

A motion was made by Council Member Carter seconded by Council Member Hampton to go into Closed Session in accordance with GS 143-318.11 (a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session. Closed Session in accordance with GS 143-318.11 (a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Closed Session in accordance with GS 143-318.11 (a)(3) to consult with an attorney

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. All Council Members voted in favor of this motion.

- Closed session in accordance with GS 143-318.11 (a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- Closed Session in accordance with GS 143-318.11 (a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.
- Closed Session in accordance with GS 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

### **Return to Open Session**

A motion was made by Council Member Hampton seconded by Council Member Ellis to return to Open Session. All Council Members voted in favor of this motion.

Mayor Hall called the meeting back to order.

### **Update, Discussion and Consideration of *Positively Eden* Strategic Plan Implementation Initiatives – Opening Comments and Strategy I – What We Promote: Broaden The Impact of Downtown Eden (Kelly Stultz, Director of Planning and Inspections, Randy Hunt, Main Street Manager and Brad Corcoran, City Manager)**

Mayor Hall asked Ms. Kelly Stultz, Director of Planning & Inspections to come forward.

Ms. Stultz explained that Positively Eden! was the shared Vision for Eden's future and detailed action plan for working toward that collective Vision. The ideas in the Plan are based on input from the community members with a vested interest in the City of Eden's future.

The Plan was developed by a volunteer, community-led task force with support from City of Eden staff and a consulting team. Members of the steering committee represented a wide variety of interests to ensure Positively Eden! retained a broad community focus. The overarching goal of the Positively Eden! is to extend that community led spirit into the future, and guide Eden's future growth and evolution.

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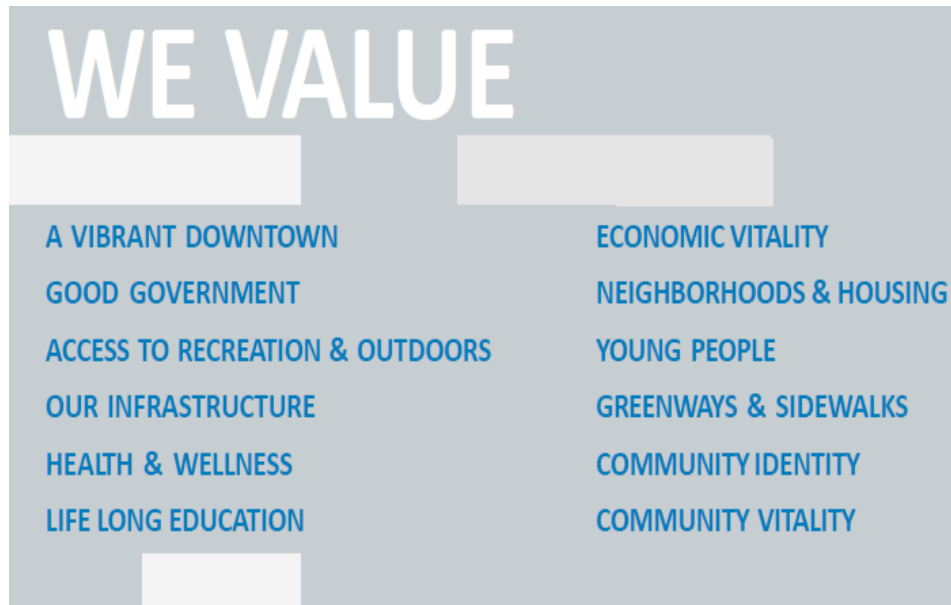
#### MISSION

To build the brightest future we can create together through relationships - between citizens and their government, businesses and public institutions, the city and region.

#### VISION

Eden will be a community where all people have the opportunity to be positively bold and actively engaged in shaping our future.

#### WE VALUE



Ms. Stultz then introduced Mr. Randy Hunt, Main Street Manager, who began the presentation.

Positively Eden! Strategic Plan:

Strategy: WHAT WE PROMOTE: Broaden the Impact of Downtown Eden

Goal: Re-energize Downtown Eden's Main Street Program - Randy Hunt was hired as Main Street Manager in July 2017.

Mr. Hunt explained that when a Washington Street business owner made the observation that Eden has everything you need for a wedding, an idea for a promotion was born. Over thirty businesses agreed to provide goods and services to create the first "Eden Has Everything" dream wedding give away. The month long contest began with a merchant scavenger hunt and ended with a raffle drawing worth over \$6,500. The lucky bride is an Eden resident, Elizabeth Owens. Her wedding is planned for May 11<sup>th</sup> at 6:30 pm.

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Council Member Grogan asked how many entries they had to which Mr. Hunt replied they probably received several hundred. Some may be duplicates because they also allowed people to go in and register each day at different businesses, which increased the traffic flow. He added that he had already had businesses contact him with ideas of how they could promote this and make it a permanent venture going into the new year.

He explained that in September 2017, they held what will be an ongoing annual event to report the progress of downtown. Their first meeting was facilitated by Liz Parham, Director of the North Carolina Main Street Program. In addition to encouraging the group to take advantage of the self-help aspect of the program, the event highlighted the million dollar investment made in our downtown areas last year.

Goal: Develop a Downtown Eden Branding and Marketing Strategy

Request for proposals were sent to Main Street and Planning list serve members. Four proposals were submitted and ultimately Arnett Muldrow & Associates were selected. The process begins with stake holder meetings moving into community meetings. The process will be completed before June 30, 2018. Cost: \$17,210.00

Wayfinding Signs

- Re-facing wayfinding signs
  - Signs have deteriorated since 2011
    - Lettering is fraying
  - Names/places have changed
    - Draper Village to Downtown Draper
    - Spray Cotton Mill Complex
  - Will reflect new branding study results
  - Estimates are being solicited
    - \$6,000 bid from local company
    - Awaiting bid from company who replaced signs in 2011

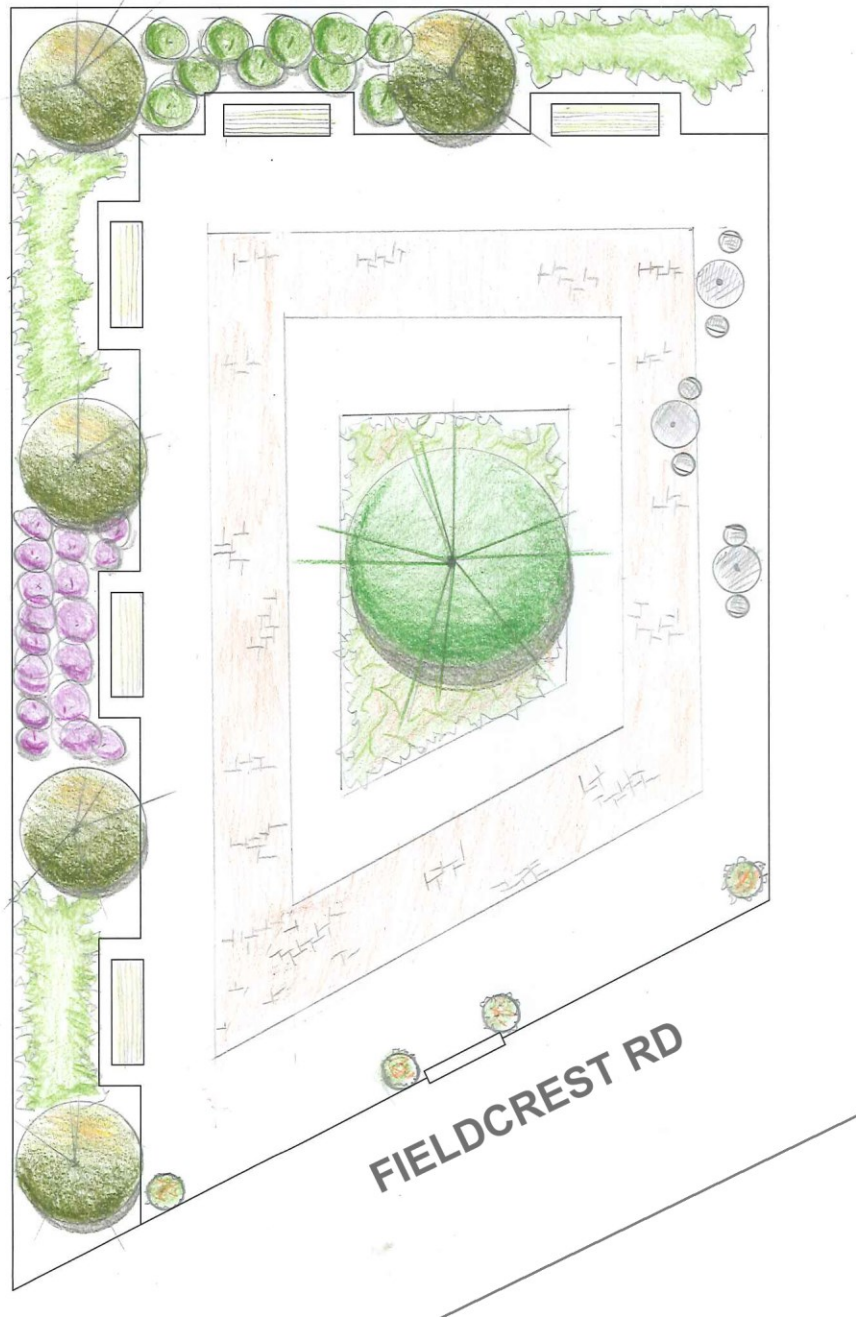
Civic pride can be given a boost with public art. The Draper section of Eden had two Coca-Cola murals on either side of a building on Fieldcrest Road that were originally painted around 60 years ago. With Strategic Plan funding, they were able to hire Brandon Hardison to restore the murals to their former glory. Fox 8 News came to Eden to report on the mural and the progress of the Berry Hill Mega Park and the opportunity it will bring to the area. Cost: \$1,000

Dilapidated buildings are an obvious eyesore. Two adjoining buildings in the Draper Section on Fieldcrest Road had become in such a state of disrepair, the owner felt the need to destroy the inside structure of the buildings leaving nearly only the surrounding walls. Through the Strategic Plan funding, they were able to take ownership of the property in order to create a pocket park. The façade was kept in place and the original painted signage is being restored as a reminder of the buildings' rich history. Cost: \$9,000 for acquisition and \$24,000 for Pocket Park.

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### Rendering of Fieldcrest Road Pocket Park



Preserving 622 Washington Street was the best option presented when collapse was imminent. The building was researched by a UNC Graduate study group that presented the preferred usage of the space would be office downstairs and residential usage upstairs. An engineer will report

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his assessment of the structure. An artist glass blower has moved to Eden with intentions of creating a studio in the space.

### The Boulevard

- ▶ 20 functioning businesses exist there now
- ▶ Assistance has been given to new business owners
  - ▶ High Point, NC couple moved there in 2017
- ▶ Dollar General
  - ▶ Must have a 3-mile distance from existing stores
  - ▶ The Boulevard is 1.3 miles from Morgan Road store
  - ▶ Need 2 acres of available land
    - ▶ Dollar General only leases build to suite structures
    - ▶ Developer builds store in return for extended lease
- ▶ Dollar Tree will not lease a second Eden store in such a low-traffic area
- ▶ Ollie's will only go in high traffic areas

### The Cook Block

- ▶ Sidewalk replacement and decorative lighting project
- ▶ SKAT bus shelter
- ▶ Mitchell's Drug celebrating 50<sup>th</sup> Anniversary this year
  - ▶ Will be honored at March 2018 City Council meeting

Goal: Expand private investment incentives to improve Downtown's public space

### Building Rehabilitation Grant

- ▶ A Building Rehabilitation Grant was crafted and City Council appropriated \$25,000 in the Economic and Tourism budget to be used at a maximum individual amount of \$5,000. Now, six business and building owners in Leaksville and Draper are in varying stages of completing the grant application. (Sweet Revenge, Ashley Latham Photography, Former Leaksville Hardware store, Former Full Moon Saloon building, Carolina Bookkeeping and 131 Fieldcrest Road)
- ▶ The new owner of former Carter Auto Repair building will use the grant to help upfit a new restaurant and retail area that he plans to develop

### Commercial Development Incentive Grant

The purpose of the Commercial Development Incentive Grant or DIG grant is to encourage reinvestment in the City of Eden existing commercial areas.

- This grant program will involve both City and County participation.
- It is based upon substantial levels of improvement. The program considers this to be an investment of at least \$15.00 per square foot, at least one floor of the building

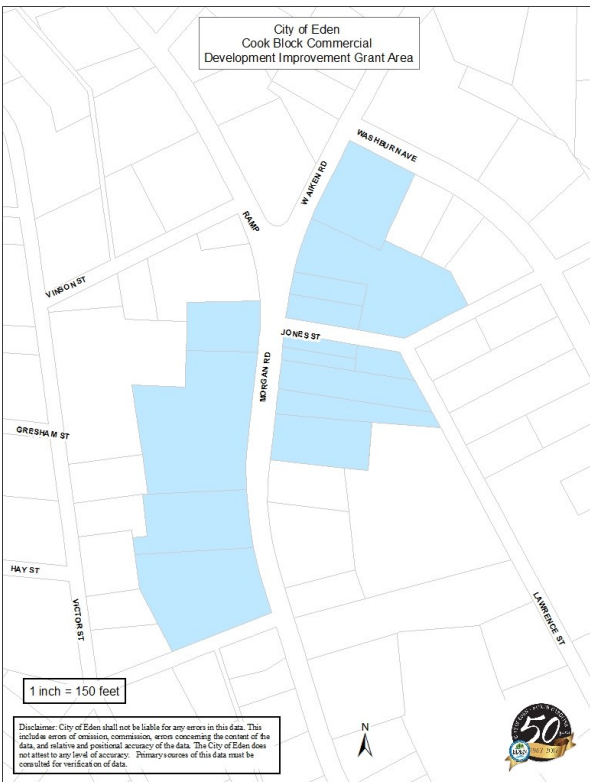


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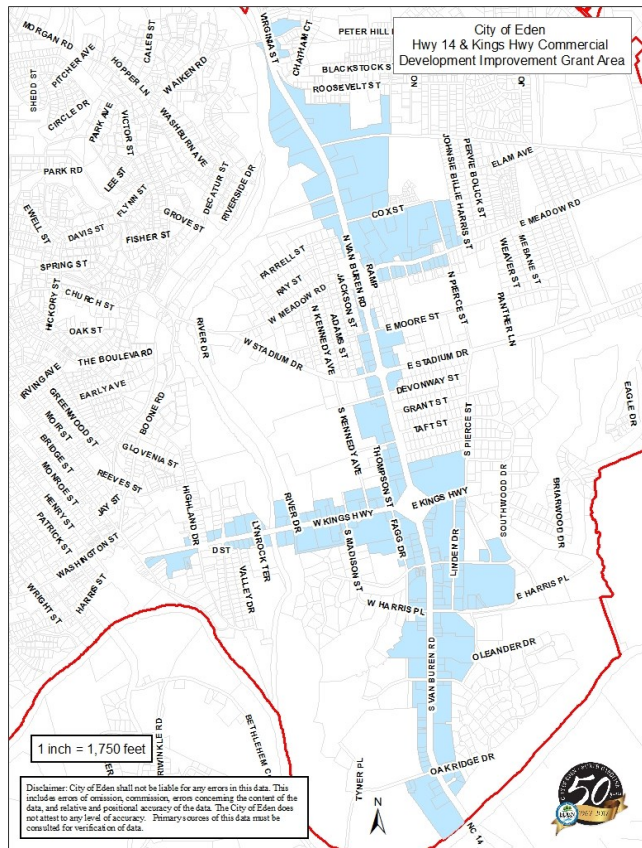
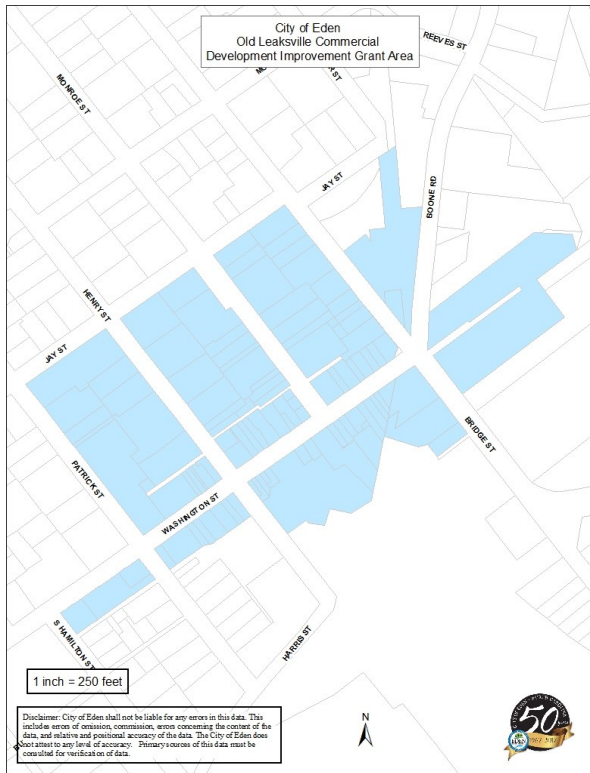
must be habitable/useable and the total value of the property must be increased by 50%.

- No payments will be made by the City or County to the applicant until amounts are verified and the ad valorem taxes are paid.
- The payments will be spread over 5 years. This is very similar to the program we already have relating to utility extension.
- The grant is available over five years, representing a percentage of the difference of the parcel's improved assessed value and previous, unimproved assessed value. The City of Eden Commercial Development Incentive Grant (DIG) amount per year will be a percentage of this formula as follows: Year 1: 100%, Year 2: 80%, Year 3: 60%, Year 4: 40% and Year 5: 20%. Since the tax rate and/or property valuation may change during the five-year grant period, the base grant amount will be recalculated each year. The percentage of the base grant amount, which steps down from 100% to 20%, is fixed.



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### Spray Historic Area

- ▶ Request has been made to add the Spray Historic Area to the Building Rehabilitation Grant and Development Incentive Grant
- ▶ Spray Cotton Mills is being rehabilitated into apartments and other enterprises—restaurant/microbrewery.
- ▶ Spray Mercantile and remaining property
  - ▶ Two new fabricating projects considering space

### Façade Grant

- ▶ Four applications have been submitted this year.
- ▶ Matchings grant up to \$500.00 for façade improvements for new awnings, painting, new doors.
- ▶ Current year budget amount: \$2,000.00
- ▶ The Central Hotel on Washington Street is a catalyst to revitalization in this area.
- ▶ Current owner plans to sell the building.
- ▶ A motivated buyer has been identified that has experience in such projects.

After acquisition, he plans to bring new apartments to downtown within 18 months

- ▶ Attempts have been made to recruit micro-breweries and brewers from the RCC Brewery Science program to build here.
- ▶ Now, the process has begun to create a micro-brewery on Washington Street.
- ▶ Entrepreneur has purchased the former Leaksville Hardware building and adjoining former Belk building.
- ▶ Their removal of interior walls and fixtures is nearly complete.
- ▶ Their plans involve collaboration with Goat Island Brewery of Cullman, Alabama.

### Washington Street Parking Lot

- ▶ Parking on the eastern end of Washington Street has been an issue.
- ▶ An existing gravel municipal parking lot is located behind Washington Street adjoining Bridge Street.
- ▶ Few people use the lot as it is underdeveloped and hidden.
- ▶ We plan to renovate the parking lot; paving and adding additional parking behind Washington Street businesses.
- ▶ A streetscape can be performed in the adjoining alley to make the space more inviting to walk from the lot to area businesses. Cost: \$125,000.00

Mr. Hunt asked if there were any questions.

Council Member Burnette stated that he wanted to congratulate him on all that he has been able to accomplish since he had been there. He wanted to point out that first, when they had the Main Street meeting in September of this past year, and he had said there would be an annual meeting,

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

there was a lot of information there. He asked if there was any consideration of somehow updating those particular people that were involved, to sort of keep that momentum going.

Mr. Hunt replied absolutely. Those folks who were involved at that meeting of course were brought into the Strategic Plan and they would be invited to their next Strategic Plan meeting, and of course that would be their pool for subcommittees as they go forward with projects.

Council Member Burnette stated that he recalled when they did the Coke painting on the Draper building, that there was some interest by either the owner or some other people about painting the rest of the building. He asked if there was any follow-up on that.

Mr. Hunt replied that it was really hard for him to initially get in touch with the owner. He explained that the way he was able to get in touch with him was the two trips he made down to High Point and he placed his business card and a letter in his front door. He had not been able to contact him yet, but to his point, Audie Land has shown an interest in using the artist to recreate some of his spaces that he has, so that momentum has grown a little bit

Council Member Burnette questioned the status of the Urban Forestry Grant for the Draper pocket park.

Mr. Dougherty explained that it was a yearlong process but he would check.

Mr. Hunt added that if they did not do the training they could not proceed with the grant.

Council Member Burnette asked if they had a timeline now on that pocket park.

Mr. Hunt replied that they would be finished in June. That was their target date. They would have had all of the backfill done, and that was the next step, and they were looking at the weather reports and as long as the rain holds off they would be able to handle it and the drainage and then they would be able to pull inside and clean the walls before they could proceed.

Council Member Burnette explained that was one of the reasons he had asked that because that wall had to be cleaned off. The timeframe, and it just may not work out, but their Youth Council was interested in volunteering to maybe paint some walls.

His last question regarding the former auto repair building, he did not remember all of the details of the Main Street grant but he did remember that a part of it was a certain amount of investment and hiring for additional jobs. He asked if this was eligible for the Main Street grant.

Mr. Hunt replied that he thought it was in that area and they have to have eight (8) full-time positions created and as long as it was created in that boundary and he would be sure to pursue it.

Mr. Dougherty added that March 31<sup>st</sup> was the deadline for that grant.

Council Member Carter stated that he had the opportunity to go about Washington Street and to talk to a lot of the businesses and a lot of them had said that Hunt had been going in and

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

checking with them periodically and he just wanted to thank him for doing that and they really appreciated it.

Council Member Hampton also thanked him for helping out and organizing a merchant association on The Boulevard. She stated that was a passion for her, they did need help on The Boulevard. They appreciated any ideas and they really did want people to come. She noted that 241 Event Center was top notch, and they would love to see someone from the city come by and see what they actually have.

Council Member Grogan stated that it was amazing how much people appreciated it. Council Member Ellis agreed and that he heard a lot of things from people and they probably did not do that enough. He stated that he agreed with what they were saying and to tell them “thank you” a little bit more.

\*\*\*\*\*

#### LUNCH BREAK

Mayor Hall called for lunch at this time.

#### MEETING RECONVENED

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#### **Update, Discussion and Consideration of *Positively Eden* Strategic Plan Implementation Initiatives – Strategy II – How We Prosper & Grow: Increase Economic Vitality (Mike Dougherty, Director of Economic Development, Terry Shelton, Director of Public Utilities, Tammy Amos, Director of Transportation Engineering, Kelly Stultz, Director of Planning and Inspections, Tommy Underwood, Fire Chief and Brad Corcoran, City Manager)**

Mr. Mike Dougherty, Director of Economic Development

Positively Eden! Strategic Plan

Strategy: HOW WE PROSPER & GROW: Increase Economic Vitality

Goal: Focus on quality of place as the core economic development strategy

Multi-Cultural Events-- Hispanic Heritage Day

- ▶ Local elementary school students participated in this event.
- ▶ Enabled the City to help children learn about the Hispanic culture
- ▶ A Rockingham County Arts Council grant funded this event.
- ▶ It will be repeated in 2018.

Outside Dining

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- ▶ Former Hampton Buggy Company
- ▶ Purchased by a Virginia business owner from Jerry Walker
- ▶ Plans to develop a restaurant in the front with outside seating
- ▶ Retail spaces will be created in the back of the building.

#### Event Center

- ▶ Sweet Revenge Bakery
  - ▶ Small event center
- ▶ Eden Ball Room
  - ▶ Accommodates up to 200 patrons
  - ▶ 241 The Boulevard
    - ▶ Medium event center
- ▶ Potential project will be considered by City Council in near future

Goal: Increase Eden's competitiveness in broader markets

- ▶ *Investment and vision brings results*

#### Greenville, SC

- ▶ 1960's and 1970's—downtown languished
- ▶ 1979—First streetscape plan developed
- ▶ Focused on design and image
- ▶ Since 1982, more than \$230 million in public and private investment has been made in downtown
- ▶ 2017 NC Main Street Conference
  - ▶ Greenville, SC Mayor Knox White was the keynote speaker
  - ▶ Model of downtown revitalization success

#### Research Triangle Park

- ▶ 1951 Founded
- ▶ 15 years struggled to find partners
- ▶ 1965 Surge of Growth
- ▶ 2018
  - ▶ 200 companies
  - ▶ 50,000 workers
  - ▶ 10,000 contractors
  - ▶ IBM—14,000 workers in 2<sup>nd</sup> largest facility in world

#### Greensboro/Randolph Mega Site

- ▶ 2012—Randolph County Economic Development Director Bonnie Renfro proposed the mega site.
- ▶ “Decisions made today will reap benefits 10 years down the road.”-Walter Sprouse, President of Randolph County Economic Development Corp.

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- ▶ 2017—Site was a finalist for the Toyota-Mazda project projected to bring 4,000 jobs to the Piedmont Triad
- ▶ “Somebody will find a user for this site and it will be very soon”- Meredith O’Conner, Jones, Long LaSalle Site Consultant for Toyota-Mazda project.
- ▶ Alabama site was chosen due to supply chain and being further along than the Greensboro/Randolph County site—water system and sewer not in place (\$37.5 M)
- ▶ Piedmont Triad continues to market the site and will complete the infrastructure improvements needed to compete with other mega sites.
- ▶ Tennessee site was passed over as many as **10 times** before landing Volkswagen-*Triad Business Journal, January 12, 2018 edition.*

### Berry Hill Regional Mega Park

- ▶ Mega Park is just now being actively marketed after years of regulatory delays in development (Army Corp of Engineers and VA DEQ)
- ▶ #3 finalist for Toyota-Mazda project out of more than 300 submitted sites nationally
- ▶ Project Lignum (Lot#8)
  - ▶ \$2.6 million to help develop 80-90 acres at the Berry Hill Industrial Park site for \$120 million investment approved by Virginia Tobacco Commission (80 jobs and 100 support jobs)
  - ▶ A construction pad and rail spur near Stateline Ridge Road are to be developed
- ▶ Significant increase in inquiries in recent months
- ▶ Seeking approval for larger pads since many clients want larger footprints
- ▶ Desire to market regional assets to make the park more attractive to prospective clients, including Eden

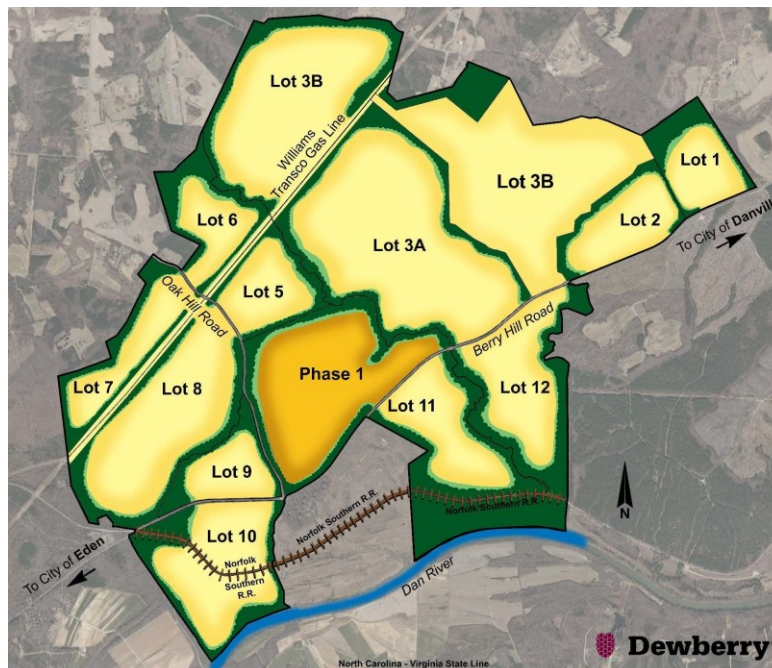
### Berry Hill Regional Mega Park Water Line Project

- ▶ \$7.0 million project for 20” water line to supply Mega Park Water
  - ▶ 6-7 MGD capacity
- ▶ Granting agencies contacted about 20” water line project
  - ▶ \$1.8 million grant and \$3 million loan at 0% interest; \$2.2 million loan at 1.53% maximum interest rate retained (Granting agency A)
  - ▶ \$2.0 million grant (Presenting project modifications to Granting agency B). If received, it would reduce the \$2.2 million loan above accordingly.
  - ▶ \$2.0 million grant (Objective is to get Granting agency C to cover debt service on project loans)
- ▶ Plan is to begin construction immediately upon obtaining an agreement with the Danville/Pittsylvania County Regional Industrial Facility Authority (RIFA).



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:



Local Business Leaders tell us they are struggling to find qualified or reliable workers.

- ▶ Up to 40% turnover
- ▶ Difficult to find workers with manufacturing experience.
  - ▶ Soft skills and reliability are a problem
- ▶ Ambition is often lacking
  - ▶ Workers offered a 50% increase in compensation if they will train but have no desire to do so
- ▶ *Governor Roy Cooper “First Question from companies – Do you have labor for my company?”*

Ties In with RESET Rockingham:

- ▶ Soft skills
- ▶ Work based experiences
- ▶ Technical skills
- ▶ Workforce placement

Rock-A-Top Apprenticeship Program:

- ▶ 6 partner companies
- ▶ 10 sponsoring agencies
- ▶ 27 distinct students interested
- ▶ 15-17 apprenticeship opportunities available (24 missed because of attendance and grades)
- ▶ 4 middle schools contacted to discuss the program



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

### RCC compared to neighboring counties

- ▶ Current RCC facilities & equipment severely outdated
- ▶ RCC not equipped to train enough workers to meet **TODAY's** demands to fill jobs at local companies
- ▶ If we don't have it, students & companies will go elsewhere
- ▶ Surrounding Community Colleges are ahead of us:
  - Guilford Tech Center for Advanced Manufacturing (early 2018)
  - Forsyth Tech Center for Advanced Manufacturing (2017)
  - Alamance Advanced Applied Tech Center (2017)
  - Randolph Gene Haas Computer-Integrated Machining Institute (2016)
  - Surry County Yadkin Center (Mechatronics) (2016)
  - Davidson County Mobile Manufacturing Training Lab (2014)
  - Danville Regional Center for Advanced Technology & Training (2005)
  - Danville Gene HAAS Center (2015)
  - Martinsville/Patrick Henry Manufacturing and Engineering Complex (2017)

### RCC Competition

- Danville Regional Center
- Alamance CC Center
- Forsyth Tech
- Guilford Tech (under construction)

### ¼ Cent Sales Tax

1. New revenue source for the County that will generate approx. \$1.8 Mil
2. Tax on purchases made in the county whether by citizens, residents, visitors or those traveling thru county
3. Tax does not apply to several commonly purchased items such as – unprepared food (groceries), gasoline and prescription drugs
4. Tax is only one quarter of a penny for every dollar purchased (i.e. an additional **\$0.01 on a \$4.00 purchase or \$0.25 cents on a purchase of \$100**)
5. Provides much needed funding for workforce education
  - A. New facility and on-going additional efforts to reach K-12 students
6. Puts RCC on a level playing field with the adjacent community colleges
7. Both Democrat and Republican leaders support the tax.

### What Will It Be Used For?

- ▶ Build new “RCC Workforce Development Center”
  - ▶ Replace Industrial Technologies Buildings built in 60s and 70s

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- ▶ New Center to house all Industrial Tech programs, Advanced Manufacturing Training, Customized Industry & Corporate Training Space, and state-of-the art equipment
- ▶ Workforce Training
  - ▶ Purchase new machinery & equipment
  - ▶ Develop vocational and technical training both fast track and degree programs
  - ▶ Strong Apprenticeship Program Support

#### ¼ Cent Sales Tax

- ▶ Rockingham County Commissioners approved a resolution to place the sales tax on the May, 2018 primary ballot
- ▶ Planning Committee is actively promoting the tax and the positive effects it will have on current and future workforce development
  - ▶ Keith Duncan and Don Powell are Co-Chairs
- ▶ RCC Foundation is providing the bulk of campaign funds
  - ▶ Direct mail, newspapers, Star News, letters to the editor, social media
- ▶ Civic groups, churches, social clubs will all be contacted
- ▶ Public meetings will be held to explain the tax and why it is needed

Goal: Objectively weigh the opportunities or challenges of attracting industrial prospects

#### Economic Development Efforts

- ▶ Company A
  - ▶ Exploring expansion possibilities for Eden.
  - ▶ Project slated for 2018 has been moved to 2019
  - ▶ Possible on-site expansion or new facility
  - ▶ \$40 million investment/80-100 jobs
- ▶ Company B
  - ▶ Moved its corporate office to Eden--\$600,000+ investment
  - ▶ Projects 32 job increase in 2019 if customer is landed
- ▶ Millis Trucking
  - ▶ Helped company identify new customers to compensate for MillerCoors lost business
  - ▶ No layoffs required
- ▶ MillerCoors Site
  - ▶ Working with Jones, Long, LaSalle on potential clients and site visits
  - ▶ Project has been active since July of 2017
  - ▶ 260 jobs and \$40 million in investment
- ▶ Site Consultant trip-November of 2017
  - ▶ Met with 13 prominent site consultants across SC and GA
    - ▶ These are the professionals that help companies locate
    - ▶ McCallum-Sweeney and Jones, Long LaSalle

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

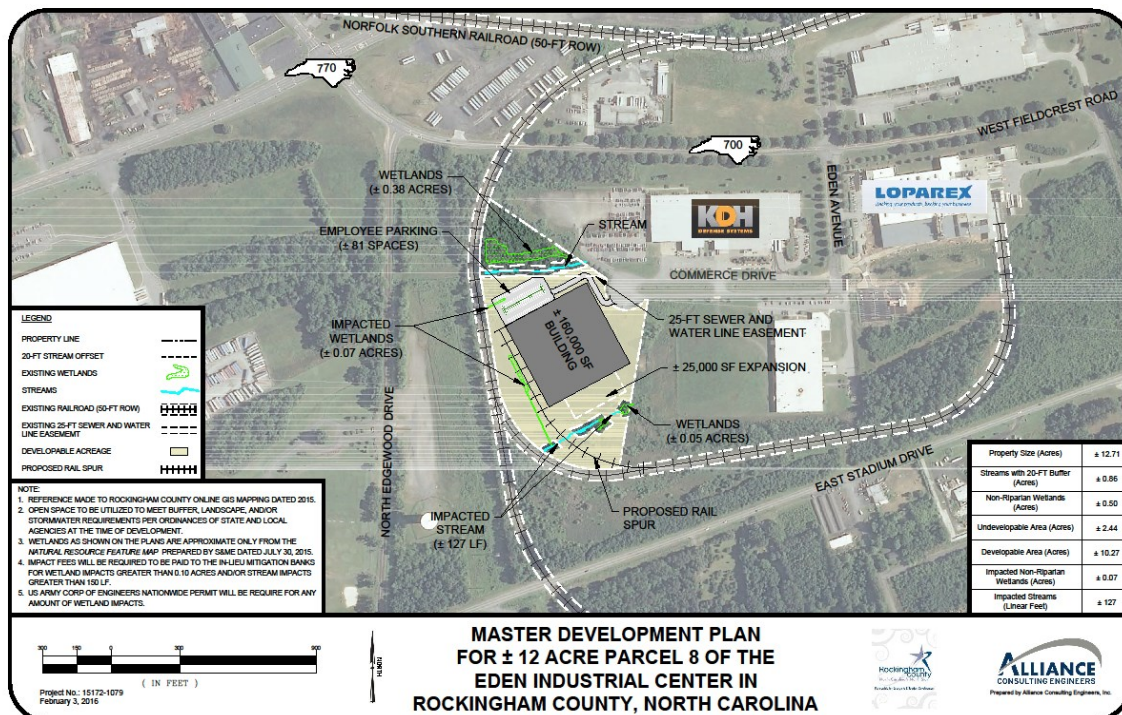
- ▶ Carbon fiber large water user targets
- ▶ Balance of MillerCoors site potential uses
- ▶ Workforce education ideas
  - ▶ Labor is the #1 consideration among site consultants
  - ▶ Skills mismatch is causing labor shortage
  - ▶ Soft skills are equally problematic
- ▶ Site consultant trip scheduled for fall of 2018
- ▶ Follow up with ROI contacts made in 2016

### MillerCoors Site

- ▶ Current project only seeks 350 acres of 1,600.
- ▶ 480 remaining acres of prime developable land identified
- ▶ Remaining property to be developed for other industry
- ▶ Abundant water, sewer, natural gas, electricity and rail
- ▶ SC site consultant showed interest in potential development of remaining land

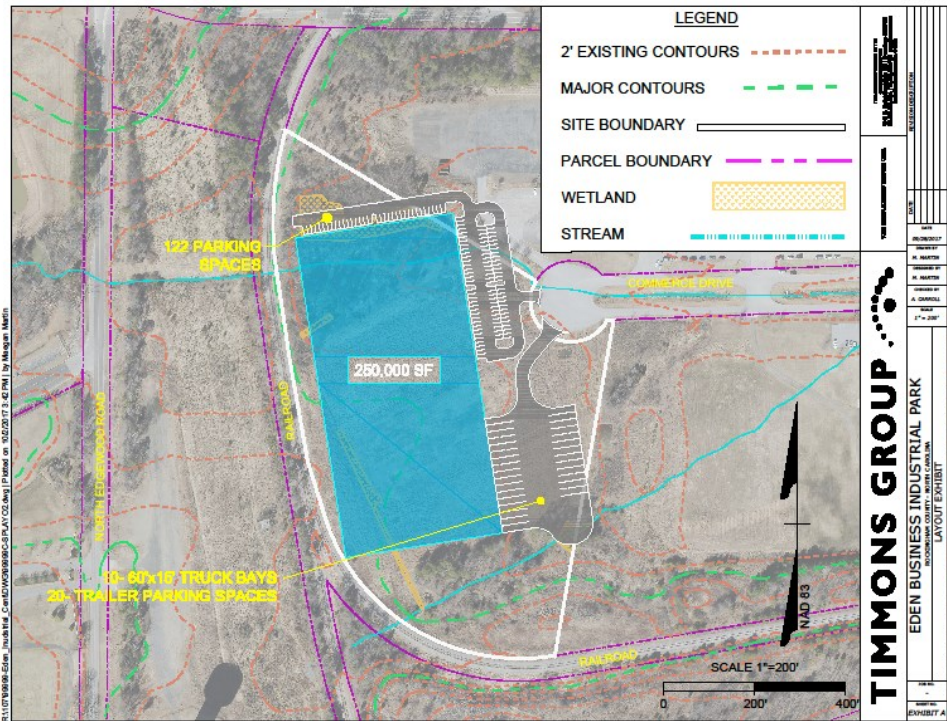
### Available Industrial Sites

- 12.7 acre Certified Site in Eden Industrial Center



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### New Street Industrial Area

- ▶ \$997,000 Sewer upgrade grant received in December of 2017
- ▶ Gildan has experienced sewer issues
  - ▶ Property leased until 2021
  - ▶ This will be a priority for WK Dickson to remedy problem

### Available Industrial Sites

- 204.8 acres New Street
- 214.1 acres New Street

### Shell Buildings

- ▶ Option #1
  - ▶ Developer builds a spec building and assumes all costs
  - ▶ 100,000 SF building will cost approximately \$4 million
  - ▶ Contracts with local community for 3-5 year term of ownership
  - ▶ If building does not sell, community assumes building ownership
  - ▶ Positive—No up front costs
  - ▶ Negative—Community assumes costs if building does not sell during initial contract term
- ▶ Option #2
  - ▶ Community finances a 15-year loan with interest only for first 2 years
  - ▶ Developer pays for land from the community.

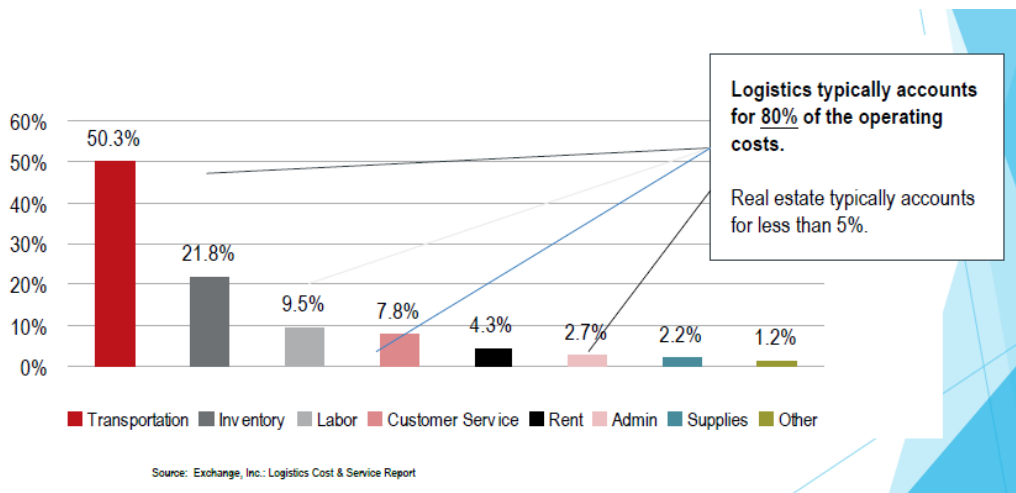
- ▶ Community can use these proceeds to begin to cover debt service
  - ▶ If building does not sell in 3-5 years, the developer assumes building
  - ▶ Positive—Community is not left with the building if it does not sell after initial term.
  - ▶ Negative—Community bears upfront costs.
  
- ▶ Option #3
  - ▶ Developer builds 5,000-10,000 SF buildings on industrial site
  - ▶ Often get requests for smaller structures
  - ▶ Spec metal buildings with brick facades
  - ▶ Buildings can be subdivided or expanded as needed
  - ▶ Creates a “mini-industrial park”
  - ▶ Accommodates smaller enterprises

### Eden Challenges

- ▶ Location away from an Interstate
  - Many projects want to locate 1-2 miles from an interstate
  - Recent transportation improvements in Greensboro have helped
    - Faster, less congested routes to I-40 east and west
  
- ▶ Undeveloped sites
  - Ready to go sites are needed
  
- ▶ Lack of buildings
  - Eden is out of contention for 50-90% of projects due to no class “A” buildings or any buildings beyond the MillerCoors facility

### More than real estate...

...understanding the total cost picture is important to maximizing value



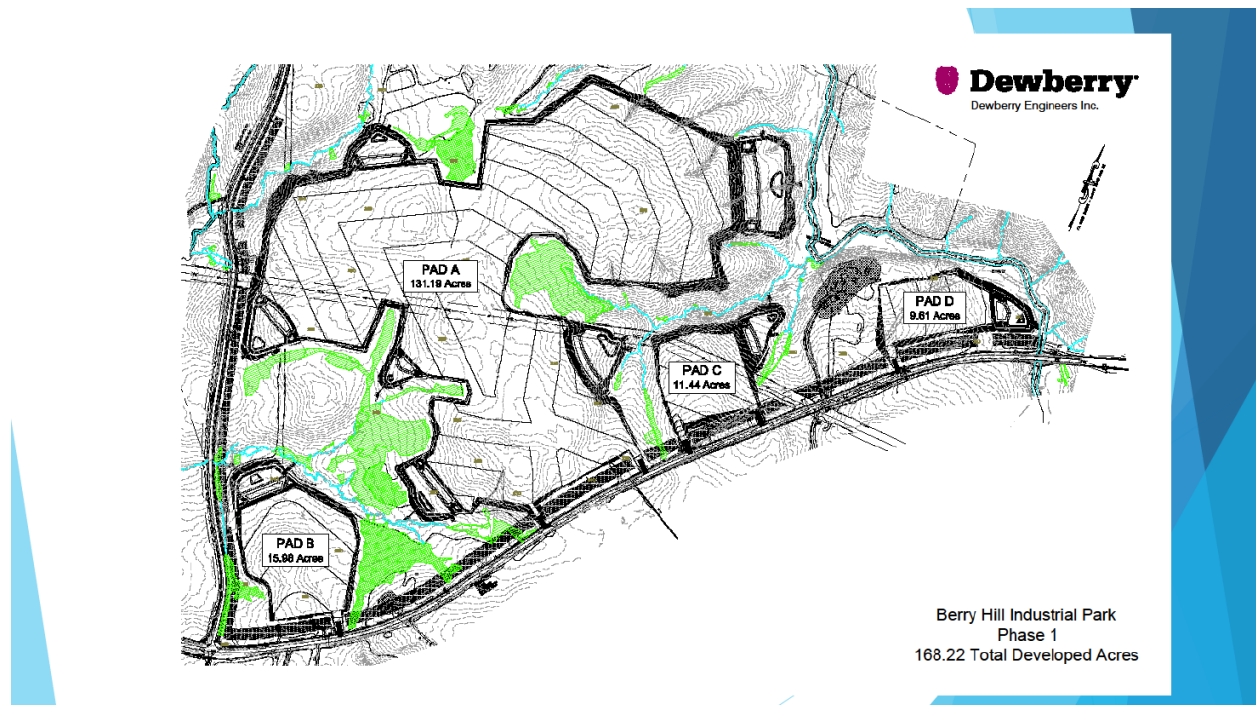


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### New Street Duke Energy Site

- ▶ Propose partnership with Duke Energy to develop into a ready to go site
  - Site development is expensive
- ▶ Engineering firm recommended creating a ready-to-go site to attract water users
  - Carbon Fiber companies
- ▶ Water/sewer/electric will be abundant at site in 2018



### Development Costs of Ready to Go Sites

Site	Acres	Pad Development Costs	
		Low Bid	High Bid
A	131.19	\$2,755,960	\$5,190,203
B	15.98	\$ 353,858	\$ 666,850
C	11.44	\$ 236,743	\$ 503,300
D	9.61	\$ 299,502	\$ 539,630

Site Consultants strongly recommend ready to go sites

Undeveloped land does not allow clients to foresee the potential of a site

Quick turn around times necessitate developed sites

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### Industrial Site Consultants – Key players in selecting sites for industry location

- ▶ 50%-90% of prospective companies want an existing building (SEDC Site Consultant Panel 7-2017, Charlotte, NC)
  - Eden and Rockingham County do not have any class “A” buildings  
30’-40’ ceiling heights
  - Well-located, good access
- ▶ Besides the MillerCoors site, the only available space in Eden is 100,000 SF in Fieldcrest Road building, that has two additional tenants and is not a class A building.

### Rockingham, Caswell, Stokes, and Person Counties

- ▶ Lack of product identified as primary need.
- ▶ Decreasing population and the resulting revenue losses have reduced the ability to fund new buildings.
- ▶ Shell Buildings
  - Construction Costs - \$45-\$50 per SF

50,000 SF	\$2,250,000
100,000 SF	\$4,500,000

Goal: Continue to make progress on major infrastructure projects

Maintain city roads, water and sewer system and city properties.

- ▶ \$1.1 million appropriated to general fund in 2017-18 to compensate for lost road maintenance revenue from the state.
- ▶ \$57.8 million invested in water and sewer systems since 2001 and \$38.2 million additional will be invested in the next five years for the EPA Administrative Order and the Berry Hill Regional Mega Park water line project.
- ▶ \$997,000 grant received to upgrade New Street sewer system.

Mr. Terry Shelton, Director of Public Utilities, presented a brief update of their water and sewer projects for the next 4 years.

### The New EPA Administrative Order

- ▶ Following the Award of the Connect NC Bond money in January 2017, a New Administrative Order on Consent (AOC) was received by the city on April 22, 2017, replacing the first one issued in January 2012.

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- ▶ It is important to note that this Administrative Order (AO) is referenced as an Administrative Order on Consent (AOC). If we do not meet all the AOC requirements, we may be subject to fines and penalties more readily than in our first AO, because we have given our consent for this Administrative Order.
- ▶ The new AOC is driven by our Remediation Plan that was developed and submitted in the first Administrative Order.
- ▶ A new five year schedule began on the day of receipt. The new AOC is to be completed by April 21, 2022.

#### New EPA Administrative Order on Consent (AOC)

- ▶ Time Line for Project Completions
  - June, 2017 – Engineering report submittal
  - November, 2017 – Engineering report approval
  - May, 2018 – Bid and design package submittal
  - September, 2018 – Bid and design package approval
  - January , 2019 – Advertise project, receive bids, submit bids to council and to water infrastructure for approval, and receive authority to award
  - February, 2019 – Execute construction contracts
  - April, 2019 – Notice to proceed
  - December, 2020 – Completion of project, final walk through & inspections
  - February, 2021 – Submission of all reimbursement documentation
  - April, 2021 – Possible issuance of promissory note
  - November, 2021 – First payment on loan due six months after issuance of promissory note or at the latest May 2022

#### Main Projects within the Remediation Plan

1. Temporary rainfall and flow monitoring in the Dry Creek Basin
2. In the basins of Meadow Greens, Covenant Branch, Bridge Street, Junction, Kuder Street and Dry Creek, work will done to reduce rain derived inflow and infiltration
3. Kuder Street Basin – will see pipe replacement/rehabilitation on Tackett Branch (Park Road) outfall and associated area improvements
4. Junction and Bridge Street Pump Stations will have major rehabilitations
5. Junction Basin – will have pipe replacement/rehabilitation
6. Bridge Street Basin improvements (parts A, B, C)
  - A. Bridge Street – pipe replacement/rehabilitation
  - B. Bridge Street – Dan River outfall upsize,
  - C. Bridge Street – Glovenia Street/Chestnut Street/Spruce Street sewer relocations
7. Dry Creek Basin – pipe replacement/rehabilitation – Dry Creek Phase 3 – upper end of Dry Creek outfall rehabilitation
8. Meadow Greens & Kuder Street Basins – Dogwood and Fourth Street Pump Stations conversion to gravity sewer or complete replacement
9. Bear Slide and Indian Hills Pump Station – installation of backup power (generators)



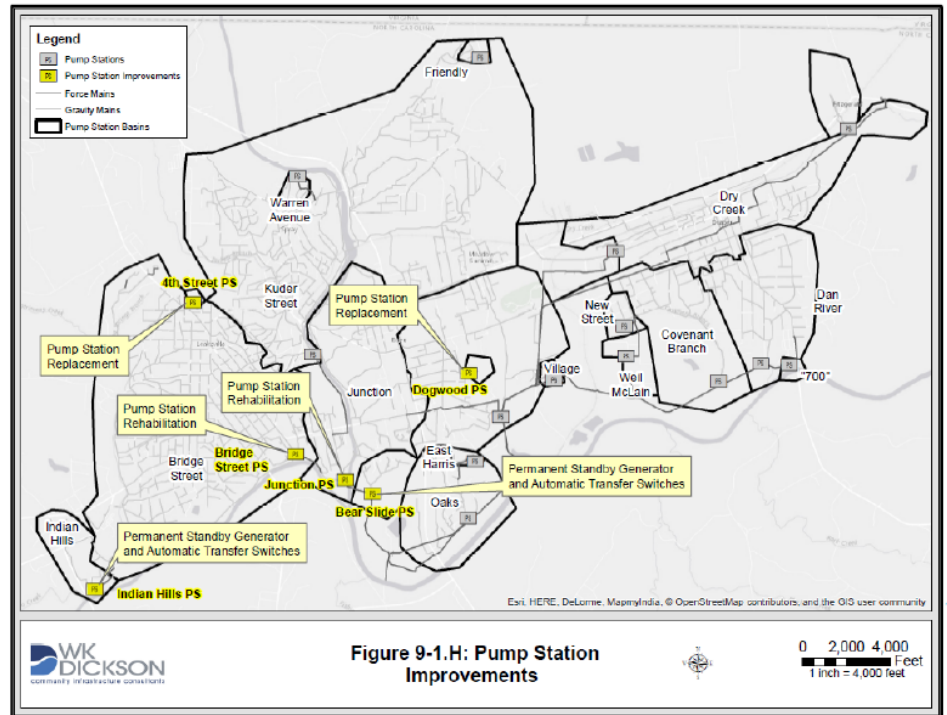
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10. Mebane Bridge Wastewater Treatment Plant Improvements (replacement of digester and associated components)

In the New EPA AOC,  
Six Pump Stations Receive Rehab and Upgrade Work

New EPA  
Administrative  
Order on  
Consent (AOC)



Bridge Street Pump Station/Junction Pump Station to Receive Rehabilitation  
Dogwood and Fourth Street Pump Station Rehabs  
Bear Slide and Indian Hills Pump Stations get improvements of permanent backup generators  
Smith River Outfall Rehab and Siphon Replacement  
Digester Rehab/Replacement

New EPA AOC requires other work in the Remediation Plan besides Structure Improvements

- Preparation of a Capacity Assessment Plan
- Preparation of Rainfall and Sewer Flow Monitoring
- Preparation of Pump Station Capacity Evaluation
- Rainfall Intensity Duration – Frequency Analysis
- Work sessions and data reviews to guide additional Sanitary Sewer Evaluation Study
- Purchase of Flow Monitoring Equipment
- Pipe Cleaning and Closed Circuit TV Inspection
- GIS Integration and Data Management
- Manhole Inspections, Smoke testing and Dye testing

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- Continuation of Covenant Branch Force Main Assessment

#### Chloramine Project

- ▶ We have spent \$2,163,975 for the Chloramine Project as of January 24, 2017.
- ▶ Duke Energy has reimbursed us for all this amount thus far. Since January of 2017, the Total Cost for the Chloramine Project has risen to \$2,251,007 as we have tried to bring the system on line. The additional expenditures by the city out of pocket were \$87,032. This additional cost may be reimbursable through Duke's Arbitration Board. We will be applying for additional reimbursement.
- ▶ The Chloramine Project went into operation on August 14, 2017.
- ▶ The Chloramine Residual Disinfection System has been in continuous operation since that time.
- ▶ It is our understanding that the Belews Creek Generating Plant will convert to a dual fuel coal and natural gas plant with retro fitting for gas beginning in 2019. This could possibly be the beginning of the reduction of bromide in the Dan River.

Council Member Grogan asked if all of that was because of happened with Duke Energy.

Mr. Shelton replied that they were not required to do anything, they stepped up and provided some relief. At the time, it was easier for the city to build something that would allow them to get it under the limits and meanwhile Duke was looking on their own to try to reduce it. They stepped up and helped the city finance a solution to try and stop it. One reason they had not paid it all, thus far was because originally it was to be about \$1 million and the further they got into it, the cost had doubled, and they had committed to do \$2 million worth of support and as they wound up going over that and when it got to \$2.6 million they ceased their reimbursement.

Council Member Grogan pointed out that it was good for people to know that they did that. She added that they did not get a lot of credit for what they do.

Mr. Shelton agreed and stated that they were not really obligated to do anything.

#### Leachate Treatment

- ▶ Duke began pumping leachate for treatment to the city in June 2017. Construction delays at the Duke Facilities have delayed the start of the project since November 2016.
- ▶ Through the end of December 2017, we had received revenue of \$73,675. This is far under our estimate of \$1,900,000, which we predicted to be received at this time last year. Delays in bringing the pumping on line and a dry summer and fall reduced this revenue potential source by 96%. Our rate charge was \$35 per 1000 gallons during this time period.
- ▶ The approved rate charge for treatment of \$30 per 1000 gallons began January 1, 2018.
- ▶ Because there are so many variables in the calculation of revenue from this project, it is difficult to make the estimates of what the city may expect to receive. These variables include drought, extreme rainfall, Duke's dewatering process, and the rate of flow that we can accept this wastewater.

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- ▶ Being very conservative, the Potential Revenue estimates would be as follows:

FY2016-17:	\$ 25,095
FY2017-18:	\$274,780
FY2018-19:	\$451,000**
FY2019-20:	<u>\$211,680**</u>
Total	\$962,555

*\*\*This estimate is very rainfall dependent*

#### The Sewer Gas Odor Issue

- ▶ Our sewage is spending excessive time in the Railroad force main causing bacteria to use up available oxygen. In acidic conditions without oxygen in the sewer lines, the bacteria then uses sulfate present in the sewage as a substitute for oxygen in the decay process.
- ▶ The above reaction releases hydrogen sulfide which produces a foul rotten egg odor that we smell at various times.
- ▶ To date, we have applied every best management practice we have at our disposal to manage and control the air relief valve discharge of hydrogen sulfide gas on Stadium Drive near Edgewood Road.
- ▶ Domestic wastewater is much higher in its potential to produce this gas with the rotten egg smell. Wastewater in this sewer force main is 95% domestic waste.
- ▶ We are continuing to feed calcium nitrate to control the evolution of the gas at a cost of \$80,000/year. There has been a 95% reduction in hydrogen sulfide per our test equipment. To eliminate the last 5% would double the cost.
- ▶ We add up to 500,000 gallons of water a day to move wastewater through the Railroad Force Main and “freshen” up the wastewater to reduce gas evolution.
- ▶ We believe we have recently found a strong contributing sewer discharge that makes this problem worse. We will be closely monitoring this discharge. We believe we may be able to reduce the odor’s impact on the community with some changes at this discharge site. If we can correlate the discharge at times with the odor being strong, we may be able to control the odor. If so, this might be an inexpensive fix for this problem. We should know if there is a correlation by later this spring as the water temperatures warm up.
- ▶ The Mega Park Industrial Development is still our best solution as a long term cure to resolve this problem. This will move high volumes of wastewater through the Railroad Force Main as it used to function.

#### New Street Sewer Improvements

- ▶ We have a need to provide additional sewer service in the area around the MGM Warehouse and the adjacent potential industrial sites.
- ▶ We would plan to consolidate the Weil-McLain pump station and possible the New Street Pump Station with a larger pump station in this area.
- ▶ We plan to build a large pump station on the south side of the MGM Warehouse property near the Covenant Branch sewer force main.
- ▶ We received \$997,000 in Grant funding to build the proposed new larger pump station in December 2017. We anticipate that Grant funding should cover the entire project cost.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- ▶ We hope to find an acceptable site for construction of this pump station in the next 60 days.

Goal: Continue to improve Eden's road and transportation infrastructure by implementing Eden's repaving and road maintenance schedule

Ms. Tammy Amos, Engineering, provided the next presentation.

#### Transportation

- ▶ VDOT (Virginia Department of Transportation) is funding Berry Hill Road improvements
- ▶ NCDOT will fund similar improvements on the NC side of the road
- ▶ Hwy 14/Kings Hwy interchange has been funded for 2021
- ▶ Pursuing Hwy 14 four lane to VA line with Division Engineer Mike Mills
- ▶ Seeking I-785 designation as far north as Hwy 14/29 interchange

#### FY 2017-18 Street Resurfacing Update

- ▶ Council approved \$1,869,400 in the 2017-18 budget for street resurfacing.
- ▶ Work completed to date for this fiscal year:

▶ SRC #1	(33 street sections)	\$ 493,128.63
▶ SRC #2	(8 street sections)	\$ 192,067.62
▶ SRC #3	(25 street sections)	\$ 623,078.35
▶ SRC #4	(E. Harris Place)	\$ 176,538.58
▶ SRC #5	(Southwood Drive)	\$ 16,209.65
▶ Miscellaneous PB Expenses		<u>\$ 1,750.00</u>
		\$ 1,502,772.83

- ▶ Remaining Funds for 2017-18 \$ 366,627.17

#### Remaining Work for 2017-18

- ▶ SRC #3 – Part II of the Contract
  - 11 street sections to be completed this spring
  - Estimated Cost: \$266,499.13
- ▶ Unencumbered funding if the remaining work does not run over the estimated cost: \$100,128.04
- ▶ The following streets will be added to the contract based on the loan resolution if the cost continues to run under budget:
  - Harris Street (Oakwood Drive to West Avenue)
  - Rivercrest Drive (Brentwood Drive to "S" curve)

February 24, 2018

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### Update on Virgin Asphalt Mix

- We used the NC S9.5A Virgin Asphalt Surface Course on all of the streets resurfaced after June 2017 last year.
- We are already seeing some minor cracking and some fading in the asphalt pavements that were laid in July of last year.
- Is the virgin asphalt mix worth the additional cost? Time will tell!
- Staff will continue to monitor pavement conditions over the next several months.

### Street Resurfacing Backlog Based on Age

- The city's street resurfacing plan is based on a 15 year life cycle.
- We currently have 108 street sections (16.82 miles which is 16% of our total street system) that have exceeded the 15 year life expectancy.
- Out of those 108 street sections, only 24 of those are rated in poor condition.
- All 24 of those street sections are currently included in our 3-Year Street Resurfacing Plan and will be resurfaced as soon as funding allows.

### Street System Status Based on Condition

- ▶ Based on the 2017 Street Evaluations:
- ▶ We currently have 48 street sections rated in poor condition, out of those 48:
  - 13 are already included in the SRC #3 for 2017-18
  - 7 have been postponed due to upcoming water/sewer construction projects
- ▶ That leaves 28 street sections that need to be resurfaced to catch up on everything that is currently rated in poor condition at this time.
- ▶ The projected cost for those 28 street sections, including some contingency money, is: \$883,900.

### What's planned for 2018-19?

- The street resurfacing schedule for the 2018-19 fiscal year has been finalized based on approval of the following funding:
  - Powell Bill Allocation \$ 473,900
  - W/S Construction Fund \$ 30,000
- This funding is to repair and resurface 17 street sections.
- The contract is currently scheduled to go out for bid in early March.

### Additional Funding Needed

- In order to resurface all of the street sections currently rated in poor condition that are not awaiting water or sewer construction, Council would need to approve an extra \$380,000 in addition to the Powell Bill allocation in the upcoming budget.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- This additional funding would allow us to resurface the other 11 street sections rated in poor condition that are currently scheduled for 2019-20.
- This would also allow us to start with a clean slate in 2019 which would make it possible for us to schedule the streets that fall into the poor category this year to be scheduled for resurfacing next year.

Ms. Amos explained that she wanted to make a couple of comments. The city streets system begin based on a 15 year schedule, they have to do at least 92,000 square yards of pavement every year. The cost to do that was over \$900,000 per year. They only get \$474,000 from the state in Powell Bill funds. If they did fund the extra money, that extra money would get the other 11 streets that were already rated in poor condition done this year. However, it would not get them caught up. They still have 108 streets that were out of date and if they continue every year to fall \$500,000 short on funding, they were not going to keep their 15 year schedule up. It would be impossible to do. It was discouraging because when she sat down with a list of 100 streets it was difficult because the money was not there to do what they need to do. She knew they did not have the money to put in every year so they would do the best they could do and she would try to make the best decisions that she could make and pick the worst ones. A lot of streets have had to be pushed to the back burner on funding, but that was all they could do.

She could tell them that she had already done evaluations for January and February this year and they already have 15 more streets that have had to be categorized as poor. So, that was 15 more streets that she has had to put on the list already. Next year for 2020, if all they have is \$474,000 she would probably get to do 15 to 20 streets. So, basically they were almost there already. So, the need was greater than the funding.

Mayor Hall stated that he did not realize the new pavement came with a warranty. He encouraged her that as she was out doing her inspections that she visit those streets that were 10 or 11 months old and find out if any of them have any issues, in addition to the inspections that he knew she was already doing. He explained that they needed to make sure they did not let the warranty run out and then find out they have an issue on one. Also, as she had mentioned with the funding, they have talked about leveraging some of the surplus money from the new revenue with the car tax, if they did not continue to keep up with this, they were going to be in the situation like they were with their sewer system. If you just barely get by and do as little as you have to and you do not maintain or keep up, then the streets would be in as poor of a condition as their water and sewer system. He could not speak for everyone but the City Manager can be creative he hoped and use some of that additional money and leverage it with a loan, they have to keep up. If you do not maintain it will cost you more in the future.

Ms. Amos added that the contract that she had planned for 2018 had a couple of streets on it that were only about 13 or 14 years old. One was John Street and the other was East Arbor Lane. They were not as bad as some of the other streets but she was to the point to where these streets have the type of cracking now that if she did not get them now then by next year she was going to have to spend \$20,000 or \$30,000 on them.

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### 2018-19 NCDOT Resurfacing Schedule

► NCDOT has the following state roads scheduled to be repaired and resurfaced during the 2018-19 fiscal year:

- SR 1714 - Aiken Road (Van Buren Road to Friendly Road)
- SR 1714 - Summit Road (Friendly Road to Meadow Road)
- SR 1797 - Friendly Road (Aiken/Summit Rd. to VSL)
- SR 3000 - Northridge Drive (Friendly Rd. to Wilshire Dr.)
- SR 3001 - Wilshire Drive (Stratford Drive to Cul-de-sac)
- SR 1719 - Lincoln Loop (Virginia Street to Virginia Street)
- SR 1707 - Short Union Street (Oakland Ave. to Dead End)
- SR 1606 - Landfall Drive (Bryant Street to Dead End)

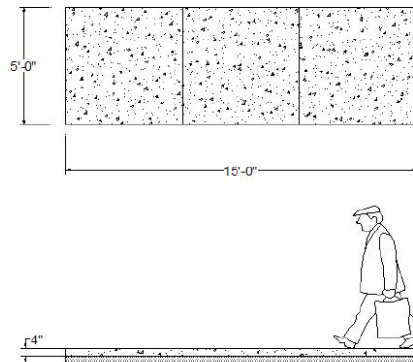
► Work is currently scheduled to be completed in the spring of 2019.

### Connectivity – Sidewalks

Ms. Kelly Stultz, Director of Planning & Inspections gave the following presentation.

### Sidewalk Installation

1 cubic yard of concrete and 2 tons of gravel to construct  
5x15 section of sidewalk







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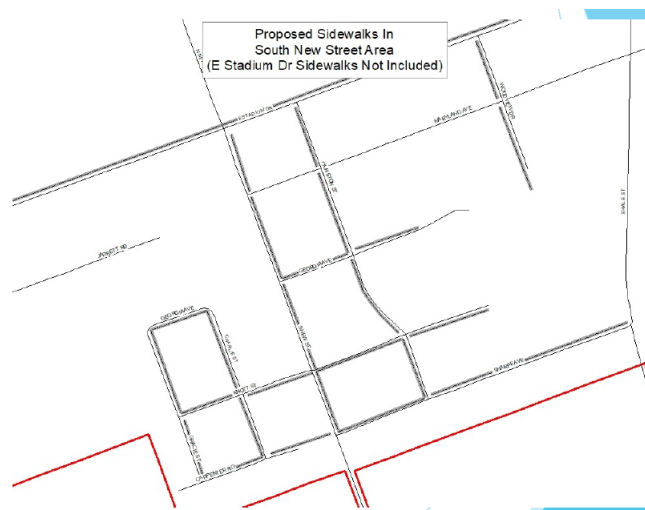
Road Name	From	To	Side	Width	Length
Grand Oaks Dr	E Aiken Rd	Bedford Dr	East	5	1,046.27
Bedford Dr	Grand Oaks Dr	Friendly Rd	South	5	1,012.68
E Aiken Rd	Bedford Dr	Grand Oaks Dr	North	5	1,223.41
Sunset Dr	Bedford Dr	Sunset Dr Curve	West	5	341.59
Sunset Dr	Sunset Dr Curve	Knollwood Dr	South	5	1,129.08
Sunset Dr	Knollwood Dr	Conover Dr	South	5	733.05
Conover Dr	Bedford Dr	Sunset Dr	East	5	351.57
Conover Dr	Knollwood Dr	Bedford Dr	East	5	411.48
Conover Dr	Knollwood Dr	Dead End	East	5	258.47
Knollwood Dr	Conover Dr	Bedford Dr	South/East	5	1,108.15
Bedford Dr	Knollwood Dr	Grand Oaks Dr	South	5	349.50
Bedford Dr	Conover Dr	Knollwood Dr	South	5	749.22
Pine Ln	Sunset Dr	Dead End	East	5	1,137.46
Hillcrest Dr	Sunset Dr	Dead End	East	5	1,187.71
Lenoir Dr	Haywood St	Hillcrest Dr	North	5	497.97
Haywood St	Lenoir Dr	Dead End	North	5	605.21
Lenoir Dr	Haywood St	Woodland Dr	West	5	642.41
Woodland Dr	Lenoir Dr	Hillcrest Dr	South	5	952.85
Haywood St	Lenoir Dr	Woodland Dr	East	5	661.32
Knollwood Dr	Sunset Dr	Bedford Dr	East	5	335.00
					14,734.40
TOTAL COST @\$100/foot					1,473,439.90

- Staff would recommend that if the City Council wants to proceed that we begin the project with Grand Oaks Drive. The entire neighborhood at one time is likely impractical.
- The property owners would be contacted to see if there is interest in the project and, if so, we would proceed from there to the petition process.
- We estimate the cost of the Grand Oaks Drive project to be **\$104,627.00**.
- According to city policy, the City pays 50% and the property owners pay 50%.
- The average property owner usually pays between \$4,000 and \$6,000.

### Proposed New Street Area Sidewalk Installation

11,437.09 linear feet of sidewalk x  
\$100.00 per linear foot

Estimated Cost  
\$1,143,709.18



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Road Name	From	To	Side	Width	Length
S New St	E. Stadium Dr	Maryland Ave	East	5	349.26
S New St	Maryland Ave	Georgia Ave	East	5	502.61
S New St	Georgia Ave	Knott Street	East	5	528.96
S New St	Knott St	Sharpe Ave	East	5	372.06
Georgia Ave	Gracie St	Charlie St	South	5	340.96
Gracie St	Georgia Ave	Knott St	East	5	508.64
Charlie St	Georgia Ave	Knott	West	5	503.42
Knott St	Gracie St	Charlie St	North	5	349.31
Gracie St	Knott St	Carpenter Rd	East	5	355.15
Carpenter Rd	Gracie St	Charlie St	North	5	358.74
Carpenter Rd	Charlie St	S New St	North	5	361.25
Charlie St	Knott St	Carpenter Rd	East	5	365.97
Knott St	Charlie St	S New St	South	5	392.99
Sharpe Ave	S New St	Hairston St	North	5	533.08
Sharpe Ave	Hairston St	S Hale St	North	5	1,206.20
Knott St	S New St	Hairston St	South	5	527.77
Knott St	Hairston St	Dead End	South	5	481.35
Hairston St	Knott St	Sharpe Ave	West	5	363.07
Hairston St	Georgia Ave	Knott St	West	5	510.87
Georgia Ave	S New St	Hairston St	North	5	409.33
Georgia Ave	Hairston St	Apartments	North	5	385.55
Hairston St	Maryland Ave	Georgia Ave	West	5	494.66
Hairston St	E Stadium Dr	Maryland Ave	West	5	365.17
Woodview Dr	E Stadium Dr	Maryland Ave	West	5	356.43
Woodview Dr	Maryland Ave	Dead End	West	5	514.29
					11,437.09
					TOTAL COST @\$100/foot 1,143,709.18

- Staff would recommend that if the City Council wants to proceed that we begin the project with New Street. The entire neighborhood at one time is likely impractical
- The property owners would be contacted to see if there is interest in the project and if so we proceed from there to the petition process.
- We estimate the cost of the New Street project to be **\$175,289.**
- According to city policy, the City pays 50% and the property owners pays 50%.
- The average property owner usually pays between \$4,000 and \$6,000.

### Proposed Harris and Klyce Streets Sidewalk Installation

Road Name	From	To	Side	Width	Length
Harris St	West Ave	Oakwood Dr	North	5	977.08
Oakwood Dr	Harris St	Harris St	East	5	192.21
Harris St	Oakwood Dr	Elm St	North	5	370.33
Harris St	Elm St	Klyce St	North	5	705.11
Harris St	Klyce St	Carter St	North	5	418.96
Harris St	Carter St	Hampton St	North	5	360.73
Harris St	Hampton St	Brentwood Dr	North	5	576.34
Klyce St	Washington St	Manning St	East	5	366.57
Klyce St	Manning St	Harris St	East	5	780.33
Klyce St	Harris St	Trogdon Dr	East	5	813.10
Klyce St	Trogdon Dr	Trogdon Dr	East	5	48.02
Klyce St	Trogdon Dr	Simpson St	East	5	394.48
Reynolds/Harris St	Washington St	Existing Sidewalk	East	5	1,173.82
Harris St	McConnell Ave	West Ave	North	5	723.60
					7,900.67
					TOTAL COST @\$100/foot 790,067.23

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- Staff would recommend that if the City Council wants to proceed that we begin the project with KlyceStreet. The entire neighborhood at one time is beyond the scope of City Staff and would require a contractor.
- The property owners would be contacted to see if there is interest in the project and if so we proceed from there to the petition process.
- We estimate the cost of the Klyce Street project to be **\$240,250**.
- According to city policy, the City pays 50% and the property owners pays 50%.
- The average property owner usually pays between \$4,000 and \$6,000.

Stadium Drive Schools to Freedom Park NCDOT and City of Eden Project.

- The North Carolina Department of Transportation has included a sidewalk project for Stadium Drive. The project is a part of their Transportation Enhancement program.
- The project is expected to begin in NCDOT fiscal year 2018 and take 2 years for completion.
- The NCDOT sidewalk programs are designed to create pedestrian pathways to move people around the community
- The total cost of the project is estimated to be \$533,149. That breaks down to \$426,520 in Federal Funding and \$106,629 in required matching funds from the City of Eden.

Proposed Emergency Service Training Facility

Mr. Tommy Underwood, Fire Chief gave the next presentation.

- An Emergency Service Training Facility is needed in this area of the county.
- It would greatly benefit all of Emergency Services: Fire, Law Enforcement, Rescue Squad and EMS.
- The facility could serve as a back up to Rockingham Community College, if needed.
- The facility would help the Eden Fire Department lower our ISO rating, which now is 4.
- We underwent an ISO inspection in January 2017 and missed the rating of a 3 by ONLY 2 points.
- A lower ISO rating attracts industry. The lower the ISO, the more money industries save on their insurance premiums.
- We will continuously strive to lower our ISO rating.
- We recently donated a truck we took out of service to the Rockingham High School Fire Academy in exchange for two acres of land from Rockingham County Schools.
- The property adjoins Station 4's property line and its tax value is \$60,933.
- In order to get credit for a training facility, ISO requires that we have a minimum of two acres of land.
- Adding this two-acre lot to the existing land at Station 4 should give us 3.37 acres of land.

Dr. Sonja Parks, Assistant Superintendent of Rockingham County Schools, said the system is looking at expanding the Fire Academy to Morehead High School. When this happens, we will

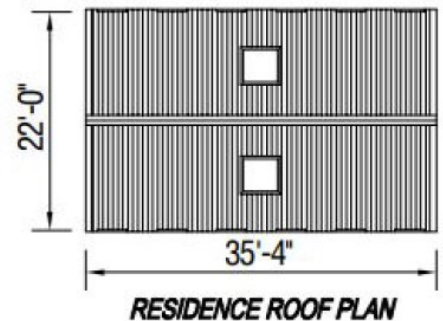
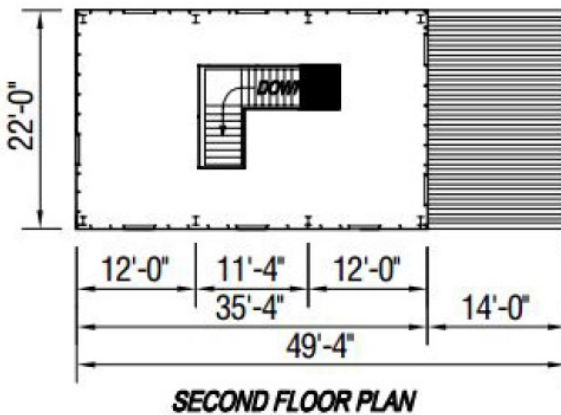
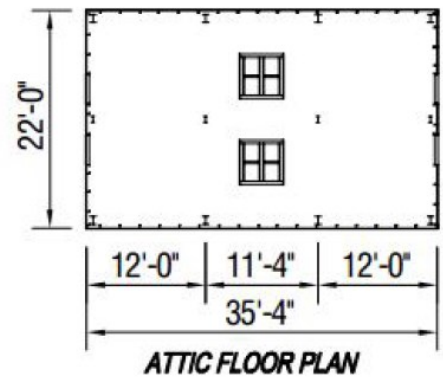
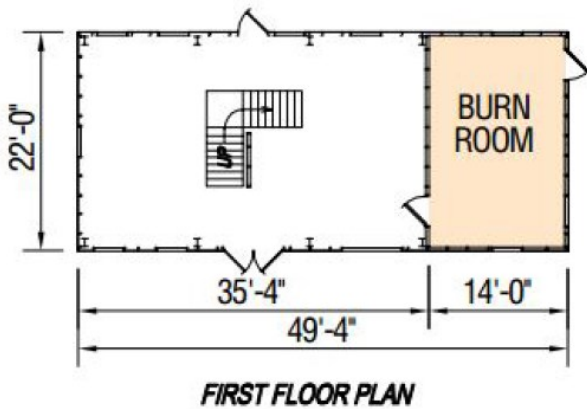
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be able to recruit will be able to recruit these students to become members of the Eden Fire Department.

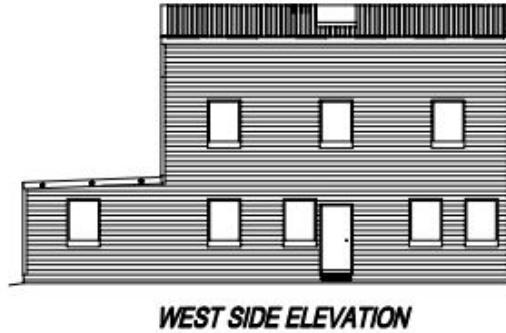
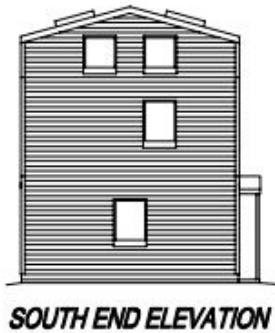
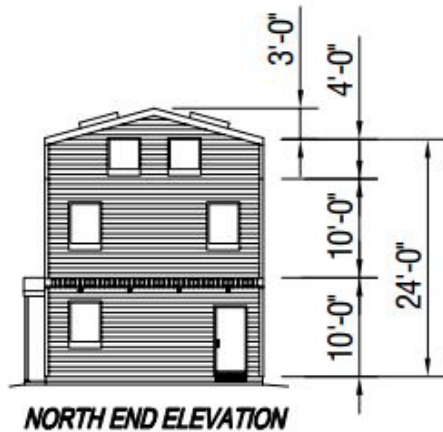
Dr. Parks said, "We appreciate the support and encouragement from the City of Eden Fire Department. The Fire Academy is an opportunity where students learn about the equipment and techniques necessary to become successful firefighters."

The building we are looking at is The Battalion Chief: a two-and-a-half story training structure with four working deck levels. Its design resembles a residence with its double-door entrance, two floors with L-shaped stairs, usable attic, gabled shutters, and burn room annex (garage). The burn room offers two exits, one to the interior of the tower and the other to the exterior.



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### Summerfield

Chief Underwood asked Ms. Cindy Adams, Tourism & Events Coordinator, to provide some input.

Ms. Adams stated that she initially was asked to help with private fundraising, to help by providing public relations by pushing this out to the public. When she went that day, what was most impressive was that the facility was just top notch. She saw comradery between firemen, they were working together, when the kids came to Henry Street Station to see the truck, she talked with all of them and everyone wanted to be a fire fighter. If you are in Eden and you want to participate in this fire academy, you have to go to Rockingham County. This way it keeps our kids in Eden and this keeps our kids here. She encouraged the City Council to go see this in Summerfield as it was very impressive.

Chief Underwood explained the projected total cost for this project, which includes the building, a water line, landscaping, a plaque, fencing, a concrete pad and drive, with the contingency fund, at the time he had figured it, came to \$466,342.31.

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He explained that checked with a local contractor to see if they could do this and they asked what if they could give them a similar building for a lot less price. He explained that he did not have this information by the time of this PowerPoint. The figure here was very high so he hoped that later on he could bring a lower figure back for them to look at.

\$8,270.00 – one \$2,000 commitment – anonymous  
\$2,000 John Smith III  
\$12,270 with \$8,000 SWS  
\$20,270 – land donated as well

- We are currently fundraising for this project and have received generous donation from Norman Nance of Pine State Group. He donated \$4,570 on Dec. 18. Mr. Nance believes in the value of Eden's emergency services and wanted to be a part of this project.
- In-kind donations already received include land and \$8,000 from Sam Smith for stump removal.
- The purpose of this presentation is to inform, update and encourage you all to spread the word about the great things this facility could do for Eden.
- New facility = more part-time firefighters = lower ISO = better future for Eden.

Council Member Epps stated that he had noticed that the fire tower in the Spray section was not there anymore.

Chief Underwood replied that two years ago they built a new one at Station 4. He explained that this was something he had been planning and working towards for quite some time. It was badly needed and that was why they had the tower at Station 4. The old fire tower had become unsafe.

Council Member Grogan asked if there was any grant money for that.

Chief Underwood replied that he could look into it. He planned to apply for an annual grant that Home Savings Bank gives out and he had some more fundraising ideas such as a softball tournament or a golf tournament. This was something they could do annually to offset the costs.

Council Member Moore stated that if it could be built, he asked how soon the school system would do that at Morehead.

Chief Underwood replied that he really did not know and could not honestly answer that but they talked like it would be soon. However, if it was built today, it would take them a year to get a lower ISO rating because we have to call them back to go through a whole new inspection. He pointed out that the lower the number the better the rating is.

Mr. Darryl Tilley, C&D Supervisor, asked to make a comment. He explained that his child just went through the fire training. He had to go to the college every Tuesday and every Thursday, 4 hours at night and every other Saturday all day long. If they were going to keep volunteers, they were going to have to have a building like this in their school system to get them before they get out of school. It was a lot of time commitment to try to go back and get it just to be a volunteer.

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If they can get the training while they were in school it was an elective. Once you graduate it was difficult to go back to do this.

Skat Bus

Mr. Dougherty presented information about some of the latest economic development.

- Beginning in March of 2018, the Eden route will begin at 6:00 am to transport workers to area facilities by 7:00 am shift times. The 7:00 pm -8:00 pm route only averaged 4 people. That route will be eliminated.
- Staff attended the February 13, 2018, ADTS Advisory Council to request this additional hour route.
  - Recommendation was to reverse the first hour route so patrons would arrive at local companies near the 7:00 am hour.
  - Request is now under consideration by the Advisory Council
  - Reidsville joined Eden in requesting this for their citizens

Goal: Promote commercial areas as small business job centers

Commercial Development

- LIDL Supermarket interior construction will begin in the first quarter of 2018 according to the LIDL real estate department.
  - This has resulted in significantly lower competitive pricing in other communities in which the company has located
- Food Lion Shopping Center
  - Working with leasing agency on a tenant to assume 6,000 SF
- Former Sonic space
  - Working with leasing agency on potential purchaser of property
- Goodwill Community Resource Center
  - Potential assumption of shopping center space adjacent to Goodwill store.

Tourism is Economic Development

- Hotel Occupancy Tax
  - 2016-17 – Highest collection to date
  - 36% increase since the city began collecting the tax
- 5 Signature Events with 1 new event coming in 2018
  - Riverfest, Oink & Ale, Shaggin' on Fieldcrest, Tough-a-Truck, Piedmont Pottery Festival and Grown & Gathered
- Successful "Road Trippin" commercial with News 2 called "Diners, Downtown & Drive-Ins"
- Argis Camera, Canadian Golfers

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- Target markets reached through photos, websites, Facebook pages, ads, billboards, radio, television, etc.
- Dan River ST8 Crossings Regional Marketing Campaign
- NC Realtor Sustainable Community Video provides exposure to Eden

Questions and Feedback?

Council Member Burnette stated that Mr. Shelton had mentioned the possibility of bromine being reduced, he asked if there would ever be a consideration needed if bromine was reduced far enough that they would swap back to chlorine treatment.

Mr. Shelton replied that if they did switch back it would be for economics because chlorine by itself was more economical and easier to monitor.

Council Member Burnette asked if he had to swap back a time or two a year for treatment.

Mr. Shelton replied that actually they had changed the ruling on it and it could be done year round.

Council Member Burnette stated that Ms. Stultz had mentioned Grand Oaks Drive sidewalk assessment and 50% of the residents have to agree to it. He asked that if they did not agree would they just move to the next street.

Ms. Stultz replied that it would depend upon what the Council wanted to do but it would make sense.

Council Member Grogan asked how they chose the neighborhoods.

Ms. Stultz replied that some of the Council Members had mentioned it in their goals and objectives for the next year. She explained that their sidewalk plan and the greenway master plan, the greenway plan includes more than just greenways. A good portion of Draper has sidewalks in residential areas. This particular neighborhood did not. Those sidewalks were in place before Eden existed. There was a lot of benefits, particularly in neighborhoods where people can walk. The city built a sidewalk from the new Dollar General on Stadium Drive into Maryland Avenue, so many people were walking in that area to shop.

Mayor Hall called for a 15 minute break.

## **BREAK**

**Update, Discussion and Consideration of *Positively Eden* Strategic Plan Implementation Initiatives – Strategy III – How We Live: Boost Neighborhood Development** *(Kelly Stultz, Director of Planning and Inspections and Brad Corcoran, City Manager)*

Positively Eden! Strategic Plan:



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Strategy: How We Live:  
Boost Neighborhood Development

Ms. Stultz presented the next slide.

Goal: Develop coordinated neighborhood brands

Components of Neighborhood Development

- Preservation of Historic Resources and Traditional Downtown areas
- New infrastructure such as sidewalks, curb and gutter and trails
- New development standards to encourage quality development
- Aesthetics
- Local Code Enforcement

Goal: Restore housing market demand

Current Efforts

- The City of Eden has a Historic Preservation Commission that has been in existence for nearly 40 years. They are responsible for historic education, local landmarks and local districts. As a result of the conclusions of the Strategic Plan, they are being encouraged to increase their efforts.
- The wayfinding project now underway will aid in directing citizens to various areas of the community and promote public acknowledgment.
- Fiscal Year 2018-2019 –Budget Request \$10,000
- With the assistance of the Preservation Commission, we plan to undertake a program that will begin to use signage to identify existing neighborhoods.
- Older Neighborhoods such as the mill villages known as Carolina Heights, Flint Hill, the Front Street and New Street areas. The National Register Historic Districts such as The Highlands.
- Also midcentury areas such as New Leaksville and Rhoulac Knolls.
- Neighborhoods newer but with community identity such as Bear Slide.

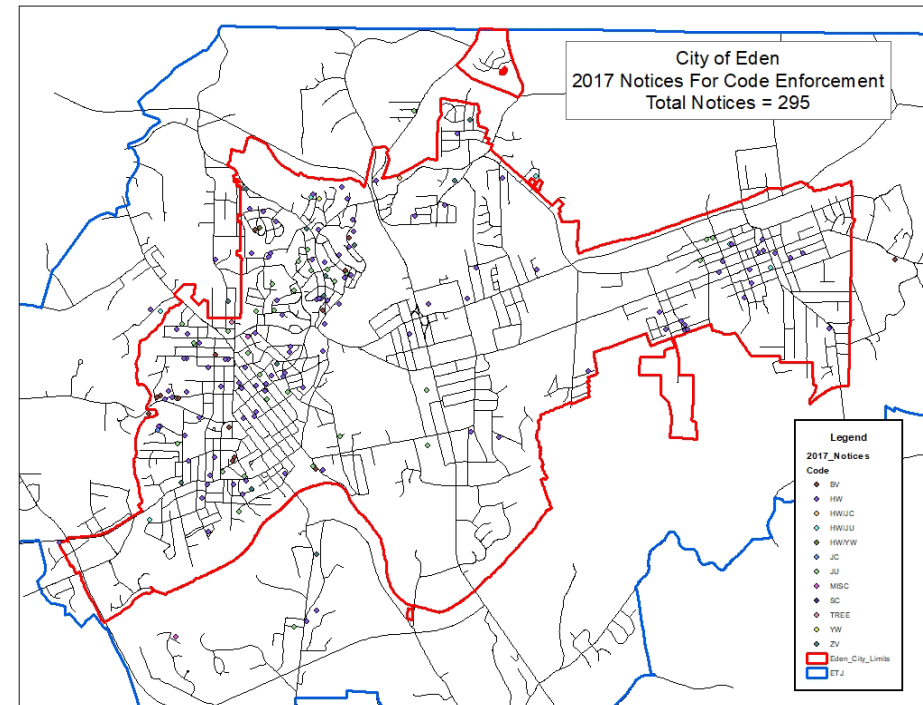
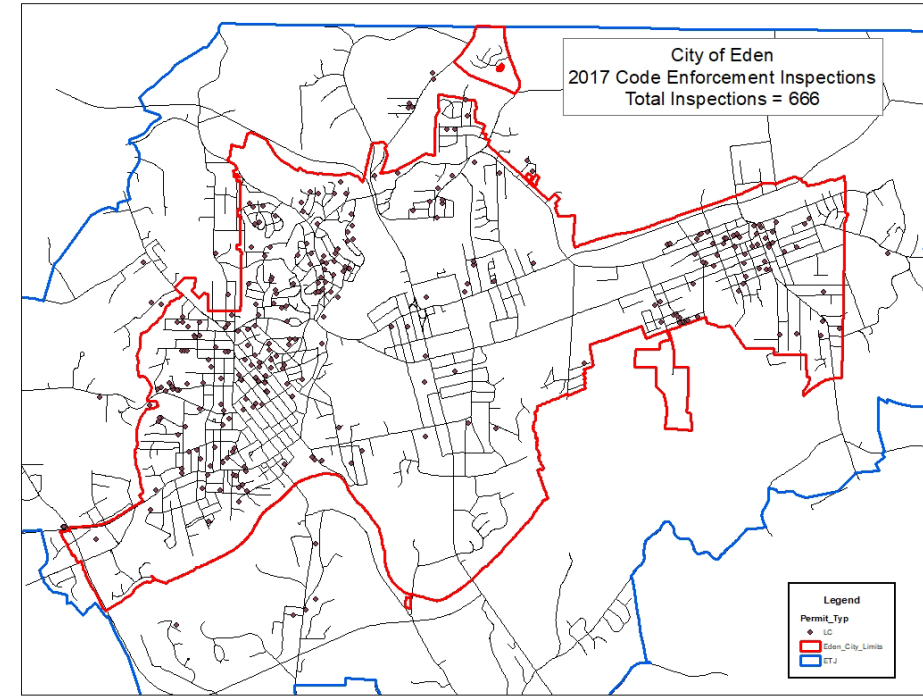
Aggressively Use Available Code Enforcement Tools

- The enforcement of our nuisance, housing, non-residential maintenance and junk car codes is a difficult process. Such actions are a balancing act between the competition for funding within the City of Eden's finite resources, private property rights, political will and our ability to collect the tax dollars spent on these private parcels.

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- If we were to ask each of you how important the removal of abandoned buildings is to you, it is likely that you would say very important. However, if it is a choice between violation abatement and adequate public safety operations you might have to think about that decision.



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### 2017-2018 Housing Code Abatements

Address	Cost
414 Glenn Street	\$ 8,170.00
759 Thornton Street	\$ 5,940.00
628 Monroe Street	\$ 30,386.40
733 Taylor Street	\$ 1,790.00
1307 Center Church Road	\$ 4,000.00

Priority List for Action for 2018-2019

### Code Enforcement Issues and Priorities

	Address	Cost
1	233 The Boulevard - Com	*\$ 53,500
2	1238 Irving Avenue - Res	\$ 4,000
3	910 First Street - Res	\$ 5,500
4	1013 First Street - Res	\$ 4,500
5	205 Morgan Road - Com	\$ 40,000
6	1009 Galloway Street - Res	\$ 3,500
7	819 Bridge Street - Res	\$ 5,500

\*Approved by City Council to be brought back to them in August 2018.

### Properties The City Owns As a Result of a Code Enforcement Foreclosure

	Address	City Expenses and Taxes Owed
1	416 Decatur Street	(Demolition with grant funds)\$ 0
2	131 Greenwood Street	\$5,453.74
3	631 Grove Street	\$3,998.38
4	951 Harris Street	\$6,220.00
5	429 Monroe Street	\$7,350.64
6	886 Morgan Road	\$4,418.71
7	1001 Sharpe Street	\$1,622.93

### Code Enforcement Collections on Nuisance and Junk Cars Violations

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Fees for the abatement of nuisance violations and junk car violations are collected the same as property taxes. Methods of collection are:

1. Garnishment of wages
2. Attachment of rents
3. Debt setoff on income tax refunds
4. Legal action for collection

#### Code Enforcement on Residential and Commercial Properties

Abatement fees on the demolition of residential and commercial structures are collected the same as special assessments, which is through a foreclosure proceeding. Assessment liens are superior to all liens except local property taxes.

#### The Foreclosure Collection Remedy

- Foreclosure of real property is a legal collection remedy for money owed to the City. This collection method is appropriate for nuisance abatement and housing code enforcement actions because the liens created by these actions have superior liens to most other judgment liens that may exist on real property.
- Foreclosures are not practical for all properties and situations, so there is an analysis that is done on these properties before the decision to foreclose is made.
- To illustrate this, many of the City's housing code or nonresidential maintenance code enforcement actions result in demolition liens. These liens are the result of the City's removal of dilapidated structures. These removals result in vacant lots.
- Foreclosures are good options when the lien you are foreclosing upon is the senior lien owed on the property. Most title searches of the demolition lien properties reveal delinquent property taxes. In these cases, tax liens are superior to demolition liens.
- As a result, the City will only recoup its demolition lien if there is a bidder at the foreclosure auction who bids in excess of the tax lien in an amount that will cover our demolition lien. Tax liens get paid out first, then, the City's demolition lien will get what is left, if any.
- Many times, these vacant lots will not sell at the foreclosure sales and the City will have to bid its expenses in the action to become the owner of the property. This results in the City, as owner, having to maintain the vacant lot and attempting to sell it at a later date. The superior tax liens remain on the property and any potential buyer would have to pay the taxes in order to get marketable title to the property.
- After much discussion and research, we have come to an agreement with the County to allow the City to foreclose on our taxes in these cases.
- We currently have an agreement with the County wherein the County collects our taxes; however, it would serve our needs if the City could foreclose on our own taxes in these situations.
- The tax lien will always be superior to City demolition liens; however, if the City forecloses on the taxes and there is not enough money in a foreclosure auction sale to cover the taxes owed, the remaining taxes not paid off by the sale would be wiped out.

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- This would mean that the bidder, whether it is a private citizen or the City (in the case of no bidder) would get title to the property free and clear of any tax lien. The City would still not recover its demolition lien expenses; however, the property could be marketable and placed back on the tax rolls. There is a higher chance of attracting a buyer, whether it be at the auction sale or at a later date.
- The County Tax Department has worked cooperatively with us in identifying properties that this would apply to. We have shared title and contact information with them and vice versa.
- Our plan is to focus first and foremost on the properties for foreclosure that we feel we can attract the most buyers. Obviously, there are still situations in which it may not make sense to foreclose. One property was identified as having in excess of \$27,000 worth of IRS tax liens. The City liens are junior to this, and the vacant lot would never bring in in excess of \$27,000 to cover the tax liens or the City liens.
- Properties that have been identified for foreclosure are as follows:  
  
607 S Fieldcrest (action has been initiated)  
627 NC 700 (action has been initiated)  
721 Patrick Street (action has been initiated)  
766 & 580 Thornton Street (as a result of the initiated foreclosure action, property owners have paid the City the delinquent fees).  
1116 Center Church Road  
405 Moir Street
- Properties that the County has begun foreclosure action or will begin action soon are as follows:  
  
628 Monroe Street (County has filed action and City has filed an answer for our lien)  
723 Spring Street (County has filed action and City has filed an answer for our lien)  
105 Periwinkle Road (County has sent information to their attorney for action)

#### Additional Collection Remedies

- We have had discussions with the County regarding the County placing nuisance abatement fees and demolition liens (housing and nonresidential) on the property tax bill. This has been done in other cities and counties with good collection results.
- During the preliminary discussions, the County has been extremely cooperative and agreed to do this for a nominal fee. Discussions have also included suggestions that the nominal fee could be paid by an “in kind” payment by the City of a certain number of tax foreclosures done by the City.
- These discussions will hopefully be memorialized in an amendment to the City and County tax collection agreement before the end of this fiscal year.

#### 2018-2019 Funding Request

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Address	Cost
233 The Boulevard - Com	*\$ 53,500
1238 Irving Avenue - Res	\$ 4,000
910 First Street - Res	\$ 5,500
1013 First Street - Res	\$ 4,500
205 Morgan Road - Com	\$ 40,000
1009 Galloway Street - Res	\$ 3,500
819 Bridge Street - Res	\$ 5,500
Annual Contracted Services Request	\$ 60,000
TOTAL REQUEST FOR 2018-2019	\$ 176,500

\*Approved by City Council to be brought back to them in August 2018.

#### Current Projects

- Ordinance Changes:
- Our department staff monitors the enabling legislation for changes that need to be made to our property codes including nuisances, junk cars, housing violations and non-residential maintenance violations.
- Our Zoning, Subdivision, Water Supply Watershed and Flood Damage Prevention codes are operating under the same framework that they have been under since original adoption.

#### New or Updated Development Regulations

- Most communities use a Unified Development Ordinance which puts all of these regulations under one framework. We plan to ask the City Council to fund such an ordinance update in the next fiscal year. Such an update will assist the City of Eden in attracting new developers and will make our regulations more user friendly.
- It is estimated that \$75,000 will be needed to do this project.

Ms. Stultz asked if there were any questions.

Council Member Burnette stated that first of all, he thought they all realized when they cleaned up all of these houses and things that they get only a very small percentage of that money back. He applauded her for looking at ways to make that a little less costly. He stated that they have worked with the county in several ways but one of the things that had been done was on tax reduction for new businesses or rehabbing a business or building of that type. He asked if there was any possibility of doing something like that on the property that they own if they build a house that the city could work with the county on some sort of tax reduction.

Ms. Stultz replied that one of the things that they have done a number of years ago, if someone bought an infield lot from the city that did not have a water or sewer tap the city had a policy

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

where they could be helped with that. It was illegal in North Carolina to actually abate taxes. What they could do was to offer some incentives to help them.

Council Member Burnette stated that he thought any type of incentives that they could offer, to not necessarily cost the city something, but it could cause people to build, and then there was a tax revenue there.

Ms. Stultz added that even if someone bought it and it was next door to them and they wanted to make a garden on it, municipal services would stop mowing it and it keeps the city from getting further and further behind.

Council Member Burnette asked if she could explain what the Unified Development Plan was and what that really gave the city because there was a fair cost.

Ms. Stultz explained that it makes them have zoning, subdivision, flood and watershed all in one ordinance, which means it has one process, one set of definitions, one set of allowed uses and an ordinance like that was not only easier staff to use, it was much easier for citizens to use and for potential developers to use. Also if you think about how different development is in 2018 than it was in 1967, the way their ordinances were organized and put together, they were functioning pretty well but if current staff were not there, it would take someone a while to get up to speed because the ordinances were not in the place where the next planner would expect them to be. Or where a citizen or potential developer who looked at it online would expect them to be.

Council Member Epps asked if she was planning on doing any adjustments to their ordinance to get rid of some of the stuff that should not be there.

Ms. Stultz replied that was exactly what they would try to do, try to bring them to a point where they would have what their community standard was and that was not a process that would be undertaken without a tremendous amount of input from the Council, the Planning Board and their other boards and commissions. It was an arduous process but it was something that they need to do.

Mayor Hall asked what their strategy was for marketing the properties that the city did own.

Ms. Stultz explained that have signs and they encourage anybody that comes in and share with them the list that they have. Because of the taxes, it was not like they could just auction them off. They would have to have an auctioneer and they would still have to pay the county taxes.

Mayor Hall pointed out that probably their realistic goal was to get back what was owed to them with the taxes, and what was owed. He suggested that they may be able to have a tab on the city's website, available real estate, and just put the price. Somebody may see that and call or either list it with a real estate agent and try to move it.

Ms. Stultz replied that a lot of times in the meantime, they have probably mowed it six times a year.

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Mayor Hall suggested that they try to aggressively get rid of them. He knew she had signs and she knew the people who typically buy them but if there was any marketing strategy to get them gone faster, there was over \$30,000 there that would cover all of the residential demolition she was asking for this year.

She agreed but pointed out that it was impossible to collect it all to which Mayor Hall also agreed.

Council Member Carter asked if the building on The Boulevard was not tied into any other building as he knew one side of it was open.

Ms. Stultz replied that in Leaksville all of the buildings have party walls but Draper and The Boulevard, most of them have buildings that jam up against each other. According to the Code Inspector, for that building, the wall was independently supported and they could take it down without worrying about the other two buildings on either side.

Council Member Carter asked if \$53,000 was the cheapest price to which Ms. Stultz replied that the first time she had received a price on it, it was over \$100,000. Sadly, it keeps sitting there and falling apart but it has reached the point where that was not going to go down any more. It was open and it was dangerous. He asked if city staff could take it down to which she assumed that they could not and of course they could not burn it down.

Council Member Carter asked how much it would take to abate all of these properties.

Ms. Stultz replied that she had asked for \$176,000 this year to which he asked where that would put her. She explained that it would not get everything, she would be back with her hand out next year and the year after that.

Council Member Carter asked how much money it would take to do it all at one time.

Ms. Debra Madison, Planning Coordinator, replied that a couple of years ago they put everything on the list and it was a little over \$300,000.

In reference to a question by Council Member Epps about taxes, Ms. Stultz explained that if the city foreclosed for taxes, rather than foreclosing their demolition lien, then they do not also have to pay the county in taxes.

Council Member Hampton asked if another demolition person could come in and bid since it had already been bid on or did they have to use this one.

Ms. Stultz replied that this one was far and away the lowest bidder. By the time they get to August or July, however, she would speak with the City Attorney to see if she thinks they may need to rebid it. At this point it was unfair because the bid was now public.



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Update, Discussion and Consideration of *Positively Eden* Strategic Plan Implementation Initiatives – Strategy IV – How We Thrive: Integrate Health & Recreation Opportunities (Johnny Farmer, Director of Parks & Recreation and Brad Corcoran, City Manager)

Positively Eden! Strategic Plan:

Strategy: HOW WE THRIVE:

Integrate Health and Recreation Opportunities

Goal: Rely on the 2017 Parks and Recreation Master Plan

Mr. Johnny Farmer, Director of Parks & Recreation presented the following information:

Dog Park

The Mayor and City Council approved the construction of the Freedom Park dog park at its October 17, 2017 City Council meeting. The cost of this facility is \$35,000. This project is scheduled for completion in the spring of 2018.



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

### Update on Freedom Park Nature Trail Improvements & RV Pad Installations

- Staff has begun making improvements to the Nature Trail at Freedom Park by adding additional stone and granite dust to the existing trail and adding 10 RV pads to the back of Freedom Park.
- The RV pads have been laid out and when the area dries out then this area will be graded and stone will be applied to the area for the RV pads. The RV pads will have electrical hook-ups and water and sewer hook-ups.
- This project is scheduled to be completed in June 2018.
- This project is being funded with a \$25,000 grant.

### Update on Matrimony Creek Greenway

- The Matrimony Creek Greenway Project is moving forward. The Engineering firm for the project has completed the drawings and the Erosion Control Plan has been approved by NCDNR.
- The Mayor and City Council approved the purchase of the property from Hampton Heights Baptist Church at its November 21, 2017 City Council meeting. The Trail Head with parking and restroom facilities will be located on this land.
- The City Attorney is completing all the easements and City employees will begin work on this project when the area dries out.
- This project is scheduled for completion by July 2018.
- This project is being funded with assistance from a \$100,000 grant and the remaining \$45,000 is coming from the Strategic Plan funding included in the current budget.

This proposed greenway trail is approximately 1.5 miles long and winds along the scenic Matrimony Creek. This section will provide access to numerous residential streets and also will provide a spur trail to Douglas Elementary School.

### Matrimony Creek Greenway Phase II

- Matrimony Creek Greenway Phase II would consist of new components to the Matrimony Creek Greenway that are not part of the development being completed at this time.
- The Homer Wright Family has donated approximately 15 additional acres at the Matrimony Creek Greenway facility.
- City Staff and DRBA has met with members of the community and conducted 4 public meetings seeking input on what they would like to see in Phase II.
- Trails connecting Douglas Elementary School to the Matrimony Creek Greenway have become a top priority, along with the development of an outdoor classroom in this area.
- Staff plans to work with DRBA to prepare a site plan for the Matrimony Creek Greenway Phase II and bring to the Mayor and City Council for consideration.
- Costs to develop trails to the Matrimony Creek Greenway from Douglas Elementary School and build an Outdoor Class Room is approximately \$75,000.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- City Staff and DRBA plan to apply for funding assistance for this project from the Kate B. Reynolds Foundation.
- If funding is approved for this project, this would be completed in the Fall and Spring of 2018-19.

Eden has two beautiful rivers that add to our downtown experience. Draper Landing on the Dan River was severely damaged in a flood and recommended repair is cost prohibitive. The two landing areas above the dam are within a mile of each other with the next closest seven hours above it. A Duke Energy Water Resources Grant request was submitted for \$100,000 to help cover the cost of replacing Draper Landing and to add a new landing at the end of Klyce Street on currently owned City property.

#### Eden Future Trail/River Access Development

<u>Project</u>	<u>Timing</u>	<u>Projected Cost</u>	<u>Funding Source</u>
Draper and Klyce Landings	Fall/Winter 2018	\$100,000 (City-in-Kind)	Duke Energy Water Resources Fund
Karastan Trail	Spring 2019	\$50,000	Recreational Trails Program (Application Spring 2018 – Award
Eden Industrial Trail	Spring/Summer 2019	\$75,000	Duke Energy Water Resources Fund (If funding is available; fall of 2018; award of 2019)
Matrimony Creek	Fall/Spring 2018-19	\$75,000	Kate B. Reynolds Foundation and/or FY 2018-19 Budget

#### Freedom Park Splash Pad FY 2018-2019

- Staff is requesting funding in FY 2018-19 to construct a Splash Pad at Freedom Park. Splash Pads are one of the most popular recreation amenities for cities and counties across the United States.
- The Splash Pad would provide another quality facility for the citizens of Eden, and would also help continue the City's efforts in pursuing recommendations that were outlined in the City's Parks and Recreation Comprehensive Plan that was approved last summer.
- The Splash Pad would be placed between Freedom Park Shelter 1 and the Outdoor Volleyball Court at Freedom Park.
- Construction would consist of the Splash Pad area, concrete seating and lounging area, site furniture and fencing.
- The existing restrooms and concession area at Freedom Park Shelter 1 would be utilized with this facility. The approximate cost of this facility including a contingency is \$500,000 and the facility would take approximately 4-6 months to construct depending on weather conditions.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- This project would be funded through an installment loan agreement with a local lending institution over a period of ten years. This is the same funding strategy that was used to construct the baseball/softball fields at Freedom Park.
- A \$500,000 loan at 2.63% interest (same as street resurfacing loan) over a period of 10 years would have an annual debt service payment of \$57,514.
- Proceeds from admissions and rentals would help to raise funds for these payments. In addition, Duke Energy has agreed to commit a still to be determined portion of their annual annexation-in-lieu agreement payments to this project for the next five years.



### Renovations to Existing Pool

- The Mill Avenue Pool is over 50 years old and City Staff has been doing an outstanding job to keep this facility operating each year.
- It is just a matter of time before something major happens at this facility and it may not be operable.
- During the past 12 months, the City spent a total of \$41,815 in repairs to keep this facility open. City Staff will continue to work diligently to keep this facility operating in the future.
- Due to its age, we wanted to let you know the condition of the facility and the potential for major problems that could happen in the future.
- The cost to renovate the existing Mill Avenue Pool would include demo of the old pool, bath house, pump house and concrete. A new pool would be built, new concrete surface around the pool, new 2000 square foot bathhouse, new pump house, and new fencing. The design would be similar to the existing facility.



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- The cost would be approximately \$1,000,000 and it would take approximately 18-24 months to complete this project.

### New Aquatic Complex

- During the Strategic Planning Steering Committee meeting on February 9, it was stated that it would be great if the City would look at relocating the pool to Freedom Park once it was ready to build a new facility. The belief is that this would be a great fit with and addition to the other amenities at Freedom Park
- A new Aquatic Facility at Freedom Park, similar to the conceptual plan shown in the next slide would cost approximately \$3.4 million dollars. It would take approximately 24 months to complete this project.
- Staff would seek a PARTF Grant on either of these projects.

Proposed Aquatic Facility \$3,358,000



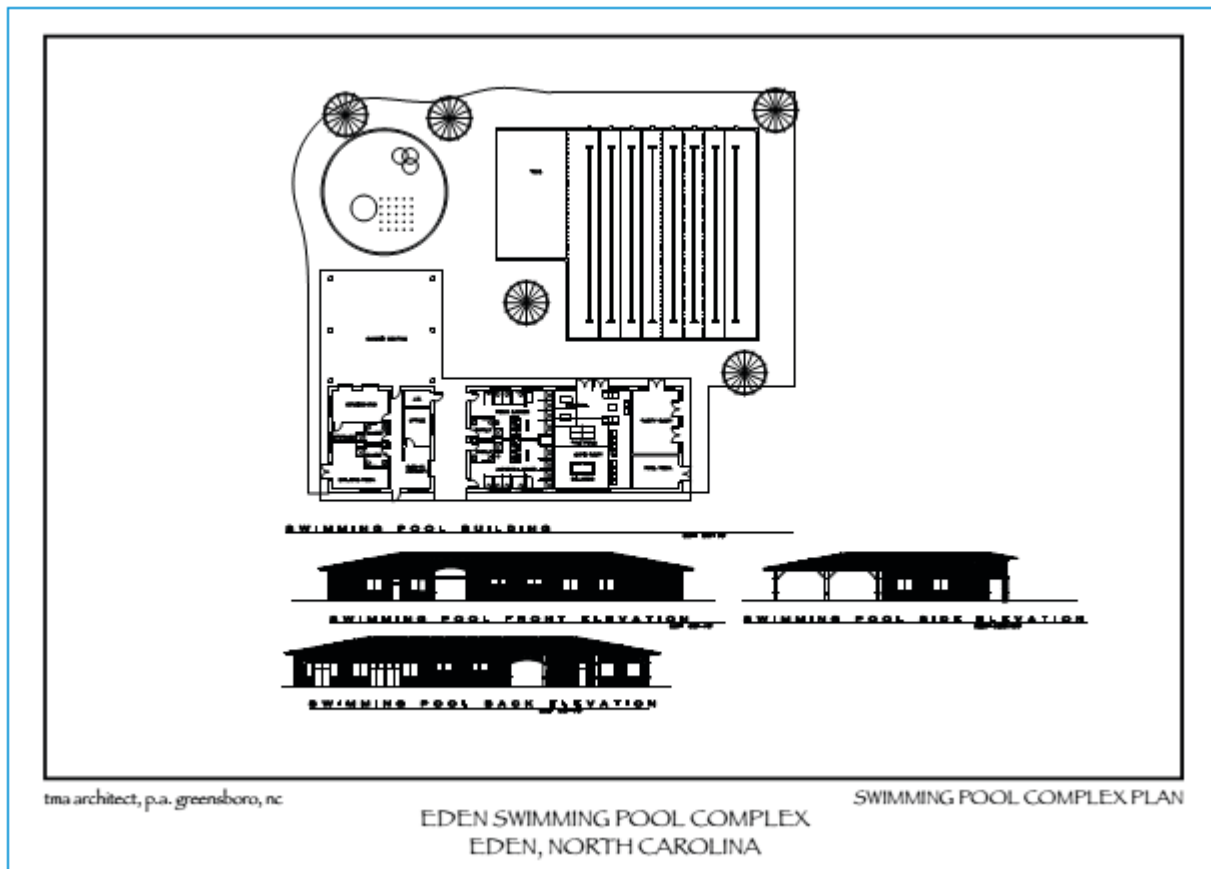
tma architect, p.a. greensboro, nc

EDEN SWIMMING POOL COMPLEX  
EDEN, NORTH CAROLINA

VIEW OF THE SWIMMING COMPLEX

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:



#### Costs for Additional Parks & Recreation Projects That Have Been Asked About

- Walking Track Lighting at Freedom Park (\$40,000 for purchase or \$18,000 per year for yearly lease agreement)
- Football Field lighting at Freedom Park (\$55,000 to relocate lights from Draper Ballfield / \$175,000 new)
- Sand, restripe, and refinish gym floors for Bridge Street & Mill Avenue (\$27,000)
- Resurface Tennis Courts at Bridge Street (\$45,000)
- Putt-Putt facility at Freedom Park (\$125,000-\$450,000) depending on what is selected- not including any buildings, such as restrooms and concession area or parking lot.

#### Parks and Recreation Program Ideas

- Concert in the Parks/Cruise Ins –The Parks and Recreation Department offers a Concert in the Park/Cruise In the last Saturday of each month from April to October at 6:30 pm at the Freedom Park Amphitheater.
- Last year there were 2 county concerts, 2 beach music/soft rock, 1 Blue Grass, 1 Gospel, and a special event themed around Halloween. Staff will continue to schedule a wide variety of groups to perform at these events.

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- Afterschool Programs, Mentoring Programs, and Volunteers –the Parks and Recreation Department presently offers afterschool programs to the children at the Bridge Street Recreation Center and the Mill Avenue Gym, as well as a Summer Day Camp Program. Staff and volunteers assist the children with their homework and other activities.
- The Parks and Recreation Department relies on volunteers to assist in coaching all of the programs, and we would not be able to do what we do without their assistance. Seniors from the Garden of Eden Center also interact with the children in summer camp with the Community Garden program, as well as helping them with arts and crafts projects.
- Volunteers are critical to the success of the Parks and Recreation Department and helping ensure the children in our City are being provided with the proper knowledge and care to help them become the leaders of tomorrow.
- Ways to Enhance Senior Program –The Garden of Eden Center is open Monday-Friday from 8am-5pm. There are all types of services provided for seniors during this time from card games, arts and crafts, seminars, computer training, trips, and many others.
- The facility that the program is located in at the present time is small and outdated, but City Staff does a good job of keeping the facility in a good condition and does a good job with the programs that are offered there.
- Bicycles on loan for daily use by the public –this is a practice that is being offered by larger cities, and is being done as a private business in some cities. Some of the issues that have been discussed is where the bicycles are left when the users are finished with them. They are usually left where the user finishes riding the bicycle, not where they were originally picked up. The cost of the program would be based on the number of bicycles you purchased, and how many man hours would be involved in retrieving the bicycles after they were used, and placed in a proper location.
- Youth Football Changes –Parks and Recreation Staff will be in conversations with the Eden Prowlers and Eden Boys and Girls Club to see how we can ensure that the City is offering the best football program possible for the youth in the City.
- A small Mountain Bike Trail was built behind the Eden YMCA, but was damaged during last years tornado. Staff has spoken to DRBA and they are looking into making repairs to the site. City Staff will look into the feasibility of installing Mountain Bike Trails at Freedom Park and at the Matrimony Creek Greenway in the future.
- City Staff continues to participate in the Be Healthy Rockingham County Group discussions and plans on working with UNC-Rockingham Health Care in the coming year to see how we can partner to help continue to help keep the City residents healthy.
- The Get Fit Eden Program has been very successful for the past several years and now is being developed into the Get Fit Rockingham Program. A funding request has been submitted to the Kate B. Reynolds Foundation for this program.

Mr. Farmer asked if there were any questions.

Council Member Burnette stated that he knew he had said they would use the existing restrooms for the splash pad, but asked if they would be converted into, not necessarily a bath house, but a dressing room. He pointed out that he thought they were going to need dressing rooms.

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

Mr. Farmer explained that what he had thought about in that area was a changing room, with maybe a couple of shower heads where people could shower.

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Update, Discussion and Consideration of *Positively Eden* Strategic Plan Implementation Initiatives – Strategy V – How We Connect: Engage Citizens & Closing Comments (Cindy Adams, Coordinator of Tourism and Special Projects, Kelly Stultz, Director of Planning and Inspections and Brad Corcoran, City Manager)

Mayor Hall called on Ms. Ms. Cindy Adams to present the next PowerPoint.

Positively Eden! Strategic Plan:  
Strategy: HOW WE CONNECT:  
Engage Citizens

How Do We Connect and Engage Citizens!

“Drop-In Style” Public Meeting – March 1, 2018 – 6:00-7:00 p.m. – Eden Room

Measures Underway to Engage Citizens

- LED Sign at City Hall – Cost \$23,970
- Explore Eden Facebook Page
- Explore Eden Website
- City of Eden Facebook Page
- City of Eden Municipal Website
- Monthly E-Newsletter
- City Hall Page in Eden’s Own Journal
- City Manager’s Monthly Report
- Fox 8, WXII 12, News 2, Spectrum News, WGSR & RCENO
- Rockingham Now, News & Record, Eden’s Own Journal
- Mike Moore Media – Monthly Celebrate NC Radio Program
- Information Rack in City Hall & Eden Chamber of Commerce
- Area newsletters – Eden Chamber of Commerce, Rockingham County Arts Council

Text Message Marketing

- The effectiveness of Text Message Marketing is due to the fact that 91 percent of people keep their mobile phones within reach 24 hours a day.
- Studies show that 98 percent of all text messages are ready within 3 minutes of delivery. People tend to reach for their mobile phone as soon as they hear the ringtone of an incoming message.



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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

\$299 to start / \$129 per month. Unlimited keywords and unlimited texts. There can be multiple keywords to best target our desired markets. For example, text “Eden” to 12345 – all Eden news; or text “River” to 12345 – all river events; or text “Festivals” to 12345 – all festivals.

Texting is a cost-effective way to be able to IMMEDIATELY connect with your followers. They opt in because they want to stay informed.

WIN/WIN

Total: \$1,847

The Explore Eden Facebook page has over 6500 followers.

WGSR TV 47

Studio – Gilmer Street, Reidsville

Transmitter – Friendship Church Road, Brown Summit

Station information

- HD Digital OTA Station
- 1.5 million potential viewers
- Live programming (news, weather, talk and community interest)
- One share on Neilson
- More value for your money

Twelve months contract:

- Run 10 – Did You Know - :05 spots per day
- Run 3 minute infomercial – 3 times per week (include rivers, parks and other attractions as a tourism piece)
- Run :30 spot – 3 times per day (ways to engage citizens)
- Mayor – once a month show – 15 minutes (could go longer if topic requires not exceed 28:30)

All content provided by CTT Productions, LLC

Cost: \$18,000

CTT Productions, LLC

Using drone, stills and video:

Film with drone – rivers, parks, downtowns (Draper, Leaksville, Spray, Cook Block and Boulevard), industrial parks and current business locations

Film:

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Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

- Did You Know – series of questions about Eden :05 spots – up to 25
- Create 3 :30 spots (Small Town Big Outdoors and others)
- Mini infomercial – 2 -3 minutes
- Short sound bites from Who’s Who and citizens
- Professional voice overs
- Professional graphics

CTT Productions will produce and package all the above and deliver electronically to use on TV, websites, social media, movie theater and other.

Cost: \$5,000

Presented 2 “Did You Know” videos and one “Eden’s Business” video

A Few Minutes With The Mayor

- “A Few Minutes with the Mayor”
- Last Thursday of each month at 5:45 (6:15)
- Mayor Hall and Debbie Moore will be live for 15 minutes
- Each month the mayor will welcome questions via email submitted prior to the show
- The first show will air on February 22, 2018

To Continue Projects – 2018-2019 Budget Requests

- Continue the WGSR & CTT Productions work.
- Continue Text Message Marketing

Cost: \$24,847

Future Projects

Billboard Campaign that will include Rockingham County and the Triad.

Cost: \$10,000 per year

Ms. Adams asked if there were any questions.

Council Member Burnette stated that he personally believed all the things she had set up for communication were really great, but like she said, it was a journey and they had to find out what they were doing so, he thought they needed to investigate some way to measure how effective each of these communication paths are. If they did not, there were sort of going at them blindly. What worked well, then continue and what did not work well, then find something else.

Ms. Adams explained that it was a hard job and they had talked about that. It was very difficult, unless you do surveys. At the Pottery Festival, they have a registration. At the bottom, they are asked how they found about the event. That helps them market it in a valuable way. Our State

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

magazine works for them, TV worked, but they would have to investigate other ways. She added that it was hard.

Ms. Stultz explained that for the Strategic Plan for the current year, they had all agreed last year that it was time to budget \$300,000 for strategic plan projects and with that the agreement was to put this money aside and as things were plan, it would come back for approval. You can see all of the good things that have been done and they have heard about them today.

Allocation		\$ 300,000
Expenses:		
Pocket Park, Muralist & Acquisition	\$ 34,000	
Dog Park	\$ 35,000	
Star News Package	\$ 18,000	
Text Messaging Service	\$ 1,847	
CTT Productions, LLC – Videos, Drone	\$ 5,000	
Matrimony Creek Greenway	\$ 45,000	
Washington Street Parking Lot	\$ 125,000	
Branding Study	\$ 17,210	
Total Approved Expenses		<u>\$ 281,057</u>
Balance of Allocation		\$ 18,943

Ms. Stultz explained that the total approved expenses so far was \$281,057. That leaves \$18,943.

Ms. Stultz stated that the Strategic Planning Committee was put together almost two years ago. They have done a great job. All of the other boards and commissions that the City of Eden has are part of the city's planning organization ordinance.

#### Organization of the Strategic Planning Commission

- At this point, it is important to formally establish the Strategic Planning Commission and make it a permanent part of the City of Eden's Planning Organization Ordinance.
- This is important to give the group the same legitimacy that our other boards and commissions have.
- So that you will have the ability to undertake the duties outlined in the draft ordinance proposal that you have been given
- We need to decide on the following:
  - Official name
  - Meeting frequency, location and time

Ms. Stultz explained that they would have to call a public hearing in March or April.

February 24, 2018

Minutes of the February 24, 2018 meeting of the Eden City Council, Continued:

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**Discussion of Budget Priorities for FY 2018-19 & Beyond - Free time for Mayor, Members of Council and Staff to select additional topics for discussion and consideration (Brad Corcoran, City Manager)**

Mr. Corcoran explained that resources were limited, funds were very tight. He would try to put together a budget that addresses all of these areas and obviously of there were things that he forgot, that they would want to include, he could change that and if there were things that they did not want to see in there then they could be removed.

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**Wrap-Up and Adourn**

Mayor Hall asked if there was any more discussion or comments. As there were no other comments or questions he asked for a motion to adjourn.

**ADJOURNMENT:**

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

Respectfully submitted,

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

ATTEST:

\_\_\_\_\_  
Neville Hall, Mayor



# Planning and Inspections Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

## MEMO

**TO:** Honorable Mayor and City Council  
**THRU:** Brad Corcoran, City Manager  
**FROM:** Kelly K. Stultz, AICP, Director  
**SUBJECT:** **Zoning Case Z-12-01/PUD-R**  
**FINAL DEVELOPMENT PLAN – SUMMIT PLACE, PHASE 3**  
**DATE:** March 5, 2018

Northridge Development Corporation has presented a final development plan for Summit Place, Phase 3 located on Wilshire Drive.

The Planning and Inspections Department recommends approval of the plan subject to conditions.

At their February 20, 2018, regular meeting, the Planning Board voted to recommend that the City Council approve this request subject to conditions on the attached list.

If you have questions, please contact this office.

**LEGEND**

EIS	EXISTING IRON STAKE
I.S.	IRON STAKE SET
MON.	CONCRETE MONUMENT
CL	CENTER LINE
M.H.O.	MAN HOLE
R.V.	RIGHT-OF-WAY
OH	OVERHEAD ELECTRIC
PT.	POINT
U	UTILITY POLE
B.G.	BELOW GRADE
A.G.	ABOVE GRADE

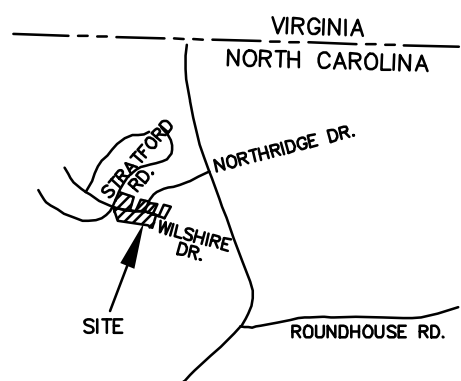
CERTIFICATE OF OWNERSHIP AND DEDICATION  
 THE UNDERSIGNED HEREBY ACKNOWLEDGES TO THE OWNERSHIP OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE CITY OF EDEN, AND HEREBY ADOPTS THIS PLAN OF SUBDIVISION WITH FREE CONSENT, ESTABLISHES MINIMUM BUILDING SETBACK LINES, AND DEDICATES FOREVER CONSENT, ESTABLISHES MINIMUM BUILDING SETBACK LINES, AND DEDICATES FOREVER ALL STREETS, ALLEYS, WALKS, PARKS, OR OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED, AND DEDICATES ALL SANITARY SEWER, STORM SEWER AND WATER LINES TO THE CITY OF EDEN.

NORTH CAROLINA  
 ROCKINGHAM COUNTY  
 I, \_\_\_\_\_, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT I PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL, THIS DAY OF \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_  
 MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF NORTH CAROLINA  
 COUNTY OF ROCKINGHAM  
 \_\_\_\_\_, REVIEW OFFICER OF \_\_\_\_\_, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER: \_\_\_\_\_  
 DATE: \_\_\_\_\_



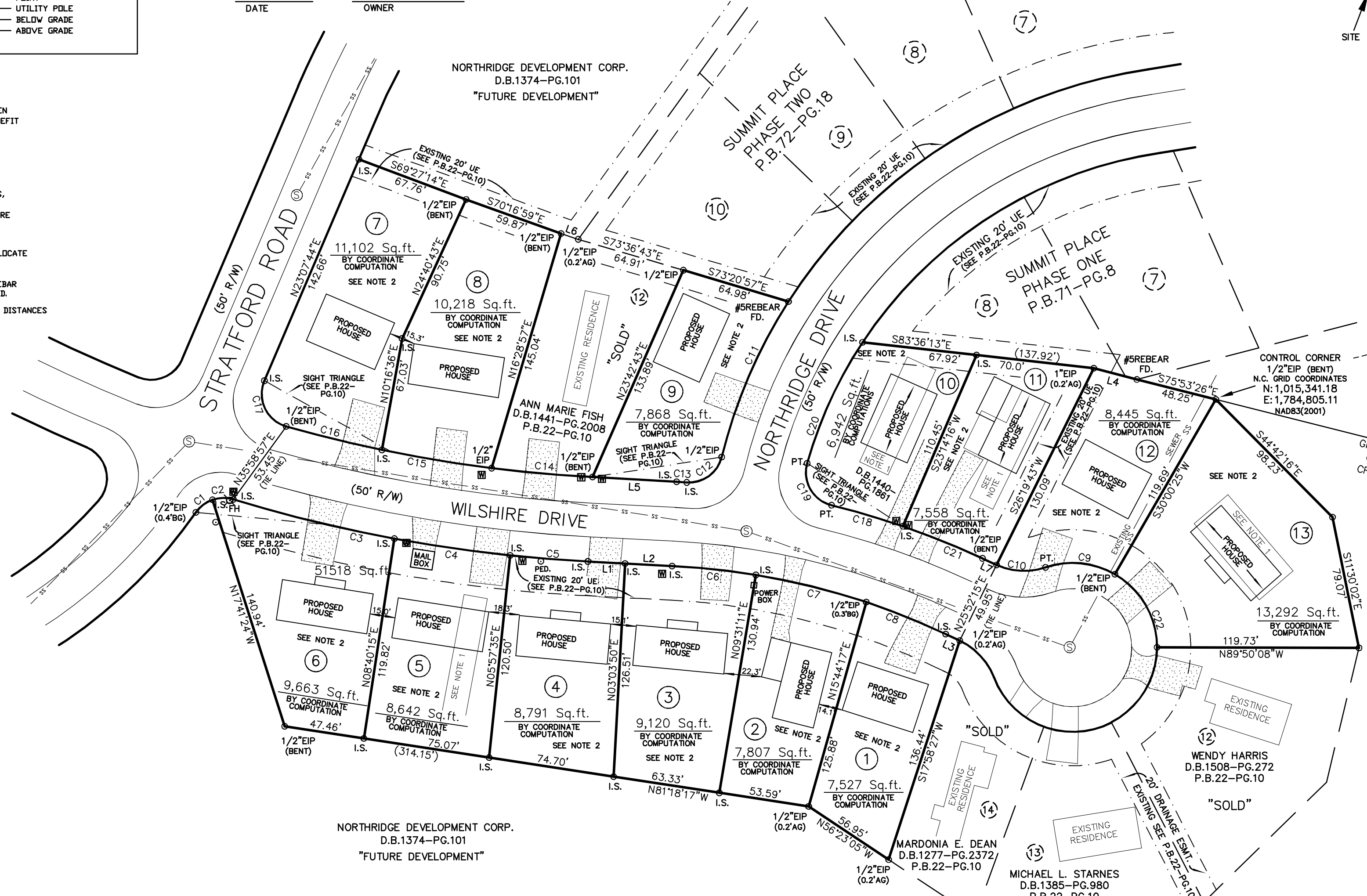
NOTE: THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND, THEREFORE, DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE

SUBJECT TO ANY EASEMENTS, AGREEMENTS OR RIGHTS-OF-WAYS OF RECORD WHICH WERE NOT VISIBLE AT THE TIME OF INSPECTION.

NO ATTEMPT WAS MADE TO LOCATE UNDERGROUND UTILITIES.

ALL IRONS SET ARE 5/8" REBAR SET FLUSH WITH THE GROUND.

ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE NOTED



CONTROL CORNER  
 1/2"EIP (BENT)  
 N.C. GRID COORDINATES  
 N: 1,015,341.18  
 E: 1,784,805.11  
 NAD83(2011)

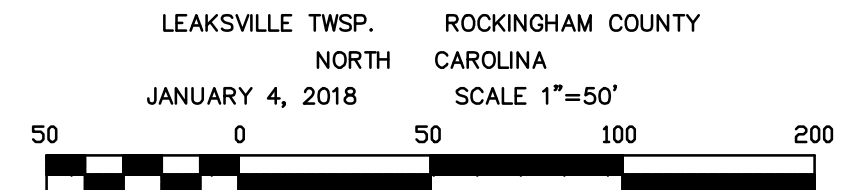
CONTROL CORNER  
 NGS MON.  
 "HUTCHINS"  
 N: 1,015,191.67  
 E: 1,785,397.67  
 NAD83(2011)

NORTHTRIDGE DEVELOPMENT CORP.  
 D.B.1374-PG.101  
 "FUTURE DEVELOPMENT"

SITE DATA:  
 ZONING: R-4/PUDR  
 NUMBER OF LOTS: 13  
 TOTAL AREA IN LOTS: 2.685 Ac.

NOTE 1: RESIDENCE TO BE REMOVED  
 NOTE 2: ELECTRIC, TELEPHONE AND TV CABLE SERVICES ARE UNDERGROUND AND WERE NOT LOCATED AT THIS TIME

"PRELIMINARY"  
 FINAL DEVELOPMENT PLAN  
 FOR  
**SUMMIT PLACE**  
**"PHASE THREE"**



SCALE  
 C.E. ROBERTSON & ASSOCIATES, P.C.  
 PROFESSIONAL LAND SURVEYOR L-1421  
 CERTIFICATION NUMBER: C-2928  
 P.O. BOX 584  
 EDEN, NC 27289  
 PH. (336) 627-0498

**SURVEYOR'S CERTIFICATE**

I, C.E. Robertson, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 1469-Page1131); that the boundaries not surveyed are clearly indicated as drawn from information found as shown; that the ratio of precision as calculated is 1 : 10,000 + ; that the Global Positioning System (GPS) survey and the following information was used to perform the GPS survey:  
 Class of survey: A  
 Positional accuracy: 0.10'  
 Type of GPS field procedure: Rapid Static  
 Dates of Survey: June 2017  
 Datum/Epoch: NAD83(2011)  
 Published/Fixed control use: NGS/CORS  
 Geoid model: Geoid12B  
 Combined grid factor: 1.00009582  
 Units: US survey feet  
 That his plat was prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, registration number, and seal this 4th day of January, 2018.

Surveyor  
 Registration Number: L-1421

**CURVE TABLE**

NUM	ARC	RADIUS	BEARING	DISTANCE
C1	12.54'	20.00'	S52°54'36"W	12.34'
C2	12.54'	20.00'	N88°50'58"E	12.34'
C3	98.31'	882.71'	S76°18'48"E	98.26'
C4	69.39'	882.71'	S81°45'21"E	69.37'
C5	46.21'	882.71'	S85°30'28"E	46.21'
C6	49.90'	434.44'	S83°56'45"E	49.87'
C7	67.47'	434.44'	S76°12'22"E	67.41'
C8	50.82'	434.44'	S68°02'18"E	50.80'
C9	42.56'	50.00'	N84°22'53"W	41.29'
C10	29.78'	40.00'	N87°03'39"W	29.10'
C11	100.66'	306.25'	S23°13'13"W	100.21'
C12	27.87'	20.00'	S54°00'26"W	25.67'
C13	5.98'	484.44'	N86°24'51"W	5.98'
C14	60.03'	832.71'	N84°59'06"W	60.01'
C15	65.97'	832.71'	N80°31'01"W	65.96'
C16	58.37'	832.71'	N76°14'20"W	58.36'
C17	34.00'	20.00'	N25°32'14"W	30.05'
C18	43.57'	484.44'	N73°35'59"W	43.56'
C19	32.67'	20.00'	N30°51'40"W	29.15'
C20	35.87'	256.25'	N24°35'27"E	78.89'
C21	50.86'	484.44'	N68°00'54"W	50.84'
C22	52.36'	50.00'	N29°59'34"W	50.00'

**LINE TABLE**

NUM	BEARING	DISTANCE
L1	S86°53'45"E	22.06'
L2	S86°53'45"E	27.94'
L3	S64°41'01"E	9.16'
L4	S75°14'46"E	26.40'
L5	N86°45'02"W	49.93'
L6	S71°27'34"E	10.76'
L7	S65°00'27"E	9.16'

OWNER: NORTHTRIDGE DEVELOPMENT CORP.  
 P.O. BOX 610  
 EDEN, NC 27289  
 DEED REFERENCE: D.B.1374-PG.101  
 D.B.1440-PG.1861

**CONDITIONS OF APPROVAL  
FOR  
FINAL DEVELOPMENT PLAN  
SUMMIT PLACE PHASE 3  
(formerly NORTHRIDGE)**

Prior to issuance of a building permit, the following conditions shall be met:

- (1) The Homeowners Association documents shall be recorded in the Rockingham County Register of Deed's office.
- (2) The developer shall provide all sanitary sewer easements and drainage easements and grant any rights-of-way necessary for each phase of the development. All such improvements shall be installed as per the Final Development Plan and shall meet all City requirements and specifications.
- (3) The PUD shall comply with all City of Eden land use regulations including all provisions of the PUD-R district.
- (4) The size and location of all signs must be noted.
- (5) The plat for Phase 3 shall be recorded in the Rockingham Country Register of Deeds office.



# United Financial

A Division of HomeTrust Bank

876 Brevard Rd  
Asheville, NC 28806

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March 1, 2018

Amy P. Winn  
Assistant Director of Finance  
City of Eden, NC  
308 East Stadium Drive  
Eden, NC 27288

**Proposal for Acquisition & Finance of:** one (1) 2018 NuLife Knuckleboom Truck

Dear Amy,

As a follow-up to your recent request for proposal regarding the above referenced transaction, United Financial is pleased to offer a finance proposal as follows:

**LESSOR:** United Financial, *a Division of HomeTrust Bank*

**LESSEE:** City of Eden, NC

**COLLATERAL:** Facilities or Equipment as referenced above.

**AMOUNT:** \$145,575.55

**START DATE:** Immediately upon funding

**TERM:** 5 Years

**PAYMENTS:** Lease payments will consist of (5) annual payments of \$30,920.94 comprised of principal and interest beginning 12 months from delivery.

**EXPIRATION:** Lease payment terms quoted herein shall be fixed and held for Lessee through 03/23/2018. Should Lessee fail to accept this Proposal and fail to execute and deliver documentation necessary for Lessor to fund the transaction on or before such date, then Lease Payment amounts quoted herein, shall be adjusted to reflect any increases in interest rates from the date of this letter until the date the required documentation is received by Lessor. Increases in interest rates shall be measured by increases in U.S. Government obligations of comparable terms as published daily in the Wall Street Journal.

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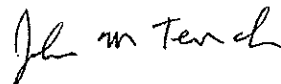
Phone 828-684-5643  
Fax 828-684-5616



- LEGAL TITLE:** Legal Title to the Equipment during the Lease Term shall vest in the Lessee with Lessor perfecting a first security interest through Equipment Title, UCC, or other filing instruments as may be required by law.
- NET LEASE:** The Lease will be a net lease, under which all cost and responsibility of maintenance, insurance, taxes and other items of a similar nature shall be for the account of Lessee.
- INSURANCE:** Lessee shall provide evidence of insurance coverage at the time of delivery of the Equipment, in accordance with the provisions of the Lease.
- FINANCIALS:** Lessee shall furnish Lessor with its last three, (3) fiscal years financial statements and its latest interim financial statements, plus such other pertinent information as Lessor may reasonably request.
- APPROVAL:** Closing of the transactions described herein and implementation hereof is expressly conditioned upon review and acceptance hereof by Lessor's Senior Loan Committee, receipt of properly executed documentation acceptable to Lessor, and the absence of any material adverse change in Lessee's financial condition prior to delivery and acceptance of the Equipment.
- ACCEPTANCE:** Lessee acknowledges that the terms and conditions of this proposal are satisfactory and that upon execution hereof by Lessee this proposal shall constitute a valid and binding obligation of Lessee. As further condition to Lessor's approval hereof, Lessee must acknowledge its acceptance of this proposal by signing below in the space provided and returning it to the Lessor by 03/23/2018.

If you determine that any of these finance structures meet the needs of your organization, please have the appropriate officer indicate the chosen option, place their signature at the bottom of this page, and return it to us via fax, email or US Postal Service. Upon receipt of the signed proposal, we will be in touch with you to make provision for documenting the finance. Thank you for the opportunity to submit this proposal letter for your review and approval. Should you have any question or comments regarding the terms and conditions, or if we can be of any further assistance to you, please do not hesitate to call.

Sincerely,



John M. Tench  
Senior Vice President

**ACCEPTED BY:** City of Eden, NC

**SIGNATURE:** \_\_\_\_\_

**NAME:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Amy Winn


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**From:** Cheryl Burleson <cheryl@firetruckfinance.com>  
**Sent:** Thursday, March 01, 2018 3:56 PM  
**To:** Amy Winn  
**Cc:** John Tench  
**Subject:** City of Eden, NC  
**Attachments:** KNUCKLEBOOM TRUCK PROPOSAL.pdf

Good Afternoon Amy,

I am sending the attached proposal for the finance of (1) 2018 NuLife Knuckleboom Truck in the amount of \$145,575.55 on behalf of John Tench. As requested the proposal is structured with 5 annual payments and the first payment is due 12 months from the date of delivery of the truck. The interest rate for this transaction is 2.04%. Please give me a call if you have any questions. Thank you once again for including United Financial in your bid process.

Cheryl Burleson  
Municipal Finance Specialist  
HomeTrust Bank  
876 Brevard Road  
Asheville, NC 28806  
828 684 5643  
828 365 7132 (direct)

**HomeTrust Bank**   
*Ready for what's next.*



## MEMORANDUM

**To:** Honorable Mayor and City Council  
**Thru:** Brad Corcoran, City Manager  
**From:** Amy P. Winn, Assistant Director of Finance  
**Date:** March 20, 2018  
**Subject:** Knuckle Boom Truck - Financing for 5 years

On January 16, 2018, City Council approved the purchase of a new knuckle boom truck for the Solid Waste department and it is to be financed for a 5-year term. On February 23, 2018 I requested bids from our local banks for the financing and received the following quotes:

BB&T	3.19%
Carter Bank & Trust	2.74%
United Financial (Home Trust)	2.04%

The lowest quote is from United Financial at 2.04%. The first payment will not be due until next fiscal year (2018-2019) and the annual payments will be \$30,920.94 for five years. I respectfully ask that Council approve United Financial (Home Trust) as the successful bid.

If you have any additional questions, please do not hesitate to ask.



**MEMORANDUM**

To: Honorable Mayor and City Council  
Thru: Brad Corcoran, City Manager  
From: Amy P. Winn  
Assistant Director of Finance  
Date: March 20, 2018  
Subject: Budget Amendment # 1

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Fund Balance Appropriated	10-3991-99100	\$ -	\$ 15,000.00	<u>\$ 15,000.00</u>
<b>General Fund Expenditures</b>				
Econ Dev C/O Land Improvements	10-4135-54000	\$ -	\$ 15,000.00	<u>\$ 15,000.00</u>

Appropriates grant funds received for the Smith River Greenway Parking Lot extension.

Adopted and effective this 20th day of March, 2018.

Attest:

\_\_\_\_\_  
Sheralene Thompson, City Clerk

\_\_\_\_\_  
Neville Hall, Mayor



To: Honorable Mayor and City Council

Thru: Brad Corcoran, City Manager

From: Amy P. Winn, CPA  
Assistant Director of Finance

Date: March 20, 2018

Re: Budget Amendment # 1

The City of Eden received a grant from the North Carolina Community Foundation for the extension of the Smith River Greenway parking lot in fiscal year 2016-2017; however, the project was not completed during this budget year and the funds were transferred to the General Fund fund balance. The attached budget amendment appropriates the grant funds for this project from Fund Balance Appropriated to the Economic and Tourism Department budget.



**MEMORANDUM**

To: Honorable Mayor and City Council  
 Thru: Brad Corcoran, City Manager  
 From: Amy P. Winn  
 Assistant Director of Finance  
 Date: March 20, 2018  
 Subject: Budget Amendment # 2

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Riverfest	10-3350-02100	\$ -	\$ 44,000.00	\$ 44,000.00
Oink & Ale Festival	10-3350-02200	\$ -	\$ 1,100.00	\$ 1,100.00
Shaggin' on Fieldcrest	10-3350-02300	\$ -	\$ 3,500.00	\$ 3,500.00
				<u>\$ 48,600.00</u>
<b>General Fund Expenditures</b>				
Riverfest	10-4135-30210	\$ -	\$ 44,000.00	\$ 44,000.00
Oink & Ale Festival	10-4135-30220	\$ -	\$ 1,100.00	\$ 1,100.00
Shaggin' on Fieldcrest	10-4135-30230	\$ -	\$ 3,500.00	\$ 3,500.00
				<u>\$ 48,600.00</u>

Appropriates festival proceeds to expenditure line items.

Adopted and effective this 20th day of March, 2018.

Attest:

\_\_\_\_\_  
 Sheralene Thompson, City Clerk

\_\_\_\_\_  
 Neville Hall, Mayor



To: Honorable Mayor and City Council

Thru: Brad Corcoran, City Manager

From: Amy P. Winn, CPA  
Assistant Director of Finance

Date: March 20, 2018

Re: Budget Amendment # 2

During fiscal year 2017-2018, three events (Riverfest, Oink & Ale, and Shaggin' on Fieldcrest) that had been accounted for through the Downtown Development Corporation are now being accounted for in the city's financial statements. The attached budget amendment appropriates the revenue that was transferred to the city's account to the specific line items in the Economic Development & Tourism budget.



**MEMORANDUM**

To: Honorable Mayor and City Council  
Thru: Brad Corcoran, City Manager  
From: Amy P. Winn  
Assistant Director of Finance  
Date: March 20, 2018  
Subject: Budget Amendment # 3

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Tornado Cleanup Reimbursement	10-3451-82000	\$ -	\$ 102,500.00	<u>\$ 102,500.00</u>
<b>General Fund Expenditures</b>				
Solid Waste Storm Damage	10-4710-29300	\$ -	\$ 102,500.00	<u>\$ 102,500.00</u>

Appropriates reimbursement from NC Department of Public Safety for tornado cleanup.

Adopted and effective this 20th day of March, 2018.

Attest:

\_\_\_\_\_  
Sheralene Thompson, City Clerk

\_\_\_\_\_  
Neville Hall, Mayor





To: Honorable Mayor and City Council

Thru: Brad Corcoran, City Manager

From: Amy P. Winn, CPA  
Assistant Director of Finance

Date: March 20, 2018

Re: Budget Amendment # 3

The attached budget amendment appropriates the reimbursement we received from North Carolina Department of Public Safety to cover the expenditures incurred for the tornado cleanup. This amendment increases the Storm Damage line item in the Solid Waste Department.



**MEMORANDUM**

To: Honorable Mayor and City Council  
Thru: Brad Corcoran, City Manager  
From: Amy P. Winn  
Assistant Director of Finance  
Date: March 20, 2018  
Subject: Budget Amendment # 4

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Fund Balance Approp - Historic Preservation	10-3991-99700	\$ -	\$ 5,000.00	<u>\$ 5,000.00</u>
<b>General Fund Expenditures</b>				
Planning Historic Preservation Expense	10-4910-29903	\$ -	\$ 5,000.00	<u>\$ 5,000.00</u>

Appropriates funds to the Eden Historical Museum for museum repairs.

Adopted and effective this 20th day of March, 2018.

Attest:

\_\_\_\_\_  
Sheralene Thompson, City Clerk

\_\_\_\_\_  
Neville Hall, Mayor



To: Honorable Mayor and City Council

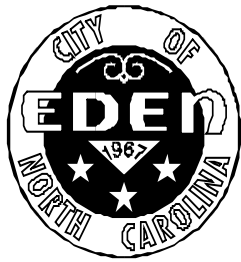
Thru: Brad Corcoran, City Manager

From: Amy P. Winn, CPA  
Assistant Director of Finance

Date: March 20, 2018

Re: Budget Amendment # 4

The attached budget amendment appropriates \$5,000 from the reserved fund balance for Historic Preservation to the Eden Historical Museum to assist with museum repairs. As of June 30, 2017, the fund balance reserved for Historic Preservation was \$7,825.



**MEMORANDUM**

To: Honorable Mayor and City Council  
Thru: Brad Corcoran, City Manager  
From: Amy P. Winn  
Assistant Director of Finance  
Date: March 20, 2018  
Subject: Budget Amendment # 5

	Account #	From	To	Amount
<b>General Fund Revenues</b>				
Bulletproof Vest Grant Program	10-3431-86000	\$ -	\$ 2,800.00	<u>\$ 2,800.00</u>
<b>General Fund Expenditures</b>				
Police Safety Equipment	10-4310-21300	\$ -	\$ 2,800.00	<u>\$ 2,800.00</u>

Appropriates funds received from the Bulletproof Vest Grant Program.

Adopted and effective this 20th day of March, 2018.

Attest:

\_\_\_\_\_  
Sheralene Thompson, City Clerk

\_\_\_\_\_  
Neville Hall, Mayor



To: Honorable Mayor and City Council

Thru: Brad Corcoran, City Manager

From: Amy P. Winn, CPA  
Assistant Director of Finance

Date: March 20, 2018

Re: Budget Amendment # 5

The attached budget amendment appropriates funds received from the Bulletproof Vest Grant Program. This amendment increases the Police Safety Equipment line item to cover a portion of the costs of bulletproof vests.



## Economic Development Department

March 12, 2018

To: Honorable Mayor and City Council

Thru: Brad Corcoran, City Manager

From: Mike Dougherty, Director of Economic Development

Re: March 20, 2018 Closed Session Request

Time is requested for a Closed Session at the end of the March 20, 2018 Eden City Council meeting to discuss an Eden economic development project.

Please let me know if you have any questions about this project.